

VOL. XII

MINUTES  
OF THE  
SUPREME BENCH  
OF  
BALTIMORE CITY

January 1, 1946  
TO  
December 31, 1947

Page 149

New rules of Supreme Bench adopted

1/16/47

## M I N U T E S .

A Memorial Meeting of the Supreme Bench was held on Thursday, January 10, 1946, at 13 o'clock noon, in memory of members of the Bar who died between December 15, 1944, and December 18, 1945. All of the members of the Bench were present except Judge Uclenahan, and the Chief Judge presided.

Mr. J. Wallece Bryan presented a memorial minute on behalf of the Bar Association, and seconding speeches were made by Messrs. Harry N. Baetger and Hilary W. Cans. Judge Tucker responded on behalf\* of the Bench, and It was ordered that the proceedings be recorded in the minutes of\* the Bench.

The Bench then adjourned and met in executive session for luncheon.

Mr. Henry J. Hipperger, Clerk of the Circuit Court, reported that he had appointed L. Gloria Sartori a deputy ic hi? office in place of Ruth P. Terwilliger who had resigned. The appointment was approved by the Bench.

Mr. Lawrence F. Appel, 3711 Fait Avenue, Ralph W. Humphries, 2757 Alameda Boulevard, and George H. Smith, 111 No. Kenjooa" Avenue, were selected as members of the January Grand Jury 1946, in place of Messrs. Henry F. Huber, Charles Scheffenacker and Charles E. Rylee, who were previously selected but had been excused.

There being no further business, the meeting adjourned.

*Colvin DeCunzio*  
Secretary  
Supreme Bench of Baltimore City.

\*

HENRY J. RIPPERGER, CLERK

## CIRCUIT COURT OF BALTIMORE CITY

BALTIMORE-2, MD.



January 7, 1946

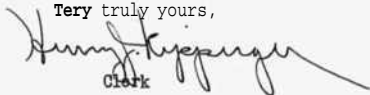
Honorable W. Conwell Smith,  
Chief Judge,  
Supreme Bench of Baltimore City,  
Court House,  
Baltimore, 2, Maryland.

Dear Judge Smith:

Subject to the approval of your  
Honorable Bench, I beg to notify you that I have  
appointed L. Gloria Sartori, a Deputy in this office,  
in the place of Ruth P. Terwilliger, resigned.

Kindly notify me when the appoint-  
ment is approved.

Truly yours,

  
Clerk

HJR:HUB

*approved*

January 10, 1946.

Henry J. Ripporger, Sac:-,  
Clerk of the Circuit Court,  
Court Houae, City -2-

Doar Mr. Ripperyer:

I bog to radviae you tbat the Supreme Bench today approved your  
appointment of L. Gloria Sartori aa a deputy in your office.

Vary truly yours,

Socretery.




**MINUTIS.**

A luncheon meeting of the Supreme Bench was held on Thursday, January 17, 1946, at 12:30 p.m. **All** of the Judges were present except Judges Sayler, Uclanahen and iioylen. The Chief Judge presided.

Judge Miles discussed the question of whether the Juages should be required to go through the testimony in divorce cases, to determine whether Rule 19 has been complied-., with, or whether the Masters should report on this question. On motion it was resolved that it was the sense of the Bench that the Masters should report on whether or not Hule 19 had been oomplied with, and the Chief Judge was requested to write **a** letter to the Masters to that effect.

Judge Sherbow movea that a committee be appointed to take up with the Clerks of the Equity Courts ana have them check up with their deputies to determine whether Rule f6 has been complied with by a notice to the Trust Clerk. The motion was carried, and Judges Niles and Manley were appointed a committee for this purpose.

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

  
Secretary  
Supraee Bench of Baltimore City.

## MINUTES.

A luncheon meeting of the Supreme Bench was held on Thursday, January 24, 1946, at 12:30 p.m. All of the members of the Bench were present except Judges Moylan, McLanahan and Sayler, and the Chief Judge presided.

The appointment by Ur. Henry J. Ripperger of Louis Cohen as a Deputy in his office, in the place of C. Lehnert Hess, deceased, was approved.

Judge Niles reported on the status of repairs to the Court House. There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.



HENRY JRIIPCRQER, CLERK

## CIRCUIT COURT OF BALTIMORE CITY

BALTIMORE-2. MD.



January 21, 1946

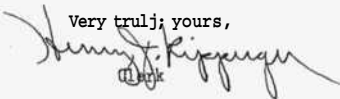
Honorable 17. Conwell Smith,  
Chief Judge,  
Supreme Bench of Baltimore City,  
Court House,  
Baltimore, 2, Maryland.

Dear Judge Smith:

Subject to the approval of your  
Honorable Bench, I beg to notify you that I have  
appointed Louis Cohen, a Deputy in this office,  
in the place of C. Lehnert Hess, deceased.

Kindly notify me when the appoint-  
ment is approved.

Very truly yours,

  
Clerk

HJR:HUB

January 24, 1946.

Henry J. Hipperger, Esq.,  
Clerk of the Circuit Court,  
Court House, City -f-

Dear Mr. Ripperger:

I beg to advise you that the Supreme Bench today approved your appointment of Louis Cohen as a Deputy in your office, in the place of C. Lehnert liess, doconaod.

Very truly yours,

Secretary.

## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, January 31, 1946, at 12:30 p.m. All of the members of the Bench were present except Judges McLenehan and Sayler. The Chief Judge presided.

The Court House Committee made its report on certain changes and improvements to be made in the Court House. After discussion a couple of changes were made in the report, and it was accepted and ordered to be published and a copy filed with the minutes of the Court.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

Supreme Bench  
of  
Baltimore City

January 31, 1946

The Supreme Bench of Baltimore City,  
Hon. W. Conwell Smith, Chief Judge,  
Court House,  
Baltimore - 2, Maryland.

REPORT OF THE COURT HOUSE COMMITTEE.

Gentlemen:

Immediately after our appointment as a special Court House Committee we made a complete survey of the interior of the building, interviewed court clerks, department heads, and others occupying space in the building. We conferred with the Chief Engineer of Baltimore, the Buildings Engineer, the Superintendent of Public Buildings, and other City officials. Our report was published in The Daily Record, October 9, 1944, and gave in some detail our findings and recommendations.

Thereafter we continued our work, and with the full cooperation of the Buildings Engineer and the Superintendent of Buildings, minor repairs and improvements were made. New fluorescent lighting fixtures were placed in nearly all of the Judges' chambers, new window shades replaced the old, dilapidated shades in most of the building. New plumbing fixtures, electric fixtures, etc., were installed in the men's room on floor 2j, Lexington and St. Paul Streets, and walls and woodwork were painted and refinished. The chambers of six Judges, the Supreme Bench consultation room, the chambers of the Orphans' Court Judges, and the jury assembly room were painted. New fluorescent lighting was installed in the jury assembly room. New floor covering was placed in the Supreme Bench consultation room and in the offices of two Judges.

One loud-speaker had been placed in one of the courtrooms for use in 1944, and the experiment met with the approval of the Bench, Bar and the public. With the cooperation of the municipal authorities, a budgetary allotment was made for installation of this sound equipment in eight law courtrooms and the Grand Jury room. They have been in use for some time and have met with general approval.

During 1945, when Judge O'Dunne reached the constitutional age of retirement, Judge Mason was appointed to succeed him on this Committee.

In our 1944- report we pointed out that "with efficient rearrangement of space, some structural changes and capable management, the present building can be economically and satisfactorily used for a long time to come." We reconuanded the appointment of a competent architect to m&lce a complete survey of the Court House. We also recommended that the Office of Supervisor\*of Elections be moved, and suggested the proposed People's Court Building as a location.

With these recommendations in mind we secured the cooperation and assistance of the Mayor and the Board of Estimates. Accordingly a loan of one million dollars was made a part of Baltimore City's program at the 1945 session of the General Assembly. The loan was authorized and will be submitted to the electorate of Baltimore in November, 1946, for approval.

In the meantime we asked the Mayor and Board of Estimates to appoint an architect so that the work could be undertaken in advance of the approval of the loan. Upon the recommendation of Mr. Nathan Smith, City Engineer, and ourselves, the State of Maryland, through the Board of Public Works and the Maryland Commission on Post War Reconstruction and Development, allocated QI^ the sum of \$12,500.00 for architect's fff, so that the work of designing and planning the necessary structural changes could be made. The Mayor and Board of Estimates appointed Mr. O. Eugene Adams as the Architect to prepare a comprehensive plan for the modernization of the Court House.

In the meantime, with the cooperation and assistance of the Judges of the People's Court and the Supervisors of Elections and Mr. James R. Edmunds, Jr., Architect of the People's Court Building, arrangements were made for the Supervisors of Elections to move from the Court House to adequate space in the new People's Court Building. When the People's Court Building is constructed the Supervisors of Elections will move from the Court House and the space now occupied by them TTI.11 become available for other Court House use.

Mr. Adams, Court House architect, having secured the original plans of the building, provided our Committee with copies and v/e then proceeded on a careful, detailed study of the needs of each department and clerk's office.

Y/e went to Washington, Philadelphia, and counties adjoining Philadelphia, to examine other court house buildings. We plan to make other visits in order to obtain the best information available.

We have held a great many conferences with Mr. Adams, and plans of a tentative nature have been sketched. We wish to emphasize that nothing has been passed upon finally; that, of course,

would require final approval by the Bench and Board of Estimates. Our task is to sift the many suggestions and ideas and work them out as best we can within the present structure and the proposed changes, at a cost not to exceed the amount of the proposed loan.

These are some of our ideas:

1. The present exterior of the Court House should remain without change. The Court House is a beautiful building, outstanding among public structures in the United States, and nothing should be done to mar or impair the architectural design.

2. No change should be made which will affect the mural paintings. As soon as expert assistance becomes available, the Walters Art Gallery will cooperate with us to have these murals cleaned and again made available for public view.

3. Instead of the present system of an elevator at each corner of the building, four elevators should be located in the central part of the building, next to each other. The space now occupied by the present obsolete and often out-of-order elevators can be used for other purposes.

4. So far as possible, the Probation Department and all of the activities of the Juvenile Division of the Circuit Court should be housed on one floor. We wish to avoid, as far as possible, all contact between children who come into the Juvenile Court and others using the Court House, especially the Criminal Courts.

5. The architectural design of adequate courtrooms for the hearing of juvenile cases differs somewhat from the design of other courtrooms. Plans will in due course be submitted to the Judge of the Juvenile Court and his staff, so that we will have the benefit of their experience,

6. The entire staff of the State's Attorney should be located in contiguous office space instead of scattered as at present. This can be done by a modern, effective utilization of the allotted space.

7. The law department of the Clerk of the Court of Common Pleas, now on the basement floor, should be moved to space to be provided adjoining the courtroom of the Court of Common Pleas.

8. So far as possible all clerks' offices having contact with great numbers of the public should be housed as near as possible on floors at ground level.

9. Adequate toilet facilities for the public as well as for all employees of the Court House must be provided. The present sanitary conditions in the building are deplorable.

10. The City Solicitor should be given contiguous office space, rather than have various offices located in different parts of the building, as at present.

-A-

11. Space should be provided for a meeting place for lawyers, witnesses and clients near courtrooms, where conferences may be held before trial and where attorneys may be reached. Better telephone facilities for the public should be sought.

12. The Judges of the Court of Appeals from Baltimore will be assigned adequate office space adjacent to the Bar Library.

13. Within limitations new courts will be provided, such as a third part of the Criminal Court, which could, of course, be used by any other court as needs arise. Adequate facilities for the reception and temporary detention of those charged with crime will be obtained.

14. We hope to plan the new construction and re-construction in such a manner as to eliminate the necessity for a new building for at least fifty years.

15\* Additional space for the Record Office, clerks of court, etc., should be provided.

Other ideas and plans will be presented in due course as they develop.

The architect of necessity will take many months to complete the sketches and plans. As soon as they are in more definite shape we will confer with the Supreme Bench, the clerks of the courts, department heads, etc., in order to obtain the best advice and assistance.

In the meantime, we have asked experts to study the system of flat filing of court papers, now in use in the United States District Court for Maryland, in Baltimore County, courts in Y>shinj;ton and elsewhere. This type of filing is economical, space saving and modern in every respect. We hope to have a further report on this subject in the near future.

We have had, and are sure that we will continue to have, the aid of all the clerks of the courts in providing the most modern, efficient system of office arrangement, filing, etc. We are sure that such an arrangement will, among other advantages, increase the usable office space in the clerks' offices.

We shall ask the Bar Association of Baltimore City to appoint a committee to cooperate with and assist us in this undertaking. The Bench and Bar will be invited to send, in writing, suggestions for additional improvements.

Respectfully submitted,

*Draft Selection*  
\_\_\_\_\_  
(4)  
**LJIZ** *room*  
\_\_\_\_\_  
committee

M I N U T E S .

The regular monthly meeting of the Supreme Bench was held on Saturday, February 8, 1946, at 10 o'clock a.m. All of the Judges were present except Judge McLinnahan, and the Chief Judge presided. The following were admitted to practice before the Courts of Baltimore City:

The following were admitted to practice as members of the Baltimore Bar on Saturday by the Supreme Bench: Ernest M. Thompson, B. Cottray Taylor, Jr., Eugene H. Ullrich, Philip T. McCubber, George C. Erskins, John A. Hens, Jr., George C. Deorini, Edmund W. Wilmonty, O. Hamilton Brown, William O. Bojce, Jr., and Forrest Wobor.

The motions of John Lanahan and Eli Garfinkel for new trials from their convictions of operating a hotel without a permit were granted, and their motions for new trials from their convictions of not keeping a proper register were overruled.

The motions for new trials of Virginia L. Rea and Harry G. Selden from their convictions of perjury were argued, submitted and held sub curia; and similar motion of William E. Dixon was postponed. There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.



## SUPREME BENCH ASSIGNMENT

February 2, 1946

Joseph Q. Finnerty

**State of Maryland**  
vs.John Emanuel and  
Ell OarflnkJames J. Lindsay  
E. Milton Altfeld  
H. Mortimer KremerBos. 2167-8-9, Hay & Sept. Terms, 19\*5  
From: Dickerson, J.  
Charge: Disorderly House, etc.  
Verdicts Guilty*Granted in 2167.  
and 2168 - Denial  
in 2169*

John C. Weiss

State of Maryland  
vs.

Virginia L. Heed

James J. Lindsay  
Paul B. MulesNos. 4741, 2, 3, 4, 7, 8, 9, 50, 1, 2, 4, 5  
September Term, 1945  
Charge: Perjury  
Verdict: Quilty  
From: lioser, J.*Sub curia*

John C. Weiss

**State of Maryland**  
vs.  
**Harry G. Selden**

G. C. A. Anderson

Hoa. 4757,8,9,60,3,4,5,6,7,8,70,1  
September Term, 1945  
Charge: Subornation of Perjury  
Verdict! Guilty  
From: Uoser, J.*Sub curia*

John C. Weiss

State of Maryland  
vs.  
William B. Blion

E. Hilton Altfeld

Ho. 4732,3,4 and 6, Sept. Term, 1945  
Charge: Perjury  
Verdict: Guilty  
From: Itoser, J.*Postponed*

## Bcncli Heurs Arguments On New Triul Motions In Criniiuai Cases

ArguicunK iveru licnrl by the Su-  
Inrciuo Dciicu of Haiti in »rc on Snturdny  
at Us regular monllil- meet lng on KCV-  
e-77) motions for now itnM In crlmlnn)

**CASES.**  
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Inul R. itulcs represented Mm. liccd  
nc tho in-nrip, while G. a -l. Andcr\*ou  
ran thc nttrac.v for Schlon. Jolin O.  
Weiss, Aislmlut Stntc'H A Homer, np-  
penrcJ on bciaU oC thc Slntc In Uolli  
of thicnerle\* ot cases.

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motion by thc Jnrae dclcndnnts In n-  
other cxcc In whicb licj- were con-  
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lime! r-Blor. n. Mortimer Kremrr  
nml E. Milton Altfield m-re thc nilnr-  
reIR for thc ilcfenUnln nnd Jtwepb J.  
Finnerty\*, Andninnt Sbtcl'l AKnrcr.  
representel UIG Stalc

HENRY J. RIPPEROEP..CLERK

## CIRCUIT COURT OF BALTIMORE CITY

BALTIMORE-2. MD.



January 26, 1946

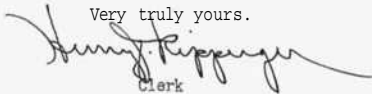
Honorable W. Cornell Smith,  
Chief Judge,  
Supreme Bench of Baltimore City,  
Court House,

Baltimore, 2, Maryland.

Dear Judge Smith:

This is to advise your Honorable Bench that Jana3 T. Murphy, an employee of this office, who was inducted into the Armed Forces of the United States and who has been Honorably Discharged, has been reinstated as a Deputy Clerk.

Very truly yours.

  
Clerk

HJR: !MB

## Deceased Members Of The Baltimore Bar Eulogized At Memorial Services Before Supreme Bench

The Annual Memorial Services of the Baltimore City Bar members of the local Bar who died during the year were held before the Supreme Bench of Baltimore on Thursday, January 11, in the large Courtroom of the Court House.

Paul M. Hellenboim, President of the Association, opened the exercises and introduced the speakers to the Court. The Memorial Eulogies were presented by J. Wallace Bryan. Ubiquitous tip of the Hat Committee of the Baltimore Bar presented the eulogies. The eulogies were presented by the Supreme Bench. The eulogies were presented by the Supreme Bench.

Chief Judge W. Conwell Smith presided at the no trices, while Judge John T. Packer responded on behalf of the Court. The ceremony was attended by the members of the Bar and their friends, and the State and civic officials.

U a complete rewrite of the services:

BBUA&ZS OF PATTI M. HIOKBOTHOM

President of the Bar Association of Baltimore City

*Muv it ficate Your Bonort:*

We are met today to honor the memory of our fellow members who died during the year 1945, passed to their eternal home.

This occasion is a most important one for the Baltimore City Bar. We who carry on must never forget our association with those who have lived with us and given to us generously of their services in the practice of the law. Two of our fellow members died on the same day for the better glory of America. To them, we pay a united tribute.

Mr. J. Wallace Bryan, Chairman of our Memorial Committee, will introduce our Memorial Minute, and the Minute will be read by Mr. Harry X. Uactjer and Mr. Hilary W. Cans, speaker on behalf of the Association.

THE BALTIMORE ASSOCIATION OF BALTIMORE CITY  
SEPOBT OF THE 1WS MEMORIAL COMMITTEE

*To the Honorable, the Judge\* of the  
Supreme Bench of Baltimore City:*

The Memorial Committee of the Baltimore City Bar Association of Baltimore City reports that during the period from December 15, 1944, to December 18, 1945, thirty members of the Baltimore City Bar came to the end of their earthly careers.

Tools names, and the dates of their deaths are as follows:

Kama.	Date of Death
IHvt 11. KHISNOL	December 20, 1945
QAILANI IUBrou DiY	January 1, 1945
Jours Cni>rociT IATCBSOS	January 31, 1945
Jous MECHT UCOCABOT	February 1, 1945
Mowis D. iOBiKsox	February 21, 1945
J. CookMEX BOTD. Si	March 8, 1945
tmyCoLLCB	April 0, 1945
Jnwu J. BVUW	April 18, 1945
BOBEBT WLTETB WATKISB. JB	April 20, 1945
WILLUo TurariiLUB DJUSTLT	April 21, 1945
DOKALO I. ih-KK6	July 11, 1945
FEUDISANO F. Dcxiusul	July 11, 1945
J. Louis Houc	June 1, 1945
Wiu-uuu M. KIW	June 18, 1945
MILTOS WIULNCT SatLUTrxB	July 8, 1945
EDWIS G. BAEJEE	July 10, 1945
ALFBQ. H. Brou	July 20, 1945
B. TVALTO. CCOTITCU	August 3, 1945
OBAB. W. KITS. JS	August 13, 1945
Oconnr. M. Unanax. 5B	September 3, 1945
GmoEW. SIWIXMCI	September 22, 1945
JXWRS IATTCB6U. MCCLVDO	September 28, 1945

AJJat ^. HOWIE .....	UcinUer 4. IIMR	I
a HOWARD MIUJKLE .....	October 0, 1B15	I
Ftuxc J. Hmr.....	October 21, 1M5	I
HABTUELL M. KISO .....	November 11. IWR>	I
Kan-Am A. OMAMA .....	Noreuibvr 11. I W J	
MATTHEW CAVLt .....	Di-vcnibr 1. IWB	
OITITOX D. GBEXHIAUUI .....	December 3. IHHI	j
JAKES MELVW HOFFA .....	Iht-emiit 1S. IMS	(

A biographical sketch of each of those, our former comrades, is pre- vi- ut- d with this report. The nor Association will publish lu pamphlet farm a com- plecto record of the present proceedings, including the biographical sketches, nud will send copies to the members of the decedent's fanUllet.

We especially honor the memory of Jesse J. Itutiln nud Oscar W. Keys, Jr., who were killed in the military service of the United State;- (Jurlep the closing weeks of the war.

Mr. Itubln was born in Baltimore in IDH, a sou of Mr. und Mrs. Hymn le. Bnbln. After graduation by the Whnrton School of Unalno-f, and Finance of tao University of Pennsylvania, and by the Lnw School of the University of Maryland, bo was admitted to tic Maryland llur In 10.15, nud irractietl his profession until 1M8.

In September of that year he was enrolled In tic Army of the United State\*, and in August, 1W4, no went overseas, where lie was assigned, on his own application, to scrrlco as a member of the Army Signal Corps in the battle area in Germany.

On April IS, 11\*15, Mr. Bubln and a teomuitto, were carrying a message to tie combat lines. At the entrance to tic town of LLeucufelt they were attacked by tr- enemy detachment- In the exchange of fin- which followed, Mr. Itublu, was instantly killed by n shot through the body. lie was buried lu Germanj, j where he etlll rests.

Mr. Keys, only son of Mrs. Oscar TV. Key\*. Sr., nud the hulr Mr. Keys, v\*ll born, on July 0, 1010. Be was u graduate of Baltimore City College and University of Baltimore Law School, nud WHS admitted to the Bar in 1030.

On December 35, 1M1—eight days after Pearl Harbor—bo enlisted In tin United States Army. Bo was assigned to lbe Counter Intelligence Corps in the Pacific, in which service he attained the rank of Master Sergeant—~~the~~ highest rank for which a member of that Corps Is eligible.

Sergeant Keys participated in tic Army campulcus In reew Guinea and Luzon, in the latter of which he performed, despite a serious illness, outstanding service as Bpedal Agent In Charge of u Counter Intelligence CorpB unit Of 1\*0 men ID Manila.

In August IWD, he was selected for an Important Counter Intelligence minion to Japan, in preparation for General MacArthur's entry therein.

On August 13, IMS—Just one day before V-J Day—he n-as killed on Okinawa. In the crash near Naha Air Field of nn Army airplane in which lie wue flying to oil new station.

So, in the flower of their youth and strength, these two One young soldiers went heroically to their rendezvous with death, siring up their lives In defeuice of their country, and of our dearly cherished American way of living. They have thus Joined the immortal ranks of Loose members of our profession whose battles were not confined to tie forensic but who were destined for a sterner sen-ice.

Tho Memorial Committee now presents tie following minute:

The Bench and Bar of Baltimore, in tbl\* meetlnc assembled, oftr their tribute to the memory our colleagues wto tiavc. during the past year, departed on tie Journey from-which there Is no returning.

They were all honorable, and many of them were d\*MIngnlled, members of a profession which, us Do Totiueville lias sntd, constitutes "the onlj aristocracy tint cau exist In a democracy without doing violence to Its nature."

The ideals of the legal profession are exacting, anil Its labors an hard and long. Our departed brethren faithfully upheld these Ideals, and performed with Industry itld dototlm the tasks which were allotted to them, each in its own sphere of activity. Hwvcr strong and effective they were us opponents In Court, tiej- ifft their animosities at the trial table In accordance with til- good lawyer tradition, and reoilnrd nlwnj\* our colleagues anil friends.

For all of these reasons we hold them In affectionate remembrance, and have a distinct sense of personal lota at their passing.

The Memorial Committee now moves that mis report and memorial minute.

and all of the proceedings at this meeting, be received and enrolled among the permanent records of the Supreme Bench of Baltimore City.

Respectfully submitted,

J. WALLACE BYRAN, Chairman,

WILLIAM H. HUGHES

ROBERT CLVW. MCKLL.

H. BEALAN OLESEN,

BRENDAN M. SASSARR,

JOHX A. SUI-TIANT,

MnTwx II. TALEIN,

Hev-vH. WATERS,

Jteuorfnl Commlttee, The Bar Association of Baltimore City.

January 10, 1962

SENDING ADPBESS BY HABBY K. BAETJEE

Man It Plra'c Your Honor:

It is well. I tillik, for everyone to lib dully work a times, reflect for a moment of the before mud to speculate as to what is to come, and servica eteti as this, offer a very food occasion Co such o iou'0. Moreover, I think in deference to fellow member\* of (he liar who have died during the year, It is atuo: lucubent upon us to participate by our attend- es, nt these nuaual tervlct It seems me that It would be appropriate and It would be adrabfle if your Honors should by 11 minute or a?er appropriate action, cypress it at? the dcsin, of the Bench that notice of these unal services be given by the Bld, (B)scloctiu lu nil of its members nm, (hnt the notices Incorporate the reqes, of your Honors (but there be as ful, (it)ndance as the various engagement, of the lawyers will permit md to that end that the meeting be held tm hour its mynt Insure a large attendance.

Till\* memorial service us in the case of all like services, I think should be held not only to record the regret of those of UN who are left at the bar, but now who have come, but primarily us purpose should be to cnvut us to stop and to look back and to look forward. If we do this, we cantio nsp lant be disappointed at the Present prospect for the future. We look back, we must realize that during the lifetime of thaw who live come, we share had lu the world and especially in this country, peace, happiness, contentraent and good-will: if we look forward to the period of the live\*, of those who are here, we see lu the offtnt primarlly unrest, ill-will, discontent nm, and strife, a world of mistrust and of conflict, a demaud by orcantoi!

We lawyers are primarily responsible for this gloomy outlook because It is based fundamctually on a widespread feeling of Inequality before the law. The rule of the mob and of organized illuorities and the belief that might makes right, arise largely from the feeling, unjustified, I think, that lu some manner men can get away by taking the law into their hands. It is our responsibility to correct this; in the main, law ers mak e the laws and I say ers and Judges Interpret them. If the laws arc in fact just, then It in our duty not only to defend them but to affirmatTeij and aggrevelv)- champion them; If they are unjust or inadequate, the burden is ours to chngno them.

All science goes forward to a better way of livinf; why should not the law. Material wellbolne advances with every generation but social relation\*, the relation of man to man and their respective rights and obligation\* before

the law should advance and improve in the same manner. So I ELROCK to this meeting, intircularly to the younger men, that you p'ra'c bred IP these fin-Is, that you remember that most of the jurist in the world today urles from a feeling that there is not the same law for every toon and that you make up your minds that your civilin Justice is not a lawyer's to aw that Jur laws are enacted, to right those that are wrong but ulmyk within the law until they are rklcted by due legal (ix)ns, and not by force, that you uphold them aggressively; don't Just drive them if they don't seem to be right, a stand fast on them and to uphold or to clmgne\* hem but let them be disregarded; that leads to anarchy, AH lawyers, it is the obligation of all UK first, to see that the law in It is upheld; second, to change it if It should be changed; and by due legal process, ns the majority shall decide, subject always to the un- ation be (it)nk of the minority that have been taught to regard OH Inherent and not subject to change: If you do this, you will largely coren the present rocke-unrest, restore the ILLTIV of law and put an end to the dominance of well orgnized restless, dxsinted minoritias peacefully Just nX It took a year in Europe and in the Enst to do away with well armed minorities; there isn't any difference between the two, far as concern their blighting effect on man's

respectfully record the motion offered by the Memorial Committee.

BEONSINO ADDRESS BT HTLWAR V. DANS

As the treulent of Uie Inr AKSOCI- tion has stated, Mr. Inctjcr and I have been requested to add a few words to the resolution of the Memorial Com- mittee and the remarks of its chairmn.

We meet to pay a trllmct of respect to the memory of the members of tula Bar who have died during the past year. We have seen most of them no recently that It is rery difficult to realize that they have left tills, the scene of their actirfl'es, forever.

Tills world has been aptly likened to a stdcu on which each must play his part. Some are permitted to appear for but a brief while; others continue until the last milestone of life has been passed.

So it was with those whom we have gathered here to honor. Some were taken at the very threshold of (heir career with ambitions unaccomplished; other\* during the fill height of (heir inclvities and power\*; while Mill others only after the? had completed life's full spnn. Death (s like that, and we can only bow once again before the decrees of the Supreme Wisdom. Each of those listed on the resolution in In prlrnp life and in his prntic- filonal octlTles meared up fully to the high flAndflnd\* of our proWMon

and is entitled to the honor proposed for them by the Memorial Cammlttee. These proceedings are proof fulfillment of the high prkrin in which each of them was tried by their fellow members of the Par, and the record of these proceedings will rictly be a source of

great pride and honor to them. Their work is hushed; for them the curtain has fallen.

We who are permitted to live yet a while, while Ue fillml mlst thm eually, must face up to the future.

Karely lru' th-r liecu a liuie when the Influence of tin-liar was more wor-ld (H)WILL. We an lu a period of jireal (it)nl chances, now we may well feel; clwv concour over int\* extent of Uie In- (it)urml unrest which has followed the war, and management INWJ nglun the age old question as to how a greater economic equality may be promoted with- out the use of force.

We are in the presence of a great crisis, the opportunity of preserving and protecting the free\* of the (it)urml (it)urml unrest which has followed the war, and management INWJ nglun the age old question as to how a greater economic equality may be promoted with- out the use of force.

Mr. Truman has said that this is the greatest crisis in our history. It is a crisis of the survival of the fittest. It is a crisis of the survival of the fittest. It is a crisis of the survival of the fittest.

It is on this solemn occasion pledge our lives to contribute in every way to the accomplishment of the

RESPONSE OF JTJDOE JOHN T. TUCKER

A yrur agit, when we raci for a flml- up position, that nation was engaged in a l)l-her and unrelenting war. Today, the war is over, but the Murgic to (it)urml a uoVLTsal and enduring (it)act-continues.

The cuem; bnvlog been muajfiked, the victory of our armilc forcti IK cum- flete, and for HIK we arc thnkful. The (it)urml of victory in blood and life la dear and (it)urml, and (it)urml patriots, face the battle, (it)urml though they wcy needed the incentive of a glarufus purixw- to sistain them. Such a purpose is expressed in the words of Tin-Untly Hymn of the Hopull- "M B- (l)rd ID make nm wholly. E- us die to make men free."

The cherished principle\* of democracy represent unity of the Greek concept of liberty and the Roman concept of law. Each in (it)urml to the other, for without law there can be no liberty and without liberty there can be no law. The development in Xitd Gorrany, which are fresh in our minds, illustrate this truism. There, the pretended execution of the law became a plain mck-ey. Copfl whotic clwv did not co- lucid with those of the Kultur wert charged with faked offfnds nm tried, not by principle\* of law, but through the offices of a prosecutor and court designated for the purpose because of their prntclmrd willngnes to co- s- let ceanclmct of right and Justice. This was possible because the

were directed of their priceless freedom of speech and freedom of the press; no that they were incognat of the truth—  
"roth eor V-Tak U-w tb- word  
begas  
The foe of ITan, oil the fWod of  
mia.

ly uttupreMinc thin foe, the tyrant gained an mxamax amount of power and might, but it could not endure, for—

"Troth eOitit to nrth tiall U' igitit;  
Tls ctarul yse\* of Vod and ben;  
Iul eor, womild, writhM lD twin.

And dlici KOKor u' whelpen.\*  
It IK for the Urine to see that it-o-e\* who have died for o noble rathne shall not hrive died in vain; and In thin en-deavur the function of the lawyer In Mckey establishes for him an unumal opportunity and re-i-ousibility.

Home of aur brothers of the bar who would have aburd dadly In accepting thin opportunity m-e-i responsibility have, within the last year, departed from among us. We lament their pam-til, and ore conscious of the loss felt by others who knew them. As to each, there are the loved ones whom he left behind to suffer the loneliness of a broken corpaunship. There are the client\* who were accustomed to confide In him their create\*1 problems and obtain his friendly counsel and advice. There are those beneuculars of bis scrrices In the affairs of community life who have lost hi\* benevolence. All will miss him.

In the local fraternity there In a code of ethics which each of its members, allowing for little divergence, freely accepts. There I\* a brotherhood artine out of unity for (he fulfillment of common objective\*. And, In Baltimore where sociability among lawyers pre-vals, where they play as well an writh whether, there Is built up a personal confidence, friendship and tindermtt-dinc which makes practice of their professions an unusually pleasant bus-;tut It al'o rnmw" n deeper feeling of sorrow In the pansne of nrio of their members. This In shown by thin Terry merlins—the fact that It I\* held and nri larcelly ntended, and the exretllet addresses that we hare just heard.

Each of our deceased brothers contributed, within the sphere of his Individual ability, to uphold the phicalta of good faith between man and man, on-ter-midline and tolerance, the right to hold one's own opinion", the right to think for one's self, to sneak and to write with freedom, to worship as the heart dictates, to rrtiri fully, and to live one's own life with due regard to the interests of others and the government under which he lives.

It's na continue the fist; and It thwr principle\* are appllet to the national and International Heid, we need not fear the an,role bomb for shell hare a universal and lartng pence.

The report of the Committee, the memorial minnt, and the address of the members of the Iar will U-re-l-kt-ved and preserved among the l-Itituent records of this Court.

# Biograpul-ul Skclclno

EDWIN O. BAETJEB

Kdwhi G. Iuetje-r wnti horn in Hal-Imoor on Jane Stab. 1818, u sou of -lubb C. and Mnry A. Ilaeljeer; he dk-d iil July 20th, 1885; utter a tout: MIKW.

Mr. Ilaeljeer Brmlliaud from the l-l-l-THE of Maryland Lino School and vns admittet to practice lu ISM; from that date and contlnuat; umll two yen r& liefore hi\* -treat. MN lifr wa\* one of iimremittuu activity and Ilik -u-e-lp-a-u a lawyer wun om-tan-tilt.

A financial eohnlmnt and aduiv'er, hi\* piultioo was i-rcvmlk-ni uoi uer In Maryland but throughout thr -com-try.

Althouglit, Mr. Ilaeljeer s-i-(in-k-i-d) lu the Held of comml-r thiance and the lan- applicatit thereto, he was nictti-IOUH- careful to Include In bis prac-tiif, all types of lesal matter\* except HFWC hurltk to d- with marital and r-finnal mat-ter.

Mr. Iinetjeer was u-xt known prolifery for the warmth of bis advocacy of nuy -e-i-ni that he took up and took up; he-licideiicnt\* of thought; H- conrtulitiii were niny\* hln -i-wu, unaffected and unfluenced by what tucht L- tin-IKIK-mcat or t-dK-lusion of other\*.

AH U the CUM of MI many men win\* lend active profomlonn I've\* nud -d-s-i never apart- thmoelvet In Owtr upjill-sillon -e- wbat lu in lnt-l. Mr. Ilaep-c-r -ns an nrd-i-nt lurch ihronshunt h-; I'ttiple life of the ->n- ulr mid of wld life nod managed deoplu- ulr varied lievlivlttu to Bive a crent deal or time i- the out-of-doon.

III\* -d-i-Micity for work win -ntonal. Hi' wa\* lefral adviser for niny eor-Mirne interests both hew and In New York at the time of hi' death. He -tr-n-i member of the Hoard of Director\* ul -lie Safe Ufwuji ami Trust Compnry -r Itallmore, the Mercantile TTKU Com-pany or Unllmore, Thi- Canton Com-pany of Itallmore and was Chairm-n -f the Hoard and active in the nimb-ioration of the Dun & Itradstreet Com-pany, Incorporated.

Notwithstanding demnilt made UH-him professionally, he was ready to at-tribute to e-ty of his talents to the State nod to the City; he was Clinrl-nated of the Commilou that i-naginat-ed the City Service CommUou and acted as Chairman of the Merit Sys-tem for a term. He M-rved a\* Chair-m-n of the Draft Appeals Hoard of Maryland after the United State- entered World War I nud was Food Ad-ministrator for Maryland durlng that crisis. He wa\* a member of the oriel-nal Charter Commission and represented the City in the controversy over the Introduction of natural pis lu the City many year\* -et-; and In the lit-tic-i-InvolvK tn-rxeni-lia of lue water supply at I'-h Inwcn. He was not com-l for L-i- State in the invest-nitlon n- the theft by employees of the State Ron (I\* Comm-ols-n nod during Overmor IttcheA terms as Governor, he wa\* certnally his mut confidential adviser with respect of legislation. In the month of crU of 1033, he was an eminent th'ure lu the Irrel-slaitoi en-entl In an effort to H-ve the banking situation of the City.

Mr. IlaeUer was willing at all UmM to ctve U-k- i-ctrevit with iit compensa-tion, for any worthwilloo public causo and when that Kcrrce he volunteered, and accepted, It was performed with the dome enre and the same disregard n- his own j-eopital convenience and health -e- In the case of scrives rendered to clients for remuneration.

lu what niHIt be called his Don-professouli activities. Mr. Baetjer served for twenty y-zr- as a member of the Hoard of City of The John\* HoIkjns University and for a number of year\*, was a member of th- H-eard of the FealHnly InRtrute and of Me Donojib Court. His interest lu philun-Uropw was exemplitOed In the be-q-uest\* made In his will, of substantial sums to the John\* Hopkew University, the McDonoch Institute and n. Y. Inlce, ton University, the lotter In rat-mo\* of bis namesko ml nephew who wot billed In tin- war.

In his death, the City and the Bta-t-land the Ilor lose\* one or IU moot OLU. H-landing mctubeni, nod IliOXC who knew! him and were niuclnotud with him. Iew\* a\* kindly, eomdrance and conerato\* friend.

—Itji J. Cro,toiit Cooper, .I.P.

## ALLEN S. BOWKE

Allen S. Howie, retired Generel At-torney of the Haiti more and Ohio Il-l-road Company, died at lnlilmore, Mary-land, October 1. IMS. SurrThui: his wife, his daughter, Berkley, and two sin-ter.

Mrs. E. Raymond Tunier or Bal-lomore, U.D., Mrs. Frederick Reben-feld of Rosemont Pa. Mr. Ilowic's wife (luth C. Cnlaway) died In D-ember, 1D40.

He wan Him at Hallltmore In ISSH. He, with the exception of the period when he was a student in Lawnce-rille School (N. J.) and also when he aered In Itattery A, Maryland Ntloufft Guard, and ne Firm Lieutenant, Field Artillery, 2d Division, U. S. Army, he had resided continuous in Btu-U-more. His education began at the Unl-v-ersty of Baltimore, followed by attend-ance at the Lawrenceville School, and he later received the decree of A. H. from Johns Hopkins University. He then received his law education at the University of Maryland l'w School and graduated with the deJrrc -r LL. D). He became a mem-er of the -aw ielerlmmt of the Baltimore am] Ohio Inlilmore Cmpnity clirine the -r iurt of aOtl and held the post-ulate of Assistant General Attorney until he wa\* apmlnated General Attorney, which office he held until bin retirement i- met-mid of Illness In 1911.

Following the death of Duncan K. Irent, Mr. Bowie (ticeitate). In the lrtal practice tone conducted by Mr. Recill

and was actively engaged in litigation In all Rnle and Federal courts.

He had an extensive acquaintance throDRnot Maryland and the eastern States and his ability and personality -e-miande-l the respect and affection of -li\* acqum-lance\*. He wms an En-s- -o-pular and a member of the Alpha kvitri Phi Fraternity, as well as of the Maryland Clnh nod Tallnmr County Dab. In politics he was nmited with the Democratic party.

—By Okarlet R. Webber.

## C. COOKMAN BOTD, S&C

A threlsh-h, fearless nod -o-ate a worthy, re-pretitl optKtion—a wise counsellor.

The M-4, of William U. and Santh -i-inkwti lloyd, be wils bum In Italu- -re, on December IIS. 1808. OU or H-l- children, h-g family v modM t\*. -m-im-tunPH provided for lu h-lchfr edg. -tutit: bejoul the puth-l-chn, only -tutit: h-n supplement or ab over -t- -i-ror. He BHPuded I'll) Cnlhse awl Johns Hnpklns Unlvtrnti: I'll' IC-B1 -e-ucalot, he aquired. ^ fa- at that -e- post- -blr In an] abnoi at the thl-

orally of Maryland. lib attendance there wiv\* made possible by a joint of tuition credit by then Dean, later Jiliip-. end alwiy\* lo-fol'd. Henry H. Barnu.—a matter not unique in X. U. days, according to Judge, extypt. Vitorous mentilly nml physically nml luf life, nt one lnt In his early day he tanctit Kchool in Annapoli-. often welkin? to and from hlc school on week-end? for want of hietur tin-> i-ti-tion.

He was admitt-d to the Iur in Baltimore County on July 11, 1855. U. S. District Court in Baltimore City. —at Unit, oppnsic the old Court. THIMM. <M Lcxltianf etrel, but for it? last nry-fort year\* of h's en-orr. in the same office at the corner of Charles and Lexington streets. "iis nmc?Vce occnnc n-ile nml vx. A. nlic Tet h- tn-v. vnuw?ir of nml and laicit. F. the M.U. iwrvt willonhtrint of thought of J. W. J. A. As President of the Board of Lark Com. nml n-nc: hln furxphl nml odvocat. WITrlitit In nreel to the roomn extraction of the ink n-si-ni in Intultn. The Intultmon-SAdium, jeered In the unthnklic. hnl of xret public MM-nd hencill, van conctvnti nml constructed under his personal supervision. Mount Vernon Terrace was improved, the Lafayette Statue erected and dedicated, and Preston Gardens, and M. Pleasant, Carroll Park and Hillsdale golf courses created largely as a result of his efforts.

A lifelong, active Republican, he never sought elective office. He had the distinction, however, of being the first Presidential elector-at-large ever to be chosen from the State of Maryland.—in the first election of President McKinley in 1896. In 1906, he was appointed Parole Commissioner of Maryland, and gained added public respect and commendation for his judicial administration of that trust. Ever ready to recognize and apply proven values for social betterment. He was ever KUKkks\* and iclmsrntly analytical of the "proven panacea." He utterly disbelieved in chance merely for the Mke of chance. Of stroij like\* and dislike\*, hi) may not have nlwofy been understood, yet no friend erer dnd occasion to question his Mncrty. No want for hi' rapport.

At Ue nar, he WCN of brilliant mind and Test memory, yet was lse of mind to determine for himself whint the law wnrht to lie. If that icrrc the law, m nmlci the licittr, but if not, demotio to hls conception of the client? cause wnt not one whit dlnrhined. He was railed In the now past ichool when oratory was a part of practice,—and he was never happy than when titling w?3 Iromntit Dcnus. of thst det. nml n-nc n' n Bonaparc. Colton. Bryn. or Carter.

In wrlon\* prnsllte. Ms prof'e'n nml onlnut. fore and asking no quarter, granted little. In IIR aroclonp. no nns convrnt and found of g-c-m fdlmnr-filip. He cho'p' not to display hi' basic kindness, no clearly made manifest by IIV' bostn of inep. nml l'ors or sports nnd outdoor life remained with him olm'y\*. Pbpfteni Inmratem, apparent only for n l'wrt time before his rIMth. <ntrihut(MI fur less to hi' paw, for than his refusal to be restrained from doing that which he enjoyed.

Often associated with other counsel, who especially sought his aid in trial matters, he had but one partner during his long career,—his son, J. Cookman Boyd, Jr., with whom he formed the firm of Boyd and Boyd, in 1890, which

eminently \*ad\* motry relntion-hcn continued nml) hi' retirement on Pleem-lwv 31, IIV-J, but two months before hi' death on March 3, 1910.. In 1838 he married Thillic Antoinette Smith, of New Hartford, Connecticut.

<Iren. Mr\*. Knlhrccn Hord Walmtr. \*A. A. Wio. r. k. i. v. i. MF and J. r. w'man Bard, Jr., nml thni S. S. M. A. G. V. nrdnat on April \*dchldren. He was dned to tab. ^ A ^ A ^ Z i hVc ^ t-t.

the omcBtw) philosophy thnt ho had? Wined of it? he't. nml it nired Wm nolhn\*. Few are so favored. —By Samuel K. Devens, J. Cookman Boyd, Jr. In memory.

**WILLIAM THEOPHILUS BRANTLY** AMUnm ThoonMhis Uronly dint nt III. n-nc " < A \* UMIWun i-xon-t' n' I' mIm. Jr. n' W. W. nml Allen. P. following a long, B. nml K. nml Bunw of Detroit, and W. nml nreton Bunw of IalUnwiv\*; ntu) ttro nmlrs. Mr. Maroni F. P'wd of Illeno\* Aires, Argentina, nml Hrnt Llcioanton Janet II. Thioup-Fatt <? WAC

Brantly Baptist Church, formerly located at Schroeder street and Edmondson avenue in Baltimore City, now in Ten Hills, Baltimore City, was so named in honor of his father.

Mr. Brantley was educated at Mercer University, Georgia, from which he received the degree of A. B. in 1877, and A. M. in 1878. He was graduated from the Law School of the University of Maryland, with the degree of LL. B. in 1878, and for a year studied at the University of Leipsic in Germany, after which he practiced law in Baltimore City until 1914. In 1885 he was appointed Professor of Law at the University of Maryland, a position which he continued to hold with credit to himself and satisfaction to his colleagues and numerous classes of students for a number of a century, during which he taught the subjects of Personal Property, Wills, Contracts, Sales and Real Estate. Following the death of Mr. Severn Towson Wallis in 1895 Mr. Brantley, for a short time, acted as Dean of the University and as a member of the Board of Trustees. From April, 1903, until November, 1904 he was Secretary of State of Maryland and in IBM 'n- n-n. appointed Treasurer of the Court of Appeals of Maryland published Tolnaw 80 to 110, both in

clusive, of the Maryland Itcorp'f. From 1883 to 1888 he published Annotated Editions of IIO Mnyrlnd Itcivru In 41 volDm's. It- won tin' int'hr' in an excellent wrl; on "Trinple's" of I'v of PerAm'rl rmiHr'y. pub'ished in 1891. The I-iv of Contm'l. published in ISO, with n accord wIUoa published in 1912, and the "Maryland," published in 1830-T. In VknI TolwncI, later followed by two supplements published in 1900 and I'N' iv-FiceUevly, all of which art- Iu-ly hie regarded by ilio l'csln profcolun.

He was a member of the Iio Maryland Plato Iur Association, die Hr ANAO-elioia of Baltimore City, the Maryland Club, the University Club, and the Sons of the American Revolution. Although of a modest and retiring disposition, he was an erudite and discriminating student of the law, and his published works and legal editorial services were a valuable contribution to the Bench and Bar of this state, and constitute

laperirt-1\*. monument to his tmor? — By Edwin T. Mehrrens. DONALD P. BITBHS

Surviving him, in addition to his parents are his wife, Mrs. Pauline D. UMIWun i-xon-t' n' I' mIm. Jr. n' W. W. nml Allen. P. following a long, B. nml K. nml Bunw of Detroit, and W. nml nreton Bunw of IalUnwiv\*; ntu) ttro nmlrs. Mr. Maroni F. P'wd of Illeno\* Aires, Argentina, nml Hrnt Llcioanton Janet II. Thioup-Fatt <? WAC

HAIRY COLLEE Harry "HIT ill" n April It JM1. \* Hi- w- i. Hm in AiiHrhn n <? nImut June 10, I'g?. nml Inmim-ntu to the L'nltw V.U. w/ in 1901. After attending the public MIOOK of IalImore, he was sraduated from the Inlvorlty of Maryland in 1919, and was admitted to the Bar in the same year. Mr. Collee engaged in the general practice of law in Baltimore since 1919, and specialized in real estate and real estate law. He was a quiet and able individual, never seeking public office, but actively contributed in a quiet way to many philanthropic and charitable organizations during his lifetime. He is survived by his wife, Molye Toiler (formerly Molye Cohen), a daughter, P. ITH Knndol, and a son, H-rom- J. Toiler. —Hli Junil A. OntM.

**CROTHERS** It. Wulft Friticrs was born in Baltimore City on October 2, 1850. He attended the Baltimore City public schools and Baltimore City College. He graduated from the Baltimore University Srn-of I' IUT mid in-twed Jlf Mny-nd Iur In 1912. Durinj; h' E-w'd of educat' h' vean consvrv employ-ml, complexj? flnoclu'e hi' own Mbuflinc

At Or- he was nmfocuted with the Lesal Pepurtmcnt of the Standard Oil Company of NPW Jersey until approximately 1918, at which time lie opened hU own obIrc He w' e'v' actively enrORd In the general pr n-ct ice of law until h' Micken death on Augus. 3, 1919. He. Walter Crother\* wnx Ite non of thio late James Wallth Crothers and Adelaide Kinc Crother, am. wan relate. I to the Into Gromer Crothera. In I'HS'h'c marrltn Kathrcm- Wicc-ud, a native Doltomrcn, and with hU wife mored to \*atonnrllc. naltimore County, In ID23, where lie and his wife, resided until h' death. They had ho 'chldren.

He was constantly active in the civic and political affairs of the State, City and County, and was a member of the Democratic State Central Committee of Baltimore County for many years, although he never ran for public office. He was earnestly and energetic on behalf of his political friends and asso-



dates. Many civic improvements in Uic community of Catonsville were attributed to his untiring efforts.

He was a loyal fellow and a sincere friend to those who became associated with him, and to his friends, he will long be remembered.

—By Janic\* iv. Cullin.

GABLAOK BAICOM SAT

Garland Hascock Day, who for many years was associated with the Voting Administration, died on January 0, IMS.

Mr. Day was born at BuiTisville, Maryland, on May 22, 1813, and was a son of the late Clinchir H. Day and Mr. Louise H. Fairlirst Day.

He attended the Law School of the University of Maryland, graduated in the class of 1814, was admitted to the Court of Appeals of Maryland in August of the same year and in the following month was admitted in practice before the Supreme Bench of Baltimore City.

In February, IMS, he entered the Legal Division of the Veterans Administration and from that date until the time of his death, served in the Insurance department of that organization.

At the time of his demise, he resided at 2-120 Won Lafayette avenue, from whence the funeral was held, interment being at Rockwood, Pa., where he formerly lived. He was a member of First Episcopalian Lutheran Church, this City.

Surviving Mr. Day are his mother, his widow, Miss Nellie S. Day; a daughter, Miss Lucille S. Day, and three brothers, Wakeman M. O. Day, Howard B. Day and Harold I. Day.

—By John A. Sherman.

FBBNDINAND F. DENHARD

Francis J. Denhard, son of Adam and Caroline Denhard, was born in Baltimore on June 20, 1873. He received his early education in the public schools of this city and then became associated with his father in the insurance business. In 1908 he entered the Baltimore Law School, from which he was graduated in 1911. Upon his admission to the Bar in the same year, he formed a partnership with his

brother, Augustus M. Denhard, which partnership continued until 1926.

Mr. Denhard died on May 1, IMS, and was survived by his wife, Mrs. Louise I. Denhard.

—Will Aurzul A. Denhard.

OEOEOE M. DDZDEMAN, SB.

Mr. M. Dledeman, Sr., was born in the year 1851 and died on September 3, 1937. He began the study of law in the office of Isaac Lobe Straus, and at the same time attending the Law School of the University of Maryland, from which he graduated in 1913.

After his graduation, his admission to the bar he was associated with Mr. Straus for a number of years. In general practice and until he was elected as Secretary of the Society for the Prevention of Cruelty to Animals, which position he held for a number of years. He left this Society to become associated with the Uic United States Kriehly and Guaranty Company as an attorney in the Insurance Department where he remained until his death.

Mr. Dledeman was survived by his widow, Mrs. Ella C. O. Dledeman, and seven children, George M. Dledeman, Jr., William W. Dledeman, Mrs. Doris A. Sinyman, Mrs. ConUrine Sell, Mrs. Jenn C. WarQ.M. John W. D. Dledeman and David W. Dledeman.

—By Charles\* ft. O'ft. Sr.

MATTHEW QATILT

Matthew G. Gull, a member of the Maryland Bar, died December 1, IMS, at his home in Washington, D. C.

He was born in England in 1888. He joined the law firm of Matthews Gull and Mary Verein in 1914. He graduated from the University of Maryland in 1911. He was a member of the Bar of the District of Columbia and was admitted to practice law in 1912. He was a member of the American Bar Association and was elected to the office of Secretary of the American Bar Association in 1921. He was a member of the American Bar Association and was elected to the office of Secretary of the American Bar Association in 1921. He was a member of the American Bar Association and was elected to the office of Secretary of the American Bar Association in 1921.

—By John A. Sherman.

He was married in 1914 to Miss Harline, daughter of the late John H. Harline, Chief Justice of the Supreme Bench of Baltimore City. He had one son, Captain Matthew G. Gull, Jr., U.S. Army.

MILTON D. QBXIEKUM

Milton D. Greenbaum was born in Baltimore on June 10, 1890. He received his education in the public schools of Baltimore and then attended the Baltimore Law School, from which he was graduated in 1911.

He was admitted to the Bar in the same year and was associated with his father in the insurance business. In 1918 he entered the Baltimore Law School, from which he was graduated in 1921.

—By Frank B. Ober.

He was married in 1914 to Miss Harline, daughter of the late John H. Harline, Chief Justice of the Supreme Bench of Baltimore City. He had one son, Captain Matthew G. Gull, Jr., U.S. Army.

He was a member of the Bar Association of Baltimore City, the Phoenix Club for about thirty years, resigning about 1925. He was a member of the Suburban Club of Baltimore City.

—By Bernard if. Savage.

He was a member of the Bar Association of Baltimore City, the Phoenix Club for about thirty years, resigning about 1925. He was a member of the Suburban Club of Baltimore City.

TRANK J. H3HT

Widely known in judicial circles in the Northeast and Bant Baltimore, Frank J. Hirt, a member of the General Assembly, died at his residence 285 East 1st Street, on October 21, IMS.

Born in Baltimore City 50 years ago he received his law degree at the Law School of the University of Maryland in the class of 1922. Upon his admission as a member of the bar by the Supreme Bench of Baltimore City he immediately began the practice of his profession and in a few years that profession gained an enviable reputation in his chosen field.

He joined the United States Army and served overseas with the 313th Infantry Division during World War I. He became interested in politics and was quite active in the affairs of the

Seventh Ward Iroberalan Oymratric Club and other ullalln ormentlons, as a result of which he served for a time as a Police Magistrate at Large in Baltimore City. In 1911 he was elected a member of the Maryland House of Delegates and was a member of that body at the time of his death. On two occasions he had not the urgent request of friends become a candidate for Congress but on each occasion withdrew prior to the election in the interest of party harmony.

He was a member of the American League, took an active interest in the welfare of veterans.

Surviving Mr. Hirt are his widow, Mrs. Rose M. Hirt; his mother, Mrs. Mary Hirt, and a brother, Joseph W. Hirt.

—By John A. Sherman.

JAMES B. UELTO HOFTA  
Mr. Hoffa was born in Ontario, Pennsylvania, on April 20, 1874, and died suddenly while on his way home, Oil Restscar avenue, Ronelch, Baltimore County, Md., on December 18, 1937. He had a CTAduated from Potomac State College, in Keaysr, W. Va., in 1923, and from the University of Maryland Law School in 1929.

Mr. Hoffa who was active in Iroberleau politics, served as Assistant United States District Attorney for Maryland from June, 1926, to January, 1932. He later won special assignment to the Attorney-General's (United States) for several years, resigning from this office in January, 1940, and since that time devoted himself to the private practice of law, having his offices at 2 East Lexington street. He was an active temperance worker and served as senior counsel to the special agency division of UM Federal Bureau of Pro.

He was a member of the AmIson League and was a member of the Templars. He was a member of the Uic Wilson Club and was a member of the Swicij- n American Clubs. He was a member of the Uic Wilson Club and was a member of the Swicij- n American Clubs.

"Injune," he was known by his many friends, was of a sturdy nature, and his high sense of duty and his interest in Maryland law were prominent in his mind.

In addition to his wife, the former Miss Jrdic Duhnc, of Louncoune, Alleany County, he is survived by three daughters, May June, n. Ignore ETTabeth, 10, and Mrs. Vanghth Tipt-c.

—N/ (lernnd it. Sanwr. 1

WILLIAM M. KEEB

William M. Kerr, lio «all of Hubert J. Kerr and Mary A. Kerr, was born in Baltimore on July 10, 1872. He received his early education in the public schools, and was graduated in law in 1896.

He was delegated by the late Governor Goldsborough to organize the Peoples' Court of Baltimore City, which he did and served as its first Chief Judge.

Mr. Kerr acted as a member of the House of Delegates or the State of Maryland and was prominent in the activities of the Maryland Bar. He was a member of the Uic Wilson Club and was a member of the Swicij- n American Clubs. He was a member of the Uic Wilson Club and was a member of the Swicij- n American Clubs.

after a short illness, at his home 373 C. Inlprury road, Baltimore, on June IS, 1915.

Mr. Kerr was unmarried, and U survived by his three sisters, Mrs. Ida K. Kirby, Mrs. F. J. K. Schwartz and Mrs. Helen W. Carr.

—till John Thomai Scheu, Jr.

**OBOAB W. KEYS, JB.**

Oscar W. Keys, Jr., was born on July 10, 101S, the only child of Mrs. Blanch II. Keys and the late Oscar W. Keys, HI.

Uc via graduated from Baltimore City College, received Ills LL. B. degree from the University of Baltimore Law School in 1940, and was admitted to the Bar on October 10, 1940. In the same year he became a member of the legal Bar of the Fidelity and Deposit Company of Maryland.

On December 11, 1941, immediately after the Pearl Harbor Incident and declaration of war on Japan and Germany, he enlisted in the United States Army, and was assigned to the United States Counter Intelligence Corp. He remained in that service, mostly in the field, until the time of his discharge, which occurred on August 13, 1945. He was stationed in Manila as Counter Intelligence Corps Agent.

The commanding officer in reporting his death said: "Oscar lost his life in an unavoidable crash of his Army airplane in which he was proceeding to a new position. The crash occurred at approximately 3:47 P. M. on August 13, 1945, in the vicinity of Naha Air Field, Okinawa Island. Oscar served with the Counter Intelligence Corp. for almost the entire length of his service, in the Army of the United States during which time he reached the rank of Master Sergeant. He highest rank that could be accorded to a CIC. He participated in the campaigns of the United States Army in New Guinea and Luzon. At the latter campaign, he performed outstanding duties as Special Agent in charge of a large CIC unit in Manila. In the face of severe illness. At the time of his death, he had been selected to take part in a very important intelligence mission."

Mr. Keys enjoyed a very high reputation among his friends and business and professional associates for his honor, integrity and splendid Christian character, and his friends with a personal regard to a host of friends.

—Bur Robert 0. MoKy, Jr.

**HARTWELL BL KING**

HurtwU M. King was born in E. Uerston, Hanover County, Virginia, on February 2, 1870, at the Old Quamby Mansion, "Woodbury," the property of his family by inheritance. He was a descendant of Miles King, the Orel Mynor of Norfolk, Virginia, and his wife Lady Mary, daughter of Isord Bailey of England. Mr. King's father, Lucian Minor King, served with distinction in the Confederate Army and was captured at the Battle of Gettysburg, returning to his home after Uic cessation of hostilities.

HurtwU M. King, the fifth in order of birth in a family of twelve children, obtained his early education in the public schools of Hanover County, Virginia, and continued his studies in Richmond College, later receiving three years' literary training, as a student in Williams and Mary College in Williamsburg, Virginia.

His earliest ambition was to enter the legal profession, and in preparation therefor he matriculated in a law school

in Cincinnati, Ohio, afterwards becoming a member in the law department of the Cincinnati College. He finished his professional training at the Baltimore Law School which later consolidated with the University of Maryland, graduating in 1901. After which he promptly began the practice of law in Baltimore, in the time of his death on November 11, 1950, he had built up a large and lucrative practice.

He is survived by his wife, Nellie II. King, and three children, Nancy Lee King, Ostrwell M. King, Jr., and Kathleen W. King. He was tolerant and kind towards all persons, and had many friends.

Ever since his death on the Bar, he has been practiced in the law by his wife, Mrs. Nellie II. King, and his daughter, Mrs. Kathleen W. King. He was a member of the Bar of the District of Columbia, and was admitted to the Bar of the State of Maryland in 1901.

None more true, but to love him, /  
Sour na, na, /-he bat to praw.  
—By Hurry MacTjabi.

**DAVE B. KIRSNEB**

Mr. Dave B. Kirsner was born in Baltimore, Maryland, in April, 1886. He was reared in Iron ton, Ohio, and obtained his early schooling there and in Chapel Hill, Virginia. He graduated from the Hampton (Virginia) High School with high honors, having received the highest honors in his class.

After graduation from law school he was actively practicing law, and in Washington, D. C., in 1917. He was a member of the Maryland Bar. He was admitted to the Bar of the State of Maryland in 1911, and practiced law in his class.

After graduation from law school he was actively practicing law, and in Washington, D. C., in 1917. He was a member of the Maryland Bar. He was admitted to the Bar of the State of Maryland in 1911, and practiced law in his class.

He was for a number of years a member of Brith Shoom, the Bar Association, American Jewish Congress and many charitable and philanthropic organizations.

The later years of his life were devoted almost wholly to his family because of the illness of his wife, his daughter, Harriet, in 1940.

He was known by his intimate friends to be a very kind and unassuming, while possessing a very one-sided and unyielding mind. His interests and activities in life reflected character and honesty in all things. He died December 20, 1941, leaving a wife, Mrs. Esther Elizabeth Kirsner, a son, Milton F. Kirsner, a member of the local Bar, and a granddaughter, Sharon Lea Rabinowitz.

—C. I. Mulon U. Till-In.

**JAMES PATTERSON McOLUBA**

James Patterson McCluskey was born in Oxford, Chester County, Pennsylvania, on November 11, 1880. His parents were James Hervey McCluskey (who served with distinction in the Civil War, and Elmhurst Helen Carr McCluskey).

He was James Hervey McCluskey (who served with distinction in the Civil War, and Elmhurst Helen Carr McCluskey).

He received his early education in the public schools of Chester County, and later attended the University of Delaware. He also attended the Law School of the University of Maryland and was admitted to the Bar in 1901. He engaged in the practice of his profession in Baltimore, and was admitted to the Bar of the State of Maryland in 1901.

In 1918, he was elected to the Maryland Legislature on the Republican ticket as a member of the 13th Legislative District, and later was elected to the State Senate in 1920. He was a member of the Bar of the State of Maryland, and was a member of the Bar of the State of Delaware.

He was unmarried and lived with his sister, Mrs. Ina M. null, and his niece, Adrienne Hill, of Kennett Square, Pennsylvania.

—By n. Beate Itoull:

**C. HOWARD MILLIKIN**

Charles Howard Millikin died in his home in Baltimore on October 11, 1950, after a long illness.

The son of the late William and Emily Millikin, he was born here on November 10, 1871. He was graduated from the Law School of the University of Maryland in 1891, and engaged in active practice as a member of the firm of Johnson, Millikin and Wright until 1916. He was a member of the Bar of the State of Maryland, and was a member of the Bar of the State of Delaware.

He was married to Miss Mettle Bates, the daughter of the late William and Emily Bates, in 1903. In 1931 Mr. Millikin married Mrs. Mollie vonMarx, widow of Hans vonMare.

Mr. Millikin was a former president of the Maryland, Delaware and District of Columbia Jewelers Association, former president of the Jewelers Association of Baltimore, and a former president of the itaian Merchant Association of Baltimore, of the Advisory Board of which he was a member at the time of his death.

Besides his wife, Mr. Millikin was survived by two daughters, the Misses Emily and Jane Millikin.

—Da William n. nudoll\*.

**EDWAHD A. O'MARA**

Edward A. O'Mara died on November 11, 1950, at his residence in the Cheltenham Apartments. He had been a resident of this apartment for several years, and during the last year of his life he was confined to his home.

Mr. O'Mara was born at Violet Villa, in Baltimore County on July 1, 1878, and lived in Baltimore County for about forty years.

He was one of the early students of the St. Joseph's College in the day when it consisted of a single building at Irwinsville. He was graduated from St. Joseph's in 1898, and later he received from the college a golden anniversary certificate of his graduation. Mr. O'Mara studied law at the University of Maryland and was a member of the Bar of the State of Maryland.

For years, Mr. O'Mara took an active interest in Baltimore County politics and was Treasurer of the Democratic



at Uio Law School of the University of Maryland. He was admitted to the Bar and immediately became OBO related with his elder brother, Morris A. Home, in the general practice of law. He engaged in the practice of his profession for seven or eight years, when he became interested in the motion picture industry, then in the early phase of its development.

Although devoting a considerable portion of the later years of his life to his business pursuits, Mr. Home never relinquished his interest and activities in the legal profession. He was an active and devoted member of the Bar Association of Baltimore City and took keen interest in its doings and affairs.

Because of his enjoyment and prominence in the entertainment world, he was almost a perennial member of its entertainment committee and in large measure contributed to its many successes.

Early in his career, Mr. Home evidenced a sincere and sympathetic feeling for the afflicted and unfortunate. As success marked his career, he became more and more of his time and talents towards their betterment, participating in a numerous charity organizations and drives. He was the founder of the Variety Club of Baltimore and former Maryland director of the Variety Clubs of America, in which he had served as national secretary. He was on the Board of Directors of the Losen-od State Training School, a member of the Board of the Jewish Educational Society, and of the Board of the Hebrew Home for the Aged and Infirm, to mention but a few of his affiliations. In his adapted field of charity and welfare work.

In addition to his membership in the Bar Association of Baltimore City, Mr. Home was a member of the Maryland State Bar Association, the Maryland State Bar AM Delation, the ISAO Imne, and his law partners, his brother, Morris A. Home and T. Paul Home.

It is to be deeply regretted that his personal and his law partner's qualities and traits as those possessed by Mr. Home should have been so soon lost to the profession and to the community which he benefited so served.

—By Joseph T. Parr.

JESSE J. KUBIN

Jesse J. Kubin met heroic death on a battlefield in Germany on April 18, 1918. A son of Kymen E. and Rose (Omin) Kubin, he was born in Baltimore on November 15, 1901. After attending public school and being graduated by the Baltimore City College, he studied for two years at Johns Hopkins University (1913-1915). He then enrolled in the Wharton School of Business and Finance, University of Pennsylvania, and was graduated in 1915, with the degree of Bachelor of Science.

Mr. Kubin next entered the Law School of the University of Maryland, which conferred on him the degree of Bachelor of Laws in 1916. He was an honor graduate, and one of the first to be admitted to the Order of the Coif. He was admitted to the Bar of Maryland in the same year. He practiced law in Baltimore from 1918 to 1919.

In 1920 he married Miss Harriet Elmer, by whom he had a daughter, Charlotte, now two years old. On September 1, 1918, he entered the army of the United States, and was assigned to the Ordnance Department. He was sent to Camp Blanding, Ariz. In a replacement unit, he was killed in the line of duty, as reported by the Baltimore Sun.

service at the front and a merit badge was awarded to a signal corps battalion of the American Third Army in Germany.

On April 15, 1915, Mr. Rubin and a

vacant mate were ordered to carry a message to the front lines. As they neared the front, they were captured by the enemy. They were immediately charged a machine gun and mounted the machine gun on the front lines. They were then captured by the enemy and returned to the front lines. They were then captured by the enemy and returned to the front lines.

Mr. Rubin was a lawyer of high character, fine ability, and attractive personality. He was a devoted member of the Baltimore City College and in his early childhood he resided at No. 1 South Linwood avenue. He attended the Baltimore City College and graduated therefrom on June 1, 1921. He was a member of the Public Athletic Association and the Baltimore City College.

—Miss J. A. Bryan.

MILTON WHITNEY SOHXUTTEB

Milton Whitney Sohxutteb was born in Baltimore on August 18, 1881. He was a member of the Baltimore City College and graduated therefrom on June 1, 1921. He was a member of the Public Athletic Association and the Baltimore City College.

Upon taking part in the Baltimore City College, he was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

He then became an associate professor of English at Western Maryland College for one year. After that he was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

Motor Vehicles of the State of Maryland and in 1917 time he became Tutored in the legal examination under the Commission of Motor Vehicles and resumed his service with the Bureau of Motor Vehicles of Baltimore and in 1918 time he was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

Supreme Court of Maryland, he was appointed to the position of Chief Justice of the Baltimore City Court. He was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

—in Elinor S. Panett.

GEORGE W. SWINSKI

George W. Swinski, who died on September 33, 1918, was a widely known and respected member of the Baltimore City College and graduated therefrom on June 1, 1921.

He was a member of the Baltimore City College and graduated therefrom on June 1, 1921. He was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

Always a devoted member of the Baltimore City College and graduated therefrom on June 1, 1921. He was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

He was a member of the Baltimore City College and graduated therefrom on June 1, 1921. He was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

—Miss John A. Khrman.

BOBETT WAXTCB WATB3NB, JR.

Robert WaxtcB Watb3nB, Jr., was born in Baltimore, January 1, 1884, the son of Bulcirt Walter and Susie T. Watkins, and died April 20, 1918. He was educated in the public schools of Baltimore and graduated from the Baltimore City College in 1901. He was a member of the Baltimore City College and graduated therefrom on June 1, 1921.

Baltimore Chapter and Beausant Com-  
mandery and Eastern Star Chapter  
No. 4.

Mr. Wilkins for the past twenty-np  
year<sup>o</sup> m<sup>o</sup> & lll<sup>o</sup> tonic trlti lit<sup>o</sup> sister  
iMn, Vloin Eiey n-lin, tORfibr «liti  
DnoDicr sister, Mrs. Sadie nillrary, xur-  
VTC hm.

—Jif ttoeri C. UeKtC.

## K I N U T i s . S .

A luncheon meeting of the Supreme Bench was held on Thursday, February 8, 1946, at 1:30 p.m. All of the members of the Bench were present except Judge JitcLanahan, and the Ctaiei Juoge presided. Mr. Z. Bernard Wells, State's Attorney, reported to the Bench that he had appointed Mr. William J. O'Donnell as an Assistant States Attorney, in the place of Mr. Joseph G. innerty who had resigned. The appointment was approved.

The motions of Virginia Reed for a new trial for her conviction of perjury, and of Harry J. Selden for subornation of perjury, were discussed, and a resolution was passed directing that the motions be re-argued on March 9th.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

P. S Judge Moylan reported to the Bench that he had appointed Mr. Harry J. Devlin to serve as a Bailiff in his Court, effective March 4, 1946. The appointment was approved.

### Win. J. O'Donnell Appointed As Assistant Suite's Attorney

Alexander of William J. O'Donnell, U.S. Attorney for the District of Columbia, has appointed Win. J. O'Donnell as Assistant Attorney General for the District of Columbia. Mr. O'Donnell is a member of the Maryland Bar and is currently practicing law in Baltimore.

Mr. O'Donnell, who is a member of the Maryland Bar, is a son of Mr. and Mrs. O'Donnell of Baltimore. He is currently practicing law in Baltimore. He is a member of the Maryland Bar and is currently practicing law in Baltimore.

He is currently practicing law in Baltimore. He is a member of the Maryland Bar and is currently practicing law in Baltimore. He is a member of the Maryland Bar and is currently practicing law in Baltimore.

Mr. O'Donnell is a member of the Maryland Bar and is currently practicing law in Baltimore. He is a member of the Maryland Bar and is currently practicing law in Baltimore. He is a member of the Maryland Bar and is currently practicing law in Baltimore.

### Reargument Of New Trial Motions Ordered By Supreme Bench

The Supreme Court of the District of Columbia has ordered that the motions for a new trial be argued again. The court is currently reviewing the case of the United States vs. [Name], which was heard in the Supreme Court of the District of Columbia.

### Hurry J. Devlin Numeil Builff By Supreme Bench

The Supreme Court of the District of Columbia has appointed Hurry J. Devlin as a member of the Supreme Bench. Mr. Devlin is a member of the Maryland Bar and is currently practicing law in Baltimore.



State's Attorneys General

J. BERNARD WELLS

BALTIMORE: 2

FEBRUARY  
TWENTY FIFTH  
NINETEEN  
FORTY SIX.

DEPUTY STATE'S ATTORNEYS  
WILLIAM H. MAYNARD  
ASSISTANTS  
MORGAN H. BUEHNER  
ANDREW SODARD  
BERNARD G. PETER  
JOSEPH G. FINNERTY  
JOSEPH G. KOLODNY  
JOHN C. WEISS  
SAUL A. HARRIS  
ALAN H. MURRELL

HON. W. COH77ELL SMITH, CHIEF JUDGE  
AND HONORABLE MEMBERS OF THE SUPREME BENCH  
OF BALTIMORE.

**Honorable Sirs:**

To fill the vacancy in my office created through the resignation of Joseph G. Finnerty, I am appointing William J. O'Donnell effective as of the first of March, 1946.

I am sure the members of the Bench are well acquainted with this young man for at one time he was bailiff to the Supreme Bench, assigned to the Court of the then Chief Judge, Samuel K. Dennis. During the war he was attached to the Navy, in the Department of Naval Intelligence, and the work assigned to him gave him considerable experience in court martial trials. At the present time he is trial counsel with the OPA.

I trust that this appointment meets with your approval, and that it will receive your official confirmation.

With much respect, I am,

Yours very truly,

STATE'S ATTORNEY.

JBW:B

Approved  
2/28/46



February 28, 1946.

Hon. J. Bernard Wells,  
Ststs'a Attorney or Baltimore City ,  
Court Houae, City -f-

Dear Mr. Welle:

I bag to advise you that the Supreme Benob today approved  
your appointment or Mr. William J. O'fionnell as an Assist-  
ant State's Attorney.

•                   Very truly yours, .

S&oretery.

to l N U T f S .

A meeting of the Supreme Bench was held on Saturday, March End, 1946, at 1C o'clock a.m. All of the members of the Bench were present except Judges McLanahan, Niles ana Moser, and the Chief Judge presided.

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

The following were admitted to practice before the Supreme Bench of Baltimore on Saturday: Frank A. Knuffman, El-trixd v. Pierce, Kcnvlti It. Inmter. John J. GHMHIW. Jr., John A. CHMID- n-JU. I/TOV VI. Prmtnn. Il ever W. Merthf. Snmntl B. Kochkind. Fonn- namd Fla\*im ami Frmln V. Curtlnn.

The motions for new trials of William B. Dixon from his conviction of perjury, of William H. Creightoo -of/ 's conviction of manslaughter, of James Bailey from his conviction of muruer, and of John Lagne from his conviction of bastardy, were argued, submitted and aenieo.

The motion of John H. White for a new trial from his conviction of rape was argued, submitted and grantee

There being no further business, the meeting adjourned.

Secretary,  
Supreme Bench of Baltimore City.

The Supreme Bench of Baltimore on Saturday, March 23, 1946, on the motion of John P. White, who was admitted to the bar of this State on March 23, 1946. Other new trial motions were denied by the Bench and the following were denied: William B. Dixon, found guilty of perjury; William H. Creighton, murderer; James M. Bailey, murder, and John L. Lagne, bastardy. William H. Creighton, Deputy State's Attorney, and ABulrnt State's Attorney Jolitt C. Well, Bernard O. refer and Amclm Swlmi npin-nm on be- i linlf of UD State In the r'rius taat\*. I while White was r'p'rtent' by D. I. Dipolac h'Dlew fud f'ln' of G. J'voief. J

## SUPREME BENCH ASSIGNMENT

Sat., March 2, 1946

John C. Weiss	State of Maryland vs. William B. Dixon	E. Hilton Altfeld
Charge: Perjury Nos. +732,3 and 4, Sept. Term, 194-5 Motion for a new trial From: Moser, J.		<i>Denied</i>

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Bernard G. Peter	State of Maryland vs. Wm. Hi Crelghton	Paul B. Mules
Charge: Manslaughter Nos. 1810-1, May Term, 1945 From: Dickerson, J.		<i>Denied</i>

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Joseph Kolodny	State of Maryland vs. John H. White	W. T. Hayes <i>Wood H. Koger</i>
Charge: Rape No. 5279, Sept. Term, 1945 From: Mason, J.		<i>Granted</i>

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William E. <b>Keynard</b>	State of Maryland vs. James Bailey	Hilary V. Gans
Charge: Murder No. 3709, Sept. Term, 1945 From: Moser, J.		<i>Denied</i>

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William H. Haynard	State of Maryland vs. John Lagna	Paul B. Mules
Charge: Bastardy Ho. 2 (Bastardy Inf.) Jan. Term, 194f from: Mason, J.		<i>Denied</i>

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## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, March 14, 1946, at 12:30 p.m. All of the members of the Bench were present except Judges McClellan and McJannet, and the Chief Judge presided. Judge J. Howard Murrey, of the Circuit Court of Baltimore County, was a guest of the Bench.

A rule governing Accounting or Trustees, Receivers and other Fiduciaries, in lieu of old Rule 26, was adopted, and Rule 26 was repealed.

It was resolved that the Supreme Bench hereby approves the adoption and installation, as soon as practicable, of a system of flat filing of papers in the offices of the Clerks of the Law and Equity Courts. The Court House Committee was authorized to work out the details and confer with the Clerks of said courts with respect to this system.

There was a discussion of interviews with regard to probation, by members of the Bench, with representatives of the public press, and the Chief Judge reported that the feelings of Mr. William L. Stuckert, Chief Probation Officer, were hurt by the statements made at the interviews.

There was a general discussion of the law and practices with regard to Adoption, but <sup>affirmative</sup> ~~no~~ action was taken.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

Adopted by the Supreme Bench  
 March 14, 1946  
 26

**RULE 3X&-**

ACCOUNTING OF TRUSTEES, RECEIVERS AND OTHER  
 FIDUCIARIES.

**M<sup>f</sup>.** Report Within Thirty Days of Appointment or Assumption of Supervision By Court: (<^) All fiduciaries other than receivers, administering estates under the supervision of an equity court shall, within thirty (30) days after appointment or assumption by the court of supervision over the estates they are administering, file with the clerk of the said court a report verified under oath showing the assets of the estate. In connection with this report it shall not be necessary, unless otherwise ordered by the court having supervision of the estate and the fiduciaries administering it, that the assets be exhibited, or examined by the judge, clerk of court, trust clerk, auditor or master; but the report shall be filed for reference in connection with the first annual report to be filed thereafter.

**(M** All receivers shall within sixty (60) days after appointment, file with the clerk of the court by which they have been appointed a report showing, so far as the same may be ascertained, all of the assets and liabilities of the estate, and they shall also file an account of all their receipts and disbursements. They shall thereafter file additional accounts every six (6) months unless the time shall be changed by special order of court, until the estate in their hands shall be fully administered.

**to Prosecution and Defense of Suits:** No receiver or other fiduciary administering an estate under court supervision shall prosecute or defend any suit, or incur any financial obligation in respect to such suit, without the previous order of the court. No such order will be passed except on probable cause shown for the institution or defense of such suit

**(3^, Annual Reports and Accounts of Fiduciaries Other Than Receivers: (^) Duty to File.** It shall be the duty of every fiduciary, other than receivers, administering an estate under supervision of court, annually, at such times as are hereinafter set forth, to file with the clerk of the court by which he may have been appointed, or under the orders of which he is acting, a report or an account, verified under oath, in which he shall fully and clearly set forth the nature of all the assets and property held by him in such fiduciary capacity on the date as of which the report or account is prepared; and showing where

any moneys may be deposited; and under what name deposits are made; and the nature and particulars of all securities and other assets real or personal, whether the same were received by him in the same form as parts of the trust estate, or are investments made by him; also the changes of investments which have taken place since his last report and account, and his receipts and disbursements of cash corpus; also a summary of income, showing balance of income on hand as per the last report, the total gross income since received, total of operating expenses, the total of distributions to income beneficiaries of the trust and the net cash balance of income on hand.

<sup>2</sup>p\* *Date as of Which Report is Prepared: Period Covered.* Such report or account shall bear the heading, "ANNUAL FIDUCIARY REPORT AS OF (insert date)." The account shall show an accounting for an annual period on the basis of a fiscal year ending December 31st, provided, however, that any fiduciary, by arrangement with the trust clerk, may state his report or account as of the date constituting the anniversary of the assumption by the court of supervision over the estate, or as of any other date upon which the fiduciary and the trust clerk may agree; such date to be entered on the dockets of the equity court and of the trust clerk. Such reports shall be filed regularly annually and each report shall cover a period of one fiscal year except in those exceptional instances where by reason of the original determination or subsequent change of the annual fiscal period or filing date the next following report may cover an interval somewhat greater or less than one year from the **time of the filing** of the preceding report.

(S) *Date of Filing:* Such annual reports shall be filed not later than sixty days after the date as of which the report is made.

(W) *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 the 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 succes-

nor 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.

(3) Whenever a fiduciary has invested in a common trust fund, with each report under this Rule, 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 TX75V OF THE BLANK TRUST COMPANY

To the Trust Clerk :

This is to certify that we of the due lyrvof

.....

..... Trustee inler.....

..... is\* the owner of the following unit\*

of participation in the above designated common trust fund, toz:

Total Units in Fund.	Number of Shares By This Estate.	Com of Unit.	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 ..... 10.....

.....  
Notary Public.

Trust Clerk to Receive Copies of Orders of Assumption of Supervision, or Appointment of Fiduciaries Other Than Receivers. Wherever the court shall assume continuing supervision over the

administration of a fiduciary estate, or appoint a fiduciary of an estate over which it has assumed such supervision, the fiduciary so appointed or administering such an estate shall file with the clerk of the said court a copy of the court's decree or order which shall be transmitted immediately to the trust clerk with a notation thereon showing the date it was filed with the clerk of the court; and the trust clerk shall note it upon his records and keep it among his files. The trust clerk shall forthwith notify such fiduciary to file the report required by Section *dot* this rule to be filed within that period, and to comply thereafter<sup>1</sup> with all provisions of the rules of court, or court orders, applicable to the fiduciary and the estate he is administering.

**jp\*\*Examination of Report and Trust Assets:**

§ Notification to Trust Clerk by Clerks of Court. As soon as a report or account shall be filed it shall be the duty of the clerk of the court to notify the trust clerk.

§ Examination of Fiduciaries' Reports. The trust clerk shall thereupon promptly examine the report or account and verify all corpus transactions. He shall particularly note what changes of investments have been made and whether such changes have been effected in accordance with all applicable rules and orders of court. He shall also consider whether or not the summary of income receipts and disbursements given in the report indicates a situation that should be called to the attention of the court for the purpose of requiring an audit or other action, taking into consideration the relation of the income and trust corpus. He shall also particularly note the designation of the surety or sureties and the amount of the penalty of the bond as theretofore fixed by the court, and shall determine whether, in his opinion, the estate is thereby adequately protected or whether the amount of the bond is excessive.

(3) Examination of Assets: The trust clerk shall, in connection with his examination and verification of the report, within sixty (60) days after the filing of the report by the fiduciary, examine and verify the securities, cash and other assets reflected therein and comprising the estate, at such time as may be mutually convenient to him and the fiduciary, and at such place as may be fixed by him or by the court, as may be convenient to him and to the fiduciary and as may entail a minimum of risk in the handling of the assets. In this connection the fiduciary shall exhibit to him all the securities reflected in the said report. The trust clerk shall also examine and ascertain the correctness of the statements of the report or account with respect to all

disbursements refer. to the amount and character of



6  
this

deposits of money shown there/n as existing on the date as of which the report or account is stated. An addition to the costs and charges prescribed by Section\* of said Rule/, the trust clerk shall collect from fiduciaries and account therefor as part of the receipts of his office, the following costs and charges where he is required to leave the Court House in order to examine the assets of trust estates:

Where the Income is from the Estate of a War Veteran	No Fee
Where the Annual Income does not exceed \$199.00	No Fee
Where the Annual Income exceeds \$199.00 but is less than \$400	\$1.00
Exceeds \$399.00 and is less than \$1,000	\$3.00
Exceeds \$999.00 and is less than \$2,500	\$5.00
Exceeds \$2,499 and is less than \$5,000	\$8.00
Exceeds \$4,999 and is less than \$10,000	\$10.00
Where the Annual Income Exceeds \$9,999	\$15.00

\*i -fr c-

W^The^rust/Clerk shall append to each report the result of his examination and verification, with such comments as he may deem appropriate. If the findings and comments of the Trust Clerk with respect to any report are such as to require the attention or action of the Court, he shall as promptly as possible submit the same to the Court with his recommendations.

as X?

*Trust Clerk Not to Prepare Reports or Accounts for Fiduciaries:* The trust clerk shall not prepare any report or account for any fiduciary, but may give such advice, information and suggestions as may be sought by the fiduciary.

*(Fees, Costs and Charges: ii)* To pay the costs and expenses (in whole or in part) of his office the trust clerk shall collect the following costs and charges for each report filed under this rule, to be paid out of the income of each estate in which the report is filed, viz: Five dollars for the first report; one dollar for each such subsequent report in each estate where the yearly net income thereof does not exceed \$200; two dollars for each subsequent report in which the yearly net income is more than \$200 and less than \$500, and \$5 in each subsequent report in which the yearly net income is \$500 or more. Under exceptional circumstances the court may in its discretion provide for the payment of additional costs.

(ft\* When collected, the trust clerk shall deposit the monies representing costs and charges as aforesaid, in a depository designated by the Supreme Bench in an account under his official title, namely: "Trust Clerk of the Supreme Bench."

11  
 j) *Disbursements of Funds by the Trust Clerk:* All sums received by the Trust Clerk under the provisions of this rule or in connection with the administration of his office not otherwise expended for expenses of operation of his office under authority of an applicable order or rule of court or provision of law shall be disbursed upon the first secular day of each calendar year as follows: namely: First, by application to the payment of the premium on each bond given as in this rule required, by the trust clerk and each of his assistants; second, to the Mayor and City Council of Baltimore, such sums as they shall have paid during the preceding year as salary for the trust clerk and any of his assistants; and, third, to the Treasurer of the State of Maryland, such sums as it shall have paid during the preceding year as salary for the trust clerk and any of his assistants; and the balance to the Mayor and City Council of Baltimore.

^ *Reports by Trust Clerk to Supreme Bench:* In addition to the reports to the judges of the equity courts required by other sections of this rule, the trust clerk shall submit to the Supreme Bench on or before the 30th day of January in each year a written statement of the condition of his office as of December 31st next preceding, showing, among other things, in what estates fiduciaries are in default in failing to comply with the applicable rules or orders of court; and showing the monies the trust clerk has received and the disbursements he has made during the calendar year ending on that December 31st; and also showing any other information which he believes to be pertinent and which would have a bearing upon the improvement of the administration of his office and the safeguarding of estates under court supervision. In addition thereto he shall report quarterly in writing to the Chief Judge of the Supreme Bench each fiduciary who under the applicable rules or orders of court is in default with the particulars of said default.

5  
 j) *Form of Reports by Fiduciaries Other Than Receivers:* Reports of trustees and fiduciaries other than receivers shall be substantially in the form now in use, copies of which are available in the office of the Trust Clerk.

K ~~This~~ ~~FW~~ shall become effective as of....., 1946.

Old Equity Rule 24

## M I H U T K S .

A special meeting of the Supreme Bench was held on Friday, March 15, 1946, at 10 a.m. All of the members of the Bench were present except Judges McLanahan and Uoser, the latter of whom did not participate in the proceedings, but was present in Chambers following the open meeting. The Chief Judge presided.

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

Walter Rivonhnl, Hitch K. Holtnif  
and Dunhill H. Dunhiell were admitted  
to practice us mem-M of the Baltimore  
Bar yesterday by the Supreme Bench  
at Baltimore.

They were admitted upon the recommendation  
of the VP notitia of J. KWIFD TTink, Herbert  
E. Will and Willim H. Stunbury, Jr.

The motions of Virginia L. Reed from her conviction of perjury, and of Harry G. Selden from his conviction of subordination of perjury, were re-argued, submitted and granted.

There being no further business, the meeting adjourned.



Supreme Bench Grant\* New-  
Trial Motions In Cases  
Heard Yesterday

The Supreme Bench of Baltimore  
yesterday granted the new trial motion  
of VirKink L. Heed, who was  
convicted of perjury, and of Harry O.  
Selden, found guilty of subordination  
of perjury.

Jamra J. LmUny and Thul H. Mules  
represent M. Mm. Heed, while Selden  
was represented by C. A. Andrcnti.

Secretary  
Supreme Bench of Baltimore City.

## SDPBEHE BENCH ASSIGNMENT

Friday, March 15, 1946

John C. Weiss

State of Maryland

James J. Lindsay

(

Birginia L. Heed

Nos. 4741,2,3,4,7,8,9,50,1,2,4 &amp;S

September Term, 1945

Charge: Perjury

From: Moser, Jr.

*Granted*

John C. Weiss

State of Maryland

G. C. A. Anderson

C

Harry G. Selden

Nos. 4757,8,9,60,3,4,5,6,7,8,70 &amp; 1

September Term, 1945

Charge: ~~aborn~~ on ~~f~~ ? ~~f~~ juryFrom ~~f~~ Moser, J.*Granted*

## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, April 4th, at 12:30 p.m. All of the members of the Bench were present except Judges Moser and Seyler, and the Chief Judge presided.

Judge W. Calvin Chestnut, of the U. S. District Court for Maryland, and Judge William L. Henderson, of the Court of Appeals of Maryland, were guests of the Supreme Bench.

The schedule of the Summer assignment for the members of the Bench was submitted.

A letter from Mr. M. Luther Pittman, was read, informing the Bench that due to extra work Aloysius J. Fritsch and Joseph G. Waldt had been promoted to the positions of examiners, and William L. Caton and Mrs. Dorothy C. Crawford had been appointed as additional clerks. The appointments were approved by the Bench.

There being no further business, the meeting adjourned.

*Collin J. Dickerson*

Secretary

Supreme Bench of Baltimore City.



Superior Court  
of Baltimore City  
Baltimore 2, Md.

April 1, 1946

The Honorable, The Members of  
The Supreme Bench of Baltimore City,  
Court House,  
**Baltimore, Maryland.**

**Honorable sirs:**

The work of the Record Office has increased to such an extent due to the increase in realty sales, and also the additional work caused by the recording of Service Discharges, amounting roughly to 150 per day, that I have found it necessary to request you to approve the appointment of two more examiners and two more clerks. In making these appointments, I wish to do so by promoting Messrs. Aloysius J. Pritsch and Joseph G. Yaldt, who are now recorders, as examiners; and *Sr.* William L. Caton and *lira.* Dorothy C. Crawford as additional clerks.

I therefore earnestly request your approval of these appointments as of **April 1, 1946.**

**Very truly yours,**

April 4, 1946.

II. Luther Fittman, Esq.,  
Clerk of Superior Court,  
Court House, City -2-

Dear Mr. Fittman:

Your letter of the 1st instant, addressed to the Supreme  
Benoh, was read at the meeting today, and the promotions of  
Messrs. Aloyslus J. fritsch and Joseph G. Waldt as examiners,  
and the appointment of William L. Caton and Mrs. Dorothy C.  
Crawford as clerks, were duly approved.

Very truly yours,

Secretary.

## SUMMER VACATION SCHEDULE - 194E

MEMBER	CRIMINAL COURT	CIVIL CASES
July 1 - C	Clrcr	3 i
July D - is	rice	Tucker
July It - 20	licrbvn-	Mason
July; 2E - 27	Mason	,:xrT,,
July 29 - JUDGE S	Dickerson	IE-IC;
July t - 10	: * * *	Dickerson
July IE - 17	Saylor	: or. or
July ID - M	FO3, F	Saylor
July 2C - SI	Smith	Mc-untilliai
July 2 - 7	Holanahan	Smith



## M I N U T E S .

A special meeting of the Supreme Bench was held on Seturaay, April 6, 1946, at 10 o'clock a.m. The lull Bench was present and the Chiel' Juage presided.

The following gentlemen were edEittea to practice before the courts of Baltimore City:

Joseph H. Orally, J. Bernard Cur-  
rick, James h. lhwuclump, Wllllim J.  
Kane, lrcrnia Spclor, William B. Oe-  
wold, William B. Komptni, ant! William  
U Gndrner were admitted by the So-  
in-raw Bench on Saturday to practice  
at mcnbrH of the Bnllltrov Bnr.

The motion of Moses King, for e new trial from his conviction of bigamy in the Criminal Court, was argued, submitted and granted.

The motion of fcngene Conn, for a new trial from his conviction of larceny in the Criminal Court, was argued, submitted and over-ruled.

The motion of Dick Warner, for a new trial from his conviction of larceny in the Criminel Court, was postponed.

It was decided to hold the Term Meeting on April 29th next.

There being no further business, the meeting adjourned.

Supreme Bench Rules On  
New Trial Motions In  
Criminal Cuocs

Tic Snpreinc Delicti of llalUuioe «it Saturday granted tle motion for a new trial of Moses Kins, \*!)•\* wag convicted of blgrnj-. The motions oC Eugene Conn ant! Wllbnr S. TCORUC, found cuUty of burglary were overruled by Uio Bench.

Herbert H. Rosoilum and AnOF I. Meyers were the nttoyncys for King, while AnBclm Sodaro, Amistant State's Attorney, appeared on behalf of the Suto In tic Conn and Tensile motfont.

*Edwin Dickinson*

Secretary,  
Supreme Bench of Baltimore City.

## SUPREME BENCH ASSIGNMENT

April 6, 1946

**William H. Maynard**State of Maryland  
vs.  
Moses King

Amos I. Meyers

*Herbert H. Rosenbaum*Ho. 223, Jan. Term, 1946  
Charge: Bigamy  
Prom: Smith, C. J.*Granted***Anselm Sodaro**State of Maryland  
vs.  
Eugene Conn, etc.

J. Howard Payne

No. 551, Jan. Term, 1946  
Charge: Burglary, etc.  
From: Mason, J.*Overruled***Anselm Sodaro**State of Maryland  
vs.  
Dick Warner

A. Kilton tiller

No. 538, Jan. Term, 1946  
Charge: Larceny  
Prom: Smith, C. J.*Postponed*

## M I N U T E S .

A luncheon meeting of the Supreme Bench was held April 11, 1946, at 1f:30 p.m. All of the members of the **Bench were present** except Judges Sayler **and** Mauley. **The** Chief Judge presided.

Judge Sherbow called **the attention** of the Bench to an advertisement of s commercial broadcast, **in** which it was stated that tors. Henrietta Hickman, of the staff of the Probation Department, would act as counsellor **with respect** to a Jealous adolescent step-daughter.

It was the sense of the Bench that it strongly disapproves the reference to the Probation Department of the Supreme Bench, and the matter was referred to the Probation Committee with discretion to act.

It was decided to hold a memorial meeting for Judge J. Craig McLanaiian April 30th, Z p.m.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

li I « U T E S .

A Term Meeting of the Supreme Bench was held on Monday, April 29, 1946, at 10 o'clock a.m. The full Bench *fin*s in attendance, and the Chief Judge presided:

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

Nineteen new attorneys were admitted to practice in the local Bar by the Supreme Bench of Baltimore yesterday.

Those admitted were: Edwin Becker, H. H. Skinner, Jennette M. Sachs, Charlotte W. Pine, Albert W. Styles, Andrew L. Binkner, Kroy G. Borer, Annrose C. Slech, Dorothy T. Jackson, George M. Kinshain, Jr., Walter W. Chigic, Itouinn H. Pirhner, H. T. Dubhi, Thudilcus J. Hcin, Anne E. Burrow, J. Edward Hank, Mitchell A. Dulow, Henry T. Frnkei and Joseili Pina.

The motions of Dick Warner, for a new trial from his conviction of larceny, of George W. F. L. Flint, from his conviction of robbery, and of Frank Green, from his conviction of lottery, were argued, submitted and over-ruled.

The motion of Thomas Carpenter, for a new trial from his conviction of carrying a deadly weapon, was argued, submitted and granted. Judge Smith sat in the Warner case, but did not sit in the Carpenter and Green cases. Judge Mason did not sit in the Flint case.

The Chief Judge presented a letter from the Chairman of the Executive Committee of the Bar Association, in which it was stated that Charles P. Burger has been charged before a Grievance committee with withholding funds from his clients; that he had made restitution, and desired to be permitted to resign from his membership in the Bar. It was also stated that his clients desired to withdraw charges. It was the sense of the Bench that a resignation should

not be accepted, and that the Executive Committee or the Bar Association be notified of this action, and informed that they might prefer charges before the Supreme Bench if they so desired. The Grand Jury for the May Term 1946 was selected, and will consist of the following gentlemen:

There being no further business, the meeting adjourned.

*Estlin Dickman*

Secretary,  
Supreme Bench of Baltimore City.

The Grand Jury for the May Term of the local courts selected by the judges of the Supreme Bench at the General Term meeting yesterday. They were called for Monday, May 13th, when the court will convene for the May Term.

The following are the members of the Grand Jury:

William IV. Allen, 1223 West Lafayette Avenue.

Wendell B. Baker, 5803 Kenmore Road.

John H. Berry, 2038 Druid Hill Avenue.  
William T. Child, Jr., 4100 Bonhill Avenue.

James F. Orckman, 108 West Dorrers Parkway.

John A. Droll, 4300 Frankford Avenue.

George P. Eiford, 3001 McElferry Street.

Hairy O. Eviatt, 1801 Kewick Road, Charles Fisher, 620 Nottingham Road, Roland D. Foley, 3010 Tolando Road.

William T. Gripe, 4128 Marx Avenue.  
Emil L. Glass, 838 North Augusta Avenue.

Gilbert V. Groves, Elizabethan Avenue, 2011 Oorawn Boulevard.

Seymour M. Hecht, 2810 Lokveile Avenue.

Harry A. Hook, 6707 Berkeley Avenue.  
Borrr L. Heather, 3807 Juniper Road.

T. Oliver Neel, Sr., 4017 Cutham Road.

Frederick C. Leldig, 4118 Wainrad Street.

Joseph L. Unonin, 4013 Woodbarn Avenue.

J. Frank O'Toole, 1811 Chilton Street.  
Olenn F. Bchncker, 4110 Westview Road.

Bernard B. Mao, Westworth Arms.  
Drs. St. Cathedra Street.  
Alfred G. Triplett, 250 Queen Anne Road.

### Motion For A New Trial Is Granted By Supreme Bench

The Supreme Bench of Baltimore yesterday granted a motion for a new trial of Thomas J. Carpenter, who was convicted of a double murder charge.

The bench overruled by the bench were those of Frank Green, found guilty of lottery; George W. Y. L. Flint, convicted of murder; and Dick Warren, found guilty of larceny.

EWs Lorin was the attorney for Carpenter, while Assistant State Attorney H. Alan Marrell, John O. Welch and Anselm Sodaro appeared on behalf of the State in the Green, Flint and Warner cases.

## SUPREME BENCH ASSIGNMENT

April 29, 1946

ADselm Sodaro

State of Maryland  
vs.  
Dick Warner

A. Milton Miller

No. 538, Jan. Term, 1946  
Charge: Larceny  
From: Smith, C. J.*Overruled*

John C. Weiss

State of Maryland  
vs.  
Geo. W. F. L. Flint

Albert L. Sklar

No. 852, Jan. Term, 1946  
Charge: Robbery  
From: Mason, J.*Overruled*

Efe. J. o'Donnell

State of Maryland  
vs.  
Thomas Carpenter

Ellis Levin

No. 948, Jan. Term, 1946  
Charge: Deadly Weapon  
From: Smith, C. J.*Granted*

ul A. Harris

State of Maryland  
vs.  
Frank Green

William C. Baxter

No. 1188, Jan. Term, 1946  
Charge: Lottery  
From: Smith, C. J.*Overruled*

## ii I K U T K S.

A special meeting of the Supreme Bench of Baltimore City was held on April 30, 1946, at two o'clock p.m., to conduct memorial services for the late Judge J. Craig McLesnahan. All of the members of the Bench were present and the Chief Judge presided.

Mr. Paul H. Higginbotham, President of the Bar Association of Baltimore City, introduced the speakers to the Court, and former Chief Judge Samuel K. Dennis presented the Memorial Minute on behalf of the Bar Association. This minute was seconded by Mr. E. J. Clure Rouzer, General Washington Bowie, Jr., Colonel William C. Purnell and Mr. Robertson Griswold.

The response on behalf of the Bench was made by Chief Judge W. Conwell Smith.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

## Honor Paid Memory Of Deceased Member Of Supreme Bench Of Baltimore City

**McDioriol Service\* Were Held At Special Meeting Of The  
Bench Ami Bur- In Respect To The Late  
Judge J. Craig McLannaim**

Memorial services for Judge J. Craig Mduulniu, mi-mler uf the Supreme Bench of Baltimore CII<sup>U</sup>. wen; held nt a special meeting of the Bench yest-rtnly ufiermou. The ceremony took place in the lance Superior Court troon on the second Door or the Court House nud wo\* attended by rolntr-n md Mentis uf tin deceased Jurist, members of the Bar, Court attaches, former members of the Supreme Bench and prominent State und Municipal ofHkli-

Mul M. Hleinbothom, President or the Bar Association »t Uuililmur\* C<sup>H</sup>.y. Introduced the sneakers to the Court and the Memorial Minute was presented by former Chief Judge Samuel K. Deniu\*, who requested that It be placed! In the permanent archives of the Court. Seconding addresses were made by E. McClure Iouzcr, General Wartlingtau Bowie, Jr., Colonel Willinui C. I'urnell nud Robertson Grlswold.

Chief Jadpe TV. Conwell Smith, who presided nt the tiordHw, <sup>responded</sup> ou behalf of the Court

Following it a complete report of the proceeding\*:

### *Continued*

JUDGE SAMUEL S. DENNIS

Just if plecty the Court—

This committee representing the Bar Association of Baltimore, respectfully request\* your Honorable Court to accept on behalf of the Bar a memorial minute as a mark of respect and esteem far James Craig Uclunhain, late n beloved member of the Bar md n Associate Member of the Supreme Bench of Baltimore, who finished hU honorable earthly career at bin BnlIi-<sup>more</sup> home on lIureli in. IiH0.

It Is Impossible to capture and express in words addresscd to Uic Court, or to <sup>our</sup> Mini lu language for posterity, the form and essence of those <sup>in-</sup>tan-<sup>table</sup> Bible\*, the beautiful liut Inck-Anabk-tiling of Uic heart and of the spirit, dit jennial warmth, the chivalry and quality of our late colleague, which commended him to the affection and comradeship of his fellows everywhere; In vburcb. politics, social circles, army, the law nud the pencil. The dements which endowed him with charm nud faith perennial, that JK the better purd of ine story of His nature, must be lost with the live\* of those who knew him. All our skill allows by way of service to his memory la to record and perpetuate for posterity n bare narrative of the more Important tacts of IiIB way through life. Thereby we may identify <sup>na</sup>il preserve some unino of our kin'-ldRc of lijt life's labor\* for hln country, hln church and his profession. Hence, we have prepared thit Indt'quite nlluato which we respectfully pray nud move thln Honorable Court to receive omens IiI-<sup>ded</sup> and cause to be Iied and preserved omens IiI-<sup>can</sup> and archives.

### Minute

James Craig McLannan qualified after his election as an Associate Member of the Snprocio Bench of Baltimore

ou I-toctober n. lies. He died nt liis residence In Baltimore ou March li. IiH0, after it ions am ill-stress In: illness of heart disease, survived by liis n-lic: the former Lindn Wnako, of Norfolk, Virginia, whom lie married in Jim, nud (s- children. One, his son mid nameake, Is li'ccn years old; the A. (vnd, a dnuishter, nud Mrs. McLinn-<sup>han's</sup> nameake, is seven.

Judge McLannhan wan born In Baltimore April 18. ISSI. HIN mother. «00 illili in 1884, wou Maude Imhrle. IiH father was the Icr. Samuel McI'ann- linn, long instur of the Lafayette Square Prettburclan Church, and later instur of the Lawrenceville, N. -I. Presb-yclian church: a charge he re-n-d until his denth In 1012. Bv. Samuel Iicljinnlinn took a second wife, Mis\* Marj. Minor Lnlauo, daughter of the late BlNbu Jnatic\* A. La tonc, when Jnrtgo McLannubn was very young.

That marriage was a great blessing to the half orphaned child. Sue Is a woman of fi rwinrknhlo slim of bud nud heart; and she Is the only mother Judge McLannhan ever knew. A beautiful in fact, Ideal relationship of live nud loyalty existed between Judge McLannohn and hi\* gifted stepmother from Uic day of lier mrrriage to life father. It wup interrupted only by <sup>thit</sup> Judge McLannubn's untimely cud.

Judge Iiclannubn owed hi\* education and preparation for IiIB profession to Ell Lamb's and Mnrston's PhocU. Ituttimore. Lawrenceville Academy, Princeton Unlerrity, Class 'F 1001, and the University of Mre-land Law School, Class of 1003. After hi\* admission to the Bar he pursgued auro and nolv and notably successful career nt the Baltimore Bar.

Though devoted to his profession and in need of its traits, hi\* uMcLSh patriotism and wbotome desire to bear his finU share of civic and nodal TspnsIMUic\* led him into many

field\* of public ii«vle«- and avocation\* outside the law.

UP thought thit clean nmteargorU develop character a\* well as lu-nit-o brown. AH farms outdoor PSL-KIIV tennis, golf, swimming, shootluc, winter sports, Quoin, riding even military drill attracted him.

He mi faltbut to his church. He never failed in wrvico, to the PrM-lyivirlnu Church unl it\* many actrl-j Ur. Ho often volunteered as COUDNI and gave his Intelu't RCUrastly to legal nud Duandlat rcbnuc the church faced. From early nmubod he was a deacon and a member of the Board of Trustees at the First Presb-yclian Church, Baltimore until bin death.

Clean, nhk- Independent, conscientious, he believed a heavy civil reRnu-Hibility rested upon him to Mr In- for higher Ideals nud practices In governmental ngucur- and bodies. Though dently scrlouH nI heart he appeared to nct-<sup>opt</sup> such duties with a Ironic welcome. An nIUtnrd Republican he shed the party label. I'ured the imctions threatened by political machines to fight wlltin and when necessary, wlll-out, his party for efficient, dean public men and public measures. He Hpcb; bin mind politically with courage and clarity. Wcbn bin party put up candidates who deserved his confidence he worked far throu vionntly; if nut lie WHD In OMIJ revult. He never cont-<sup>in</sup> however often urged, to be n candldic for any elective political office.

Hi- was president of tin Maryland Uooverfor-Presldciu Committee In li.r.s. and president or a like committee in 1030 which was promoting Uio clrc-<sup>ct</sup>-ou or Ijiodun and Knox.

Judge McLaaahn was no isolationist, no pacifist. Aggressive, militant, he wat trilling to tight, and If need be, die, for bin country. He believed In military preparedness. Conscientiously, methodically, he gave himself to that cause by enlisting In the Maryland National Guard and the Intal filcp upon the military wcy. lie progressed rapidly; mm captain of one of the Field Artillery battalioi at Pikesville when the World War wu\* declared in IPI7. He attended the Field Artillery School at Ion Sill; was an Instructor there licu amulnd director. He KM assigned from the Army in October, imp. with the roufo of Colonel. He became Colonel of the UOb Field Artillery, Maryland National Guard. In 10K1 he wup appointed Brigadier Gecunil, romnnding tho 54th Artillery Brigade, n- rctnquibed that millUry responsibility when he became a Judge. He Wm a Ollgent, pmllcent Hdout of Uic science and arts 01 Iost. Hi\* <sup>disappointing</sup> disappointment, he would be uttered no complaint. Un. < due to his failure to see combat duty in Europe.

The tow Old not enslave him as the aletritis mentioned will prove. Perhaps they stimulate nud lntcvnlvl applicUna lo his profession; enhanced b\* interest In the welfare and wort of HIP City, Stnte nud Am-rlnn Bar AduHlIOTIS, which culmed hi\* mem-<sup>ber</sup> and mlcult mppurt. Perbaw <sup>to</sup> osperience\* broadened nod <sup>regarded</sup> his Tinn, nwlo bl\* approach



to ill-Kill procedure\* non-practical, more human. At any rate he had ou active, desirable practice, mostly in commercial and corporation work. He enjoyed n congenial professional part\* norfip with llis clnxrate nt lile law school. Mr. Jacob Frnucc. nnd wll, hla jlvuc personal friend. Mr. E. Hectare illouster. The votmer men who w operate) as factors in the firm of France, McLanhan and Ilonzar, helped Imke up n bippy nud able luv firm. Judge JLClnmhnn was a mudent; [preiary IU cuoci thoroughly; bnd the confidence of court, nnd opposing couj-ml; was on frank terms with hi\* eil- lentic, who milled him. He held but u uov-llitlenl position and thnt of n pro-fewlorm) character. Assistant Cillel! \*States Attorney from luvn-llir, it In on open KCTT-1 thnt the full weil-it [of responsibility for tin- conduct of the nOce fell upon him. Be was about a c emjndid, fair and successful in con due t- llic the Government; lll tlgntion a one could be.

Judge McLanhan was reluct ant to leave llis delighlml nm! profitable pof-fessinnll connections, nnd t' freedom of private life, to nfeed the nenci. IK was drafted by the nor. wht li expected of him \* lone nud brilliant Judicial term. And no it would have been hnd unt dl it Judicial career twit foreshortened nud hllchtd by ill health. For the Det four years lie w\* vigorous; applied blmMir constntly with unsatisfaction aul succi-), to bil Judicial undertaking. In Mt lie s-ferred a serious lieort ntnek. From then on ld\* efforts were retarded by pro-FREMIVE weakness, and his work on the Bench was attended by nnyalnd nnd fofing, borne with itole courage.

UU decisions and opinions, Independent of other proof\*, mark him for a name of Intellectual Integrity and power. For forty-three years, tUroish n lnrcc catalog of self-imposed tussis lie sacrificed f- for this community and to it\* trnichment.

His illnce dimmed and hli death exstnabled the light of n sound Judicial mind after a too brief, and onco bright, dnj- upon the Bench.

**REMARKS OF**

**E. McOLTIBE KOUZER**

May it Pleacti the Court:

I greatly appreciate this opportunity to try tribute to n Toy dear friend nud n close nfoocate for many happy years.

Dimu idmlulou to the Bar In 1003, Judge McLannhnn nud Mr. Jacob Franco practiced law in the office of the late Robert H. Smith, a diltin- tishcd member of this Bar nud n lead- ing admiralty lawyer of that time. I became acquainted with the Judge in IMS whilo I WOB attending the law school. Fortunately for me, I was ad- mitted to the l\*ar In 1910 nt about the same time he was nnpollad AS: uilnlmt U. S. District Attorney. Ax j that position required n crenl (lenl of UB time, ho offered me the opportunity to assist him in his private practice and I sldnj- accepted.

From 1010 until be was elected to thin Bench in ID36 Judge McLanahn. Mr. France and I were oassociated in the poficco of law. In July, 1610, wo

formed ille partuustip of From-i. Mc-Lannan k Ilouzer, which continued iimll the Judce uJuidrow to In-comc n member of the Supreme Bench. Our profiuu- n\* socimilni nMrud u\* I lint (he iurttKT\*)h)n would be u coufncial \*v nud I can my very hoously ibat n) never bud a SVMHO! \*dlasw/Bi-n- n) in llis i)rvial of nhlom twentv >>> ve work-k1 logvthru ns partners, it was with -r-rit recuti that Lodge lie- jluinlun- duration to the Bench ter- minated till\* very liuuJ-nuMcMiiia.

A- k- de from our tlanheis relations, tot several wars irrit to the first World War, the Jmley nud I Uvd In In- nme hoive, \*o I enjoyed Q do \*e \*v-ivstlout with him at home HF wll JU. In (he office. He was fuud or all > >-nts and wt bad many pood tim- together \*ll the lentils coirU and (he i)rcer Heil. Whieu he acquired his Jlt notionably, he lilt\* lilt- I learu uul rlyp it and, with character- istic Bcnenyity, permitted me to Bliare In Its w and HK-enjoyment it nffionet. IK was full at the Joy of IKing and ostred into crety activity, wiftvlttr work or piny, with n trcineidom eiwm- mnd eitushnfin, which nude him n delighlful companion.

It wtl real privilage to know and to i)ssocnu-d wllh Judge McLanhan. Xnture had bestowed on him many mlvnssnes to make for his micros\*. Blp In stature, he bad n commanding illpenroncc mid n enpAnimp ierson- ality. He WllH endowed with a bril- liant mind nud a mnn retentive mem- ory. His mental processes were \*Ffic and logical, and lie i)sselssO (be ability to mate a proposition clearly nud cftitUvty. He was n dileem i)tituel anl had the ntKnance of a jkHl prtivitory school nud colles- cmluc. He had n profound knowl- (ee of the law nud wn well Informed in n rnst variety of other subjects. When he became Interested in a legal problem, or wan preparing for the trial of a rac, he wn n untinger i)vercor anl extremely thorough and painstaking in his tretimration. lie had a large e)terjance in all branches of the law. and. In my opinion, was one of the soundest counclllord nud \*WH trial lawyers at our Bar.

In l\* editorial on Judge McLanbau tin- "Sun" dated that "n Mcm u- r)nc s- tus hig outstundins c)lialty. n determination to adhere to the strict construction of the statute and thv rule." From my long nud doge asso- ciation with him I know how true nud correct this appraisal is. It was the natural rault of his background ann van Inherently a part of hU nature.

We pay tribute to Judge Hefcunm today out onj- because he was an able \*vger and no eminent judge, but also because he was a good nud palgrofic American. Like that other distin- guished member of this Bat, the late Major German H. H. Emory, umler whom I lmd the honor to nerve In the lmt World X-er, Judge McLanhan realized that our participation in that war was Inevitable. He believed it was our duty to- right nud that pnp- nrlness was mentsis). With character- istic energy and oatbasngm he at- tended the first Plnttsburg Camp fur civilUids ana lnter was one of the or- Finilrys and oflen\* of the first nrtll- cryuoltn thlt State. Also like Major Emory, the Judge did not Lesitoto to

ajritic-c a lucrative law jlrmtck to acm- ll country. Incidentally, utter World War I, Judge McLanahan took HI ncthy Interest In the work of the American Legion nud won the HIM AmouuKler of the German H. IL Emory lnt of the Auicrlenn Legion, named In honor of my beloved friend and wimmundnjl Oilcor, who was killed in netlon on Novevnr- 1, 1010.

After thv fir\* World War, WMll w- lilled m -M->bratt- l'u makuk the Lesure of Stotions n n effective instrument for i)ecy. Judge McLanhan was nslu to \*urmg mlvoox- of preiml- lio-w-ae (he llM) in-lira lie ugalust OH- ocl-r j)ir and vrtinulized u)id of hll\* tin-, and effort to that <O- L- \*xud World War Henit found U- n- prepared -nd Hitler Fouihd ml win- mlt: tin- war liefre we could get nndy. Vl'v now know Iron conty ex- p-iorice how nearly be succeeded and how rorrv: Jnlrg aicl nunnhn wait In him vrnns i) nwnken Hll country in the need for prepness.

Whilo a great admimUon uudi \*b-xt far Judge McL-inabnn j) nbliij \* If lawyer and judge, and honor him > n good iralrntic Anwncin. I fed hllve, all a great irvrtuol loss lu his j)ixic. I r)uieuc! \* with much gratl- thik the C->portuilty he gave me. 11 remember the innijy ood time\* we lmd; I n-memv hix cucucwlt nud many nrs of kludmy over the tw. I r) -vll. My w- We w-rt together, I r) -vll Wn n' n' n' duvoted son, husband and father and ax n tme friend. It is Indeel n privilege to second the motion that the Memorial Minute be reconed on n- the p-erimutic records of this Court.

**REMARKS OF**

**OEK, WASHINGTON BOWIE, JE.**

Mat, it riec\* the Court:

I also wish to Mxoul Judp Derlln's motion.

Judge McLanahn had u dUn- plished military career. When \*H Hatrid In Euro in Aucuul, ID-I nud. hll-lcad of ending hi n few wikk \* \* w- at flmt predicted. It became more iuttnsc, come of our people began to enliio the tuinly unpreiurct smln- of this country. Totally unprein il w- vcr, loth mentally and physically, licually un)ie)are) becomu- our peo- pie, thinking that the Atlantic Ocean would prove n barrier, refused to W-ll n)wlt Um a European war could spread lu our shores or In ny l)ay involv UB.

Few save the war any thought nt all and even UIMO who did n)nd n- ll)l the Napoleonic Wars had l)een fought without In ny way affltu- thin country. Alan, we hn) goue throuEb the t)uroes of n Civil War wrl)out European i)omm hecomng In- volved. Following this, the Franco- Prussiu War of 1871 had been netled withonc our b-comr Involvic -Hence, they accepted it ns Killed, that war on OHO tint of Iho Alia- l)cc could not involve those living on othv side, and all w? had to do wan to ahead minding our own butlm'u.

AUO one of our national led- l)id am)H Uie IKUICU that lu l)ov- arent of the war Involving thin coun- ty- "n million yocmu wuuld spring to smit over night". Hll the public wll)lnj: to believe that war would

accepted but stated without remarking that there were not a million arms available for the use of the UK in a nation were there to be totally lacking in Buns and equipment for war as we were in our own territory.

Fortunately, under the leadership of Col. Ceti, Leonard Wood, a number of Infantry divisions in 1915 were organized, which was known as the National Guard. Camp when volunteers were sent in month's military training out of these.

One of the foremost from Maryland was Captain McLannan. This was a military officer but a derailed in the Infantry in 1915, which necessitated his return to a regular soldier. He served in the Infantry in August, 1913, he was promoted to Major in the organization of the National Guard. In 1915, he was promoted to Major in the organization of the National Guard. In 1915, he was promoted to Major in the organization of the National Guard.

The Mexican Border service was but a prelude to our entry into World War I and on July 23, 1917, the entire National Guard was called to Federal service. Meanwhile, two days previously thereto, that is July 23, 1917, Craig McLannan had been commissioned as Captain of Battery A, Maryland Field Artillery. This Battery was then being expanded into a Battalion and Craig McLannan would have been in command had it not been for the fact that he was ordered to attend the Field Artillery Officers School at Fort Sill, Oklahoma.

The course at Fort Sill lasted for three months and when he graduated, instead of being returned to the command of his battery, he was, due to his mental attainments and his grasp of Artillery principles, selected to Fort Sill as one of the Instructors, being the first or among the first officers outside of the Regular Army to be assigned as instructor at this highly technical military school.

Meanwhile the Maryland Artillery had been sent to Camp McClellan, A in Annapolis, and together with the artillery from the District of Columbia, had been formed into a regiment which I had the honor to be assigned to command. One of my first acts was to endeavor to get then Captain McLannan released from Fort Sill and to recommend him to command his Battery. His wife invited him to command them and he was most anxious to be with them. Many attempts were made to lift him released from Fort Sill, but his ability as an Instructor was so valuable that the War Department there frankly refused to release him. We finally tried to expedient of recommending his promotion to a Majority in the hope that this would result in his being released from Fort Sill, and although my recommendation for promotion was accepted and he was commissioned a Major of Field Artillery on the 25th day of May, 1916, this

expedient was not successful and a few weeks thereafter, to his undying

regret, the 110th Field Artillery was reorganized without him. However, Federal authorities recognizing what an excellent military leader he was, he was promoted to the rank of Lieutenant Colonel of Field Artillery on the 10th day of October, 1915, and he was actually ended on the 10th day of November, 1915, on the 3rd of January, 1916. He was honored by being given the rank of Major.

When the reorganization of the Guard took place in 1916 and 1922, he was again called on and as Maryland was at that time only allowed a Battalion of Artillery, he organized this and was commissioned as Major of Field Artillery on the 10th day of August, 1923. He was promoted to Lieutenant Colonel and then to Major of Field Artillery on the 10th day of August, 1923. He was promoted to Lieutenant Colonel and then to Major of Field Artillery on the 10th day of August, 1923. He was promoted to Lieutenant Colonel and then to Major of Field Artillery on the 10th day of August, 1923.

He continued in command of the 11th Field Artillery Brigade until his elevation to the rank of Major General in 1938, necessitated the acceptance of his resignation as the commanding officer of the 11th Brigade.

General McLannan brought to his participation in military affairs the same thorough mastery of the subject that he displayed in his professional life as a member of the Bar. His ability, which was recognized as one of the best informed Field Artillery Officers and had he remained in the National Guard he undoubtedly would have proven to be one of the leading soldiers of World War II.

Lord Lyndhurst, Lord Chancellor of England, was once asked how he selected his judges to the Bench; he replied:

"I look for a gentleman, and if he knows some law, so much the better."

Had Lord Lyndhurst been in this day, his choice would have fallen upon General McLannan for he was fully qualified. He was, first of all, a gentleman, and he was known to all who knew him as a gentleman.

#### REMARKS OF

COL. WILLIAM O. PUBNELL

For men of this ancient day have given to the high estate of the United States a man of high estate. William O. Pubnell was a man of high estate who participated so actively in the great work of the country. Soldier, officer,

jurist, public leader, and churchman—no man was so many things. He was a man of high estate who participated so actively in the great work of the country. Soldier, officer, jurist, public leader, and churchman—no man was so many things. He was a man of high estate who participated so actively in the great work of the country.

I remember the day when he was promoted to the rank of Major. He was promoted to the rank of Major on the 10th day of August, 1923. He was promoted to the rank of Major on the 10th day of August, 1923. He was promoted to the rank of Major on the 10th day of August, 1923.

As the commanding officer of the Artillery element of the Maryland National Guard for many years, he enjoyed not only the loyalty and affection of the officers and men under his direct command, but the very high esteem of those in other branches of the State's military service—of which was always one. A particular evidence of his personal charm, which I observed many times, was his desire and his ability to place even the humblest of those about him completely at ease. He had a real understanding for their feelings. No soldier-regardless of how far down the military scale he might be—approached General McLannan in any matter, but that he received his general undivided attention, genuine interest and consideration. He had a real understanding and appreciation of the problems of those whose lives are in the scheme of things is small. This mark of real leadership was, I think, one of his outstanding characteristics, and one which I shall never forget. I am confident that his example and consideration for others will be a great help to the many who follow him.

May it please the Court, I consider it an honor to be allowed to read the memorial minute that is entered upon the memorial records of this Court.

#### REMARKS OF

EOBERTH80K GEISWOLD

Stanley Court: In commemorating you today, may I first express my appreciation to your Honors for the honor of being invited to read the memorial minute that is entered upon the memorial records of this Court.

A CIOM friendship for nearly forty years is something Uiat no mau can attribute Hpbly, nor can its severance do otherwise than leave a deep wound which is difficult to heal. We mortals, as we grow older, are prone to bury our heads, ostrich-like, in the sand of time, in an effort to blind ourselves to the losses which are the inevitable fate of those of us who linger on after some of our dearest friends linro left us. "Hl aren't we really happier in remembrance than lu forgetfulncs?"

Thirty-two years ago, Judge McLunnin and I established a precedent that was to last for many years when we returned down to Cape May together to attend the annual meeting of the Maryland State Bar Association. I shall well recall Uiat the principal speaker upon Uiat occasion was the Honorable J. Hamilton Lewis, then a United States Senator from Illinois, who in his address before the ASHHL-IT-IT warned us of the dangers of an "city-centralized government." That "HK n voice crying in the wilderness" those days, yet Judge McLunnin and I often talked afterwards of the prophetic insight of one who commenting upon the Suprovv, Court's whitening away of state's rights by a broad interpretation of Uio Interstate commerce CIOUBO in the Constitution, spoke of the danger of the imposition of a "people of cor era men t placed upon the theory by what has termed "the insidious proccam of silent retrenchment!" Are we not still hearing the echoes of that pronouncement?

For more than twenty year\* after Uio Cape May meeting in 1014, and only except Uiois Ue Tears of World War I, Judge McLunnab and I regularly attended together the annual meeting of Uio Maryland State Bar Association, delightful and companionable as it was, and I shall always look back with pleasure upon this particular phase of our long friendship.

To me, one of the outstanding characteristics of Judge SclLaimlin was his broad general knowledge of all sorts of diverse subjects, not particularly pertinent to his profession. I have been told that he and DIB devoted BcpmoUicr, with whom ho lived until his marriage, spent many evenings together reading and discussing the latest books upon current cckntille developments. Tho Judge had Uie wonderful faculty of absorbing in a Lcvcr-forgettlins mood the most intricate detailn of such subjects. To illustrate, at one time we were both spending a summer week, end »t the home of mj brother, and then arose a discussion having to do with electrons. Someone called attention to a recent study contained in Uie Encyclopedia Brittanica, whereupon the Judge asserted that this article was out of date and Uiat the BUM, advanced theory WOB to be found in a book that had been published within the past few months. He was promptly challenged, but the challenge was promptly afterwards tnt he had m-lvrd Uie follovrins week n book from the Judge which Dr. Ames, of the Joans Hopkins Unlvcrsity, had tuU was the very latest word on the subject.

Again, at my Louie ovc cvcalag, a LitaguUcha doctor made no Interit-lose comment on a recent dRooTU; tl

the Hekd of biology. To my amatemem, Judge McLannin immediately took tin-floor and held his OVB in all argument over the igulficaucau of the IH-covcrv. On another occasion, we met together to bin firmi in Pennsylvania. We wit and talked for »int imi- to tite tenant fartu-r and Judge ebom-d u »militic grasP/ certain mules-dm farm problem" which had arisen to plngite the lennt.

Tho Judge was an ardent devote « Jnitf of all kind". Together we S'the or officor of lit-cunst of Nova iv-offit. Ithelt with a complete lack of Sucr\*. After he vu tkcuq gutte III ut Ocean City a couple of minnweg ago, he told me int he tm« Mire that the attack vup hngible mi by a fl shine trip churc the course of which they strut-it a school of dolphin-n rntber rare occurrence MI far north in tho Atluntic. Tim Julitrt enUitlswim imwvl tu urent it ins on his Mrcngth nd \*\* was In-capitllard for wome lime afterwards.

The Judge played a good game of "nuU and was n member of the Baltimore team in several of our inter-city mulches with Norfolk and Washington. He bit a hard ball in grtf, and though it was often lacking in accuracy, it was typical of him that lie never confused his game because he was fearful of losing. I can Hill hear some of his shots cutting off the twigs a" Uie soil nbulud through the pine trees which lordered the golf course at: Cbcs-IT, Nora Scotia, but he never changed U pie because of such in"adventure". He was also interested in bakeball, football and towing. Uf wot a BoxO mature Irlst basmian. In bowling he was a fast hand which threw need UICW of the pln-bows. He mrv U'led a big football giuv at Princeton. One lime, durinR : same with Vale, bo suddenly arose in the stand and called out: "I'arl m« twelve men in the field!" Spectators in the r-l'ntr lunkn at two inter, playtully, second

but a or two inter, the referee blew h\* whistle, and u'dcept j" Vale was the Hldicm". The Juis so had s'Kited from the standn what the o'clock on the Hekd had overlooked.

As to the serious side of his career, nothing can be added by me to the splendid memorial minute prepared by Judge Denuff and to the second Int'ieccchs of Mr. Itouur, Oencrat Bowie and Colonel Furnell. However, there are a few Incidents of a lighter nature which I fondly recall.

Uvndi Governor Itltchle at Ue. Al-Kauder Armstrong were the rrlal candidates for Uac Governorship of Maryland, they were both in Atlantic City attending the annual meeting of the Maryland State Bar Association. The Judge and I were as usual rooming together nt Uie Traynorie. I n'ld him that I was going to give a party in our rooms in honor of my former law partner, Governor Hltchle. He promptly replied: "You mean that we are going to give a joint party for both Governor Itltchle and General Armstrong. You seem to have forgotten en that I am a nepbnllinc!"

As a matter of fact, to bin friends in his Jk-UICM although »VL-cym' knovr of course that he stood very high in Re-nublicca elrcp\*: I, remember a work-

end which, tnechtIT with Itnyty Chapman, we spent at the Kcutchvfl Luncheon In Annapolis as the post-t of the Governor. After dinner cut- CIOU-ultis, we ndjounp-I to the livorom» and; wld Mr. Illi-ll-< bt-can \* d'evon-c» appointUacoU which In binnd In mind. Judgit IlcLannab wnt sinnestIT silent, and look LU in bin direction, wo »at that he had fil'Ucu uslecp lu a Morri-rln clwlr, wbrvorn pl- B. Coveninr remarked: "There Is a Ruiralchann after my own h'urt! When we Uestli to »pent about Democratic appMmments, K\* refuses to intrude and v-vry cmrr-lidly goes to shvp!"

The memorial minute (YMUU-Judc RhnidDI; military McLannab's w' a iirtlor In old Bar' achery news. \* "ary "A" of the Maryland Natxional Guard, I served undVr him at Ex-l'ab-inim. rentvlywund (Inrltie d-s- I'ab-in trouble of Uio I'ab-rlc-kir fluvard a remarkable group of the theory and mathematics of artiller (re, which subjMincently lu to bk AMPort at-) »mment to Uio School or Hiv at Fort Sli during World War I.

Judcc IlcLaabann was not only a capable soldier but he was a twitrat of military history. One summer, when my wife and I wen- Qshine for NlmUu lu Maine, our guide told us that the M-brst at which we were camping uo the l'lotobovt ItT-r was on the route which General Arnold had followed when he led a small American army to the attack on Quebec in ITTS. I was frankly skeptical of the historical knock-kleg of a Maine hckwOdsianu, and upon our return to Baltimore, I mentioned the Incident to Judge 2lcjinuban. lie immediately traced out a map just where Arnolds expedition had come on its way to Canada and referred me to a fascinating book which described the on tiro affair. Incidentally, our guide was entirely right in his location of the particular Kpvt where Arnolds' bateaux had jasi-d on its north.

I would IH trespassing upon your honor" Urot- If I attempted to add anything to what has been said boy today regarding Judge McLannab's career as a lawyer and a Judge. If, in my mind, there are a few personal recollections, I have deemed to infringe upon the solemnity of this occasion, I crave »- or forgiveness. After all, one does not gaze from afar upon a dear friend with a 6ense of detachment, but he »t Inka of him and remembers bin and Judges him from the standpoint of his little human tannies whiri Fl-HI Bluhl and y-t nrc an worthwhile.

Judge Mel-niabnV rrlrmdnhii »one of the mnet raluable [wipw]one that one could find in a lifetime. Never critical-never CIUMIC- never shW » generous to i full-then: was not a mean bone in his bmlly. His vibrant personality was n cumulation to all about him, his Joy in twins r'rh bin fellow-room WJH rontasloun. Outsinnd, im soldier-leading lawyer d'bln- BMAM for Ue-Kb'rlly gentlemen-nd to this bis deep affection for his line tiepmother, Iff devotion for his lovely wif-< and his loyalty which he gave to anil m-cived from his COIlli". ICM frknlis-who can say «nt his w» not the full n-i» com'leti- life that Bldcttre anl envy?

It is a privilege, your Honors, to witness the motion for the lodgment of the Memorial Minute among the permanent records of the Court.

#### RESPONSE OF

MEMORIAL MINUTE W. COKWELX 8MTTB

Cornelius M. F. Uihou was a notable citizen, lawyer and orator, and his life might well have been remarked as a model of attention in the field of activity. His service on the bench of the Court shaped his career, for in it he called into play the great qualities of intellect and understanding which he had already well developed before his rise to the Judicial robe.

A life of high honor, without previous judicial experience, he was chosen and heeded in was a distinguished year, through the endorsement of the bar and the support of the press and civic organization. His life was not influenced by party consideration, but was made with integrity that he would be, as he proved in fact, altogether dear from the spirit of party, and independent of all favor. He thus became the very symbol of a high moral bench.

Justice McMillan quickly won the respect of lawyers and laymen alike. He titled the Court opinion of the law. He was a man, direct and sure. He took a keen interest, not in frequent questions, but in the content of the mere umpire, but participated actively in the trial. He possessed the rare quality of wisdom, as well as the upright and fearless Judge. A man of credit, sincerely, and of large intellect, he impressed all who appeared before him, so that no lawyer or litigant, nor anyone who appeared in his court, could doubt that he had been in the presence of a learned, eminent and courageous Judge. For a high Judge, the

high qualities

For the trial Judge is often surrounded by the crowd, the accused, the complainant and him on whom it is incumbent, notwithstanding the government and the citizen. Between the people and those whose lawful commands are in obedience. By his demeanor under these circumstances, by his hearing, by his command, he fulfills the respect or men for his office, and his Court. But the pressures so engendered exact a physical toll.

Judge McMillan had a cry noticeable personally, and our neighborliness with him was a pleasant companionship. We have been comforted by his wise advice and counsel, and cheered by his high spirit. For he bore himself bravely, even in the distress and privation of illness. When while we mourn his loss, we are inspired by his example. It is not only in the presence, therefore, that on this occasion we have gathered together in this court room, but in his life, to pay our tribute of affection and respect to his memory.

The memorial minute and the Memorial Minutes are gratefully received and will be preserved among the permanent records of this Court.

MAY 9, 1946

### Supreme Bench Selects Three Additional Gruml Jurors

The Supreme Bench of Baltimore yesterday selected Ferdinand Mem. 9314 Tilbury Way; T. Wullw Lafsvj-1 1034 Dmld Uill avenue, nod Clayton X. Triiilett. 8r. 3803 North Chnrte\* sicut, in serve as mumber of the Gruml Jury for thi- May Term. They will serve ID the pince unit Kicnil of Jolv L. Herry, Whlml W. Alieu nod Alfred G. Triplett who were excused froi\* svice.

MAY 14, 1946

### Grand Jury For May Term Organized Yesterday By Chief Judge Smith

Tin- Croud Jury for tin- Mny TITDI Wns orfoinuid In the Criminal Court yesterday by Chief Jnlplo W. Coiwoll Smith, narrj L. Heuther nux mnntil foremau of tie body und Clartou N. Tripletti- was ar(x>lnnl no ns\*!-smnt foremu. The follow-up will voiiMhtulv illic l'raltentlry Committee: Harry G. Bvlt, Clairman; T. Oliver Bielir... Charles Flslior, Fcrdlanud Mi-ycr nod J. Frank OToole.

A complete list of till- Jurors follow:  
Wendell H. Baker. 6803 Keumore  
Tond.

WlUlam T. Chldls, Jr., 1100 Boarninn  
Bivenne.

Jumeji F. Crclmau. 10S West On-  
versltj- Parkwny.

John A. DroU, -1300 Frankfort OTO-  
BEE

a'corRe P. EtTord, 3-M McElderry  
Street.

narrj- G. Erltt. 4803 KeRwick rond.  
CharlM Fisher, E20 Nottingham road.

Itolmad n. Feter. 3010 Tolnndo road.  
Willnm T. Geipe, <128 Mn n or\*nan.

Emil R. Glau. 83S North AuRasta  
ttVCUDC.

GUbert V. Drove\*. ElisalKtbaa Apt\*..  
2011 Garrison boalevnnl.

Seymour M. Bccht. 2-131 I^kveletr  
arcouc.

Henry A. Hook. ClOF Berkeley arcnue.  
Darrj- L. Hcutlcr, 380T Junljier rand.

T. Oliver Hughe, Sr., -1017 Chatham  
road.

T. Walla Lonsor, 1034 Dmlit Hill  
BVENNE.

Frederick O. Lclclp. 4118 Walmd  
\*trect

Joicnb L. Mnnlnlr, 4013 Womlharen  
Bveoue.

Ferdinand Meyer. 511-1 Tilbury Way.  
J. Frank OToole. 1811 Chlton street

Glenn F. Itelncker, 4110 Weitrlcr  
road.

Bernard Scamnn, Wentworth Arms  
Apt\*.. 311 Cathedral street

Clayton N. Triplett, Sr. 3803 North  
CharlGH flue-L

• m I « U T L S .

## A

A meeting of the Supreme bench was held on Saturday, June 1, 1946, at 10 o'clock a.m. The Chief Judge presided, and all of the members of the Bench were present except Judge Meson.

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

The Supreme Bench of Baltimore  
 Saturday, June 1, 1946, the following (in  
 order of admission): Norman O. Marvin, Jr., Ertmrd  
 G. Howard, Arthur C. Monde, Gilbert  
 IV. Strain, Joseph V. Collow, Jr.,  
 Edmnd P. Doyle, Robert X. Hockmndr,  
 H. Ellsworth Miller, norixrt J. Der-  
 venn and Alfred A. ~~Miller~~ Kd.

The motion of Herman J. Oliver, for a new trial from his conviction of assault with intent to rape, was argued, submitted and over-ruled.

The Summer vacation schedule was submitted and adopted.

It was decided to hold a Term meeting of the Supreme Bench on Tuesday, June 15th, at 10 o'clock a.m.

The Chief Judge informed the Bench that there had been no action taken with regard to setting down for a hearing the motion of Bernard Meyerson for reinstatement as a member of the Bar.

The Chief Judge reported that bailiff Pete Brennan had been admitted to a Government hospital, and suggested that he be retired when the Governor appoints a Judge to fill the vacancy caused by the death of Judge McLsnahen.

A flat filing rule was submitted and adopted, and a copy thereof is attached to these minutes as a part hereof.

It was resolved that General Rule No. 7, being Rule No. 18 of the proposed new rules, be repealed, and a flat filing rule substituted therefor.

A new rule with regard to the giving of bail was adopted, and old rules Nos. 103 and 205 were repealed, and the new rule was adopted in their place, and in place of Criminal Court Rule No. 3, the new rule to become effective July 1, 1946.

Judge Sherbow suggested that he talk with the Deputy State Auditor with regard to setting up a system covering the reception of bail in the office of the Clerk of the Criminal Court.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

**Motion For A New Trial IB  
Overruled By Supreme  
Bench**

The new trial motion of Herman J. Oliver, who was convicted of assault to rape, was overruled by 100 judges of the Supreme Bench of Baltimore on Saturday.

Asaiah Sodaro, Assistant State's Attorney, represented the State at the hearing.

## SUPREME BENCH ASSIGNMENT

Sat. June 1, 1946

Ansela Sodaro

. State of Maryland

Charles W. llaln

vs.

Herman J. Oliver

Ho. 1307, Jan. Tem, 1946

Charge; Rape

From) Smith, C. J.



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## SUMMER VACATIO: SCHEDULE - 1946

	CRI-KAL COULT	CIVIL CX-KTS
<b>1</b>	<u>A35i--K&gt; "• J-JLIE</u>	<u>AiiSHD V. JUICK</u>
<b>[i - a I</b>	Wlloa	"ucier
<b>8 - 13</b>	Tucker	ilcs
<b>I 15 - 20</b>	Sberboti	Saylor
<b>1 , - 2 7 j</b>	Saylor	*,orbo.
<b>B: 23 - Aug.: 3</b>	Dickerson	:anley
<b>l ^ - i o j</b>	Manley	L>ici:roon
<b>h-» I</b>	Mason	iioor
<b>ft 13 - 24</b>	iiocor	Mason
<b>ft 20 - 31</b>	Sr-iitli	iiiiiosirr-ocl
<b>2 - 7</b>	Unassigned	Smith

May 28, 1946.

Hon. John T. Tucker,  
Court of Common Pleas,  
Room 221,  
Court House,  
Baltimore, (2) Maryland.

Dear Judge Tucker:

It seemed to me that the draft of rule for flat filing of papers might be improved by a number of formal changes\*. I am accordingly taking the liberty of enclosing & redraft. The only addition is the insertion in paragraph (o) of language to the effect that papers shall be fastened only on the left side\*. This might be implicit, but was not covered.

The proposed rule will require the re-printing of many of the forms now furnished by the Clerks. These, in general, run about fourteen inches in length and probably do not have the one and one-half inch left margin. I am sending a copy of this letter and of the enclosure to Judge's Sherbow and Mason and Messrs. Slingluff and Suls.

Sincerely,

R. Dorsey flatkina.

**RULE 18.**

**FILING OF PAPERS.**

Adopted by the Supreme Bench June 1, 1946,  
to supersede present Supreme Bench Rule 7  
(proposed Rule 15).

(a) In cases instituted on or after September 1, 1946, in The Superior Court of Baltimore City, Court of Common Pleas, Baltimore City Court, Circuit Court (except the Division for Juvenile Causes), and Circuit Court No. 2 of Baltimore City, it shall not be necessary for counsel to attach backs to any papers or to endorse said papers for filing,

(b) The signature of counsel in the body of any paper, and the delivery of the paper to the Clerk shall constitute the Clerk's authority for filing such paper.

(c) All papers to be filed in any of said courts shall be not more than 8½ inches wide, and shall be fastened only on the left side, and shall be so arranged as to leave a margin not less than 1½ inches wide on the left side thereof; said papers may be of any length desired by counsel, not exceeding 13 inches.

(d) Admission or certification of service of a copy of any paper shall be endorsed upon any part of the face of said paper.

(e) All papers shall bear a descriptive notation immediately after the title of the case indicating their nature, e. g., "Declaration," "Demurrer," "Demand for Particulars," "Exceptions to Auditor's Report."

(f) All papers received by the Clerk shall be filed flat, and shall be fastened at the left side thereof to an appropriate folder which shall contain on its cover an index to the papers filed therein\*

(g) Should a paper be delivered to the Clerk enclosed in a back or cover\* the Clerk shall remove such back or cover from such paper and destroy it before filing, provided such removal can be effected without damage to such paper\*

(h) The respective Clerks of Court are directed to procure appropriate folders and other devices for the Institution of "flat filing" and for the appropriate indexing of papers filed upon the folders containing them, subject in each case to the authority of the Supreme Bench.

(i) The respective Clerks of Court shall, where practicable, file Exhibits with the papers which they accompany. In other cases the Clerk shall file Exhibits by such method as may be most convenient and practicable.

(j) In cases pending on August 31, 1946, papers may be backed and filed by the Clerk as heretofore.

(16)

**BAIL BOND RULES**

Adopted by the Supreme Bench June 1, 1946,  
to supersede present Criminal Court Rules 3 and 5.

SUIE 2D3

ATTORNEYS OR OFFICERS OF ANY COURT IN THE CITY OF BALTIMORE,

No attorney, or other officer, of any court in the City of Baltimore, nor any deputy of any such officer, nor the spouse of any such officer, shall be received as bail in any case\*

---

**BULE 203A**

**BAIL BOND**

Unless otherwise ordered by the court, the following rules shall govern the Clerk of the Criminal Court in taking bail, namely:

A. Property shall not be accepted as bail in one case while pledged in another\* It may be pledged in a sequence\* of cases, for offense\* charged against the same traverser.

B. Property, offered as bail, must be situated in Baltimore City and be valued, at the fee-alable value\*, last assessed by the tax assessors of the City of Baltimore or by the State Tax Commission for taxation purposes; the ground rent, on leasehold property offered as bail, shall be capitalized at six per cent. and deducted from stub tax assessed fee-alable value\*

C. Property shall not be accepted as bail if all liens and encumbrances thereon exceed fifty per cent, of the said tax assessed fee-alable value, fixed under section B. If leasehold, the ground rent thereon, capitalized at six per cent. shall be deducted from such fee-alable value.

D. The total value of unencumbered property offered as bail shall be\* at least twice the amount of bail required) and if such property is encumbered, the total value of the equity therein should be at least three times the amount of \*\*U required. Such total value shall be fixed under Sections B and C.

E. Any traverser or a representative on his behalf may in lieu of a property bond, deposit with the Clerk of the Criminal Court of Baltimore City a deposit of cash, certified check, or a properly assigned bank book in the amount of the specified bail bond. The Clerk of the Criminal Court shall deposit the cash so accepted and shall give his receipt therefor to the person making the deposit. Upon final disposition in such cases an order of the court shall be issued directing the release of the deposit upon the surrender of the receipt. A charge of \$1 shall be paid to the Clerk for such services for the use of the State.

F. Forfeiture of bail may be stricken out, if the traverser be produced in court within thirty days from date of forfeiture.

G. If traverser is not produced in court within said thirty days, and the amount of the bail as forfeited is not paid within sixty days from the date of forfeiture, the State's Attorney shall proceed at once to enforce payment of the amount due under bail bond.

H. Bail shall not be taken from a person who has been disqualified from giving bail in this or in any other jurisdiction.

I. Bail shall not be taken from a person who has been convicted of a criminal offense.

J. Before accepting property as bail, there shall be exhibited to the clerk the current tax map for said property, which must be in the name of the person offering it, unless said person presents in lieu thereof a current certificate of title showing said property is in the name of said person.

K. Each person offering property as bail shall appear under oath and subscribe to all questions lawfully asked by the court or clerk which questions shall include the amount of the charge to be paid for furnishing bail,

L. The clerk may refuse to accept bail for any reason based upon the value of the property offered or character and conduct of the person offering

- 3 -

the bail; subject to review by a judge of the Criminal Court of Baltimore.

U. Bail shall not be taken from a person acting under a power of attorney or other written instrument; save in case of corporate surety, where the power of attorney, or written instrument, shall be filed and remain with the clerk.

Hi HO corporate bond shall be accepted unless the corporation issuing same shall be authorized to carry on the surety business in Baltimore City, and shall have a resident agent upon whom service of process may be had, and give such assurance as the court may require that it will carry on the surety business in Baltimore City during the life of the bond.

Q\* The surety or sureties in all bonds may be approved by the clerk of the court in which the bonds are to be filed, unless otherwise provided by law or rule of court.

P. Bail shall not be taken from one violating any of these rules or who is in default under a bail bond; nor shall bail be taken from one whose brother, spouse or child is counsel or of counsel for a person to be released on bail.

Q. Nothing herein contained shall be construed to affect the civil liability of any principal or surety on any bond.

*Effective July 1, 1946*

## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, June 10th, at 1:30 p.m. All of the members of the Bench were present, and the Chief Judge presided.

It was the consensus of opinion of the Bench that -

Orders to show cause on a date earlier than that required for the filing of an answer shall not be issued as of course, but only if the Court shall be satisfied that sufficient reason exists for requiring an answer to be filed or other action taken prior to the date an answer would otherwise be required.

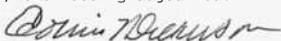
The following resolution was passed:

That Section D of Rule E03A be rescinded and repealed, and a new Section D be enacted in lieu thereof, which **shall read** as follows:

The total value of unencumbered property offered as bail shall be 50% more than the amount of bail **required; if such** property is encumbered, its value shall be 75% more over and above such encumbrance.

Such total value shall be fixed under Sections B and C.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

## a i n u r i s .

A Term meeting of the Supreme bench was held on Tuesday, June 15, 1946, at 10 o'clock a.m. All of the members of the Supreme bench were present at the session in open court except Judge Moser, who was present during the executive session in chambers.

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

The Supreme Bench of Baltimore City admitted Enrl K. Bhrwe and Clarence T. Dhwincor to practice as members of the Baltimore Bar upon the respective motion of Joseph Allen and George W. Whit\*, Jr.

The motion of Norman Friedel, for a new trial from his conviction of perjury in the Criminal Court was argued, submitted and overruled.

The Grand Jury for the September, 1946, Term, was selected.

The proposed rule covering Workmen's Compensation appeals was

*discussed and resolved, approved by a vote of 4-3.*  
 ^«- ^t^«M S&w" cJLs\*^\*-^ r\*\*A. fr^ \*f. &&  
 There being no further business, the meeting adjourned.

*Edwin J. Mynard*

Secretary,  
 Supreme Bench of Baltimore City.

### Clerks' Offices To Close At 3 O'Clock During The Summer Months

An order was signed by the Judges of the Supreme Bench of Baltimore City authorizing the clerks' offices of the various courts to close at 3 P. M. instead of at 4 o'clock, from July 1st until the second Monday in September. The offices will close at 12 Noon on Saturdays instead of the usual hour of 1 P. M.

### Supreme Bench Overruled A Motion For New Trial In Criminal Case

At a recent term of the Supreme Bench, conviction of three charges of perjury, was overruled by the Supreme Bench of Baltimore City.  
 The defendant, Edward Mynard, Deputy State Attorney, and John A. W. P. M., Assistant State's Attorney, appeared on behalf of the State.



## SUPREME BEHC ASSIGHUEHT

Tuesday, June 25, 1946

William H. **Haynard**  
John WeissState of Maryland  
vs.  
**Ioraan Friedel**Leo K. Alpert  
**Jos. Bosenthal**Ho. 4707, 4718 and 4727, Sept. Term, 1945.  
Charge: Perjury  
From: **noser, J.***Denied*

JUNE 26, 1946

## September Term Grand Jury Is Selected By Supreme Bench

The Grand InIT for the September Term was selected by the Supreme Bench of the United States. They are called for Monday, September 24. The Grand Jury will be sworn on the following day:

Archn. John W., 2001 Hamilton av-

enue. Inculr. It. nurmo., 3010 Litwrt

HelehuK sTcmn. Jannr. Uchnnl O. ST., 7101 Bar-

ford road. HchT-nur. Wiltmr. 2 Gaodale place.

Itcrtnnn Ilciliien. 2305 Brook fie!!

avenue. tullen. Wtllnm I. 3701 Grcenminl

avenue. Dnvnrl. John B. 2303 West Ijfoyettc

avenue. Knkle. Willnm B. 27M HuRo nTi-mir.

Erlmccr. Melrin K. 1311 TTW!

Strathmore avenue. Free. Elmer D. 000 Bvwbon nrenne

(or Ontrestr Cluh). ED Woollnwn

road. nctlemn. John It. 2130 En't Inff-

man street. Kcclnc. N. Itoccn. 201 EnM Uai<

vrtrslty parhwor- Mnckdcon. Georse. II. 318 Pcudlnp-

ton road. SritBlil' ITllllnni E. 300. Wnorhmc

avenue. Hwju'nd. Fxiw'nd P. 1D21 Park n<re-

ntic. Snnvcc Hn'n. 3007 Sprlnednlc ave-

nuce. Sturm. Mnarl'n O. Sr. 200 North

Fulton nrennc. TIM\*. Clnronco M. Tin North Cni-

rollton avenue. Ventlltl. John A. 3045 Northern

Hinkwnjr. Vjctnr. JtHcpli F. 1(134 T/Kliwml

road. winner. Georcc, 4002 Waltler nvo-

nuce. Wilner. Kass. 3702 Liberty Heights

avenue.

in I H U T E S.

A media," or the supreme r-eiion 'l'as helu on T.iurS'iny, September 5, 1946, et 1E:3U p.a., ana tiie Cniel' Juuge presioeu.

Vacancies on the September Grana Jury were l'illeu by the selection of Kir. Jscob Berman, &10G V.nittier iiVenue, tine lir. Wallace V. Oles, 114 Lnl'ielä Soad, in the place M' Messrs. Kelvin K. hrlarjjrer one John A. Venaetti who 'ere excusft'l.

The appointment oi' i.r. Wichoi<s Lombarai, fr6U itst, ;iil Street, as a clerk in Circuit Court No. 2, ana trie appointment or :>. Dou.5i.ls N. Sharretts ss Assistant State's Attorney, to succeea Mr. Joseph Kolodny resigned, were cuiy ap^i-jvec.



Secretary,  
buprer e bench oi'Baltiiooro City.

**Additional Grand Jurors Arc  
Selected By Supreme  
Bench**

The Snpntemc Bendi of UolUnioit; Twiterdnj- oolcclml Jacob Ilcrcnan, 2100 Wblttier avenue, and Walince W. 01M. 114 EiiDij rai, to QFIC QH members of tbo September Term Grand Jury. TIIP new jurors ore en lied for Mon-Joy, September Oth, at 10 A. 11, and will nerve in tic place find mead nf Uctrln K. Erlngor nnd Jolin A. Vcndllti. who wore excused.

September 5, 1966

Mr. John S. Clarke, **Clark**  
Circuit Court Ho. 2  
Baltimore, Maryland.

Dear Mr. Clarke-

At a meeting of the Supreme Bench held  
**today** the employment of Mr. Nicholas Loabardi, ff62  
E. Hill Street, effective July 15th, 1966, **was**  
approved.

Very truly yours.

w. **CotneU Smith,**  
Chief Judge.

cc - Judge Dickerson

## RESOLUTION

BE IT RESOLVED, by The Supreme Bench of Baltimore City this 10 day of September, 1866 that in accordance with the prevailing practice in various departments of Government, federal, State and municipal, and to maintain proper standards of service by, and obtain and retain qualified and competent personnel in, the Probation Department of said Supreme Bench it is necessary to establish an adequate salary scale and to adjust present salaries of those currently employed on the basis of length of service and also provide for additional personnel and in order to attain these objectives, the following schedule of salaries be adopted:

<u>Position</u>	<u>Minimum</u>	<u>Maximum</u>
A) Court Probation Officer	{2950	\$500
B) Probation Officer in charge of Colored Division	\$2860	\$600
C) Case Supervisor	\$2760	\$3100
D) Probation Officers	12200	\$2760
E) Clerical Assistants and other employees not included in the above classifications	Salary and Wage Scale adopted by the Board of Estimates, July 8, 1866*	

AND BE IT FURTHER RESOLVED, that we urgently request the Board of Estimates to approve the foregoing schedule as incorporated in the Probation Department Budget for the year 1867, and to incorporate this Resolution

AND BE IT FURTHER RESOLVED, that the Mayor and City Council of Baltimore be requested to grant approval of the Probation Department's said Budget, and by the passage of the Ordinance of Estimates for the year 1867\*

Chief Judge of The Supreme Bench of Baltimore\* Off

attest

Notary Judge, Secretary

August U. MM.

THE HONORABLE W. COMPTON Eifitu,  
 CHIEF JUDGE OF THE PROBATION DEPARTMENT OF BALTIMORE CITY.  
 BALTIMORE, MARYLAND.

My Dear Judge:

It is my pleasure to advise you that on August 11, 1951, I was appointed to the position of Chief Judge of the Probation Department of Baltimore City. I plan to begin my duties on September 4, 1951. I am obliged to you for your letter of August 11, 1951, regarding the proposed Board of Probation Officers.

It is my pleasure to advise you that on August 11, 1951, I was appointed to the position of Chief Judge of the Probation Department of Baltimore City. I plan to begin my duties on September 4, 1951. I am obliged to you for your letter of August 11, 1951, regarding the proposed Board of Probation Officers.

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Very truly yours,  
 W. Compton Eifitu, Chief Judge

(7)

ing jmmr\* too State leas bat snpla\* and the municipal rosta>iot>4\* Tæ cannot hope to retain effioient end valuable staff aobors If low salaries continue\* In our own Dopcurtant, ono probation of floor aoooptod a aooial OUIO work position at \$5000\* per annumi 3000.00 aoro than hie 1046 salary\* Another has loft tha Do\* partment service\* who roolved \$2000\* this yoar\* and a third Is Bobedulod to re\* sign next nontha In the Colored Division\* a capable and efficient fanale pro\* bation offioor has been asked to return to the school Bystm (teah in a High School\* and not eleoentary credos\* SX before), at a salary exoodiss hara at prosnt (31900)\* and while aho pro/bra the probation field of activity\* aho nay bo ooapelled to accept the offvr\* I think a \$900\*00 Increase would i&pel nor to stake the financial sacrifice\* and roaaln\* Die Department oan ill afford to lose thost) threo, md future inoreaooa In salaries\* with a salary soale estab\* Uahing attraotivo iHni'''''' and nf^'''' ealarioe, should prevent any further dop\* stioa of the staff of valuable probation oiTiioora and olerioal usiibmtf.

Ur» IloDormott states that he dlsoscad tie proposed substantial increase\* ilth Judge Hoylan, and rooeivod approval\* ^otinc jointly\* the Onoloaod 1947 De\* partment Budget list is the result\*

### SOUS ADITIOaja UJLASATIQUES OF THE 1M7 DPDGST.

#### Coos Supervisor:

Colonel itarrill's service of four aonths during 1048 In that oapaoty dsnoastrated by actual practice the need - absolute used - of a ifepartaont case uporvtoor. Froa a. reported case load of about 4200 by the Colored Division\* after his critical examination of each cas<\* the number of actual (active) oases mai roduoed to about 2000. >\*Urther\* ho had adopted a plan which involved a the<dc-up of all oases under supervision every other month, and hie position pldLUU every probation offioer cm the alert as to attention given oases\* action takeo\* Manor In which moords wore lcopt, mi. physioal appearaooa of eadh file\* OH olerioal assistants vere also included in the pxogran\* in order to promote fetter and SOT\* effioient supervision • the acid tost of probation\*

#### Additional Probation Qffioorai

The case load in the Whits Division\* as also the number of Adoption itation\* assigned for investigation juatify tlthio increase\* If granted\* the first h^bttant to oach probation offioer\* after a course of training\* would bo Adoptions\* Vi if every such investigation proceeded smoothly (which Is not the case beoause \* wriouo diffiioultioa enoountersd)\* It would be a considerable length of tino-be\* >\* the Oopartaant could Eioet the 30 day limit of Rule 36. Iwo probation oniooru \* oontiououly engaged In FW^III^ Adoption Invostications (one ban 57 and tho other t^>t completed as of this date) also carry case loads of about 400 in eadh of the TM^ Clrcmlt UourtSf and also ualoe uestody investigations when reforrod\* Die pro\* \* ^optio bills\* to bo introduod at the 1017 session of the legislature\* have \*jo distributed in paaphlet ibm (copy ottaohod)\* Ithathor choy will pass\* no oao \* If passed: without aaoendent\* the Probation Dopartaont's servioo under \*proffered bills\* would bo curtailed\* To reach such oonoluslon\* study of both bills (lloamain^ ageoioa\* and reporting uestody of a ohlldj and tho separate anandaont of Article 10\* aotions 78 eU se^\*)

(5)

Expenses for 1947

In addition to rising prices, the installation of the overhead writing, signing and posting machine in the Collootlan Division on July 12. requires extra money for some supplies! the four sat hook fonts, with carbon, and copy-righted Ledger cards\* B> present supply of each item will not last through IM7 and a year from now more will be required. The sum added to that allowed for 1946 (\$3000.), is for a six month supply for the last of 1947, so that the 1946 Budget request will include supplies for that entire year. The City Auditor is desirous of inaugurating a plan for looming the daily bank balance and to institute regular filing of cancelled checks. Mr. Back is maintaining general supervision of the Collootlan Division, and his assistance has been invaluable in the progress thus far made. Were it not for the City's concern about the 1% collection charge and Adoption Petition fees, there would be no audit made of the Department's accounts. For that reason all as operation possible is extended the City Auditor\*

Find to City 1946, 1946, thus far

For 1946, we returned \$16,099.29. as follows: 1% Collection

charges, J13>066\*98| Adoption Fees, \$3560.00, and special postage \$65.31\*

totals for the 7 months of 1946 (January to July)

	<u>1% Collection Charge</u>	<u>Adoption Fees</u>	<u>Special Postage</u>	<u>Total</u>
Estimated	18,467.78	\$1,620.00	J56.47	(10,124*26
Remaining for				
>> nontis	6,047.70	1,160*00	26.00	7,260.17
bt&l for 1946	\$14,516*49	\$2,770.00	\$62.47	\$17,364.43

2w total increase repeated in the separate 1947 Budget

amounts to \$18,040.00.

1947 Budget Be Granted

do increase\* In both Budgets (Division for Juvenile Causes and Probation Department) are enormous in comparison with previous years\* From past experience, it is almost a surety that tide 1947 Budget, when and if approved by the Supreme Bench, will not be granted by the Board of Estimates. If only a letter is sent to the Board of Estimates, it is felt that only by personal contact on the part of the Supervisor himself, can anything be gained in the way of substantial increases for the Department or Division for Juvenile Causes.

Mr. UaDezmott and I would welcome the opportunity to discuss our budget with your Honor, and are responsive to call at any time or place.

Respectfully,

Ohlef iVotatlan Officer



August 13, 1946.

PROBATION 1941 BOMB!

Individual Salaried.

<u>UCOFFICE -A'</u> <u>Probation Officers</u>	<u>Haip.st</u> <u>for 1947</u>	<u>Allen!</u> <u>for 194*</u>	<u>Inoraaaa</u>
1 I. L. Stokart	(5600.00	(6000.00	5500.00
2 c. P. Snjrdar	2960.00	2700.00	230.00
S H. S. cuaaings	2860.00	£600.00	250.00
i Case Snparviaor	2750.00	-	2760.00
6 Urn. Hlokaan	2*00.00	8200.00	300.00
6 lilas Olbaon	2600.00	2200.00	500.00
7 Hies rreöerlok	2500.00	8800.00	300.00
S B. P. Jsanlll	2500.00	2800.00	300.00
9 Hiss Jaaovlts	2500.00	2500.00	300.00
10 ttiss Jonea	2500.00	2800*00	300.00
U U. H. Prl.br	2600.00	2200*00	300.00
12 J. J. loelbl	2200.00	2800*00	-
IS F. X. Wright	2200.00	8200*00	-
H O. H. Rosadom	2500.00	2000*00	300.00
IS Urs. Palmar	2200.00	2000*00	200.00
IE Ur*. nilson	2300.00	2000*00	300.00
17 O. L. liall	2200.00	1900.00	800.00
B F. D. Bardan	2200.00	1900.00	300.00
9 Vaanoy	2200.00	1900.00	300.00
ft frs. Vesaalla	2200.00	1900.00	300.00
11 Hiss Johnaon	2200.00	1900.00	300.00
U 2 UdlUoaal Probation omeers a {2200.00	<u>4400.00</u>	<u>- -</u>	<u>4400.00</u>
	•68,160.00	(4C.S00.00	tu.eeo.00

SUMMARY \* SCHSOILS 'A\*

Kaquast for 1947	(£6,150.00
Allovad far 1946	<u>48,800.00</u>
Inoraiiw tat 194T	(IS,660.00

SCHEDULE "B"

	<u>Request</u>	<u>Allowed</u>	<u>Increase</u>
<u>1</u> Oxiroel *MletKnta		<u>for 1948</u>	
kill Thoao	41800.00	11600.00	•300.00
2 yj«o Homel	1800.00	1600.00	300.00
3. HUSMI	1900.00	1600.00	500.00
4 Goodrloh	1900.00	1600.00	800.00
5 Bodorgren	1900.00	1600.00	300.00
6 Mrs. Lawson	1900.00	1600.00	300.00
7 Pra. ^ntklno	1900.00	1900.00	300.00
8 Lr^ #a;idor«	1700.00	1600.00	£00.00
9 #F^ Tty	1700.00	1600.00	200.00
10 Mi^s -'aicy	<u>1600.00</u>	<u>1400.00</u>	<u>800.00</u>
	\$16,500.00	316,600.00	\$2700.00

SUMMARY - SCHEDULE "B"

Request for 1947	118,800.00
Allowed for 1946	<u>16,600.00</u>
Increase for 1947	127,000.00

SCHEDULE "C"Collocation Division

lira. Itnoilt	\$2500.00	42180.00	5520.00
«n» Brat*	1900.00	1600.00	800.00
● Isro. Lota	1900.00	1600.00	300.00
● 1 • » . Reit	1900.00	1600.00	800.00
● Ittf rolling	1700.00	1400.00	200.00
● ftutlmi Substitute	<u>300.00</u>	<u>260.00</u>	<u>50.00</u>
	810,200.00	1a,650.00	U570.00

SUMMARY - SCHEDULE "C"

Best for 1947	\$10,200.00
Allowed for 1946	<u>8,880.00</u>
Isareue for 1947	1,650.00

SCHEDULE "D"Expense Account

Goners! Administrative Expenses **•5000.00**

ADDITIONAL ITEMS

Six months supply 4 set checks	620.00
Six months supply new Ledger Cards	160.00
Replacing typewriters	200.00
Transfer files for cancelled checks	100.00
Record FileB - Division "A" and "B"	250.00
	<b>*4,820.00</b>

Summary - SCHEDULE "D"

Bequest for 1947	<b>•4,220.00</b>
Allowed for 1946	5,000.00
increase for 1947	11,220.00

Summary of ALL the SCHEDULE

	<u>Salaries</u>		
Requested for 1947	\$88,850.00	(4220.00)	190,870.00
Granted for 1946	<u>69,850.00</u>	<u>3000.00</u>	<u>72,830.00</u>
Increases for 1947	\$16,820.00	•1220.00	18,040.00

## Grand Jury Organized For September Term In Criminal Court

The Grand Jury for the September term was organized yesterday in the Criminal Court before Chief Justice W. Conway Smith and Associate Judge E. Paul Mason.

John H. Diwall was selected as foreman and Joseph F. Victor was made assistant foreman.

Tin-Puchentary Committee consists of Lt. Harn-nod Bopbr, chairman, Itchen, IUTHuui, Edfor U Heaver, Joliu H. ItchenBa nml Clarence M. Tibbi, Ittnger D. Frc will serve as secretary of the group.

The following is the list of Grand Jury members:

Asst. J. W. 2001 Uadilton ave.

Sgt. It. Hartwood. 3630 Ubertt Helehtn arcuc.

Itaur, Itiebard G., Sr., 1101 Urrtford road.

Uehymer, Wilbur, 2 Goodale place.  
Rormau, Jm-b, 2100 Whltler aienue.  
Itirnan, Itucben, 400+ Drookfeld

avenue.  
Bullcn, William J., 3701 Grevnuouint

avenue.  
Ditrrll, John Q., 2501 Weit Lafiyette

DTentle.  
Entle, Willlatii E., 27A4 Hui-a avenue.

Fnt\ Elmer D., 000 Evt.ham avenue  
(sr Uuivertlj- Cluti).

Hcnver, P^Ar T., MO WmKJUTrn

find.  
Itctlenian, John H., 2130 Cusi lieff-

man erreet.  
Keeling, K. Itccrtp, 301 Snt Unl-

vtrnlty [Kirkwar.  
Mnekrtcan, Georpc H., 31S Indilling-

ton road.  
Mneill, William E- W. Wo-slrane

nvcnic.  
nequnril, Edvfrd F., 1021 Pork arc-

ave.  
Sarage, UnnT, 350T SprinRitale ne-

ave.  
Sturm, Mnurler C. Sr., 201 Kortn

Fultou avenue.  
TMM, Clarsnc jr., 71(1 Norn Car-

reollmii avenue.  
Vlctfr, Jo^epi F., 1534 Lochwowl

road.  
Oles, Wallace W., 114 Eofield road.

Winner, Qeonlc, -400C WnlbtT at-

ave.  
Wlner, Kass, 3702 Liberty Helghs

avenue.

## : I N U T j t i .

A luncheon meeting of the Supreme Bench was held on Thursday, September 19th, 1946, at 1:50 p.m. The full bench was present, and the Chief Judge presided.

The Chief Judge presented a request from Mr. Howard B. Fetters, Trust Clerk of the Supreme Bench, asking permission to expend \$750.00 out of the receipts of the office for the purchase of certain equipment mentioned in his letter. On motion, the letter was referred to Judge Sherbow with full power to act, as Justice Sherbow said he would find it convenient to take the matter up with the Budget Director of the City of Baltimore.

There was some discussion of the size of the Superior Court docket, and Judges Tucker and Mosler agreed to take over part of the work.

There being no further business, the meeting adjourned.



Secretary,  
Supreme Bench of Baltimore City.

ffltrarl fflmirt and (Strutt fflnurt 5fn. 2  
 of Baltimore (Citil  
 (Court House

Snllimorr2,fflft,-  
 September 1<sup>st</sup> 1046

Honorable W. Cornwall Smith, Chief Judge,  
 Supreme Bench of Baltimore City,  
 Court House,  
 Baltimore, Maryland.

Dear Judge Smiths

Permit me to submit to the Supreme Bench  
 the following pertinent facts concerning the Trust  
 Department expenses, and the Installation of flat filing;

Appropriation for the Tear 1 <sup>st</sup> 46, as allowed by the City of Baltimore	\$6no.no
Expenditures to August 31, 1946	
Telephone	\$41.71
Postage	30.00
Office supplies, envelopes, etc,	28.77
Adding machine	120.00
Printing 26 Rule Reports	<u>350.00</u>
	<u>569.08</u>
Balance, as of August 31, 1046	<u>\$ 30.02</u>

Last year when the Budget Committee of the Supreme  
 Bench submitted the budget for the Trust Department the  
 amount requested was £800.00 but was reduced by the Board  
 of Estimates to \$600.00.

At present the critical needs of the Trust Department  
 are as follows:

1-Docket for the recording cases Instituted	* 40.00
Printing extra sheets for 26th rule reports	43.00
To complete year, If bills DByeble are not to be carried forward to 1 <sup>st</sup> 47 budget	TO.00

If flat filing Is to be Installed, the following  
 equipment will be necessary!

1 Typewriter desk-steel	8100.00
•3 Filing cabinets at \$60.00 each-ste<l	180.CO
•200 folders with fasteners	60.00
^ uncher, etc.	<u>27.00</u>
	<u>tTOO.00</u>

Sheet #2,

The equipment enumerated (\*) above only provided for Trust Estates from September 1, 1946 on. Estates prior to the above date will be filed as heretofore.

The receipts of the Trust Department, as of August 31\* 1946 amounts to \$5,000.00.

Since this Department is badly in need of modern equipment, I respectfully request a sufficient amount for the purchase of 2 steel desks for the office which I think can be purchased for approximately \$125.00 each or an additional amount of \$250.00 making a total requested at this time of 5750.00 to be expended out of the receipts of the Trust Department now in hand. The balance now remaining in the appropriation for this year will not be sufficient to meet current expenses and the expenses so incurred will have to be carried over and charged against the 1947 budget.

Respectfully submitted,

*Hou* *[Signature]*  
Trust Clerk.

Copy to:

*Judge Miller*  
*Judge Manley*  
*Judge Tucker*

a) 1 « II T i S.

A luncheon meeting of the Supreme Bench was held on Thursday, October 10, 1946, at 11:30 p.m. All members of the Bench were present except Justice ... the Chief Justice. Judge Sherbov reported that he had interviewed with Mr. ... relative to the request of ... to purchase certain equipment, for the office of the Trust Clerk out of the revenues of that office, ... the purchase of that office.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.



MINUTES.

The meeting of the Supreme Bench was held, on Tuesday, October 5, 1946, at 10 o'clock a.m. All of the members of the bench were present except Judges Moser and Sherbow, and the Chief Judge presided. The following were admitted to practice before the Courts of Baltimore City:

Phillip J. Jocrilni, Thomas J. Cam\*  
and Frank Lens were admitted to  
practice in criminal or civil cases  
by the Supreme Bench of Baltimore on  
September 11, 1946.

The motion of Weldon Jones, Jr., for a new trial from his conviction of Murder was argued, submitted and over-ruled.  
The motion of Joseph Jorrien, for a new trial from his conviction of making bets on horse races, was argued, submitted and over-ruled.  
The motion of Winfield C. Stricker, for a new trial from his conviction of making bets on horse races was argued, submitted and over-ruled with respect to the remaining counts of the indictment, and over-ruled with respect to the remaining counts of the indictment which he was convicted.  
After being no further business, the meeting adjourned.

Minutes For New Trials Argued  
Decided By the Supreme  
Bench

Secretary  
Supreme Bench of Baltimore City.

The Supreme Bench of Baltimore on Tuesday October 5, 1946, at a meeting held at the Court House, Baltimore, Maryland, considered the motion for a new trial of Weldon Jones, Jr., convicted of murder.  
The Bench also considered the motion of Joseph Jorrien for a new trial from his conviction of making bets on horse races, and the motion for a new trial of Winfield C. Stricker, convicted of making bets on horse races, as to the first count, but over-ruled the motion as to the other counts of the indictment.  
C. D. Dashiell and Prentiss G. Peter, Assistant State's Attorneys, appeared on behalf of the State in the Jones case, while Bernard G. Peter, Assistant State's Attorney, represented the State in the bets on horse races case. W. Albert Menchini was the attorney for Stricker.

## SUPREME BSHCH ASSIOHMBST

October 8, 1946

Anoelja Sodero  
Henry C. Dashiell  
PrentlaState of taryiond  
VEL.Cherlos H. Houston  
Joseph C. Baddy  
w. A. C. Hughes, Jr.

Tfeldan Jones, Jr.

Ho. 2011?, Kay Term, 1945

Charge: Irarder

From Smith, C. J. - Tucker, J. - Hoser, J.

Bernard G. Peter

State of Maryland  
VB.17. Albert Uenebine  
Lester L. Barrett  
Michael Paul Smith

II?

Joseph Jordan end

B C. Strieker©

No. 20847f Hay Term, 1946

Charge: Bets on Horse Snolng

Front Olckeraon, J.

0 Granted as fc/1/L<sup>2</sup>ant, overruled as  
to remaining Grants

② overruled

## U I N U t S S .

A luncheon meeting of the Supreme Bench was held on Thursday, October 24, 1946, at 12:30 p.m. The Chief Judge presided and all of the members of the Bench were present except Judges Mason, Uoser and Seylor.

It was resolved, on motion duly made and seconded, that the rules with regard to flat filing shall not include the Juvenile Division of the Circuit Court.

**The Chief Judge** called the attention of the members of the Bench to a copy of a news item sent to him anonymously in an envelope of the Fidelity Trust Company, in which Mr. Sugo O. Syring demanded a ruling by the Supreme Bench on the propriety of a Court Clerk practicing law and adjusting insurance. The attention of the Bench was called to the fact that Mr. Rutherford, against whom the criticism was directed, is a very efficient clerk, and that his office is well conducted! that he states he has not appeared as counsel in any cases in either the court of which he is clerk or in any other court, and that he does nothing in connection with insurance matters until after his work as Court Clerk has been completed for the day. It was the consensus of opinion by the Bench that no **action should be taken with respect** to the demand of Mr. Syring or the anonymous **communication to** the Chief Judge.

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



Secretary  
Supreme Bench of Baltimore City.

## MINUTES.

A meeting of the Supreme Bench of Baltimore City was held on Saturday, November 2, 1946, at 10 a.m. All of the members of the Bench were present except the Chief Judge, and Justice Dickerson, as Senior Judge, presided in his absence.

The following were admitted to practice before the Courts of

... ..  
**Baltimore City:**

The Supreme Bench of Baltimore on September 10, 1946, granted to the following persons the privilege of practicing law in Baltimore City. The candidates were admitted to the bar examinations given in July.

Those admitted by the Bench are: John A. Itybn, E. Umrl R. Cohi, Fredrick It. Ituck, Unrlcc U Elliott, John P. nnnxou, Doralnc J. Villa, Junct X. riiillri, Norman F. Ihnsej, Jlcraonl L. Honeti, Joictth A. Kuln, Jr., Samuel Coajvr, MarUu K. MUler, Denrj- L. Siw burger, Samuel U 8ll be r, Hbart E. P. Cannon, Ko, pel H. Jvf- Hb, Edivnrd N. IQ Rummy, Earl H< 'UUin, FrcO.lc Wdi-pil, Wllioo It. Toulo, Urcy U. Lbl, S. Ollbrt Hnlton, Philip L. Tonmrlln, Kmanul Ulrxdi-honi, Louis noffJinn, Clintc- J. Mus- lcy, no(|;c B. Chlds, JMM A. Cannon, Jerome riven, Samuel D. Dechkes, Ocorco Werner, Itlilph W. G roll am, E.I. ward L. Ilcb. Jr., KJcncr V. Mueller, Leoaanl Farmer, Kenuelli E. Lcc, Hob- ert B. Kclm, Loon nolTmm, Iaj-moDd Fclnbere, n arm on d Slmp, John Sea- man, BalnbridKc, Franklin G. Alton, Crorablo J. D. Onrrclt, WllUm D. Ooull, Clarion C. Carter, ami Qcorgo 6. Clntk.

The motion of James Witsos, for a new trial from his conviction of assault in the Criminal Court was postponed.

The motion of Joshua McDowell, for a new trial from his conviction of assault to muraer - the motion of Avis H. Berry and William J. Berry, for a new trial from their conviction of robbery - and the motion of Mae Wright, for a new trial from her conviction of lottery, were argued, submitted and over-ruled.

There being no further business, the meeting adjourned.

*Edwin Dickerson*

Secretary  
 Supreme Bench of Baltimore City.

## SUPREIA; BESCK ASSIGL&amp;IENT

November 2, 1946

Bernard C. Peter

State of Maryland  
vs.  
Joshua McDowell

Joel J. Kochman

No. 21271, Kay Term, 1346  
Charge: Assault to Murder, etc.  
Verdict: Guilty 1st Count (Assault to Murder)  
From: L'ason, J.*Denied*

William K. liaynard

State of Maryland  
vs.  
Janes KitsosGeorge B. Petite  
Preston A. PairoHo. 21S42, liay Term, 1946  
Charge: Assault  
From: Uason, J.*Postponed*

William J. O'Donnell

State of Maryland  
vs.  
Avis H. Berry and  
William J. Berry

David J. liajrkoff

Wa. 30018, Sept. Term, 1946  
Charge: Robbery  
From: Smith, C.J.*Denied*

John c. 'Yeiss

State of Maryland  
vs.  
liae Wright

R. Palmer Ingram

Kos. 20976 to 20989 incl.  
Hay & Sept. Terms, 1946  
Charge: Lottery  
From: Smith, C.J.*Denied*Supreme Bench Overrules  
New Trial Motions In  
Criminal Cases

The new trial motion of Joshua McDowell, convicted of murder; Avis H. Berry and William J. Berry, found guilty of robbery; the lottery laws were denied by the Supreme Court of Maryland on September 11, 1946.

Attorney William J. O'Donnell represented the State in the case. The State in the trial care. Arrived on behalf of the State in the trial care was made by Assistant State Attorney John C. Wada.

M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, November 7, 1946, at 1:30 p.m. All of the Judges were present except **judges** Tucker and Aloyian, and the Chief Judge presided.

Judge Sherbow **informed** the Bench that he had appointed Mr. Bernard C. O'Sullivan, 5706 Loch Haven Boulevard, as a bailiff in his Court, to succeed the late Harry C. Schirrn. The appointment was approved.

**The Chief Judge** presented a tentative arrangement for the rotation of the Judges, but no action was taken.

The Chief Judge presented a letter from Doctor Horace E. J'lack, relative to the elimination of certain provisions in the public and local laws with regard to the question of members of the Bench not being obligated to write opinions and with respect to the sending of issues in **equity** cases to be tried before a jury in a Court of Law.

It was decided to recommend that these provisions remain in the law. The Chief Judge presented a letter from Mr. Philip B. Perlman, relative to divorce practices, but no action was taken and the matter was carried over for future discussion.

Judge Sherbow presented certain considerations with regard to the new rules of the Supreme Bench, and it was resolved that the arrangement of these rules be left to the determination of the Committee on Rules, subject to final action by the Bench.

There being no further business the meeting adjourned.

*61* *W. Dickerson*

Secretary  
Supreme Bench of Baltimore City.

MINUTES .

A luncheon meeting of the Supreme Bench was held on Thursday, November 7, 1946, at 1:50 p.m. All of the Judges were present except Judges Tucker and Toylan, and the Chief Judge presided.

Judge Sherbow informed the Bench that he had appointed Mr. Bernard C. O'Sullivan, 5706 Loch Raven Boulevard, as a bailiff in his Court, to succeed the late Harry C. Schirm. The appointment was approved.

The Chief Judge presented a tentative arrangement for the rotation of the Judges, but no action was taken.


The Chief Judge presented a letter from Doctor Horace E. Clark, relative to the elimination of certain provisions in the public and local laws with regard to the question of members of the Bench not being obligated to write opinions and with respect to the sending of issues in equity cases to be tried before a jury in a Court of Law.

It was decided to recommend that these provisions remain in the law.

The Chief Judge presented a letter from Mr. Philip B. Perlman, relative to divorce practices, but no action was taken and the matter was carried over for future discussion.

Judge Sherbow presented certain considerations with regard to the new rules of the Supreme Bench, and it was resolved that the arrangement of these rules be left to the determination of the Committee on Rules, subject to final action by the Bench.

There being no further business - the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

Supreme Bench  
at  
Quillmarr (Gitz)

JOSEPH SHERBOW  
JUDGE

BALTIMORE 2, MARYLAND

November 6, 1916.

Hon. W. Conwell Smith, Chief Judge,  
Supreme Bench of Baltimore City,  
Court House,  
Baltimore — 2, Maryland\*

Dear Judge Smith:

I am appointing Bernard C. O'Sullivan,  
5706 Loch Haven Boulevard, as Bailiff to succeed the late  
Harry C. Schina, and desire the approval of the Supreme  
Bench,

Mr. O'Sullivan is thirty-nine years old,  
married, and now attends high school. He is a stenographer  
and typist. He was in the National Guard, taken into the  
service, and honorably discharged as a Major,

Very truly yours,

*Joseph Sherbow*

*Approved  
Nov. 7, 1916*



## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, November 14, 1946, at 12:30 p.m. The full Bench was present and the Chief Judge presided. Judges Henderson and Markell, of the Court of Appeals, were guests of the Bench at the luncheon. The method of handling divorce proceedings by the examiners and masters was discussed, and the Chief Judge was authorized to appoint a committee to study the subject and to report to the Bench.

There was a discussion of the arrangement of the new rules of the Supreme Bench, but no affirmative action was taken.

The appointment of Mr. Joseph B. Zech, as a Deputy Clerk in the Superior Court, was duly approved.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

## Superior (Uxmrt)

Baltimore 2, Md.

November 14, 1946

The Honorable, The Members of  
The Supreme Bench of Baltimore City,  
Court House,  
Baltimore 2, Maryland.

Honorable Sirs:

I respectfully request your **approval** of the appointment of Joseph E. Zach as a Deputy Clerk, to fill the vacancy created by the resignation of Mr. King Spencer. The appointment to take place as of December 1, 1946.

Very truly yours,



Approved  
11-14-1946



November 14, 1946.

U. Luther Plttman, Esq.,  
Clerk of the Superior Court,  
Court House, City -2-

Dear Mr. Pittmam

I beg to inform you that the Supreme Bench, at its meeting today, approved your appointment of Mr. Joseph E. Zeoh as a Deputy Clerk in your office, to fill the vacancy caused by the resignation of Mr. King Spencer.

Very truly yours,

Secretary, Supreme Bench  
of Baltimore City.

Supreme Bench  
of  
Baltimore: (City)

EDWIN H. NILES  
JUDGE

BALTIMORE 2. MARYLAND

November 21, 1946

Hon. Edwin T. Dickerson,  
Court House,  
Baltimore, Maryland.

Dear Ed:

At the meeting of the Bench today I handed each member present a copy of O. Eugene Adams' "Report of Survey of the Baltimore City Court House." As you were not present I now send you your copy.

These documents are very limited in number, and probably it will not be possible to get another copy.

As Chairman of the Court House Committee, I would appreciate it if you would go over **the** Report, and let me have any suggestions which may occur to you for future use. Obviously, all plans are tentative, particularly allocations of specific areas. In general, I think Mr. Adams has done an excellent job.

Sincerely yours,



EHN/Jp

November 23, 1947.

Hon. Emory H. Niles,  
Court House, City -2-

Dear Bnory:

I received your letter of the 21st instant, aocompanied by a copy of Mr. O. Eugene Adams' "Report of Survey of the Baltimore City Court House".

I thank you very much for sanding it to me, and I shall read it with a greet deal of interest. When I am through with it I will be glad to return it to you if you would like me to do ao. X also received copy of your letter to Mr. Adams, which you sent at the request of the Supreme Bench.

Slnocerely,

Edwin T. Diolceraon.

Supreme Bench  
of  
Baltimore (Cite)

DRY H. NILES  
JUDGE

BALTIMORE a. MARYLAND

November 21, 1946

Hon. Edwin T. Dickerson,  
Court House,  
Baltimore, Maryland.

Dear Ned:

I am enclosing herewith a copy of a letter to  
Mr. O. Eugene Adaas which I was authorized to write at  
a meeting of the Supreme Bench today.

Sincerely yours,

EHN/JP



November 21, 1946

O. Eugene Adams, Esq.,  
329 North Charles Street,  
Baltimore 1, Maryland.

Dear Mr. Adams

Each member of the Supreme Bench has no\* received a copy of your "Report of Review of the Baltimore City Court House" dated October 1, 1946\* The Court House Committee of Council has been fully satisfied with the plans they have developed and is in complete accord with your recommendations\*

At a meeting of the Supreme Bench today, I was authorized to express to you the thanks and appreciation of the Bench for the comprehensive plans which you have made, your sympathetic understanding of the needs of the Court House, and your careful and able solutions of the many problems which are involved in this work.

We hope that before too long it will be possible to transform what is now a mere plan into a reality\*

Sincerely yours.

EEN/jp



## M. I N U T E S.

A meeting of the Supreme Bench was held on Saturday, December 7, 1946, at 10 o'clock a.m. All of the members of the Bench were present except Judge Sherbow, and the Chief Justice presided.

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

Twenty-two new attorneys were admitted to membership of the Baltimore Bar by the Supreme Bench at Baltimore on Saturday. Those admitted by the Bench are: A. Launcelot D. Ilchbart, O. Hopm. Jane Schwarz, Murrin O. Wahl, Albert Samuel Cook, Jr., Harrison P. Winter, Arthur O. Damler, A. Adatto Doer, William D. McClum, Jr., Edward J. Drett, Walter P. Bessie, James W. Blackburn, Eugene E. Olanck, William H. Saylor, UorEinn V. Anilmo, Frank B. Horlen, Olatca O. Ooortmiller, Bobruon a Hease, Meredith H. Wilson, Albert P. Clone, C. Coortnoj Stearns onj Qeoixo Berapels.

The motions of James A. O'Donnell and Robert Bennett Sanner, for a new trial from their conviction of false pretenses, etc., in the Criminal Court, were argued, submitted and held sub curie. The motion of Joe Hanesza, for a new trial from his conviction of pandering, in the Criminal Court, was argued, submitted and over-ruled.

A letter of Mr. John S. Clarke, Clerk of Circuit Court No. 8, submitting for confirmation the appointments in his office, set forth in his letter, was read and the appointments were approved. A letter of Mr. John O. Hutherford, Clerk of the Baltimore City Court, reporting that he had reappointed all of his deputies, was read and the appointments were approved.

A letter of Mr. Henry J. Kipperger, Clerk of the Circuit Court of Baltimore City, reporting that he had reappointed the deputy clerks mentioned in his letter, was read and the appointments were confirmed.



A letter of Mr. Frank C. Hobe, Clerk of the Court of Common Pleas, reporting that he has appointed Sir. Harry Taft Shear as deputy clerk, to fill the vacancy due to the resignation of Ux- Benjamin Bass, was read and the appointment was confirmed.

A letter of Mr. Luther Pittman, Clerk of the Superior Court, requesting authority to reproduce all books in his office which are in bad shape, and to have the work done by the Remington Rand Company, was read, and authority was given to do so, the cost to be paid out of the receipts of his office.

A letter of Mr. William L. Carter, reporting that the record file room in his office was very overcrowded, and requesting permission to crate, label and list records back of 1915, and store same in the basement of the Court House, was referred to the Court House Committee.

The question of the resignation of Mr. George Parr, Deputy Clerk in the Criminal Court, in which he desires to continue his service until the beginning of the January 1947 Term, was discussed and referred to Chief **Judge Smith**.

Judge Tucker reported that the Joint Committee of the Supreme Bench and the Bar Association of Baltimore City, on rules, had recommended that the old Rule 200 relating to bails, and the old Rule 203-A relating to bail bonds, be consolidated, and that wives of attorneys as well as of other Court officers, be prohibited from going bail; and that all appeals from administrative boards, except from the State Industrial Accident Commission, be heard within 10 days after the receipt of the record by the clerk. On motion these recommendations were approved, and it was further resolved that the new rules should become effective on January 1, 1947.

Minutes - page 5.

The Secretary was requested to write to Senator Joseph fi. Byrnes and suggest to him the propriety of having the law changed with respect to appeals in connection with registration or professional engineers and land surveyors, now required by the Act of 1939, Chapter 75E, Section 16, to be taken to the Supreme Bench, by substituting the Baltimore City Court\* instead of the Supreme Bench - see Stark vs. State Board of Registration, Maryland 179 - 176. Judge Moylan requested the use of the extra office adjacent to the Juvenile Court, now occupied by Mr. LI, Court Stenographer. His request was referred to the Court House Committee of the Supreme Bench.

The question of rotation of stenographers was discussed, but no action was taken.

A resolution was passed approving and authorizing the rotation of the Judges, as set forth in the attached memorandum.

There being no further business, the meeting adjourned.



Secretary,  
Supreme Bench of Baltimore City.

### Motion For New Trials Argued Before The Supreme Bench

The Supreme Bench of Baltimore on Saturday, November 11, heard the motion of James S. O'Donnell and Robert Bennett Banner, who were convicted on charges of false juror, but their decision on the matter. The OVK trial motion in *Joc-linna*, former Willy of panther's was denied by the Bench.

William H. Sinyard, Deputy State Attorney, and Alvin H. Murrill, Assistant State Attorney, appeared in the case. In the O'Donnell and Banner case, while the defendant were represented by Robert W. McCUODK, Jr. and J. Lauchlin, of Wilmington, D. a Mr. Murrill also appeared on behalf of the state in the present case.

## SUPREME BENCH ASSIGNMENTS

December 7, 1946

William H. Hlaynard

State of Maryland  
vs.  
James HlitsosGeorge B. Petite  
Preston A. PairoHo. 21542, Kay Term, 1946  
Charge: Assault  
From: Kason, J\*WithdrawnWilliam H. Hlaynard  
ilan E. HlurrellState of Maryland  
vs.  
James S. O'Donnell a.  
Hobert Bennett SannerRobt. IF. MacCullough  
James J. LaughlinHo. 1260-1626, Jan. Tens, 1946  
Charge: False pretences, etc.  
From: Hasan, J.Sub curia

Douglas K. Sharretts

State of Maryland  
vs.  
Nathan Hoenig  
Bernard Goldstein  
Max V/einsteinEllis levin  
(For V/einsteln)Ho. 20379, May & Sept. Terms, 1946  
Charge: Receiving stolen goods  
From: Hlason, J.Withdrawn

Sane

State of Maryland  
vs.  
Nathan Koenig  
Max V/einsteinEllis Levin  
(For V/elnsteln)Ho. 20380, Bay & Sept. Terms, 1946  
Charge: Unauthorized use  
From: Hlason, J.Withdrawn

Uao H. Hlurrell

State of Maryland  
vs.  
Joe Ranezza

Joel J. Hochman

Ho. 30431, Sept. Term, 1946  
Charge: Pandering  
From: Mason, J.Overruled

(SimtU ffiart 3fo. 2 of (Baltimore €ig  
 Baltimore, Maryland

Dec. 5th, 1946.

**Honorable ff. Cornell Smith,**

Chief Judge,  
 Supreme Bench,  
 Baltimore, Ma.

My dear Judge Smith: -

Subject to confirmation by the Supreme  
**Bench**, I would like to reappoint the following  
 clerks, who have been connected with this office  
 for the number of year6 as listed below:

G. Gordon Klrby,	Chief Deputy Clerk,	20 yrs.
Edward P. McDonough,	Docket "A" Clerk,	22 "
Anthony J. Mullen^	Cashier,	13 "
John A. Johnson,	Docket "B" Clerk,	33 "
John T. McNally,	Bond 4 Utility Clerk,	8 "
Balehn E. Stokes,	Utility Clerk,	8 "
John M. Coan,	Recorder,	9 "
John A. McKenna,	Recorder,	2k "
Joseph F. Kelly,	Recorder,	8 "
Nicholas Lombard!,	Hecorder,	6 mos.

Respectfully submitted,

*John E. Stokes*  
 \_\_\_\_\_  
 Clerk

JSC:JMC

December 7, 1949.

John S. Clarke, Esq.,  
Cleric of the Circuit Court No. 2 of Baltimore City,  
Court House, City -Z-

Dear Mr. Clarke:

I beg to inform you that the Supreme Court today confirmed all  
of the appointments mentioned in your letter to the Chief Judge  
under date of the 5th instant.

Very truly yours,

Secretary.

IRVING J. DICKERSON  
CHIEF DEPUTY CLERK



## Baltimore (Etty (Emtrt

JOHN O. RUTHERFORD, CLERK

CARL K. ALER  
AUGUST SCRIMMGER  
JOSEPH B. BOPP  
ROBERT H. HOUH  
COWARD O. CLAVP  
MUSH A. KINCO  
JAMES K. PARSON  
DEPUTY CLERK

IRVING KATZ  
CLERK AND  
DEPUTY CLERK

December 3, 1946

Honorable J. Edgar Hoover  
Chief Judge of the  
Supreme Bench of Baltimore City  
Court House  
Baltimore, Md.

Dear Judge Smith:

Article IV of the Maryland Constitution provides that "the Clerk shall appoint, subject to confirmation of the respective Courts as many deputies under them as the Judges shall deem necessary to perform the duties of the said office, who shall be removable by the said Judges for incompetence or neglect of duty."

It is clear that the Clerk must employ the deputies subject to the approval of the Judges.

For many years it has been the policy of the Supreme Bench of Baltimore to regard these positions as career jobs and to refuse the appointment of a successor to a proven and satisfactory deputy. With this position I am entirely in accord.

Since all of my deputies were reappointed and previously approved by the Supreme Bench, I am directing this letter as a matter of record.

Respectfully,  
BALTIMORE CITY COURT CLERKS OFFICE

John O. Rutherford  
CLERK OF THE COURT

Ssoambsr 7, 1946.

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

Dear Sir. Rutherford:

I beg to inform you tiat the Supreme Bench today confirmed all of the appointments mentioned in your letter to the Chief Judge under date of the 3rd instant.

Very truly yours,

Secretary.

HCNHY d. RIPPEHOER.CLERK

## CIRCUIT COURT OF BALTIMORE CITY

BALTIMORE-2, MD.

December 2, 1946

Honorable W. Conwell Smith  
 Chief Judge  
 Supreme Bench of Baltimore City  
 Court House  
 Baltimore, 2, Maryland.

Dear Judge Smith:

This is to advise you that I have reappointed the following Deputy Clerks in this office, subject to confirmation by your Honorable Bench.

Joseph C. Massziotte, Chief Deputy Clerk  
 James J. Hyan, Deputy Clerk  
 Joseph W. Lynch, Deputy Clerk  
 J. Leo Tierney, Deputy Clerk  
 Ernest L. Hickey, Deputy Clerk  
 James A. Moore, Deputy Clerk  
 James W. Kurphy, Deputy Clerk  
 Joseph F. Fisher, Deputy Clerk  
 Nat E. Harris, Deputy Clerk  
 John J. Gallagher, Deputy Clerk  
 Helen B. Metz, Deputy Clerk  
 L. Gloria Sartori, Deputy Clerk  
 Louis Cohen, Deputy Clerk  
 John Andrae, Hight Watchman.

Tery truly yours,

*Henry J. Rippeger*  
 Clerk

HJR:HBM



December 7, 1946.

Henry J. Bipberger, Esq.,  
Olerk of the Ciroult Court of Baltimore City,  
Court House, City -2-

Dear Mr. Ripperger:

I beg to inform you that the Supreme Bench today coafimed all  
of the appointment\*] mentioned in your letter to the Ohlel Judge  
under date of the 2nd instant.

Very truly yours,

Secretary.



Clrrh'n Offttr  
(Court of (Eommtm "ipicas

Baltimore, Md.

—3—

November 15, 1946

Honorable W. Conwell Smith  
Chief Judge - Supreme Bench  
Baltimore, Maryland

Dear Judges-

I am appointing Mr. Harry Taft Shear as deputy clerk in this office to fill a vacancy created by the resignation of one of our deputies, Mr. Benjamin Bass.

I will appreciate it if you will have this appointment approved by the Supreme Bench of Baltimore City as of November 11, 1946 in order to avoid complications in our payroll and retirement system under which we operate.

Thanking you for your kindness, I am

Sincerely yours,

*Fu*  
C l e r k V

PCR/G

December 7, 1946.

Frank O. Robey, I30.,  
Clerk of the Court of Common Pleas,  
Court House, City -2-

Dear Mr. Robey:

I beg to Inform you that the Supreme Bench today confirmed your appointment of fclr. Hurry T«ft Shear as Deputy Clerk in your office, to fill the vacanoy caused by the resignation of Mx. Benjamin Bass.

Very truly yours,

Secretary.



Superior (Exaxct  
of Baltimore City  
Baltimore 2, Md.

December 5, 1946

The Honorable, The Members of the  
Supreme Bench of Baltimore City,  
Court House,  
Baltimore 2, Maryland.

Honorable Sirs:

In June 1938 your Honorable Body granted me authority to re-write all the Land Records prior to 1851 which were in bad condition. Under this authority, 174 books were re-written, which included all those in a state of bad repair prior to the year 1851.

There are at this time several hundred books since 1851 that are in bad shape, and in the interest of their preservation, should be reproduced. The approximate cost of reproduction of each book by typing is \$600.00. The Remington Rand Company has informed me that they can reproduce these books by photograph at an approximate cost of \$90.00 each, plus the cost of binding. The photographed copy would be an accurate reproduction of the book as it now is, and would eliminate the possibility of error in their reproduction.

The re-writing of the books prior to 1851 was done as a ff.P.A. project, which made the job very reasonable as far as my office was concerned.

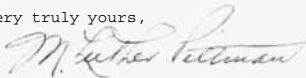
I have had a survey made of the first 1000 books, starting with the year 1851 and running to the year 1884, and found that 103 of that 1000 are in such bad shape that they should be reproduced. Since the latter year, up to the present time, there are approximately 200, more or less, books which are in such condition that they should be reproduced. There are also between 50 and 100 block books that should be reproduced.

Under Sections 998-999 of the City Charter, 1938 Edition, I ask you to authorize me to have reproduced all books in my office which are in such bad shape that

2-Members of the Supreme Bench, December 5, 1946

the preservation of them makes it necessary, by the means of having the Remington Rand Company photograph the originals thereof. The cost of any other method of reproduction is so prohibitive that it would be impossible to accomplish the task.

Very truly yours,

A handwritten signature in cursive script, appearing to read "M. Luther Bellman". The signature is written in dark ink and is positioned to the right of the typed phrase "Very truly yours,".

Deosnbar 7, 1946.

M. Luther Plttman, Es(i.,  
Clerk or the Superior Court or Baltlnore City,  
Court House, City -2-

Dear Mr. Pittman!

I beg to advise you that the Supreme Bench today passed s resolu-  
tion authorizing to have reproduced all books in your office  
whloh are in such bad shape as makes their preservation necessary.  
It is agreeable to the Bench to have the Remington Rend Company  
photograph the reoords, the oosta to be paid out of the receipts  
of your offloe.

Very truly yours,

Secretary.

December 9, 1946.

Hon. Joseph B. Byrnes,  
405 Union Trust Building,  
Baltimore -1- Maryland.

Dear Senator:

Chapter 752, Section 16, of the Acts of 1939, authorizes appeals from decisions of the State Board of Registration of professional and land surveyors engineers to the Supreme Bench of Baltimore City.

The statute was held valid in the case of Stark vs. the Board, 179 Maryland - 276.

At the meeting of the Supreme Bench on Saturday last, I was directed to write you and suggest the propriety and advisability of having the law changed by the Legislature to provide for appeals to the Baltimore City Court instead of to the Supreme Bench.

The present law is an anomaly, because appeals from all other administrative boards are authorized to be taken to the Baltimore City Court except in the case of the State Industrial Accident Commission where appeals may be taken to the Superior Court.

The Supreme Bench is very anxious to have the law changed, and will be very appreciative of your kind efforts to accomplish this result.

With kind personal regards, I am,

Sincerely,

Secretary.

RESOLUTION OF BOARD OF CHIEF JUSTICES

410  
\* R \*

RESOLUTION 501

ROTATION OF JUDGES

The normal order of rotation of judges (subject always to change by the Chief Justice) is as follows

Starting at Court of Appeals (Jury cases)

Then to Circuit Court of Baltimore City

Superior Court of Baltimore City (Jury cases)

Circuit Court of Baltimore, Part II

Superior Court Part 3, Baltimore City Court Part XX  
(SBCSASIS/APP/DAVIS, non-Jury judge for  
all cases after court)

Circuit Court No. 2 of Baltimore city

Criminal Court of Baltimore Part III

Baltimore city Court (Jury cases)

Circuit Court of Baltimore City and Circuit Court No. 2  
of Baltimore City (to assist the judges of said  
court in Equity cases)

Criminal Court of Baltimore

Board of Council Plans (jury CODOG).

The juvenile division shall not be subject to the usual rotation, but shall be presided over by each of the judges as they in turn are assigned to that duty.

The judge assigned to Criminal Court, Part US District Court as jury judge

lodges OBOIGED for time to time, to the Superior Court and the Court of

Common Pleas shall have jurisdiction and election cases

it all times all judges are additionally assigned to assist each and every  
judge in his special assignment.



### Robert France Qualifies As Judge Of Supreme Bench

Robert France, former General Counsel to the Public Service Commission, and Secretary of the Maryland State Bar Association, was sworn in as a member of the Supreme Bench of the Court House.

The Oath of Office was administered by Mr. Luther Pittman, Clerk of the Superior Court, and the ceremony was witnessed by a large crowd which included members of Judge France's family, former members of the Supreme Bench of Baltimore, members of the District Court, and many prominent citizens.

Following the ceremony, Judge France of the Supreme Bench will preside, in the Superior Court, Part II.

## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, December 1<sup>st</sup>, 1946, at 12:50 p.m. - present Judges Tucker, Uenley, Moylan, Dickerson and the Chief Judge.

It was decided to hold a memorial meeting for members of the Bench who died during the current year, on Wednesday, January 6, 1947, at 12 o'clock noon, in the large Superior Court room. Judge Moylan was selected to make the response on behalf of the Supreme Bench. A letter to the Chief Judge, Iroa Hacio Station WITH, inviting members of the Bench to broadcast for 15 minute periods, sponsored by a storekeeper, was read, and it was the sentiment of the Judges present that the Chief Judge should acknowledge the letter and politely and firmly decline the invitation.

There being no further business, the meeting adjourned.



Secretary,  
Supreme Bench of Baltimore City.

LAW OFFICES

TroIncS.SAUERWEIN.ARCHER.BENSON n BOW)

CABLE ADDRESS

"TYLA"

TELEPHONE  
SARATOGA 5770

WILLIAM E. TYBINGE  
 GEORGE S. SAUERWEIN  
 ROBERT H. ARCHER  
 J. HERMAN BENSON  
 J. COCKMAN BOYD, JR.  
 WALTER B. BISHOP  
 J. A. BOYD  
 JOSEPH A. BYRNES  
 ALBERT H. ARCHER, JR.

WILLIAM E. TYBINGE  
 COUNSEL

FOURTH FLOOR UNIOIC TRUST BUILDING  
 CHARLES n FAYETTE STREETS  
 DALLTIMOK!! I. MD.

December 12, 1946

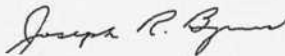
Honorable Edwin T. IHckerson, Secretary,  
 Supreme Bench of Baltimore City  
 Court House  
 ultimore - 2, Maryland

Dear Judge,

Upon receipt of your letter of December 9 in reference to appeals from decisions of the State Board of HeniatrofJon of professional i&iGineers and Land Surveyors, I had Dr. Horace E. Flack prepare an amendment to the present law. Yesterday after I had explainer, the change to the Legislative Council and the desirability of having such appeals made to the Baltimore City Court, the bill was approved and will be introduced in the General Assembly as a Legislative Council bill. I n enclosing copy of the bill.

With best wishes, I am

Respectfully yours.



JOSA-H R. 3TRNES

nB:JS

## Entitle!

AH AOT to repeal and roenat with amendments, «oatiaa 19 of Article 75J of the Annotated Code of Maryland (1939 Edition), title "Professional Engineers and Land Surveyors," providing that appeals from the denial or revocation of a certificate of registration shall be directed to the Baltimore City Court.

aocltion 1. BE IT KSAOESD BY TES 0303)41 ASSaBET 0? USILAHd, Hint section 19 of Article 75i of the Annotated Code of Maryland (1939 Edition), MtlO "ProfoBBiounl Engineers and Land Surveyore," 1B and the-samo Is horoby repealed and reenacted Tilth amendments, to read as follows:

19\* (Revocations)\* fa 3SIO Board shall have the power to revolD the certificate of registration of any reentrant who Is fonnd guilty oft

(( (a) )) He practice of any fraud or deceit In obtaining a certificate of registration:

(( (b) )) Any gross negligence, Incompatenoy, or olgeonduot In the practice of professional engendering or land surveying as a registered professional engineer or lend surveyor.

(p). Any porson may prefer charges of fnmd.fecslt, gross negligena, Incompenoy, or mlscanduoit asainet any registrant. Buch charges shall Do In »rltlns, and shall oe soom to ny the one neMng them and shall oe filed lrth the secretary, of the Board.

All chsrsss, unless dismissed by the ssndx Board as unfmmda or trivial, shall bo heard by the Board vlthln three smtho of tor the date on which they shall have been preferred.

The time and place for said hearing shall be fixed by the Board, and s copy of the charges, together with a notlco of the time end place of haprtia, shall be personally ooved on or nalloed to the lastfcnovnaddress of such • registrant, at least thirty iaya before the dote fixed for tho hearing. At • S&y hearing, the accused registrant shall have tba right to appear personally V end by counsel, to croso-examine Titness^appearing agalnBt him, and to produce ; evidence and vltnesBes In his on defense.

If, aftor such hearing, three or morB members of the Board vote In favor of finding the accused ffully, tho Board shall revoto the certificate of reglotratlon of such registered professional engineer or land surveyor.^— w w- j

Isl CHolssuance of Oertflicatos). The Board, for reasons it esatideen •fficient, may re-issuo a certificate of registration to any person \*one - certificate has teen revokBd, providing three or more members of the Board vote In favor of such rolssuonce. A now certificate of registration, to replace any certificate revoked, lost, destroyed, or mutilated, may bo ionued, subject to the rules of the Board, and a charge of throe dollars (\$3.00) shall bo made for such Issuance.

(a) (Appeals). Any person, who shall feel assriavsd by any aotian of tho Board In denying or revolng his certificate of registration may appeal therefrom to the ((SaprBneBench of Baltimore City)) Bnltlmora Oltly Conr^ or to the circuit court for any county and, after full hearing, said Court •hall rato such decree sustaining or reversing the action flf tho Board as to it may seem Just and proper. '

See. 2. JUD BE IIIUBTHSS flIACTKD, Tlcat this Act shall toto off eat OS : "Jtmol, 15^7.

December 13, 1946.

Hon. Joseph R. Byrne,  
Union Trust Building,  
Charles and Fayette Streets,  
Baltimore -1- Maryland.

Dear Senator:

I received your letter this morning, enclosing a copy of a bill which will be introduced in the General Assembly, providing for appeals to the Baltimore city Court instead of to the Supreme Bench from decisions of the State Board of Registration of Professional Engineers and Land Surveyors.

I thank you, not only for your kindness in having the bill prepared, but for your kind interest in having the change made.

With much appreciation and with kind personal regards, I am,

Sincerely,

Edwin T. Diokerson.

## M I N U T E S .

A General Term Meeting of the Supreme Bench was held on Friday, December 20, 1946, at 10 o'clock a.m. All of the members of the Bench were present and the **Chief Judge** presided.

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

William B. Cornell, Jr. was admitted to practice before the Supreme Bench of Baltimore City, upon the motion of Washington Dozier, Jr.

The motions of Howard Forā, V. 'illiem Fore: and James E. Jackson, for a new trial from their convictions of robbery, in the Criminal Court, were argued, submitted and denied.

The motion of Wallace M. Ritter, for a new trial from his conviction of failing to use reasonable care in operating a motor vehicle, in the Criminal Court, was argued, **submitted** and **granted**.

The following gentlemen were selected to serve on the January, 1947, Grand Jury:

THIL Ommi Jury tar Uo Jnnyru  
Tann Vni nelectd br the Snjireao  
ilnch of Dallmore yealcrdny. They  
(an cndd for Monday, January 13th.  
I: THow •electil to serve on the Jury

Hentlanu. Felr. Jr., X27 Powlmian  
avenue.

HnUljiou. Course. 1001 SL Laul  
ilrccl.

Buchanan, Thomas G. 201 East Did-  
dle itcel.

Carlinn, Morin U., 351n FnlrvJew  
venue.

"DukeJort; VortbtMcL, 410 Wood-  
lawn road

Ebrllcli/Iolicrrt V- 1520 Windmcro  
avenue

Gny" Johu T., COL W\* d MIL •trceU  
lined, Anton, 3301 Crouland DTCUC

Hook, Ernest Thwr, -1101 Kernhill  
avenue.

nudnet, Georce T., 2201 Ielliam ms-  
sue.

Jact-b- Max W., 005 LoLe Drive  
Jones, James A. Sr., 1350 Norrlt Cal-  
houn street.

Kluter, Jacob H., 5300 Tilbury Way.  
McInerney, John M., 8 South Monroe  
street.

Tklod Joicpb A. 3MH Windsor utve  
nue.

I'cnlic, Arcli W- -1701 Norwood ave-  
nue.

Phal-n. I'cler P., 2 Snuti Corloj  
otrccl

Price, Prant, Jr., 311 East 28th  
ilrccl.

Ilinder. Conrail J., -1301 Gteomon  
avenue

Schmicli, Frederick. WIG Purdue Othj  
nue.

Schunck, Georce, 812 Bmooli line.  
Wosicr man, n, Sn  
nue.

Wirtr, Harry, -i Smitti Trenionl rotd.  
nue.

Judge Moylan requested that it be noted in the minutes that his assignment to the Juvenile Division of the Circuit Court should not be considered as a desire on his part to follow this work as a career,

the Chief Judge presented a statement regarding the works of the Courts, copy of which is attached to these minutes as a part thereof.

**Minutes**  
 Page 2 -  
 12/20/46

The Chief Judge read a letter from the States Attorney, Mr. J. Bernard Wells, relative to the increase of work in the Criminal Court, stating that he will need several assistants, and that he wanted to appoint two assistants. It was the sentiment of the Bench that no precipitate action be taken, and that nothing be done until it should be seen how the work of the three parts of the Criminal Court should develop.

The Chief Judge also submitted a letter from Mr. Wallis Gitten, stating that January 8th, at 12 o'clock noon, is acceptable as to date and hour, for a memorial meeting in honor of deceased members of the Bar, and that Judge Dennis, Chairman of the Memorial Committee, would communicate with the Chief **Judge**.

It was decided that the Judges should move to their new quarters on Thursday and Friday, January 9th and 10th, and a schedule of the order of moving was submitted.

A letter was read from Mr. Wilford L. Carter, Clerk of the Criminal Court, stating that Philip J. Heilly had tendered his resignation, as a watchman in the office of the Clerk of the Criminal Court, and that he had appointed Max Stein, 1513 North Pulaski Street, to fill the vacancy, and requesting the approval of this appointment. It was the sense of the Bench that it had nothing to do with the appointment of watchman, but only of deputy and assistant clerks of the various Courts, and the Chief Judge should so advise Mr. Carter.

A resolution was passed relative to taking of testimony before the ~~Miner~~, with regard to the work of the Masters in Chancery, a copy of the resolution being hereto attached to the minutes as a part thereof.

**Mioutes**  
Page 3-  
12/20/46

Here being no further business, the meeting adjourned.

*William Brewster*  
**Secretary**  
Supreme Bench of Baltimore City.

### Supreme Bench Revises Order Of Rotation Of Judges

The normal order of rotation of the Judges of the Supreme Bench of Baltimore was revised by the General Term of the Judges yesterday.

Following is the resolution adopted by the Bench in connection with the Rotation of the Judges:

Substitution For Resolution C.O.I.  
OF THE SUPREME BENCH

The normal order of rotation of the Judges of the Supreme Bench of Baltimore is hereby revised as follows:

1. Circuit Court of Baltimore City (Jury cases)

2. Criminal Court of Baltimore, Part II (Criminal Court Part II, Baltimore City Court Part II (Appeals), non-Jury Judge for all common-law cases)

3. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

4. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

5. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

6. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

7. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

8. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

9. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

10. Criminal Court of Baltimore City and Circuit Court No. 2 of Baltimore City (Criminal Court No. 2 of Baltimore City, Baltimore City Court (Jury cases))

### EXPLANATION OF ASSIGNMENT OF JUDGES ANNOUNCED BY OHSIF JUDGE SMITH

Chief Judge TV, Cornwall Smith in announcing the assignment of the Judges for next year issued the following statement:

"After a study of court dockets and pending litigation, the Bench has decided to make a change in the Court assignments beginning with the January term of court. Three, instead of two, judges will devote their time to the hearing of Criminal Cases. In addition to the Judge assigned to the Circuit Court, and the Circuit Court No. 2, there will be a third Equity Judge (in Room 202), who will aid in the work of the Equity Courts.

This will leave only four Judges to do the work of the law courts; one to hear non-jury cases, one to hear appeals in the Baltimore City Court, and three Judges to hear jury cases in the Superior Court, the Circuit Court of Common Pleas and the Baltimore City Court. We believe that three Judges can satisfactorily dispose of all jury trials.

One or two judges will continue to devote all their time to the work of the Juvenile Court.

A third part of the Criminal Court will be opened in Room 134 (formerly used by the Baltimore City Court). The Judge assigned to this court will serve as Jury Judge.

Alterations are now in progress which will permit Judges Henderson and Minkler of the Court of Appeals to move their offices from room 102 to the first floor of the Court House; to the room, formerly occupied by the Jury Office, on the third floor, next to the Bar. The offices of the Jurors will be moved to room 132, next to the Courtroom of the Jury Judge. The convenience and comfort of the Court of Appeals Judges will be seriously changed, and the Jury clerk will be made more accessible to members of the Jury, and more convenient to the Jury Judge under whom he will serve."

### Supreme Bench Announces Assignment Of Judges For Next Year

The Supreme Bench of Baltimore yesterday announced the assignment of the Judges for the coming year. The Judges and the Courts in which they will serve are:

Judge Niles, Superior Court, Room 201.

Judge Mason, Superior Court Part II, Room 112 (non-jury Judge).

Judge France, Baltimore City Court, Room 131.

Chief Judge Smith, Court of Common Pleas, Room 134.

Judge Tucker, Circuit Court, Room 1214.

Judge Dickerson, Circuit Court No. 2, Room 241.

Judge Moser, Circuit Court and Circuit Court No. 2, Room 202.

Judge Gray, Criminal Court, Room 103.

Judge Shorlow, Criminal Court, Part II, Room 122.

Judge Manley, Criminal Court, Part II, Room 111 (jury Judge).

Judge Sloyin, Juvenile Division, Room 135.

Chief Judge Smith and Judge Niles to hear the cases of the Restorers of Voters on petitioned to the several Courts of Baltimore City.



## SUPREME BENCH OF BALTIMORE CITY

Assignment for Dec. SO. 1946

Bernard G. Peter

State of Maryland

Paul B. Mules

vs.

S. Alfred Mund

Howard Ford

William Ford

James E. Jackson

No. 30738, Sept. Term, 1946

Charge: Robbery with deadly weapon

From: Smith, C.J.

*Denied*

John C. Veiss

State of Maryland

Eugene O'Dunne

William L. Liaynard

vs.

Philip S. Ball

Wallace H. Hitter

No. 30287, Sept. Term, 1946

Charge: Failing to use reasonable care

From: Mason, J.

*Granted*

**Motions For New Trials Are  
Ruled On By Judges Of  
Supreme Bench**

The new trial motion of Wallace M. Hitter, who was found guilty of failing to use reasonable care, was granted by the Supreme Bench of Baltimore yesterday. The Bench, however, denied the new trial motions of Howard Ford, William Ford and James E. Jackson, who were convicted of robbery.

Hitter was represented by former Judge Eugene O'Dunne, while Assistant State's Attorney Bernard G. Peter appeared on behalf of the State in the robbery case.

After a study of court dockets and pending litigation, the bench has decided to take a chance in the Court as yet, beginning with the January term of court. Three, instead of two, judges will devote their time to the business of Criminal cases\*. In addition to the Judges assigned to the Circuit Court\* and the Circuit Court No. 2, there will be a third Equity judge (In room 202), who will assist in the work of both Equity Courts.

This will leave only four Judges to do the work of the Court\* one to hear non jury cases, another to hear appeals, and other appeals in the Circuit Court\* and three judges to hear Jury cases in the Superior Court, the Court of Common Pleas and the Baltimore City Court, we believe that three Judges can satisfactorily dispose of all jury trials.

Each of the Judges will continue to devote his full time to the work of the Juvenile Court.

The third part of the Criminal Court will be opened in room 133 (formerly used by the Baltimore City Court). The Judge assigned to this court will serve as Jury Judge.

Alterations are now in progress which will permit Judge Kendterson and the Clerk of the Court of Appeals to move their offices from rooms 132 on the first floor of the Court House to the room now occupied by the Jury Clerk on the third floor, next to the Bar. The office of the Jury Clerk will be moved to room 132, next to the Court Room of the Jury Judge\*. The convenience and comfort of the Court of Appeals Judges will be served by the change and the jury clerk will thus be made more accessible to men receiving jury notices, which is more convenient to the Jury Judge than when he will have

W. Gordon Saltz,  
Chief Judge

In all cases which are referred to an Examiner for the purpose of taking testimony, it shall be the duty of the Examiner to be in attendance throughout the taking of the testimony and he shall have the right, and it shall be his duty, to examine or cross-examine any or all witnesses produced, whenever in his judgment such examination or cross-examination, upon his part, is proper or necessary for a true and full presentation of the facts in the case, and the examiner shall report to the Master, or the Court, any irregularities which may occur in the taking of the testimony, or in the conduct of the proceedings which may come to his notice.

## M I N U T E S .

A Memorial Meeting of the Supreme Bench, in honor of members of the Bar who died between December 16, 1945, and December 16, 1946, was held at 12 o'clock noon, in Room #201 of the Court House, on January 8, 1947. All of the members of the Bench were present except Judges Sayler, Tucker and Aioser, and the Chief Judge presided.

Mr. Paul R. Kach, President of the Bar Association of Baltimore City, introduced **Honorable Samuel** Dennis as chairman of the Memorial Committee of the Bar Association. Judge Dennis presented a memorial minute on behalf of the Association and moved its adoption. His motion was seconded by Messrs. Audison E. Mullikin and Wilson K. Barnes. Judge Charles H. Koylan responded on behalf of the Bench, **and the** meeting then adjourned and met in executive session. A report of the proceedings is hereto attached as a part hereof.

At this latter meeting Messrs. Albert Stark, 3603 Glen Avenue, and William E. Whitter, Jr., 3022 Keese Street, were selected as members of the January 1947 Grand Jury, in place of Messrs. Morton Mel. Dukehart and Morris H. Caplan, who were excused, to Wilford L. **Carter**, by letter, informed the Bench that he had appointed Messrs. J. Louis Peters, 621 E. Fort Avenue, and John F. ^uanigan, 5604 Buena Vista Avenue, as deputy Clerks of the Criminal Court, in the place of Mr. William H. McElroy and Mr. George A. Parr, who have resigned.

The motions of Messrs. O'Donnell and Sanner, for 6 new trials from their convictions of false pretenses in the Criminal Court, were voted upon, and the motion of Mr. Sanner was overruled. The

Page ff  
Minutes  
1/8/47

motion of Mr. O'Uoonell was granted as to the first tme seconda counts in both indictments, end aenieu with respect to trie remain-iaig counts therein.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.

#### Supreme Bench Announces Decision In New Trial Motions

The Supreme Bench of Baltimore yesterday granted the new trial motion of Jnorfi S. O'Dminell in the first and second counts of indictments charging him with false pretenses, but denied the defendant's motion for a new trial with respect to the remaining counts of the indictment in which he was charged with conspiracy. The Bench also denied the new trial motion of Hobert Bennett Sannor who was convicted of false pretenses and conspiracy.

Amistnt Stnle's Attornj- Aim H. Xlnrell lepmnted tie State la tho TTecemllDren. . . . .

#### Additional Grand Jurors Art Selected By Supreme Bench

Two Supreme Bench of Baltimore yesterday selected Albert Stark, 3003 Olden Road and Avilliam E. Wiltter, Jr., 1102 Lee Street, to write the minutes of the Grand Jury for this January Term.

They are called for Monday, January 13th, and will serve in the place of Morton Mel. Duckbatt and Morton H. Caplan, who were excused.

## Criminal Court of Baltimore.

WICTORD L. CARTER. Clerk



January 2, 1947

Honorable J. MHard Tawes, Comptroller,  
State Comptroller's Offloe,  
Annapolis, Maryland.

Dear Mr. Tawes:

Mr. William H. MoElroy and Mr. George A. Parr, have tendered their resignations as Deputy Clarke In the Offloe of the Clerk of the Criminal Court, in lieu thereof, we recommend, for the approval of the Suoreme Bench of Baltimore and for the confirmation of your Office the names of Mr. J. Louis Peters of 621 5. Port Avenue at the Salary of \$3000.00 per annum, and Mr. John P. Punnlgan of 3604 Buena Vleta Avenue at the Salary of \$2000.00 per annum, effective QB of January 1, 1947.

Mr. Peters was associated with the Robert E. Phehue Contracting Company for ten years. Mr. Dumlgan was a Deputy In the Sheriffa Offloe for thirteen years. Both of these men are very capable and experienced. X know that they will make good Clerks.

We respectfully request your approval of these appointments.

Very truly yours,

*W. L. Carter*

Cler^T Criminal Court of Baltimore.

VLO-OB

Approved: \_\_\_\_\_

Chief Judge of the Supreme Bench of  
Baltimore City,  
presiding In the Criminal Court of  
Baltimore City.

*approved  
1/8/46*

January a, 1947.

Mr. Wilford L. Carter, Clerk,  
Criminal Court of Baltimore,  
Court House, City -2-

**Dear Mr. Carter\***

The Supreme Bench, at its ueotlug today, approved your appointment of Messrs. J. Loula deters and John i. Dunnigan, as deputy clerics In your ol'fioe, to rill tae vacunoles caused ay zna reo-ignatlone of Messrs. William H. ttolfroy and George H. Pan-.

It has not been oustomary Tor the Chier Jud^e to send a .Letter to **the** Comptroller wlt a reapeot to auon appointmenta, but. X am enolosing a oopy of my latter for your nio, so tuat you may send the original to the Comptroller if you ao desire.

Very truly yours,

**Secretary.**

## Deceased Members Of The Baltimore Bar Eulogized At Memorial Services Before Supreme Bench

Memorial Services for members of the local Bar, held annually for the past year, were held yesterday afternoon at a special session of the Supreme Bench of Baltimore. The ceremony was held in the large Superior Court room on the second floor of the Court House and was attended by relatives and friends of the deceased attorneys, members of the Bar and prominent State and Municipal officials.

Paul H. Knab, President of the Bar Association of Baltimore City, opened the services and introduced the speakers to the Court. Former Chief Judge Samuel K. Dennis, Chairman of the organization's Memorial Committee, presented the Memorial Minute together with biographical sketches of the deceased attorneys. Special messages were delivered by Adlai E. Muirhead and Wilson K. Barnes.

Judge Charles E. Moylan presided on behalf of the Supreme Bench and Chief Judge W. Conwell Smith presided at the ceremony.

Following is a compilation of the services:

RUBEN OF PAUL B. KAOH

President of the Bar Association of Baltimore City

### *Mov It Pleatc Your Honort:*

Annually, at the request of the Organized Bar, the Bench in good enough to here assemble, and receive for its permanent records a statement or tribute of the achievements, and, sometimes, the tragedies, of those members of the Bar who have laid down this life in the preceding years.

I pay you as assemble annually. But I need not say, and do so only for emphasis, we never assemble perfunctorily. These tributes are both a link with the past, and a pledge to the future. They are the annual public pledge of the Bench and Bar that those who have labored, and now rest, did not live in vain. Through them, now through us, and hereafter through our successors, the cause of Justice and the liberties of the Commonwealth, and with march on.

Therefore, while there is personal grief and wretched memories here today, there is, in the larger sense, no sorrow. Instead, a feeling of triumph, of continuity with the past, and confidence for the future.

In this spirit, I, as President of the Bar Association, turn the meeting over to our Memorial Committee, headed by the Honorable Samuel K. Dennis. He will move that the minute and biographical sketches be made part of the permanent records of this Court. Mr. Adlai E. Muirhead and Mr. Wilson K. Barnes will second the motion.

THE BAR ASSOCIATION OF BALTIMORE CITY

Report Of The 18th Memorial Committee

*To the Honorable, the Judge of the*

*Supreme Bench of Baltimore City:*

For years past it has been the hallowed custom of Bench and Bar in this Jurisdiction, and authenticated by the Honorable Court, to lay aside the tasks which engage us to pledge at least one brief, solemn hour to our colleagues and comrades at the Bar, who, within the past twelve months laid aside their several tasks for all eternity. Your Committee has little desire, and small qualifications to trespass upon the field of metaphysics, or of theology, or of the spiritual on this memorial occasion, in spite of the morbid interest all men have (intensified by our human loss) in the solution of John's riddle—If a man die shall he yet live?

Our office is modest, and our profession practice an ephemeral art; that no lawyer who did not distinguish himself in the realm of statesmanship, but modestly devoted himself to his profession, whatever his contemporary reputation and grandeur, has not been, will not be remembered long by the public. It is necessary to note how Mr. Carter, Mr. Gans, Mr. Pugh, and other members of gigantic measure, who contributed within the last thirty or forty years to the supremacy of the Baltimore Bar, are now forgotten and recalled at all; and how difficult it is to locate compe-



hensire and adequate data respecting them. Laser men of Uiat recat period have already sunk from the public mind without a trace, leaving no available memorial. And all will be loit to futuro Generation! unli-ni rciueid by tlctr survivors from oblivious. Ueuce. It !\* an admirable system wo follow today (o present memorial biographical afcticles of oil member\* of our profucium who precede tin; and secure to them an avnllable and permanent paper title > at least to some tilings worthy.

No attempt has been made here lo do uecli more than uarrnic In simpicit I terms the more Important llstoidal facts. Eulogy, the portrayal or qualiUing of character and of mind, treatment of (lie ill(illil6f7 personal nod domcitic relations of our fellows, howeverbeneficial, botvever deserved, must of mps&city be Hfillily touelied, if touched at all, lu Uilis somewhat wholesale ceremony. Wo have here in our minds twenty-eight men who represented an inuny shades of religious, political and social oplnloo, and an many penallalties. No two were alike lu nature, gifts, or experience. Some died upon the lrbroad Of opportunity who yeaus; some lived to tide the full flood tide of success; some lingered until the eod of the long eliv tide, hardened by years and InDrally. Save In Uiclr cloicok of tho lan- and lore of country fctr elements were common to all; and Uiclr It Utile to bo said whleb (s appropriate to all. Our task of necs\*ty] Is moulded aod often rclricid by the natuio of the unCrlaLuc and the oportunity afforded us.

WUli lie generous help of circd members of tic Uar, to whom wo owe grateful thanLs, wo liavo colcted a series of relatively ibort, objective biographical skeldics of each and every of oar late colleagues, which at least will serre (o preserve fundamental Incls for the guidance of thioe who some day may ledc to Qnd who these men were whom wo liold In honor, and want they did. Thai foor service It given wltli much more sympathy and affection than appcar on UIU record. Tear\* for the departed lincv been sbcd, will be sbcd lu private, o lo HL Tho scnio of perionat sorrow nnd personal boreavment, stronK upon us, lias found, and will and, full tipre]on where wo may btdo nltu our memories undisturbed.

And now our sad duty\*wo ofTar herewith the Hit of thioe who have fallen from our ranks:

MBMBEBS OF THE BAXTOIOBB BAB WHO HAVE DIED WITHIN EKE YEAE

SecembBT 18, IC18—December IB, IO1G

Warns of Dectatoi	Date of Death
&-inccf KEATI*O BOWIE.....	January 23, 1W0
WnjJAx GADDi. Dauce.....	Jiny 0, 1W0
IL Lec Cotie?.....	November 7, IOIO
itvN S. COTTON.....	June 20, IOIO
JAUCS U. De-fNIB.....	November 25, IOIO
JUDGE TAYX-I. Du-ICAK.....	May 11, IOIO
JOHH V. L. PIXDLAT, la.....	July 13, IOIO
UEXJUII* Hotvru. OOHWOLO, Jn.....	July 27, IO40
JAlilEd D. Onrww.....	December 27, IO15
CHAKIXH MpatB HotVAnc.....	December 13, 1W0
TUOUAB M. JCMITB.....	Febrary 10, IOIO
LAUBCKCCS. Kxvntut.....	July 13, IOIO
nBBT F. LEACH.....	Augustus, 3D0
Junac Juica C. McLaitAJUX.....	Mrcrl 10, IOIO
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J. Loaiuca MITXn.....	Mrcrl 17, IOIO
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*14*0 Lose Snuiff.....	Febrary -1, 30IO
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\* And WLI that list\* wo offer Mian memorial bio\*ranblcal sketche\*.

\* MOTION

And may It please the Court, rc respectfully more lbat UIU report ind sc\*c incniurJal, ant die iroxx-CdiMRS at il,Is outling bu twclvill and KCBtrrSP, minus the ponilincntrncilrii\* on Jyccordaof UIU Court.

Geo. EOE. Don...  
C. ABfin Eav.  
Fosnai H. FAJVMXX.  
JUSTIN GOULD,  
W.M. TVXC. MVUMii, Jll..  
B. rar W. SHOOTs.  
SAIIVX K. bccxia, Chair., un.  
Memorial Committee

SECONDMO ADDRESS BY ADDISON E. MUGLICKIN

May II Please Your Joioirs;

I rouncl it n% (Itlms nod proper ihlt foun of our fellow member\* of the linr ik-wlc n lirt-p of time to mearinUc the liven of thioe who have departed from us In Hie past year.

A metlvrn of the liar they were the FcranK of the court nnd our fclp-mlr servant\*. Wo fcn-w thcm o tie Jolly girl personally. Wo lncnr thicr character\*, thiclr talents and thicr abilities. They were fact\* In our communitv and Influencra In the liven of thioe who came In contact with them. Wo desiro to preserve as a valuable heritnce the memory and the influence of the (infinitesimally small but inirni an contribution to the welfare of our people. Therefore we rerfru the uaiur\* of the Hit of

of thioe whom we have lost, wo observe a cross section of the high endowments with which, tin-hut of ULI nrc Rfital. They were not ihualo It any feiml except that all of them were the promets of Hie Game profewion. Thicy realised the obligation to promul: Justice under the Kujdnnce of our courts and thuy lo preserve thicr welfare and Hlablly of our community.

It E fitlr to Mate lbat the indence of Intvcr^ furies h deirct from ceneration (I) gerine loti. At one perloo thicr parUcipation In the affair\* of society may be more or less conspicuous in the safe may be. When peace and good order item to reign n n bblit wth the people, the Influence of the lnywcr nems to be low enmplicuous; at other tinn his dcculler enuclty for li-ad-nbtp must be called Into blmp to correct tenJenelei which may he not only Injurious In the public hut may threaten even In orderly existence; It In In such time\* of utrcm thol vtn need fall back on the memories of the lcxal adrr\* who liaro matured In previous generations and to apply the lessons from thicr wisdom to the problem of existing times.

Such a iuvord of tntsn and flux seems to be fncnt; our country it the present time. Tho n-arlno\* are rifo from the threat\* of Juvenile delinquency and the crimes of the mature unadilted to deal with thicr hument problems. The liowldKu of the baliU men, thicr right and ohl'nstioK and the thrcatcnus pccnlrlrtcx of thicr no- lrc. have been learned best by thioe who have looked at human falnre through the (dece-p and the micro-

scope of the law. It is from thio found of thrlton that we must earnr thic principle\* which must leilil IU In thic solution of the problem of non-factR-ni with meti mutually. Out of thic lives of many of thic\* whom wo meet to honor today can be learned mudt thic we Hint apply In the nutwoud task before us.

Not only In the realms of crime and social relationship\* are wo compelled to call upon the wrlic\* of the lawyer, but in the material conflict\* which are

threatening our economic life. Campaign Judgment and understanding of human nature and a firm persistence in Justice and equality must be depended Upon. In order to secure these qualities in such tasks, we must look to the men who have been trained for such tasks, and in so doing, we can well study the career of the brethren whom we honor today and of those who have preceded them.

It was Winston Churchill who slated, several years since, that when we have discharged our social responsibilities, we become immediately counterpoised with a set of larger responsibilities. This has been the history of Klu Klux and our present situation is a conspicuous illustration of Mr. Churchill's words. Domestic and foreign problems are perhaps incomparably acute. Our resources are equal to them provided we utilize all of our resources to the utmost of our ability. But in order to thus utilize our resources, we must summon the wisdom of those who have helped create and preserve nations and communities in the past, and thus the talents of the great statesmen must be called in to advise. The first to be called in will come first to mind, then those who have more recently dwelt among us, then those who bare made history in constructing the society of mankind.

In my Judgment, the lawyer should have a stimulated sense of responsibility, cooperation and leadership. The lawyer is a sworn servant of the court and thus of society. Duty to it is committed to the pursuit of Justice and that of human welfare. It will not be sufficient for a member of the Bar merely to perform the routine dullness in the troublesome, times which confront us. He should intelligently seek measures to bring about order and progress. He is obligated to use his best abilities to preserve the Constitution and character of our country. The task should be undertaken and pursued by him voluntarily. He should cooperate with his fellow lawyers in perpetuating the system under which we have prospered for a century and a half. In times of stress in a free government, the obligation of citizenship naturally and inevitably falls upon those who are versed in the law and skillful in the application of the remedies which are at their disposal. American men whom we honor today, these are the men who would have applied their energies and who would have died for their lives, if need be, to carry out our sacred trust. It is for such reasons that we now do them homage and insist that their character and abilities be preserved in our memories and in our own lives. I respectfully would the motion of their by the Memorial Committee

SEONHINO ADDRESS BY WZLSOK EL BANNB9

My Ifean Your Honor.  
It is a privilege to join in seconding the motion of the Chairman and to participate in these Memorial Exercises. It is the only Oiling that the Bench and the Bar should honour the memory of our departed brother. But it is incumbent on us to do more than to recall to memory of the virtues which many of them manifested in their lives, and at the beginning of this new year of 1917 to rededicate our lives.

The ordinary view in a lawyer is loyalty to the concept of individual liberty under law. In practical effect, this means the vindication of Individual rights of life, liberty and property against all forms of power and force which would invade those rights. It means vindication not only against Individuals who would lard and destroy those rights but also against the power of the State itself. It means the unflinching power where-

ever found, whether in the Legislative, the Executive or the Judicial Branches of the Government, must be stoutly resisted and overtaken. One cannot fail to remember the illustrious examples of that great English lawyer, Sir Edward Coke, who in his famous encounter with James Stuart, King of England. He risked life and had large fortune: he was removed from the illustrious Judicial position in England, and suffered imprisonment for nine months in the Tower of London rather than to submit to the arbitrary power of the Executive Branch of the English Government. In these bitter days, it is sad to relate that an opponent of the legal profession - for the sake of Jurisdiction - other than Mary, who is guilty of disloyalty to this basic concept. It is comforting to observe that not of those whose memory we honor were loyal. The second great figure in a lawyer's integrity. Not only must a lawyer be honest and fair in all his dealings, but he must be intellectually honest as well. If the lawyer is a Judge, his decision must be based only upon the evidence in the case and the applicable rules of law. If the lawyer serves as an advocate, he must be ranked helpful to the Court. He must not be in his client's interest without regard to his own personal advantage and the best of his quality.

The third virtue in a lawyer is duty. Legal learning must not stop at graduation from law school but should continue through each day of active practice at the Bar. In addition to the proper preparation of cases by advocates and the careful preparation of Opinions by Judges, the members of the Bar should seek to broaden their intellectual and professional power. This duty demands extensive reading, not only of matters of current interest but of the literary efforts of past generations. A familiarity with the masterpieces of the English language is essential and enriches the intellectual equipment of the lawyer. Proper study of the classics is not only an intellectual pleasure, but it increases the usefulness and worth of the member of the Bar.

The fourth virtue in a lawyer is gentility. In his dealings with his fellow men, the lawyer must be considerate and helpful. He must regard the rights of others and exhibit an unflinching interest in all his relationships. There is no place in the legal profession for unbecoming conduct and violence. In other words, a lawyer must be a gentleman. These great virtues of loyalty, integrity, intellectual honesty, and gentility are in varying degrees manifested in the lives of our departed. As we participate in their Memorial Exercises, let us rededicate our lives.

world on this Earth in "brer nnd nnd earthly light. Union is dissolved, we may perish to our Inst trict before the Alt-Vur- nnd All-Knowinr Judco with a clear con-ldmco and a lulet coruV dence. It mnr then he told of us, oh at our departed brethren, lu tho word" of the evangelist:

TuleMcd nor the dead \* \* \* nnd they rest from (helrinhani and their work" do follow them.

BEAPDNBE OF JUDGE OHABIXS E. MOYLAN JUDGE TO THE HONORABLE FAMILIES OF THE IWCACHT-LEIGHT LAWYRN WHOSE MEMORIES WE HONOR TODAY.

"I cannot or I will not rar Thit tbr ar ihJ. Tej ar idJ \* \* \* THA a cbwrr auill: on a wars of the land TICc baic trandred IDIO ID mkaioT Undl. And left m KoadrIDE boir Ter. It needs must be, since they linger there."

And you, O you, who the wisest year For the old-time step and the glad return, Think of them faring on as dear In the lore el e'are a\* (be lore of brre. Thinc at Item Jail u the u). 1 MJ. Titr sro not JCU: (her art Juit aw). when the long night enme to those, in who to memory we meet today, a majority had lived long, useful lives, and were already feling the sunset. Tuir lcon of the twenty-eight had in each their scrcntleth birthday, and by their vigor wro showing -

It is to the arcle rrlouu of our lliir. Death came to oome of them lu morning of their professional life. Most of them linn nck Ved distinctlou; a few performed more humbk-rolci. Thier of each reflected lin grm affilily and personality. As layuerr, each COO tributing his part in the administration and promotion of Justice, they shared in the vnrly degrees of campr. the greatness of a prouci. n' CU h'm hononr'le' prouciSn. Every stream not only Kulptura from the bedrock (he cbnnel in which the WM but rkes into itself it part of the linn of linn chinnr and n Ident-lyed by it. Similarly, HD lawyers who honor-whether the currents of their lives and law practice were a pan Of

the main stream of public service or whirled them lin. tile mor sheltered wrcr of a tributary roly, nil' absorbed into their mck-tij mid charac'er a vital part of the chinnr), the p'mun- m-LIVH muchness of Juices. Tim eoncl-ty carried the Indelible xinnji of his i'rofcMhin.

"In the drimrcry ur tin- deuil," as John J. Ingalls has painted out, nil' arctun equal. Them in neither rant nor intion In the republic of the strati. At this foun' ih'p'mid. DIVPK, relin. m'nhra his m'lon and I'mmit big roc". The utrongest there boa no-ol- linnicr and the wenk-d need no de- j'mno. Tien n Inn IN Kuture'o Qooi, mlwrcv IN & Jilly.

In more i'wcoml w-li. wo uoiv i'f- n'ulu to our departed j'roff'lonal broh'era, our friends and f'ultu-wor' men, as we close ranks and return to the bent and burden of the day - "Good night, Good night, as we go off have said Beneath this roof at midnight In the days that now are gone And shall we seldom meet. Thou hast but taken thy lamp And gone to bed. We stay a little longer To cover up the embers that still burn.



Thlrcu ying coo to ths rcry day. n January 8, 1031. Mr. Justice Cr- dozo, in Svrer's Common textu Mar- llatachmullt, auu-d. The concept of flmieM must not be strained ill It is [narrowed to a filament. We nre to keep Uie balance true." THIR IS THE IHOIMIC taliiiv co or our proteMlou.

As wu Kotlr. resullion from ths memorial M-rvcc and reditrate our awn lmbom to ths exacting standard. It ill well to contemplate the legacy whb in qure "Of the CO sister" of the Declaration of Independence, 33 wre law- yen. "Of tho K delegate" to the Constitutional Convnytion, Xt wen luv- yen. The rcry framwork of our Gov- crnmcu and free luitUmions ls largely the architecture and the craft mar- shal of the brains nud the lndcr-shlp of the Colonial lawyer. Today, the minority of Uie Governors, our States, our United Stale\* Senators nud Congress- men arc lawyers.

In Maniaud—both United Stale\* Senators, our Governor, tho Mayor of Halthmore City, and tho raid majority in both branches of the General As- sembly—arc lawyers.

The considerable contributions to the public weal by those who honor today emphasize ths peculiar capacity and genius for public service on the part of the Rood lawyer. Of the twenty-elcht who bnvc died during the inst yr, we Dud two JuilckKfomu or thcm a num- ber of (lib Bench, Judcc McLauhan, wltic memory wu an his nMocies and friends dsmanded, tho D. S. Senator whose achnoirapl and lmmills earned for bla n national reputation. lro PrcluduU of tho Baltimore Br. Associa-Uon, n States Attorney for Untl\* more, City, n Attorney-General of Maryland, n President of tho School Board of Halthmore City, nro others who, cjiwll. In thls pracly before Court and Jury nud as public-spirited lndcr\*, distigulshed thcmselfs in the community. To such men, Uie prac- tice of law nvr degenerates Into a dally trind or treadmill of routine task\*.

My nvr nud limplmou In ths lives; nud imdic service\* to do our part lu ths cIRaitic Jobnhead of us. That Job ill iccep our own house In order- In the community, Slate and nation. Thnt Job ls to restore stability and solvency to our economic and businss structure. That Job ls to check the reck- less\* expenditure of public funds nud to udertnre n (sensible reduction In the bnck-hrenkinc and sky-rockcting no- lonnl debt. That Job In to lake Uio federal Government, which owns about oue-blrdof the nren of the United States, out of ths red Mink businss. That Job ls, to check tho encroach- ments upon our Judiciary by n multi- tude of administrative boards nud mltimltions. That Job ls to crub the serpent of racial and religious bigotry whenever nud whercver It rears Its ugly head and bores Its fangs.

Hint Job 1\* to meet bend-on the In- jmsc OJ manncment and tho labor unions, to safeguard tho right\* of cadl bnl to subordinate tho interests of both to the public good. And, on the Inter- national Becm, that Job is to work un- callinely for Uie coal nud dream of every free lawyer from the time of 1900 GroUus to tho trials at Nrem- burg, to replaco Uio law of the Jungle by ths Rule of law and order nud decency in International relations. That Job is to support Uie United Na-Uon, Oprnlnation and tho Interna-Uonnl Court of Justice and thereby lamcn the dry forescen by A-nvvia ID Lockaly Inll when—  
"Is common nnie of nell  
—bill hold \* inkru mta ir. ant  
—and the kleo earh ihilltotatw  
—p ID halteru Uir.

Tlic Job abend for the Individual law- yer and the omniphil Hlr—o crlllra- Uon, wlti Its back lo Uie wall, fights for IK life. In no less thn Juil that.

This report of the Committee, tho memorial raluile, and the addrcsu of the members of the bar will be re- ceived nud prvfnted ntpon the penna- nent records of tills Court.

## Biographical Sketches

### OIASENOB K. BOWIE

Obrcnco Keating Bowie was born lu Baltimore on February 14, ISS1, and died January 13, 1010. Do wan the eld- cat of three children of lnddOid Bowie aud Blanche Crouch llovic. Ills father's family was from Prince Georgev County but hnd mored to Baltimore EOIO time after Uie Civil War. Ills mother was from Sent Coan- ty, MD, she married Helen U'chard, who, tho daughter of Mr. nud Mm. Will Ham G. ItcbardBoa of lllalUmore.

He attended the public schools of Baltimore and completed Ills courses nt City College In 1000. However, be did not receive his diploma from City College. He was one or tho editrs of the Green Has, irhlich was Uio year- book of tho City College. Tho faculty became displeascd it some of the mat- terial included In Uie book, wold board fun at Uie faculty, and tho school Board dsmanded, ths Uie offendlng portion bo removed. Apparently, ths material had nlrady been cent to ths printer nud set up In type and Uie cat- ing for the pictures had already been made. Tho editors bad uo addUoal funds wlti whlch, to finance Uio necessary dinner, including substitution of differ- ent material. Furthermore, they saw nothi\* barutal In Uie orlplnl councl's of lru KKI am jrticed In Uio Ujccction of the School Board. The result wan that notit of the editors nxvrted dlplomas. The ranlcr lva% rvlvid (kalm In 1030, when an rTort, lrs lnuc by tho l'renlchm of City's Alunul Anuchition In luvic l'lic School Board rrvck dlplomas to llvve men. It the School l'onnl refused to tvicud Uio action of the earlier Board.

White ntending City College he cu- cased lu a number of cRmcurrcubai activities; particularly In sports, kirtnj bovc. Cradual of the track team, a member of the hand ball (eam aud foot- ball team.

Afier Outshne nt City College he ntended Uio University nr Maryland Law School and received bis LL. U. decree in 1001. At the same time he was employed wlti Uie J. S—Johnson company during the day time in order to earn Uio money to go to Law School In the evening.

After graduation from the Unlrcity of Maryland Low School be decided to pursue lit\* lesul itudle\* further and attended the Durnrvn L-r-ir School, where he, -mituiccc) Cum Uuile In 1007. He MW one of a few men who ar that time were allowed to enter ll'c tchool without luvinc hnd undcrRrmdual co-urssl or a college decree. While ar- rvdup nannrl Prw School-lie did notion try\*\* of work on the ride, to Cam tho next\*way mngar to comM— bin Hucklel. 1'ne of thU wurk wu the preparation of the article "The Law- yer for Cye. Hi-nIM did l'p) It'—U'—Uor Dr. Ames, then Dean of ths IUUV School, who wng nl llvvt thm-nrtlck one of ula books.

U'UHll lit\* n'com to Unllmln- In 1007 ho lwrcn nMocllml wlti the Dnn of Fether. lruco & P'ubcr. In 100U be led that firm to open n ollico of ll'- own n' practice n' luvvce until 1903. At the luvve Judcc Morik & Sopor's r'etlrcment from the Supreme Bench nr Baltimore— City tho firm of Snpr. Howie l' Crnk was formed, the (bird member help Walter U Clark. Tali firm continued untl Judcp Saper's ap- pointment to the Federal l'ench ID 1021, nt wuleb lime Uie firm became known n— Dowlo & Clark. In 1021, Eil- ward H. Burck lwclime a mctiur of ths firm. In 1127 Mr. Clint; opened a \*e), n'nte otlice and the firm name w' changed to Dowlo & Durke. Tula con- tinued to be the firm name untl Mr. luvvle's deuth n' Jnntury 13, 1010.

In Illk early years at ths Bar, Mr. Howie ls-ccallcd In cnultry practice, in the constructlon of deeds, and wills, wlti remarkable success. He also prac- ticed in the various law courts of the State real tclvntu lay elsewhere. Ills practical buidncs'4 experience, his knowl- edgc of accountancy, his good Judgment, nud fund of common luvvce, lu quick mind, espially v'od at ths urttf coupled wlti ll'x Haud l'ca'l attitudo and ciccitUo Uio ability, cipccllur Julmllll h'om an a businss lawyer anal (or many y o and untl hls deatb no r'as recognized nK one of the l-ut IB thU l'ipccilized field In Maryland.

He was cMentllly a buidcr anal op- tlmist. He d'uked the undrknlti' of work for others. To take an approxi- mately huiclessly luvvoclul luvvcc until to rejuvenate It nud ma tlc u'cccssful throush prudent munncotitc, ivtl d'—ccally appealing to him. An In\*lam\*, or hls wrk in thls rcjctic In ths-Term\*, l'nd U'culluc nud FreeIne Campani\*, n'w jurrl of the CouKolded n'c C—m- m'ncr. Another In a TULIll It ain Sigm\* Campan, now known n— Eastern Sub\* r'vntilnes, of which he wan l' m l' d'ent- at the time of Ills deatb.

Mr. Bowie was a member of Uie Bar: AnMwallow of lllalthmore City, ths Maryland Stittc—Har Atctualuul nud the American Bar Astoculauon n' r'ered on several committees of U- City nud l'ic Stale Unr Avoiclaton. U. From 1018 to 1021 lie WOK n member of the l'ncranc Committiv of the City. l'nr Assodn'Un, nud from 10H till hUC, death he wan a number of the Com- mittee to audit Bar members following ths release from ths market of ths Bar. l'K committee actIU' n' l' connection wlti the State Bar Avo- cation l'nd h' membership on n'w Committee on the Incorporation of the l'nr In l'itt. Clmllnau of the Xomlnt\* line Committee In 1012, Clmllnau of ths Committee on l'vcc Education In 1018, member of the Committee\* to Hecur\* Adoption of the l'k-ccmentatlonof ths l'ndd CommMlon. l'ndidius Uio r'— r'arration of the Court of Aniealfs; lu 1013 nud 101H.

In IDS he was Vice-TrrMoot for the District CRIOU and Secretary for Mary- land of the Harvard Law School Aso- ciatlon.

l'x. Howie took an active p- n'cc in political and civic amln. It was aUf, h' m' b'nd thnt ths l'ur, cutu U' l' l' community l'utcrw by avoldine public ollec' am'—; h'udku WB effort In Hupput of wrKJ—; while candidntc or l'rojectt for cl'lv U' Improvem'nt. It was U'itcouwo-flwv' action Uio he followed throuhout aj' l' life. He J'crl only two public post'kr.



debating society. In 1874 he was elected when WIXOH had declared his fame in the Nation. It was a matter of no small pride to Mr. Bruce to recall that he had won his debating contest with Mr. Wilson.

In 1876, Mr. Bruce received his law degree from the University of Maryland and entered upon the practice of law in Baltimore, May 30, 1876. In 1881, he entered public life and was elected to the State Senate from Baltimore City. In 1880, Mr. Bruce was elected president of the State Senate. An ardent member of the prominent law firm of Fisher, Bruce and Fisher, Mr. Bruce was engaged for a number of years in general practice, specializing in corporate law. In 1901 he resigned from his law firm and became City Solicitor of Baltimore City, which office he relinquished in 1905, when he resigned and returned in partnership in his former firm. In 1901 Mr. Bruce was appointed General Counsel of the Public Service Commission of Maryland upon the original organization of that Commission.

During the year 1923 to 1925, Mr. Bruce was elected one of the United States Senators from Maryland, during which period he served as President of the United States. At the end of his term, Mr. Bruce was again named Governor Ritchie as General Counsel of the Public Service Commission, and held this post until January, 1931, when he resigned. He thus served as General Counsel of the Public Service Commission for more than sixteen years, covering the formative and organization period in the life of the Commission.

Throughout his public life Mr. Bruce was distinguished for his courage and independence. A Democrat by faith but a liberal in his fundamental principles, his individualism was never controlled by party regularity. In his own language, party regularity was "a condition of servitude to be abhorred." His intellectual honesty led him on many occasions to break party lines and to ally with the opposition, and his personal courage defied all vicissitudes of party discipline.

Mr. Bruce married Miss Louise F.W. daughter of his senior law partner.

After his retirement from public and professional life, he found his principal enjoyments and distractions in his study and literary pursuits. He was the author of a number of books and articles of distinguished public character. He had a keen power of observation, a store of knowledge, a ready memory, and a command of language which made him a charming and delightful conversationalist in his belated circle.

*E. T. Saruhan*

**M. LEE COHEK**

Mr. Lee Cohen died on November 7, 1910. In the forty-eighth year of his life he was in Baltimore.

Mr. Cohen was a graduate of the University of Maryland and was admitted to the Bar in Baltimore in 1868. He was not active in the practice of law although he maintained his interest in professional matters. He was a member of the Maryland Bar Association. The State Bar of Maryland was organized in 1870 and Mr. Cohen was one of its original members. He was a member of the Baltimore Bar Association and the Baltimore County Bar Association. He was also a member of the Maryland State Bar Association and the American Bar Association. He was a member of the Baltimore County Bar Association and the Baltimore County Bar Association. He was a member of the Maryland State Bar Association and the American Bar Association. He was a member of the Baltimore County Bar Association and the Baltimore County Bar Association.

Funeral services were held from his residence, 1014 Calloway Avenue. He was deeply interested in the affairs of his church, the Beth Shalom Synagogue, and his widow, Mrs. Sadie Felctynia Cohen, and one daughter, Miss Cyril Cohen, survive him.

**With the CONSTITUTION.**

**MYBOH HANDLER COTTON**

Myrou S. Cotton was born in Baltimore on April 15, 1901, and died June 10, 1910, survived by his wife, Mrs. Jean Handler Cotton, whom he married March 31, 1930, and two sons, David Myrou and Hubert Joseph Cotton.

Mr. Cotton was a graduate of the City College, the Johns Hopkins University and the University of Maryland Law School. He was admitted to the Baltimore Bar on December 20, 1933, and practiced law until his death. He was a member of the Board of Directors of the Baltimore City Board of Health and a member of the Board of Directors of the Baltimore City Board of Health. He was a member of the Baltimore City Board of Health and a member of the Board of Directors of the Baltimore City Board of Health.

**With the COMMITTEE.**

**JAMES UPHUE DBKNS**

James Uphue Dennis was born at Baltimore, Md., on July 1, 1850. He was admitted to the Baltimore Bar on June 1, 1876. He died at his home, attended by relative and medical friends, at the Allison, Monday, November 23, 1910, of pneumonia, which brought an end of suffering due to an illness of over two years.

Mr. Dennis was the youngest and the only child of the late Dr. George Robertson Dennis, who represented Maryland in the United States Senate from 1857 to 1861. His mother, Mrs. William Wilton Johnson, of Prince Anne, was Senator Dennis' second wife. Mr. Dennis' only brother, Judge John Uphue Dennis, of the Supreme Bench of Baltimore, was Mr. Dennis' senior brother by twenty-four years. His education was in the common schools and at the University of Maryland. He was graduated from the law at the University of Maryland in 1876. He was admitted to the Baltimore Bar in 1876. He was a member of the Baltimore City Board of Health and a member of the Board of Directors of the Baltimore City Board of Health.

Mr. Dennis was married in 1912 to Miss Louise C. Cambridge. She predeceased him by six years. They had one child, Miss Ellen Johnston Dennis, now of New York City. Mr. Dennis was an Episcopalian, a member of the Democratic Party, and loved the Emerald Shore and served as President of the Eastern Shore Society of Baltimore.

**With the COMMUNITY.**

**TRAXX L DUKOAK**

180-1010

Judge Duncan passed away at the Union Memorial Hospital in Baltimore on May 11, 1910. In his eighty-fourth year, he was the son of John D. Duncan and Catherine Jones Duncan, who were born in Baltimore and later moved to the Emerald Shore. He was educated in the public schools and at Milton Academy, and was admitted to the Baltimore Bar on June 1, 1851.

Judge Duncan's first employment was at his father's central mercantile store in Baltimore, and later he became a partner in the firm of Darby & Co. In which capacity he traveled by horse and buggy throughout the South. He married Miss Clara Eaverly of the Emerald Shore, Va., on February 14, 1852. They had six children, of whom six are now living.

After his marriage he became inter-acted in the legal profession and was encouraged by Mrs. Duncan to enter the University of Maryland Law School. He was graduated there in 1881 and was admitted to practice law on September 1, 1881.

Journalism appealed to him as a civic-minded young lawyer, and in 1885 he purchased the Baltimore County Herald from the late John T. Bnsor.

He changed his affiliation from Republican to Democratic and returned to the Baltimore Herald. This paper he edited over twenty years.

He was appointed counsel to the Board of County Commissioners of Baltimore County in 1887, and at a special election in 1888 was elected to the Legislature from Baltimore County without opposition.

In 1888 he was appointed State's Attorney for Baltimore County to fill an unexpired term of Uic Int' N. Charles Burke who was appointed Associate Judge that year, and in 1891 was elected State's Attorney for a four-year term. He was re-elected in 1895 and in the general election he lost to a candidate defeated by less than one hundred votes in the Republican landslide that year.

He was appointed State Insurance Commissioner by Governor Winfield D. Fowler.

When Judge N. Charles Burke was appointed Chief Judge of the Third Judicial Circuit in 1903 to succeed Judge Fowler, Judge Duncan was appointed by Governor Winfield D. Fowler Associate Judge to succeed Judge Burke, and in the November election of that year was elected without opposition Associate Judge for the five-year term.

At the expiration of this term, Governor Hitchcock, by appointment, continued him in the judicial office until the next general election when he was again elected without opposition Associate Judge for another five-year term.

He completed this second fifteen-year term by Special Act of Legislature, having served on the Bench for over thirty-one years, and eight years beyond the present retirement age of Judges of this State.

Shortly after his retirement from the Bench, he was appointed by the Federal National Bank and later lecturer for the United National Bank, and successfully visited a tour of several banks throughout the State.

He was a Unit Master of Mount Mt. Lothrop No. 110, Ancient Free and Accepted Masons; and a member of that lodge for over sixty-five years. He was a member of the Scotch Lute of Ancient Free and Accepted Masons in which he held the 32nd Degree of the Grand Master of the Court, or Honor, he was Grand Director of Ceremonies, Emperor of the Grand Lodge of Ancient Free and Accepted Masons of Maryland at the time of his death, having been actively in that position for about sixteen years. He also held membership in the Striving and was the oldest member of the Maryland Veteran Association of Maryland. He also acted as one time Grand President of the Post Masters Association of the State of Baltimore, and was a member of the Sons of the American Revolution and the Sons of the Confederate States.

He was a Past Grand Master of the Grand Lodge of the Grand Lodge of Ancient Free and Accepted Masons of Maryland at the time of his death, having been actively in that position for about sixteen years. He also held membership in the Striving and was the oldest member of the Maryland Veteran Association of Maryland. He also acted as one time Grand President of the Post Masters Association of the State of Baltimore, and was a member of the Sons of the American Revolution and the Sons of the Confederate States.

He was a Charter Member of the Towson Lodge No. 100 of the Benevolent and Protective Order of Elks and had served as its Grand Lodge of this Order and served on its Judicial Committee. Not long before his death he held honorary life membership in the Towson Lodge No. 100 and was conferred upon him with appropriate ceremonies.

He was one of the organizers of the Towson National Bank and served on its Board of Directors. He was also one of the organizers of the Towson National Bank and served on its Board of Directors. He was also one of the organizers of the Towson National Bank and served on its Board of Directors.

He was on the Official Board of the Methodist Church at Lutherville, Md. He was President of the Board of Trustees of the Joint Independent Methodist Protestant Church, a charitable organization.

In 1902 he was appointed a member of the Board of Managers of the House of Correction which position he occupied for a number of years.

He was a member of the Board of Visitors of the Maryland State School for the Deaf at Frederick, Maryland, in 1902 and until his retirement in that institution.

He was also a member for about twenty-five years of the Board of Directors of the Hospital for Consumption of Maryland, better known as the Rudolph Sanatorium in Towson, Maryland.

He was President of the Maryland State Bar Association in 1933-34.

The thoroughness and integrity of Judge Duncan's part from the Bench has left convincing proof of his earnest interest in the relief of the oppressed, the afflicted and the sick. The eminence he attained in the great fraternal organization of which he was a member by his fraternal work in the lodge, association and work in the home of which he was always a faithful member, and his work as a truly Christian man.

Judge Duncan was much sought after as a public speaker and gave many addresses on non-controversial subjects not only in Baltimore County but elsewhere throughout the State. His work in his home in contact with the afflicted and the aged, and his unselfish interest in the welfare of his fellow men, were his chief sources of satisfaction.

He delimited in his jokes and anecdotes which he had in great collection, fitted for any occasion, and he told the stories with a wit which was unusual. It was well known that he never uttered a word which would offend anyone.

For thirty-four years he presided over the Circuit Court. During that long period he heard many cases, in law, in equity and in the criminal court. Lawyers of his times appeared before him, the young and inexperienced, the aged and the learned, the obscure and the famous. In all kinds of cases, from the trivial to the most important, attending to the property, the liberty and the lives of the litigants. He handled the business of the Court with a dignity and with a respect which was fitting for his position. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law.

His decisions were seldom appealed and when appealed, were seldom reversed. As a Judge he was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law.

Upon his retirement in 1910 he was given a \$10,000 pension by the Baltimore County Bar Association, which was allowed by Governor Nice, almost every Judge in Maryland, many State law courts and a great many lawyers.

He loved the work of the Circuit Court so much so that when he was offered his appointment to the Court of Appeals he refused to accept it. He was Judge Banker resigned from the Court of Appeals in 1920, immediately thereafter unanimously endorsed Judge Son, an able successor, and Governor Hitchcock was quick to offer Judge Duncan the appointment but he declined it. He had refused to remain among the "idle men" he loved, among the "idle men" he loved, among the "idle men" he loved.

It was inevitable for many of Judge Duncan's nature not to be interested in children, and sitting in the Criminal Court, term after term. It became routine to him in the extreme. His work was to him in the extreme. His work was to him in the extreme. His work was to him in the extreme.

He was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law.

As Judge Ducaqui organized II, the Juvenile Court functions through a competent and highly trained staff of probation officers and judges under his supervision. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law.

Judge Duncan's lasting monument, and perhaps his greatest, is the Juvenile Court which he founded. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law. He was a man of his own mind, and his own law.

(grandchild; twb-brother\* St. Edw nrd M. Duncan nrd Ooogo C. Duncan and two SIMM, Mr. J. G. Jlanvilg and Mr. Clmrcl N. Iarrist. J. dtrar J. UUTI-C.

**JOHN v. i. FINDUY, JH.**

John V. U Findly, Jr. was the ion of John V. L. Findlay nrd Mary Kccyjc Findly. the latter of Ynrk. Pennsylvania.

John V. L. Findly, Jr. was born lu Ballmore in January, 1850, and received his early education thro and Mibe-venty entered the Unlvrsty of Princeton where he spent four yerri. Later Intending to follow lu the foot-step\* of Ills Inthcr, ho ntended the Harvard Law School for his lccial education. Then having been admitted to the llur Of Baltimore on December 111, IMH he entered the law oWccs of Findly and MncKcuic, bb father bdu at that time a leader oC the Baltimore Bar, and was considered one or Its most eloquent speakers.

Mr. John V. L. Findlay, Jr. nrrm Misa Courtney O'Donnell and Ujcr moved from Dnllmore to an estate lu Howard County and known as "Oakland Manor." This estate was located lu bv.tutl(u) nrlcnltural countryside and was lot Er\*lr,m Doncoron Manor. At this estate they entertained Uiclr friends with the greatest ho\*pitally.

The father of John V. L. Findly, Jr. IHU been a Congressman from Maryland, City Solicitor of Baltimore and ivns senior member of the well-known Una of Fludlay and MneKcnsic, omlouded above. Itcjoyed a larje practice and bad a wide circle of friends.

John V. L. Findly, Jr., was a n rann well educated, was scarcors and thoughtful and greatly beloved by his friends as his father was before him, and wat pre-eminently a gem/cmam.

He died on July 13, 1914, at Ainn-oib, Maryland, where he lial resided for several year\* and was buried at Greenwood in the City of Baltimore.

He is survived by t daughter, Mrs. Glen Carter, nny rccidnt at 3021 Canterbury road, Gullford, by a son, John V. L. Findly, Jr., 111, oC 307 Alpiatu road. Unit Mo re. no bi also survived by one sliscr, Mrs. Yorkc Allen, of New York.

John L. O. Uc.

**BENJAMZK H. OBISWOLD, JIL**

Mr. Qrlswold was born on Adjust 1, 1674, n, dics July 27, 1WO. De Iked bcc it few days less than seventy-two yearn. Illa preparatory education wat lit the private school of George Q. Catcy In Baltimore City. In 1801, 3obrU Uti I. Uclvcrsity conferred upon him the degree of Bachelor of Arts. In 1807 ho was graduated from the School of Law of the University of Maryland, wltu He rtrirc of Bachelor of L\*ws, ivam, and stultit to the praclicu of lnrw Juuo 11, 1808, nnd quikly became actively and successfully engaged in the pursuit of thl UUL profession. In 1801 he became

fenlormcmber or the law firm of Grls-wold, Thom nnd Jenkins. Tills partnership continued until 100\*, when he enr-trec the bankinc Una of Alexander Uoruv nnd vny Ho became r'mor Jururct In thnt firm In 1024 ana re-reated such up to the time or his death, at all was a busy and uccful life. Ills MccOeas-hs already stated, were successivly thojo of a lawyer nnd banker.

His avocations were upgror\* varied nnd Important. From 1811 until Ills death, ho was a trustee of Johns Hopkins University. Jo labored indefatig-ably and successfully in hid behalf. He wat Juilo Advoctulu of Maryland from 1810 (o 1020; president of the Board of Trustices of Wlnters Ari Gallery from 1810 to 1034; president of the Board of Trade of Baltimore from 1010 to 1021; president of the Alliance of Charitable nnd Social AKCria of Baltimore (the predecessor of the Community Fund) from 1010 to 1021; member of the Maryland Council of Defense; chair-man of the Maryland Educational Stir-vey Commission, 1010-10; chairman of the Investment Bankers Conference, 1807-10; 1012; Maryland chairman of Cmuulh-Kc fur Economic Develop-ment; member of the Xccuvor'n Soc-ety of England.

He abandoned the practice or Illl law with deep regret nnd froo u renre of Iraieratory duty. His micro\* n In the law mid Uic admnlstratuon of J\* n\* o\* and comc wtth his uccompl-ished banking business I u YK B, so survived to the end. His active and Inquiring mind found time and opportunity to concern Itself with the progr-nl of the lnr and the improvement or llo. dlvolutuon or justice. He was an earnest advocate of a reformed Judiciary and of a stem of election of Justices, intended to secure that result.

It was lu who conceived the lllu of the cunllllslatut at Johns Hopkins Unl-verytly of an Institute of Law. Thl- wlll ItD be not merely another school for the training of lnrwycr, but, as ho enrtrouled It, It should have Ill wdccr and loftier mlsslon. The Inatlitutc should JK prloritly devoted to the study of lnr and lu administration as a vita) unctlon of vodety, and to their elevation nnd Improvement as Such, Mr. Qrlswold wat Illically rll hlt own nrrr, and ml nld lu the fecundly of his genius in the atgrcnly providing an endowment Initially adequate for the purpose of the Institute. The plan resplcnded widespread upprobration. Lend- ing; judp\*; Inducllur nlmort all of the United States, and outstndnK Im-veyr throughout this country expruied Ucll warm approval. The Institute, with its excellent faculty, wat established and In-tituted with GUccss for KQveral years. Its aperlent had to be nnsup-erced after the r'ACK of 1820, when many of the contributors In Uic endowment found thomclvcx uuable to fulfill thclr pledges.

In tills lmmofuac sketch us effort has been made to cover the extenslr ran'cc of nctlvlen of thlx vlsorous nnd runny aided personality. The attempt linn been merely to KURRCC In nnnce of the nort luporlant of these actlv-ly-lcs. The emphasis has been so'hy

ErIJSS Ce^ fl n' ffa'lr 2nd ffl He was a moftul mC valuable cltlen, ncclovlly by coajur-, hlantcarml cly-, In a twm-5 led In an unusual lctlc'n r'wov of dvlcnnd publudt, which led to an undertake nnd accomplish tasks an nrogron un varied as td be beyond the Allmlntcn of a lelu dynamic, re-ourefull and capable roan. He wat nrd solely the moan of affair. lo wnt a lover of the oat of JOOM and tccu sportsman. Do vnnt a deeply re-llou fian, n l'lovcd libuban and father. Ho had developed a profound and wise philosophy of life, strikingly original In some particulars, In accord-

onco with which ho projected and shaped his course of conduct. On was versed In UUmuro and the arts and wrote in excellent style, with imagination, nnd often with poetic feeling.

nod fate permitted Mr. Qrlswold, as he had wlttted, to a p'ae- l'larc attained a pos. on of cunscnc nccourp-llcl o'n. That c'actuly was n' l'IS' In I'. V. V. PKY. 1808. Another odd of activity, tozctwr wltz n' AAA, 1.0 rrvlces lu o many nod n'nc' n'uc' n' n'ull have been farorably Induced nnd enhanced lu value by IH l'cn' tralltus and exprv-ence Uc was a better citizen for having been a lawyer.

W/ Frank.

**JAMES D. QUYTON**

James U. Guylon was born lu tho Green Valley of Baltimore County, Maryland, on September 28, 1802. Wtlo he was still a boy, ho nnd his family moved to Uic City or Baltimore, where he received his education.

He studied lnr In the ofllc of the l'cltce Ooorse Q. Hooper and the TDLIT-C-ity of Maryland School of Law from which he received his DL diploma. Upon his nndnntuon to the Bar, September 23, 1821, he was formed an n'uodUn wltt Mr. Hooper.

The Into Mr. Cuyton was always deeply Interested In tho welfare of the City nod was quite no Influential Dfrire In political drdes of the Democratic Party. At ono time ho was a ncu-rlt of the old Second Branch of the City Cooidit of Baltimore durp the admnlstratun of Mayor Thomas G. Jnycs.

On the twenty-tyCnath of December, 1869, he passed nway suddenly, Icar- nng surviving him his two stater, Mrs. William F. Hell and lltts Ella M. Guyton.

Juttntut Oauld.

**QBABIX MOEHLI HOWARD**

Diaries Morris Howard, jrreal, Real Estate of John Engr Boward, was born, lived and died lu Baltimore. He w- lam March Jil, ISO) (the son of U6 Inte Frank loivnrd nnd his wife, wiu was Miss Todla Morris) and died on Decuuvir, 13. IUJQ nfter several years Inactivity nnd virtual retirement. Uo married Mr\*, nrrrlct IVndO SK-ncc widow of William Wallace Spiccn, Jr., In IMO, MM. Howard tled v- In July, 1033.

Mr. Qowan 'wnt a biddy educated' and beautifully cultivated man. Be- n-nd widely; kept up his Inlrcjt In Latin to the last; and was an accom-

to'1 Sgg&tt^SJJ, n' tastes were I' te M. o' n' n' and tumblo of fflal work did not much appeal to him. He was a gentleman of oclat Gifts, nnd bchooled to moor dab!, as well as scholarly Rroupi. Early In hls 'OCuloml career he came un- der the Influence of the late treat- Seven Teadsc Woll) nnd was loan undated with him In the practice of law. Mr. IVall, in Illp day, was about He r'ntai milit ant nnd successful leader In the State nnt nnt crooked polities, nnd EDdix gave a moment and humble In- g' d'ad l're. He nrrrd n number of the Itefom Instltutlon, and he was Its president wllle Mr. Howard was Its secretary, and

He nrrrd n number of the Itefom Instltutlon, and he was Its president wllle Mr. Howard was Its secretary, and

Inter Its president, Mr. Bownd (ol- to wwi the Teackle Wnlllax example BU his life. Be HOI sympathetic and ener- Gtic in promoting needed reform. The Prohibition Amendment to the Constitution was particularly obnoxout\* to blni; and lie helped organise th U- berty Leapic, pledged to the repeal of the Eighteenth Amendment. About 1010 Mr. Bownd won publicly critical or the conduct of the State's Attorney's office under A. S. J. Owens, tien State's At- torney, and Inter Judge. Mr. Owens be- luevd such crUlclans were unfair and were due to misinformation or lack of appreciation of th conditions to be met. Whereupon lie Invited Mr. Howard; to Join lib staff an assistant Suite's I Attorney, look around from the inside; for himself, and take responsibility for correcting faults. If any. Mr. Buward accepted, and for several years prac- tically performed the strange and tmconspicuous duties of a prosecuting of- ficer out or a sense of civic re\*iusub- lity.

Mr. Howard was a graduate of the University of Maryland Law School and was admitted to the Bar In ISS9. He was also a graduate of the John\* Bonklnx University, daits of ISS4. lie was a former president of the Balti- more City Dar Association.

By the Committee.

THOMAS JUTOHELL JENIFER

Thomas Mitchell Jenifer, son of Thomas Bistow Jeni'for and Edith Mac Jenifer, was born lie lromc at wllclie Ills family bo resides for generations near Loch Haven, Baltimore County, on July 13, 1001. After attending the Baltimore County school\*, hi- was erudiated from the Johns Hopldus Culversly In 1024 and from the Law School of the University of Maryland In 1K7.

After being ndmltted to the Bar in 11027, lie and his brother, H. Courteyau I Jenifer, then State's Attorney for Bnll- jutote County, formed the firm which has since been known as Jenifer and Jenifer. He practiced law in Tomson with his bro\*Ur nUl lie was appointed as a S'istnt Attorney General by Governor Herbert II. O'Coonor, who wan then serving ns Attorney General. Mr. Jenifer was assigned as the legal ad- vper to tic State lromls Commission, and In that capacity, tried many con- demnation cases throughout tho State. As the natural result of his Stato-wldlt activity, he became known throughout the State of Maryland us one of the leading authorl'Ucs on condemnation law. Mr. Jenifer was attached to the State ltoads Commission until the time of his entry Into the United States Army an a captain In the Judge Advocate General\* department in February, 1M2. Be served In the Army Tor more than two ywirs, his Inst post being that of assistant Judge Advocate to the Persian Gulf Command. After be- ing placed on so Inactive status by the Army, si., Jenifer roinovld hb office in rowjion, when, bo was active In lefln circles until the time of his death on February 10, 1940.

Being blessed with a pleading person- ality, quick and ready Intelligence, ability easily to grasp facts, and an "HT" in the court room.

Throughout the year of his practice he \*\*\* enaQK'd In Jlern-Hy hundreds of cases, many of which also he argued in the Connt of Appeals.

Mr. Jenifer's mother In the sister of Hon. Walter Jenifer Mitchell, for \*\*\* years State Senator from Charles,

County and member at the Court of Appeals of Maryland. He was also a legal descendant of Daniel of St. Thomas Jenifer, a delegate from Mary- land to the Federal Convent lou at Phil- adelphia In 11ST, and a signer of this Constitution of the United States.

Mr. Jenifer In survived by his tuotbr and brother, Walter Mitchell Jenifer, his half-bro\*U\*, It. Moore Jenifer and B. Courteyau Jenifer and Dr. Daulof of St. Thomas Jenifer.

Mr. Jenifer was a member of and faithful attendant at Trinity ProtMtut Epilcopal Church, Towcwo, and he lies buried In Prospect Bill Cemetery at Towson.

John Q. Turnbul.

LAUBENOE B. KAUTMAN

Laurence S. Kaufman, Ion? in active practice and a recognised specialist In criminal and commercial law, died sud- denly while playing a social game of cards with friends at the Elks Club on July 13, 10W. He was a son of the late Charles and Barbetta Kaufman, and was born In Baltimore August 13, 1855. Be spent all his life In Baltimore. He was a graduate of the Baltimore City College and or the University of Maryland Law School. Be wno admitted to the Bar on September Si. 1000, practiced law with his late brother under the firm name of Kaufman

and Kaufman.

Mr. Kaufman, who was a bachelor, Is survived by his sister, Mrs. Benin Bngciscnscn.

He was a member of the Baltimore City, Maryland State and America) Bar Associations.

Funeral services were conducted at Ula home, 2MB BrookDcld avenue, by Cantor Beujumlu Orobaln, and burial wnn In the Obch Shlon Cemetery.

Fly the Committe.

EOBET F. LEACH, JR.

Robert F. Leach, Jr., a native of Somerset County, Maryland, died at the Johns Bopklns Hospital on August 28, 1M0.

Mr. Leach was born March 5, 1873, ami was nemo) for his father, Robert Fulton Leach, of Fnlrmount, Mary- land. Bo was educated In the public schools, studied law nt the University of Virginia, and be an hU lons and active career at the Baltimore Bar on May 20, ISO1. ISO1 Big wfe, formerly H54 Grace Blchcn-, predeceased him. Ho is survived by a daughter, Mrs. Willard C. Holloway, of Baltimore, and a son, also named Robert Leach, of the United States Merchant Marine, who was nt (M when his father died.

Mr. Leach spent his oduIt life In Bal- timore. Be wns a Hie-look Democrat, and always participated In political campaigns. Be was a close IKITHOUU and political friend of De late Democratic leader, John J. Motion. Mr. Leach served for a number of years as asab- tant city solicitor under the late S. 9. Field. During the period, 1010-21, he served as State's Attorney for Bohl- more City. Be personally appeared In the Criminal Court almost dally, and prokucted many notable criminal cases with vigor and effect. Serving under blm In the State's Attorney's office were Governor O'Coonor, then starting his legal career, and J. Bernard Wells, tho present State's Attorney. Upon retiring us State's Attorney Mr. Leudt wns OModated for a time In the practice of law with BOD, IVillam Outran, later

Attorney General. At the time of his death Mr. Leach was serving ns Stat\* Librarian by appointment of his for- incr sulwrldmtic and assistant State's Attorney, Governor O'Coonor.

11.1thv Committee.

JAMES CRAIG McLAHAHA

Justies Crals Jk-I\* iinhuu, no asso- linte member of the Suprmi- Ik-uch of I Haiti more City, died at his home In Baltimore, Maryland, on llnn-h in 1940.

He was a lons Ularv.

Judge McLaahaui was born lit Bnll-I more on April US, 1851. His father nan (be Kevcrcnd Samuel McClunnum, sin- uosior of the Lafayette Snumu-Pnsby, terlin Churdi, and later pastor of the Lawrencecvllle (S. J. I fresbyterlan Chur-h until his lileatn In 1912. His mother, who was Maude Imbric, died in 1878. While Judge McLaahaui was very young, his father married Miss Mary Illuor Lntaoe, daughter of the late Btlspio James A. Latane, who was a d-vcud mother to the youn\* child. Thero were four Ion) by the second inmarriko and an Ideal family relation- ship existed between the Judge and his steptomter and halfbrothers.

Judge McLunnum was educated at K-I Ljnla and Murton School, and In liallturo; at Lawrencecvllle Academy; rluclution University, Clasi of 1001; and in University of Maryland Law School, Class of 1003. Upon bin admission to the Hnr, Xorember 2, 1001, Judge Mc- Lanahaui and Jacob France, a class- mat, nt the Law School, practiced law In the tin office of the late Ilrober B. Smith, a dMiiEiilBbed member of the Balti- more l'ar ami a leading admiralty law- yer of that time. lleciffo of his out- (tndinc ability and profound knowl- edge of the law, the Judge non eitnls- bled himself as one of the leading young members of the Bar. He served as Assistant

United States District Attorney and wnd n xplndid record in the conduct of that office.

In August, 1014, when war Fntred into Europe, Judge McLunahaui bellered that our participation in the war was inevitable and was an ardent advocate of pccrfrificiucis. Be attended the first Pialsburg Traquins Canji for civilians in 1015, and thereafter was one of tho organizers and first officers of Unttury A, Maryland Field Artillery. When the first act of war with Mexico n-quired la,

the mobilization of the National Guard, Bntirecy A was called Into active lervice from June 10, 1016, to October 10, 1017, following our entry Into World War I, the entire National Guard was called to the Federal servicc and, Judge McLaahaui, then Captain of Bat- tery A, was ordered to ntntid the Field Artillery Officers' School nt Fort Sill, Oklahoma. The como at Fort Sill lasted for three months and due to his thorouKh knowledge of the subject and ability as a teacher, Judge McLaahaui was retained as an Instructor In this Utility tclucal military school. Ho woe commsBdncd a Major of Field Artillery on May 28, 1016, a Lieutenant Colonel on October 3, 1015, and was tionionally dUClarged from the Federal service on January 3, 1010. It was al- ways a source of great disappointment to blm that his service at Fort Sill pre- lentialy liliu from going abmad with his unit, which had been expanded Into the 10th Field Artillery.

Folowing tho war in July, 1010, Judge McLannahaui, with MCKSH, Jacob Frauco and E. McClury Illoxcr, formed the Jartner-dili- of France, McLaunhaui & Atouar, which continued until NOTCH-



ber, 1035, when the Judge withdrew to become a member of the Uprcmo Bench. The firm had a lorio general practice and the association was a happy and congenial one.

When the reorganizaUon of the National Guard took place in 1015 and 1022, Judge McLAnaban was called on to organize a battallion of artillery in Maryland and become lu commanding oOclcr. Through h uiorom, the battallion was expanded luto the reorgan-ized UOll Field Artillery and the Judge was commissioned as its Colonel on March 31, 1025. In recognition of his services, Colonel McLAnabnn wnj com-munouced a Brngldr General on June 1, 1031, mid assigned to command the Hill Field Artillery Brigade, consisting of his own 110th Field Artillery, the 11th Field Artillery of Vtclruia, and the 17th Field Artillery of Pennsylvania. General McLAnabnn brought to his partic-ularly in military affairs the same enthusiasm, careful study and thorough preparatou ho displayed in his pro-fessional work as a member of the bench and was recognized as one of the best informed artillery officers in the whole National Guard. It was with great reluctance that he relinquished his military duties when he became a Judge.

From early manhood until his death, Judge McLAnaban rvs n deacon and member of the Board of Trustees of the First Presbyterian Church of Bal-timore. He was faithful in his service to the Church and its many activities, and concv generously of his talents to the lejal problems of the church.

In politics, Jrdge McLAnabnn was a lctnpblcan, and tool an active interest in public affairs. He never consented, however often urged, to lie a candidate for any elective political office. Ho was President of the Maryland Hoover for President Committee in 1025, and of a llicc comraltee in 1030, which was promoting the election of Landon and Knox.

In 1035, Judge McLAnaban was dratted by the Bar to become a cauill-into for Associate Judge of the So-phicue Beach of Baltimore City. For the first four years of his term he was active and vigorous, and caved every promise of a lung and brilliant Judicial career. In 1042 ho suffered a KCrone heart attack, and thereafter his work on luto Bench m« attended by much physical hardship which he bore with great courage.

On April m, 1033, Judge McLAnabnn married Miss Linda Harrell Wolke, of Norfolk, Virginia, who survives him; With n ion, J. Craig McLAnaban, Jr., aged eleven years, and n daughter, Linda McLAnaban, aged seven years.

The panlng of Judge McLAdalian is io, lcal luto the City and State. Ho was a brilliant lawyer, a distinguished noldler, n able mid upright Judge, a good citizen, and a true gentleman.  
E. XaOloro Rouzcr.

**JOHK JOSEPH MOTJASKCB**  
1876-1900

John Joseph McCnsckc was bora n Latrobe, Peansylvlnno, May 31, 1876, and died January 01, 1040. He was tho son of Joseph and Mary McCusker. Mr. McCnsckr attended grammar and 3-BH school lu Hancock, Maryland, re-ceived hll L.L.B from the Law School of the University of Maryland lu 1003, and hll LL.M from the Catholic Uni-versity of America in 1003. He was admitted to tho Bar February IS, 1007.

He was a Tetrcon of the Spansh-American War, having served lu the United States and Cuba nu SarcOU of Company K, Third Regiment of tho United States Volunteer Engineers. Klx-acted to the Maryland Geucml As-sociated, he served there from 10H to 1015. In Xoveul-cr, 1023 he was ap-pointed an Assistant City Solicitor mid served In Hint capacity until he was retired Juue 1, 1W5. Ho died January 31, 1040. Mr. McCusCrie was Hurvied by hlls widow, Carrie W. McCusCrie, two daughters and eight grandchildren.  
listen EU:alch lmmr.

**LEE S. MEYER**

Leo S. Meyer, born In Baltimore Juue 22, 1870, n former President of the Bal-timort Bur AKKHUOUII, and for many years) oclive In Democratic politics, died in hlls residence In the Ingram Hull Apartments, Park Heights Avenue and Shelburn Road, after a lone period of ill-health, on November 20, 1910.

Mr. Meyer was a graduate of Jotho Hopkin Unlvcrsity, Clew of 1505, and the University of Maryland School of Law, Cms of 1807.

The young Cdr craduated ID his law class, ho jmadc the Maryland Bar elimination before he was twenty-one and was required ID wait until he was reached that age before he could be admitted to practice, on tho 23rd day of Juue, 1897.

It has been said of Mr. Meyer by "The Baltimore Sun" that "he look the stump for the Democratic party when he was eighteen years old". He was a wayly canipal'ced for the late Governor Mitchell with energy. He announced himself a candidate for Congress In the Third Congressional District In 1894, but the exactness of his legal career obated In large part his personal political ambitions. Ho did serve as Judge In the Appeal Tax Court. Mr. Meyer became president of the Baltimore Bar Association In 1911.

When quite young Mr. Meyer joined the trial staff of the United Railways and Electric Company. Ho soon attained distinction as a courageous, tact-ful, nlc and successful lawyer. He had virtually twlvdmvln from trial work. Sitt on one perlud of Ill bill he was almost daily In the trial talle. His nOIM (refluent opponent was the late William Colton, Mr. Colton's might far and wide by plaintiffs In causing suits, and his appearance was regarded an libnl of jiblatliti lu the ten-dent of cases. Ho was th most in-ter-nc, subtle and Hucccssful dam- and divorce suit lawyer of the Bar at thc time, or perhaps at any time. Mr. Meyer, vears lita Junior, was often iclected In light Mr. Cotloii, and a royal, "vel fought Oght always mtuted.

Mr. Meyer's msniffable, approachable, crmclnclntly fnlr, mid always formid-able as an opponent. He bore lib full share of civil responsibilities, and con-ceived a reputation for Integrity mid ability cnualed by ton.

He was rrvsldent of the Suburban Club In 1022, mid a member of the Thncx and other social clubs of Bal-timort. ncmalntaluctuEHllwipraclicco until shortly before hlls death.

Surviving are his wife, the former Hortense Stay Heche, and a brother, Frank Moyer.

J7/ the Committee.

**J. LORIMER MILLER**

J. Lorimer Miller died at the un-time ago of thirty-Mx on a rcuill of n nfn'ano ncvclnti at Wndover Field, Md. nclncllru, on March 17, 1910.

Mr. Miller was admitted to tho Bar on Juue 1, n. 1875. He was never In gen-eral practice.

A graduate of St. Joseph's College lu, l'hlldclphln and the University of llnlUmoro Law School, Mr. Miller bfr fore the war was employed lu a legal capacity by the Central Insurance Com-pany of Baltimore.

He resigned shortly before Pearl norbor to take Inval lullcllccnc training and Inter was commissioned a 1 leu (cont In the Naval Reserve.

Mr. Miller served In French North Africa mid Ireland with the Naval Air Transport Command, and later was an officer on the cschn'c nllp Orllpholm. Ho had been employed since January by American Overseas Airllncs, m Hal-xo allccr with the Army Traiuvur Command at Wndover Field.

Surviving him are hllc widow, Mrs. Blanche B. Miller, of 3127 Millford Avenue; n daughter, Patricia Miller, and a slller, Mrs. Chnrles E. Orace, of Vermont.

*Bit tho Oommittee.*

**JEITEBBON DATS' NOESIS**

Jrfcnon Dnvs Norrls was born at hllc old and elegant family home "Ironk-land" on lhc Cocky'n Hill Road, near lclHIDmton, on September 2, 1805. Ho died In the house where he was born at the age of eighty, on May 00, 1910.

Mr. Norrls was a son of Col. William Norrls, who organized and commanded the Signal Corps of the Confederate Army. Mr. Norrls received his early education at the Franklin High School, Rclctcrston, and later was graduated from the Episcopal High School, Alex-andria, Virginia. He took his law de-gree at the University of Virginia. Upon his admission to the Bar ho began his long professional career In Baltimore. For a number of years ho was a member of the legal staff of the Baltimore & Ohio Railroad, and or-almost so long was in general practice.

Mr. Norrls maintained his legal real-ccnce In Baltimore. Ho won an ex-ceddingly oackctonoff, energetic man. lll In lere? lvs were not confined to tho llaw, but covered a wide mccc lu wodnl, mundpM and cult nrlm fields. Ho iroi nlnayti Intoresell In clean politico, and represented the Eleventh Ward in the Pint mmch of the old City Council ltron ml to IDIS with honor mid dln-tinctlno, no labored long Oil Secretary of the Mount ltoyal Improvement Asso-ciators. His wife, who preceded him by a few months, was Miss Martinn Cabell Perkins, of Charlotteslllle, Vir-ctnll. Tiro Jncloctors, MIM Mnntba JclTer-son Norrls and Mm. Dudley Col-ton survive him.

*By the Committee.*

**WILLIAM LEE RAWLS**

William Lee Rawls was born at Greenville, North Carolina, on May 1, 1852; the son of William S. and Mar-ctecy O. Rawlin. Lee Rawlin, an be was known to his lesson of friends, used hllc early youth at Greenvlllu and nuaGd graunaur actlopi there lu IKW.

when he was twelve years old, he moved with his parents to Baltimore where he lived until his death last July 20, 1910.

Lee Bawls was a self-educated man who through the courage and perseverance to achieve. Aside from a year in school at Oceanville, the only formal schooling that he had was two years in the Baltimore public schools. On account of the illness of his father, Lee at the age of fourteen had to go to work to support himself. But by avid reading he continued to educate himself until the time of his death, in fact, Lee made himself one of the best read and best educated men of his day in Baltimore and in Maryland. He acquired his reputation at the bar of Baltimore and of Maryland by virtue of his profound knowledge of DC law and his command of the English, French and Italian languages. This was a tremendous achievement and was accomplished in spite of hardships that would have defeated him but for the strongest character.

At an early age Lee Bawls was employed by the late Thomas S. Dodson of the Baltimore Bar as an office boy. Lee Bawls spent many nights and years in the office of Mr. Hollister reading law and other subjects. He acquired his entire legal education in this way. In 1903 he passed the bar examinations and was admitted to the practice of law. He did not permit this achievement to be an excuse for inactivity but continued his reading and his work for knowledge throughout his life.

About 1912, Leo Hawk became associated with the late Mr. William L. Marbury, who had then already achieved distinction. Lee Bawls made his name as an outstanding Maryland lawyer in the many noteworthy cases which he tried with Mr. Marbury. One of the most important cases in which Lee Bawls appeared was *iver v. P. Autleno*, H. 10C, 233 D. S. 318, which involved the constitutionality of a grandfather clause in a statute for the restriction of voters in Annapolis municipal elections. Although he was on the losing side in this case, it marked the beginning of Lee Bawls' career in the field of Constitutional Law in which he acquired a national reputation.

In listing high points of Lee Bawls' career for which he will be remembered, I would like to digress to mention a factor which burdened, saddened and colored his whole life—bad health. In 1913 just as he was about to achieve notoriety at the bar he was forced to take off several years to restore his health. Illness always plagued him. Lee's Mendis believed that his struggle against bad health was more of a waste than was generally realized. He never desisted of his health and never complained.

In spite of the hardships of his youth and the handicap of poor health, William Lee Bawls achieved a very high position at the Bar of this State. He was widely known and respected as a man of real knowledge, ability and character. He was a lawyer's lawyer—a man to whom lawyers looked for guidance in the true meaning of the law. Probably the most important item of his career was an Special Master in the famous boundary dispute between New Jersey and Delaware. He was appointed Special Master

by the Supreme Court of the United States on January 10, 1930. In 1934 the Supreme Court in his report which Mr. Justice Cardozo described as "able and comprehensive" and a notable document of local history.

Throughout his life at the bar, Lee Bawls was interested in public affairs. He aided the administrations of Governors Uchler and O'Connor and of Mayor Jackson of Baltimore in numerous ways. The most important public activities of Lee Bawls' career were:

In 1910 at the age of 30 he was elected President of the Bar Association of Baltimore City. From 1910 to 1927 he was a member of the State Board of Law Examiners. During 1910 period he was a member of the State Board of Manpower, Baltimore University and Baltimore School of Law. In 1922 and 1923 he served on a commission which prepared Baltimore's zoning ordinance, his greatest service to the City of Baltimore was as president of the School Board from 1921 to 1932. Lee Bawls' work as head of the public schools has been highly praised by him and he is credited with having taken the Baltimore school out of politics. His greatest service to the State of Maryland was as chairman of the Tax Sources Commission of 1935 and as chairman of the Tax Revision Commission of 1930. The most notable contribution of the first of those commissions was the Introduction of the Income Tax in Maryland. Both of these commissions contributed substantially to restoring the State to a sound financial basis.

There probably was no more popular man in Baltimore than Lee Bawls. He loved the fellowship of men. He was a raconteur par excellence or the old southern school. He possessed a warm and generous heart and never did a "cold" act. Lee Bawls also never took advantage of an opportunity at the expense of another. He was indeed endowed with a noble spirit.

The passing of Lee Bawls from the Bar of Baltimore and of Maryland and from the community life of the City and the State leaves a gap at the top of our legal and community structures which can be filled by only the best of men. Many new order furnish us leaders of knowledge, undemanding, courteous and integrity like William L. Hawls who has taken his place as if rent amongst the leading lawyers and judges of our tier hope.

Mr. Bawls married Miss Anna Stump, who, with three sons, William S. Bawls, of the Philadelphia Bar, John Bawls, of Princeton—both graduates of World War II—and Richard Bawls, survive him.

Uchler D. Emory.

MOEHIB A. HOME

A man can amass no greater or more valued heritage than the rich estate of the true and affection of his fellow man. Such a man was Morris A. Home, of Falls View, who died on August 10, 1934.

Morris A. Home was born in Philadelphia on September 26, 1863. At an early age he came to the University of Maryland and later to the University of Delaware. He was a member of the University of Maryland and of the University of Delaware. He was a member of the University of Maryland and of the University of Delaware.

He received his law degree from the University of Maryland. In 1900 he was admitted to the bar of this State.

During his forty years at the Bar, Mr. Home built up a large and flourishing practice, and enjoyed the confidence and patronage of many of the leading citizens of the State. He was a member of the Baltimore Chamber of Commerce and of the Baltimore National Bank and Trust Company. He was also a member of the Baltimore National Bank and Trust Company. He was also a member of the Baltimore National Bank and Trust Company.

An eminent success in his efforts! Mr. Home more and more evidenced that his success was not the result of mere chance but of a combination of his own ability and the assistance of his friends.

Mr. Home's untimely death brought to an end a life of sincere service to the community in which he lived. He will long be remembered for his most excellent qualities. He is survived by his widow, Mrs. O. O. B. Home, his daughter, Mrs. Arnold L. Field, and his son, Morton R. Home, a member of this bar, and of this Association.

For his many contributions to the community, he is remembered by his friends and associates. He is survived by his wife, Mrs. O. O. B. Home, his daughter, Mrs. Arnold L. Field, and his son, Morton R. Home, a member of this bar, and of this Association.

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Joseph T. Parr.

JAMES DENNIS SHEA

James D. Shea was admitted to the Baltimore Bar in 1915, and was elected to the bar on February 4, 1916, leaving as his permanent record a record of good work well done, both in private practice and in public service.

James D. Shea lived his life in the service of his community. He was a member of the Baltimore National Bank and Trust Company. He was also a member of the Baltimore National Bank and Trust Company. He was also a member of the Baltimore National Bank and Trust Company.

In 1030 when the Baltimore City Liquor Board was being reorganized, a need was felt for a man of Jimmie Shea's talents and personality to meet the thousands of people who patronized that agency, and to be the executive head of the office. He was therefore appointed as executive secretary of the Board of Liquor Commissioners of Baltimore City, a post he held with distinction and energy for five years. Tireless in his efforts, courteous in his manner, assiduous in the public tax chest, his manifold talents dovetailed to fruitful results in his position.

After leaving the Liquor Board in June, 1934, Mr. Shea became connected with the Land Division of the United States Department of Justice on a special assistant to the United States Attorney-General.

During all of this time Jimmie Shea kept up his interest in private practice of law and managed to receive some clients as were not inconsistent with his public duties. Originally he was associated with James J. Lindsay, Sr. later with James J. Lindsay, Jr., and after that with the late Henry L. D. Stanford. At the time of his death he had returned to the general practice of law.

When the first world war broke out, he was one of the first to offer his services. He served in France with the 53rd Coast Artillery Division.

By his wife, he is survived by a daughter, Ellen, twelve years old. He had a son in the hospital prior to his death.

In Jimmie Shea the Bar and the City has lost a lovable man, always quick to help his fellow and listen to their

Oscar T. Le Vina.

LOUIS M. SILBERSTEIN

Louis M. Silberstein died suddenly

at his home in Baltimore. He was born in Boston, and was a son of Mr. Morris Silberstein, who survives him.

Mr. Silberstein was graduated from the Baltimore City College and Johns Hopkins University, where he received his law degree nearly thirty years ago. He was admitted to the bar on October 1, 1917. He was built up a large and lucrative law practice in Baltimore, in commercial law, and in real estate. He was a member of the Baltimore Bar Association, and of the Maryland Bar Association. He was a member of the Baltimore Y. M. C. A., and of the Baltimore Athletic Club. He was a member of the Baltimore Golf and Country Club, and of the Baltimore Country Club. He was a member of the Baltimore Country Club, and of the Baltimore Country Club.

He was a member of the Baltimore Bar Association, and of the Maryland Bar Association. He was a member of the Baltimore Y. M. C. A., and of the Baltimore Athletic Club. He was a member of the Baltimore Golf and Country Club, and of the Baltimore Country Club.

AABOK J. SIMOK

Abraham J. Simok died on March 5, 1940 at the age of 71. At the time of his death he was a widower and had no children.

He was admitted to the Bar on June 2, 1898, from which time he was engaged in the general practice of law, real estate and commercial law, however, comprised the major portion of his practice.

In 1908 he was admitted to the Democratic party, and lit religion he gave much of his time to the Masonic Temple of which he was a member.

L. H. Uoonoy.

WILLIAM STANLEY

William Stanley was born in George Washington, Maryland, and was educated in the public schools of that city. He was admitted to the bar in 1908, and was a member of the Maryland Bar Association.

He was born in Laurel, Maryland, and was educated in the public schools of that city. He was admitted to the bar in 1908, and was a member of the Maryland Bar Association.

Mr. Stanley reigned in the Department of Justice from 1932 to 1934, and was a member of the Maryland Bar Association. He was a member of the Baltimore Bar Association, and of the Maryland Bar Association.

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WILLIAM A. STEWART, JR.

William Alexander Stewart, Jr., was born July 20, 1870, son of the late Judge William A. Stewart and Emily Gallatin Slaughter.

He was admitted to the bar in 1892, and was a member of the Maryland Bar Association.

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

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

James T. Conner.

ISAAC LOBE STEWART

Isaac Lobbe Stewart was born in Baltimore, Maryland, on July 1, 1861. He was educated in the public schools of Baltimore, and in the University of Maryland. He was admitted to the bar in 1884, and was a member of the Maryland Bar Association.

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

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

the State of Maryland in a controversy with the United Railroads and the Interlond Company. In connection with the stock held by the filio of Maryland in the Washington Branch, the State ultimately receiving for it a holding of \$1,000,000.

Darin; his term as Attorney-General of the State, he prepared and successfully championed a bill of public interest, including the bill for the Sen-ice Commission and the Corrupt Practices Act, the Direct Primary Election Law, the Senatorial Primary Law, the Pure Foods Act, Motor Vehicle Law and other measures considered especially progressive at that time.

He played, for years, a prominent part in the Maryland Democratic political circles and was frequently called upon to speak at large political meetings in support of the Democratic candidate. He stamped the State, vigorously urging the election of Woodrow Wilson and Governor Alfred E. Smith when they were Democratic candidates. At the death of Governor O'Connor, the State's Attorney General, he was appointed to the Supreme Bench in 1911. He pointed Mr. Straus and Mr. Henry Daffy, a pupil of his and former member of the Bench, special counsel in the affairs of the City Hall.

As a lawyer of outstanding ability and was equally strong before a jury. He had many and diversified clients and he served them faithfully and well. He was a prodigious worker and prepared his cases with great thoroughness and pressed them with careful vision. He had an untiring command of English, a fine literary and a finished and eloquent speaker, well versed in the classic literature and acquainted with the literature of the past years and generation. His services to the State were important far-reaching and of lasting benefit.

He was courtly in manner, an interesting companion and a warm friend, and a happier than when among his boon, adding to the great fund of information in his well-stored mind an unusual memory. His interests were not confined to politics and the law. He was a patron of the arts and a lover of music.

Edgar Allan Poe.

#### J. PEMBROKE THORN

J. Pembroke Thorn, who died August 10, 1900, was born in 1837, a son of the late Dr. Joseph Pembroke Thorn and Catherine Orors Reynolds Thorn. He married Margaret Surling, daughter of the late Admiral Yniegi Stirling of the United States Navy, and he survived by her and one grandchild.

He was born in 1801 and frequently studied law in the University of Maryland, receiving his degree in 1801. Shortly thereafter, he entered into a law partnership with M. Ernest Jenkins and the late B. Trentell Griswold, under the firm name of Griswold, Thorn and Jenkin. In 1800 he became Assistant General Counsel of the United States & Electric Company under the late Mr. Joseph O. France, and later became Vice President and General Attorney of the Company. Upon his retirement in 1890, due to illness, he purchased a farm near Sparks, Maryland. There he resided until the time of his death. He was deeply interested in

very successful in farming generally and particularly in raising fine cattle. White with the United Railroads, he had no objection to his residence in the lower courts by the large stock of the Company, trial concluded at times in the six or seven years of his residence in an authority on the use of the street railways, and his judgment as to the liability of the Company in the cases was largely instrumental in determining whether the claim should be

resisted or settled. He participated in the trial of the case of the late Mr. Wright and was on the brief in practical cases even in the Court of Appeals at Maryland in which the Company was a party.

Albert E. Donaltillo.

#### WIK&UM BUBNITT WILOUT

William Hurlcutt Wright, a member of the Baltimore bar, Chancellor and prominent Freshwater lander, died November 30, 1910, aged ninety-six, at his home 500 West Utilvercity Parkway, after a short illness.

He was the son of the late Rev. William Hurlcutt Wright and was born in Utton, N. Y., where his father was then pastor of a large Presbyterian Church. His family moved to Buffalo, New York, in 1833.

Mr. Wright was admitted to the Baltimore Bar on March 1, 1863.

He received his education at the Hoxbury Latin School, at Exbury, Maine, and at Yale, where he received his law degree.

After two years in the lumber business, Mr. Wright returned to and received his degree at the Baltimore Law School in 1890. He practiced law in Baltimore for twenty-two years. He served four years as a member of the upper house of the Common Council of Baltimore.

During World War I he was commissioned a major and put in charge of the Emergency Director of the Sanitary Corps.

Mr. Wright came to Baltimore in October, 1910, a director of the old Baltimore Alliance, a forerunner of the City's Community Fund. He held that post two years and then accepted the post of law enforcement counselor to the Governor of Pennsylvania.

He came to Baltimore, he opened a law office. He was a member of the firm of the Anti-Saloon League of Maryland.

He married Miss Allin Crowder, daughter of J. Frank Crowther, a local builder, in October, 1902.

His wife, he is survived by a daughter, Miss Thelma Wright, of the City, and a brother, Dr. Thelma Wright, of Tucson, Arizona.

By the Committee.

## F I H U T L S .

A special meeting ol' tbe Supreme Bench was belc on i.ionae, January 13, 1947, at lf:50 p.m. Axl or the members ol\* the **Bench were present** except Juage s&yl&r, ana the Chier Judge presided.

Due to an accident sustained by l&r. Anton Hegel, who had **been** selected as a member ol the January Term 1947 Grand Jury, **be** is unable to serve, ana Mr. Williem C. Nutter, **821, Luzerne** Avenue, was selected to Till tbe vacancy.

There being no further business, the meeting adjourned.



Secretary,  
Supreme Bench of Baltioore City.

i JAMJAKY 16, • 19\*7

## January Term Grand Jury Is Organized In The Criminal Court

(Corrected Hit)

Tin: Grout] Jury for the January term was orjoilltd lu thic Criminal Court before Judge Jowpli Shier<sup>no</sup> and M(clic) J. Mauley.

George Slnkliston <sup>croj</sup> named foreman of the body and Samuel Wnss<sup>g</sup> man ivos dc<sup>9</sup>l jnted as Qfslstaut foreman. Thic [ofotrlnc member<sup>o</sup> or tho Jurr will comprise tie Penitentiary <sup>grom</sup>ralttce: Felix nendnun, Jr., ciculr<sup>man</sup>: John M. McInomey, George T. Hindnet, Frank Price, Jr. and Max VT. Jacobs.

TBP Oranil Jury as onmolied fit<sup>low</sup>?

Bcndaon. Felli. Jr., 3227 Totvlatno

Blakistou, doors?, 1001 St. Paul itrecl.

Buchanan, Titomm G. 2H Eo«t Bid<sup>o</sup> atnet

Ebrlicli, Itebert V., 1020 Wlnclncirt

Cray, Joliu P., MI Weit 30d, ltr«t  
Hoot, Ernest Piper, -1101 FornMl  
nrcuue.

JluJnet, Ocotgc T., 2201 Pcibam are<sup>uue</sup>

Jacob\*, Max W., 005 Lake Drirc.

Jouw. Jancll A., Sr., 1»0 Kortb Col<sup>bou</sup> atrecl.

Klutcr. Jacob S., C300 Tilbroy Way.

McIncmey, John M., 6 Soutu Monroe  
fitrecl.

Mcatt, JoHpli A., 83M WlutUor are<sup>sue</sup>.

Nutter, William C. 821 Norll. Tu<sup>Mme</sup> nrcuue.

Paalic, Arcu w... -1T01 Norwood an<sup>sue</sup>.

Paiko, Peter P., 2 Soutli Carter  
atrect.

Price, Frank, Jr., 311 Eaat 20th  
atrect.

Balder, Conrad J., 4301 Glcomoro  
arcuue.

SeumeK, Frederick, DIC Purdue arc<sup>noc</sup>.

Sclianlet, George. 812 Brooks lane.

Start-. Albert, 3003 Glen atonic.

Woucnnnn, Samuel, Z321 Anokn are<sup>ine</sup>.

WbHler. WIUom E., 3022 Itocce  
street

TVlrs, Harrij, 4 Soutli Tremont road.

(Note: In reporting the organTintlen  
or the Jnnuary Term Grand Jury in  
swetrdav'n litue. Charica XL Pollard,  
Sr., 2010 Allcudalc road, imp listed of  
ono or tho Jnrom. Tho<sup>noa</sup> in err<sup>or</sup> as

the additional Juror drawn was Y<sup>l</sup>  
O. Nutter, 821 North Luvroo arencu.

who had been KH-KICU to tent on the  
Jury. In tie jinco of Anion ITncel, vho  
WOC excused).

## M I N U T E S.

A luncheon meeting of the Supreme Bench was held at 12:30 a.m., January 16, 1947. All of the members of the Bench were present except Judges Sayler and Uoylen, and the Chief Judge presided. A letter was received from Mr. J. R. C. Fiobey, Clerk of the Court of Common Pleas, to the Chief Judge, requesting the approval of his appointment of Mr. John V. Hart as a deputy clerk in his office, to fill the vacancy occasioned by deputy clerk Mr. Charles J. Porter entering business for himself. The appointment was approved.

The report of the Committee to study the Examiner Master System in Baltimore City was made and the report was accepted.

A resolution was passed adopting the new rules of the Supreme Bench of Baltimore City effective January 1, 1947.

The Committee on Court House reported progress.

There being no further business, the meeting adjourned.



Secretary  
Supreme Bench of Baltimore City.



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 •JQultrmorc. ^H> \_\_3

January 14, 19^7

Honorable W. Conwell Smith  
 Chief Judge-Supreme Bench  
 Baltimore, Maryland

Dear Judge Smith: -

I an appointing Mr. John W. Hart as **deputy** clerk in this ofrice to fill a vacancy created Dy one of our deputies, Mr. CharleB J. Porter, who upon returning from Military Service went into bu6inc6S for himself.

I will appreciate it if you will have this appointment approved by the Supreme Bench of Baltimore City as of January 13, 19^7 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. Robey*  
 Clerk

FCB/A



January 16, 1947.

Frank C. Robey, Esq.,  
Clerk of the Court of Common Pleas,  
Court House, City -3-

Dear Mr. Robey:

I beg to advise you that the Supreme Bench today approved your appointment of Mr. John W. Hart as a deputy clerk in your office, to fill the vacancy created by deputy Mr.

Charles J. Portor entering private business.

The appointment was approved on January 13, 1947, as you requested.

Very truly yours,

Secretary.

Report of Committee on Masters and  
Examiners

January 16th, 1947

152

be. If Conwell Smith, Chief Judge,

Thurt Souse,

1947.

Chief Judge Smith:-

The committee appointed to study the Examiner-Master system as it operates in Baltimore City and to make recommendations, reports as follows:

It will be recalled that your committee was appointed after a report on Divorce in Maryland had been made to the Legislative Council by Mr. Carl H. Everstine and while the Committee on Laws of the Maryland State Bar Association was engaged in a study of the Examiner-Master system as mentioned in the Everstine Report. The Supreme Bench received an inquiry on this subject from Mr. Philip Z. Worlan, Chairman of the Committee on Laws of the Maryland State Bar Association.

Your committee has discussed the matter with the Examiners and members of the Bench. We believe that "basically the Examiner-Master system is a satisfactory method of handling the divorce litigation which is not tried in open court in Baltimore City. It has been in operation many years and although there have been instances when those involved have not complied with the rules of court or have proceeded illegally, in the past that has been negligible\* When we consider that about 5500 divorces took place in Baltimore in 1945 and about 6500 in 1946, the number in which any attempt to circumvent the due process of law occurred is surprisingly small and we doubt if it would be lessened under any other system.

There are some things, however, that could be done to improve the present

method.

1) We sought the approval of the Resolution recently passed by the Supreme Bench which is as follows:

In all cases which are referred to an Examiner for the purpose of taking testimony, it shall be the duty of the Examiner to be in attendance throughout the taking of the testimony and he shall have the right, and it shall be his duty, to examine or cross-examine any or all witnesses produced, whenever in his judgment such examination or cross-examination, in his opinion, is proper or necessary for a true and full presentation of the facts in the case, and the Examiner shall report to the Bench, or the Court, any ir-

regularities which may occur in the taking of the testimony, or in the conduct of the proceedings which may come to his notice,

We believe that an active participation of the Examiner in the examination will be initially beneficial. Whenever he finds that the testimony is becoming that of the solicitor rather than the witness he should interfere and prevent leading Questions. The Examiner should inquire in every case whether previous domestic litigation has occurred between a fee parties and if so, when, where, and obtain the details of the litigation, as suggested by counsel, "You have been a resident of Baltimore for more than one year?"<sup>11</sup> to satisfy jurisdictional requirements but that is about all. The witness should say if he has lived here, where he lived and where he worked. The Masters should examine the records for compliance with these requirements,

2) We realize that if an Examiner or Master exerts too much pressure on witnesses, under our present system of distributing cases, result in a falling off of his

To protect the Court's officers and render them independent in the administration of their duties we recommend that all divorce cases sent to the Examiners and Masters be in strict rotation and that the Clerk be directed not to vary this rule or give information to any solicitor regarding assignment until the actual referral has been made.

3) It was suggested to our committee that the Examinees and Master be put upon salary basis in order that their Independence be assured. We are not in accord with this suggestion for the following reasons!

- a) It might in the end leave the taxpayer paying the bill.
- b) The independence of the Examiner and Master will be achieved more satisfactorily by rotating the cases.
- c) The Examiners and Masters would probably have to be increased in number,
- d) "No lawyer now needs to wait to have his testimony taken under the present system. The service under a salaried Master or Examiner would probably be less expeditious.

With the suggestions hereinabove tendered we believe that the present system will continue to be satisfactory to the citizens of Baltimore City and we recommend that it be continued with such refinements from time to time as seem to be indicated.

Michael J. Manley

Paul Mason

Charles E. ...  
Chairman

## Report Of Committee On Masters And Examiners

January 10, 1917.

Hon. W. Conwell Smith, Chief Judge, Court House, City.

DEAR JUDGE SMITH:

Tip committee n|rt-ii(=) tcmudy tho ExaminerOlniter pyatem ns It ujtraica-lls llalluioir CKr and to make recou\* ucdations. rejoinr an follows:

It will be revnlcl (hint your committee) was appointed nfter a report on Divorce in Maryland had been made to tip UghOatv Council by Mr. Carl S. Ercrsllnc and white the Commit-tee on Lan\* or tho Alnrylad Stalo Bar Assocallan was CDRUCED In a study of the Examinor-Inster aricism as mentioned in the Efortitno Hcport- The Suficrite li-ncb received an Inquiry on this subject from Mr. Philip H. Fcr-sons, Chairman of the Committee on lairs of the Maryland Stalo linr Aso-ctidJOh.

Your committee has discussed lite matter with the Examiner\* anal mem-ber of the Dor. We UILTO Hint da (c-ally the Exauliner-FnUer srMcui IK a satisfactory method of hndling the divorce HU\*ation whidit is not tried in open court U Baltimore City. It has been in ojicmlou tummy S;an and nithough there liarc been Inialiaics tvlicn time l'oubt in n; empukit will lie rules of court or into praect dd illegally. In tbVpmln "thai haVbeell we ll?ible. Wu-ii wo consider that about 3000 divorces tout place in Baltimore in 1015 and about 1500 in iHhO, the number in nllcni any attempt to Circumvent Uio dno processes of lair occurred IN surprisingly ooolnd and WO doubt if it would be ICMaxd under any glilor itycaii.

There are some things, however, that could be done to improve the present methods.

(1) Wo soutillr lbo approval of the Ictofmlon recaily pulled by the Supreme ttoachi which is as rollowr:

In all cases irblec ar referred to an Examiner for the purpose of ink-ling testimony. It shall be the duty of the Examiner to be in attendance throuchtut (lie takloR of the testi-mouy and ho snail bare Uio iRbt, and If Kmll by his dufr; gg exminio or cross-examinr any or olt witnesses produced, whencrer In his judgment each examination or cross examina-tion, unou LU Jart, U proper or nec-essary for a true and full presenta-tion of the fact\* In the cmo, and too Examiner shall report to Uio Master, or the Court, any Irregularities which may occur la Hie taking of tho testi-mony, or In the conduct of lbo pro-ceedluB which may come to tats notice.

Ww believe that an active jurUclna-tion of lbc Exmtnor In the examlaa-llon will be demtely benefidol. Wbeii-er lie (ndit that the Intimity is be-coming that of tho solicitor rather Uion the trititico wo should interfere and prevent lending (menions). Tho E\*am-ner should inquire in every case whether previous douMtic lltcnllon bat oc-curred between the parties and if so, TITUL ivlciv, and obtain Uic details of the liltcnllon. A (re-Mon lcy coanst, \*Soll have been a resident of HalUuioir for more than ono year!" rony patfir Jurlslitlonal regitricionw but that is about all. The tvlticu nlload %&y liorr louc be bos lived here, ivlcivc lie lived and irlicrc lie worked. Tho llns-ter should ctjanlnG the records for ceaplmlnco n-U tlicu Tequlraicants.

(2) We rcllire Uint If an Examiner of Mnaier exerts too much pressure on n-Iinesses. It may, under our pres-ent KIKken of distributing cues, result in a falling out of his work. To protect the Court's oDKcm and render thcm ID\* dependent In the adnjnlntmlon of lliclr duties ire recommend that all di-vice cjo'd sent to Uic dtaniliers and Masters bo kept in strict rotation and that the ClorL be directed not to vary lbc iule or Rrc laeflaation to any Millell repirdUK asonBannent uUl the turl referral baa been made.

(3) It wag Eueeuled to our commit-tee that the Examiners and Hasten be put upon a salary bach In order tmit their lndependcncu bu ouored. Wo ore not la the accord irldi this MEGCitoa for the follonrlac reasons:

- (a) It might In Uio cad leavo too taxpayer paying the bill.
- (b) Tho lndopcadlcc of the Ex-aminer and Master will be actioxd more satisfactorily h; ro In tinc tw cases.
- (c) Tho Examiners ana Masters (rold probably linro to be lacreacd In oumber.
- (d) No larvjer now needs to ivait 10 have lit\* testimony talcu under lbo present sratem. Tho nccrlca W-ider a salaried Mauler or Examlaor tvould probably be lcv expeditious.

With Uio strRRnMons hereinobovo tendred TIC bellore tint the preslt system will continue to be satisfactory to the clUca-i of Ualtdnoir City and We rccommod that It be retained rclth slich rclnraenW from time to tmo at stitu to bo Indicated.

MICHAEL J. MAWLEY,  
E. PAUL MARSH,  
CHARLES E. MOTTLEY,  
Chairman.

## Resolution Adopted Ity Supreme Bench Of Baltimore City

Wnaits. th' Supriiie leneh of Hal-timore City, effective January 1, 1917, has jronulcaat rclitcd ruk's which apply to the Supreme llicuh Of Bal-limore aty, the Suiicrke Court of Hail-mor aty, Hailtdnoir City Conn. Court of Conn-aji Pitas, Circuitnal Court of Baltimore, Circuit Court of Baltimore City and the Circuit Court No. 2 of Baltimore City, and the Divlnon for Juvenilo Caim-Ji of Uio Circuit Court of Hailtdnoir City. These rules arc. In llio main, a revoldlcnlon of «Inhim rule), but In many lntincca rules have lisc-n clulnoluit, changed or combind.

He IT llmTxa, therefore, lhat llicco rules become Uio regularly adoptnl rulM of lbo Suprem.O Bench of Hail-timore City, on at the above date, anal nupncitce tho rulw heretofore In effect.

Appro veil lntary 10, 1917.

W. COXVM. Hlmt,  
Entvnt T. llicKn=00>,  
K=oir H. Nitrll,  
4o1us T. TOOT, at,  
Joicrlis Suennow,  
E. IAOL MAAOX,  
licHMAS M. MOBCB,  
MJCACL J. MAMIB,  
ltoODIT FRACH

it 1 K U T L a.

A luacbeon meeting **or the Supreme** Bench V/BS hexu on Thursday, January 13, 1947, at IZi'-iO p.m. All or the members oi the Bench were present end the Chief Judge presided.

It wes resolved to hold a meeting or the Supreme Bench on Saturday, February btb, **at** 10 o'clock a.m., l'or admissions to the 5&i\ bearing ol' motions for new trials, end such other business as may come before the meeting.

The attached resolution, relative to writs or habeas corpus, v-~~as~~ adopted, but the preamble wes excluded.

Judge Niles reported on behnlr of **the** Court House Committee that Mr. Zimmerman had agreed to reusint. Rooms 2E6, SOZ ana 131, in the **order named**, next March.

There being no i'urther business, the meeting adjourneo.

  
 Secretary  
 Supreme Bench ol' Ealtiaore City-

- COPY -

Hon. J. Cormoll Smith,  
 Clerk Judge,  
 Supreme Bench of Dalticoro tit?  
 Court House, City.

Dear Connie-

I have carefully reviewed the draft of resolution you sent me, and venture to propose a redraft along the lines of the enclosed. It seems to me that the resolution proper should be more concise, for the sake of clarity, and with the thought that this part only will be permanently incorporated in the general rules dealing with habeas corpus, when the proposed revised rules are adopted and printed. I have tried to put the reasons for the rule into red type, so as to explain to the Bar and public why the action is taken, when the volume is published. In the Doily Record, you can easily obtain copies to send to the Judges, for the references contained in the recitals. But I see no necessity for carrying them over into the permanent rules.

I have left it optional with any Judge as to whether or not he should refer an application to the Clerk, as I think the Constitution requires. I do not think it necessary to state that the Justices in the Criminal and Equity Courts, or in the Court of Appeals, may act on the application or decline to refer it, although it is implicit in the rule that they may do either, which I have tried to say is, that, if referred, the Clerk must assign in rotation and the Law Judge to whom assigned must consider, as if originally addressed to him,

I think the rule is very much in accord to clarify the procedure and bring it in line with that followed in the Federal Courts. Historically, I have the impression that the writ was only available to the Judges of the King's Bench.

In a broader sense, I think it promotes the efficiency and uniformity of the results to "canalize" cases of particular types, and the danger in such practice is minimized by the right of review by appeal.

With kindest regards,

Sincerely,

/s/ J. L. Henderson.

COPY

*no part of the following  
resolutions was adopted - only the  
Resolution*

THE CONSTITUTION of Maryland (Art. U § 29) provides that the Circuit Court of Baltimore City "shall not have Jurisdiction in applications for the writ of habeas corpus in cases of persons charged with original offenses";

AND WHEREAS, the General Assembly, pursuant to its power to "reorganize, change or enlarge the jurisdiction of the Several Courts in said City" under Article 39 of the Constitution, has provided, in Code Art. 12 § 1, that "The Superior Court of Baltimore City, the Court of Session Pleas of said City, the Circuit Court and Circuit Court No. 2 of Baltimore City and the Baltimore City Court, and the Judges of said several courts, out of court \* \* \* shall have the power to grant the writ of habeas corpus and to exercise jurisdiction in all matters pertaining thereto", thus committing to the Circuit Court of Baltimore City

ASD WHEREAS the Court of Appeals of Maryland in the recent case of Bernard v. Sarden Md. ; 39 A (2) 737 has recognized the long-continued practice whereby the Judges of the Supreme Bench, currently assigned to the Circuit Court, have declined to entertain applications for writs of habeas corpus by persons convicted of crime or charged with criminal offenses, and has held that such judges may properly decline to exercise the power, inherent in their office, to entertain such applications and may "refer the applicant to another available judge for immediate consideration and hearing, if it require a hearing";

AND WHEREAS the Judges of the Court of Appeals from Baltimore City are hampered in the exercise of their Constitutional power to entertain writs of habeas corpus by reason of the fact that they exercise an almost exclusive appellate function, without the facilities of a trial court (Betts v. Brady 316 U.S. 133), and by the fact that action upon an application for a writ in the first instance would disqualify them from sitting in the case in the event of an appeal under Code Art. 12 § 3c (ch. 702 Act of 1915), and it would be proper that they should be afforded an opportunity to refer such applications to a trial Judge in order to avoid the necessity of a new application with attendant delay;

AND WHEREAS, the Supreme Bench of Baltimore City possesses the Constitutional power to "make all needful rules and regulations for the conduct of business in each of said courts, during the sessions thereof, and in vacation, or in chambers, before any of said Judges" (Art. k § 33), subject, however, to the rule-making power of the Court of Appeals under Art. k § 13A (Ch. 772 Acts of 1943, adopted by the people Nov. 1943), then exercised

RESOLVED that on the 3<sup>rd</sup> day of July, 1947, the Supreme Bench of Baltimore City, that the Clerk of the Baltimore City court shall docket and index all applications for writs of habeas corpus by persons convicted of a crime or charged with a crime which may be referred to him by any of the Judges of the Supreme Bench, or two Judges of the Court of Appeals from Baltimore City to whom such applications may be addressed, and that said clerk shall, in the order in which they are received, refer such applications in rotation to the several Judges currently assigned to the Circuit Court, the Superior Court of Baltimore City, the Court of Sessions, and the Baltimore City Court and the several Judges of the said law courts shall respectively consider and dispose of each such application in the same manner as if such application had been presented originally to the Judge to whom it was so referred by the said Clerk.

The Judges currently assigned to the Circuit Court, or any part thereof, or to the County Courts or to the Circuit Court of Baltimore City and the Circuit Court No. 2 of Baltimore City, or any part thereof, shall not be required to consider and dispose of any such applications, but may refer such applications to the Clerk of the Baltimore City Court for assignment as hereinbefore provided.

Adopted

Adopted

Adopted Jan 23, 1947  
including all but  
the Resolution



THE DAILY RECORD, BALTIMORE, THURSDAY, JANUARY 30, 1947

## Supreme Bench Of Baltimore City

### Resolution Adopted Relative To The Issuance Of Writs Of Habeas Corpus By Persons Convicted Of Crime Or Persons Accused Of Criminal Offenses

Resolved that on any day of January, hereinafter, by the Supreme Bench of Baltimore City, the Clerk of the Baltimore City Court shall docket and index all applications for writs of habeas corpus by persons convicted of crime or charged with criminal offenses. Such applications may be referred to the Honorable Judge of the Supreme Bench of the Circuit Court of Baltimore City, to whom such applications may be addressed, and the Honorable Clerk shall, in the order in which they are received, refer such applications in rotation to the several Judges of the Circuit Court of Baltimore City, the Court of Common Pleas, and the Baltimore City Court; and the several Justices of the Baltimore City Court for the

purpose herein respectively consider and dispose of each such application in the same manner as if such application had been addressed originally to the Judge to whom it was referred by the said Clerk.

The Judge currently assigned to the Criminal Court, or any part thereof, or to the Equity Court, or, c. the Circuit Court of Baltimore City and the Circuit Court No. 2 of Baltimore City, or any part thereof, shall not be authorized to consider and dispose of any such application, but may refer such application to the Clerk of the Baltimore City Court for assignment to the

[NOTE: The above Resolution is to be taken in substitution for the Resolution which appeared in The Daily Record on January 23, 1947.]

## K I U U T B H.

A luncheon meeting of the Supreme Bench was held on Thursday, January 30, 1945, at 1:00 p.m. All of the members of the Bench attended except Judge Moylen, and the Chief Judge presided.

A resolution was passed authorizing the Chief Judge to issue an order on behalf of the Bench against Harry G. Seiden, to show cause why he should not be disbarred from the practice of law.

A letter from the Ullman Foundation, requesting permission to have a survey made of the Probation Department, at the expense of the foundation, was received, and the offer was accepted by a vote of seven to three.

It was resolved that a resolution on the death of Mr. William L. Stuckert be prepared, signed by all of the members of the Bench and sent to his family. Judge Niles was assigned to prepare the resolution.

The action of the Probation Committee and the Chief Judge, continuing Mr. Charles A. Snyder as Acting Probation Officer, was approved.

Judge Niles offers a proposed arrangement of the Rules of Civil Procedure of the Court of Appeals, which he had been directed to prepare.

There being no further business, the meeting adjourned.

Chief Judge W. COOUCU Smith issued a writ of habeas corpus for the Supreme Bench of Baltimore City yesterday. The writ was granted to Harry G. Seiden to show cause why he should not be disbarred from the practice of law on February 20th next, after he had not been disbarred from the practice of law.

According to the petition filed in the Circuit Court of Baltimore City last year to the approval of the subcommittee of the Judiciary Committee of the House of Representatives, the writ was granted for which he was sentenced to 18 months in jail, which action was suspended upon the payment of costs. The petition sets forth that the writs were issued in the name of the State of Maryland and the practice of law.

*Edwin Dickinson*

Secretary  
Supreme Bench of Baltimore City.

## Judges Of Supreme Bench Pay Tribute To Late Wm. L. Stuckert

High tribute was paid to the late William L. Stuckert, Chief Justice of Baltimore City in a resolution adopted by the Bench yesterday. Mr. Stuckert, who also was a member of the local Un. until a few months ago of St. Paul and Lexington Streets on January 22nd last. He will be remembered for more than seven years and before to the MOS association with the State's Attorney's office UM UH A\* in the State's Attorney's Office.

The resolution adopted by the Bench follows:

Whereas, William L. Stuckert, Chief Justice of Baltimore City, departed this life peacefully on January 22, 1907.

Resolved, That, therefore, by the Bench of Baltimore City, United States Circuit Court of Baltimore City, in and through the sense of law and equity at the untimely death of a distinguished and useful citizen. During a period of more than seven years Mr. Stuckert, with ability, energy and judgment, directed the important work of the court and his administration of justice, which rank among the most distinguished throughout the United States.

Be It Further Resolved, That the resolution be recorded upon the permanent records of the Supreme Bench of Baltimore City, and that a copy of this resolution, signed by each of the Justices of the United States Circuit Court of Baltimore City, be sent to the family of the late Mr. Stuckert as a token of the respect and esteem in which they hold his memory and will.

W. CONWELL SMITH,  
Chief Judge.

EDITIS T. DENNIS,

J. DICKINSON,

EDMOND H. NIXON,

JOSEPH T. COCKE,

CHARLES R. LOFTIS,

JOSIAH SHERBURN,

E. PAUL MASON,

HERMAN ST. LOUIS,

MICHAEL J. MANLEY,

ROBERT FRANK.

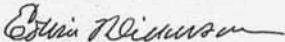
ti 1 W U T i 5.

A luncheon meeting of the Supreme Bench was held on Thursday, February 5, 1947, at 12:30 p.m. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge read a letter from Mr. Preston, Chairman of the city delegation in the legislature, inviting the members of the Bench personally or by letter\* to advise with respect to a bill pending in the legislature for the increase of the jurisdiction of the People's Court. He also read a letter from Judge Hynhert approving the increase. It was the sense of the Bench that it should take no action, either affirmative or negative, with respect to the bill, but that the Chief Judge should call the attention of the chairmen to reports of studies of the question heretofore made, and of ~~v. but~~ had gone before the present bill. The Chief Judge suggested that only an actual application for the writ of habeas corpus should be filed with the Clerk of the Baltimore City Court, and not applications for reduction of sentences,

The Chief Judge read a letter from Mr. James H. Hepbron, Chairman of the Criminal Justice Commission, with respect to detention service for minors. No action was taken on the letter.

There being no further business, the meeting adjourned.



Secretary.  
Supreme Bench of Baltimore City.

'm' i < UTi. 3.

A meeting of the Supreme Bench was held on Saturday, February 5, 1947, at 10 o'clock a.m.. The entire Bench was present and the Chief Judge presided.

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

• Joint D. Hon. John C. Simon, John J. Brennan and J. Graham Waifer, were admitted to practice as members of the Baltimore District Supreme Court of Baltimore on Saturday.

The motion of Leo B. Young, for a new trial from his conviction of desertion in the Criminal Court, was argued, submitted and granted.

The motion of Thomas Hail, for a new trial from his conviction of larceny in the Criminal Court, was argued, submitted and over-ruled.

The motion of Vernon Seth, for a new trial from his conviction of assault to murder in the Criminal Court, was withdrawn.

There being no further business, the meeting adjourned.

*Estlin B. Dickson*

Secretary,  
Supreme Bench of Baltimore City.

**Motions For New Trials  
Decided By Members  
Of Supreme Bench:**

The Supreme Bench on Saturday  
ruled on a motion for a new trial of  
Leo B. Young, who had been convicted of  
desertion. The motion was granted.  
The motion of Thomas Hail, for a new trial from his conviction of larceny, was over-ruled.  
The motion of Vernon Seth, for a new trial from his conviction of assault to murder, was withdrawn.  
At the meeting, while John H. Murrill, Attorney at Law, was present, the Baltimore City Bill, to amend the Baltimore City Charter, was read.

## SUPREME BENCH OF BALTIMORE CITY

Assignment for Feb. 8, 1947

Alan H. Hurrell

State of Maryland  
vs.  
Leo B. Young

John W. Farrell

Ho. 2206, D. I. Docket, 1946  
Charge: Desertion, etc\*  
From: Mason, J.*Granted*

Alan E. Murrell.

State of Maryland  
TS.  
Thomas Hall

Jacob Hornstein

No. 10340, Jan. Term. 1947  
Charge: Larceny  
From: Manley, J.*Overruled*

Alan H. Hurrell

State of Maryland  
vs.  
Vernon Seth

George W. Evans

Ho. 10066, Jan. Term: 1947  
Charge: Assault to Murder  
From: Hanley, J.*Withdrawn*

M E M O R A N D U M

A luncheon meeting of the Supreme Bench was held on Thursday, February 13, 1947, at 1:50 p.m. All of the members of the Bench were present except Judge Coyle and the Chief Judge presided. The appointment of Lt. James J. Price, as an Assistant State's Attorney, to fill a vacancy in the office of the State's Attorney, was approved.

A committee, consisting of the Judges in the Circuit Courts, was appointed to investigate, consider and report on the necessity for an assistant in the Domestic Relations Department of the State's Attorney's office.

Judge Coyle brought to the attention of the Bench a request of Mr. Harper, Public Relations Officer of the Linrylan Workshop for the Blind, for permission to have a blind man set up a booth to operate a stand for the sale of cigars, candy, etc., in one of the corridors of the Court House. It was the sense of the Bench that the request should be disapproved.

The attention of the Bench was called to the fact that a colored minister is soliciting celebration of marriages and performing marriage ceremonies in the Court House. The Chief Judge advised the Bench that he would take care of the matter.

There being no further business, the meeting adjourned.

*Erwin Brown*

Secretary,  
Supreme Bench of Baltimore City.

February 18, 1947.

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

Dear Mr. Wells:


The Supreme Bench today approved your appointment of Lt. James T. Fricke as an Assistant State's Attorney, to fill the vacancy in your office due to the fact that Mr. Douglas Sha'rretts was not reappointed.

The Bench took no deliberative action on the request contained in your letter for the approval of your nomination of two additional Assistant State's Attorneys. The Bench still has the matter under consideration, and I will advise you if and when any affirmative action is taken\*

Very truly yours,

Secretary.





# State's Attorney of Baltimore City

J. BERNARD WELLS

BALTIMORE 2

FITBSDAKIF  
ELVVENTH  
WINTERN  
FORTE DEVIN

DEPUTY STATE'S ATTORNEY  
WILLIAM H. MAYNARD  
ASSISTANTS  
THOMAS H. BISHOP  
MORGAN H. BUCHNER  
ANGELM BODARD  
BERNARD G. PETER  
JOHN E. WEBER  
SAUL A. HARRIS  
ALAN H. MURRELL  
WILLIAM J. O'DONNELL

HOB. III COHMETI SBKH, CHIEF JBUOH  
fira HonofiiBW Bn'av.Rs OF res EOTSHBI? SKSCB OP BALTIMORE

## Honorable Tirrt

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\*«ry vail roosaandoO.

## State's J\itarttcg xtf ^Stltimurrc (Ettg)

J. B. CANAPID WELLS

BALTIMORE 3

DEPUTY STATE ATTORNEY  
 WILLIAM H. MAYNARD  
 ASSISTANTS  
 THOMAS H. BODDISON  
 MORGAN W. SUGGER  
 ANSELMO SEDANO  
 BERNARD G. PETER  
 JOHN E. WEBB  
 PAUL A. HARRIS  
 ALAN H. MURRELL  
 WILLIAM J. O'DONNELL

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irith nuoh respot, I an,

Yours vary truly,

STATE'S ATTORNEY

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# State's Attorney of Baltimore City

"I BCINARO Wet.LS

BALTIMORE a

FEBKLAHZ  
ELEVENTH  
HIHETES  
FOBTT SEVEH.

DEPUTY STATES ATTORNEY  
WILLIAM H. MAYNARD  
—  
ASSISTANTS  
THOMAS H. BIDDISON  
MORRIS H. BURNER  
ANGELA SODANO  
BERNARD G. PETER  
JOHN C. WEISS  
PAUL A. HARRIS  
ALAN H. MURRELL  
WILLIAM J. O'DONNELL

BOHORABLE W. COBBBLI StUH and  
BOFORABLE MEMBERS OF TEE SOPBEHE BERCH OF BAMMORE

Honorable Slrsi

In support of the request that extra Assistants be allowed ny office, I beg to submit some reasons why I feel that niah action Is necessary.

First and foremost, the business of the office has Increased most materially during the last fen years. This is boras out by an analysis of every fora of activity that my liisistants engage In.

During the last year we had 5287 Indictments and 280 laglatrates appeals, making a total of 5567 new eases, and tha year previous, 19>\*5, no hod 535^ indictments and 313 appeals, a total of 5667, representing the highest number of cases ever handled Is any tiro years In the history of the office.

Daring the past sessions of the Legislature, the jurisdiction of the magistrates has been increased to Include petty larceny and minor cases of receiving stolen goods. This has bid tto effect of taking out of our assignments these cases of leaBer Importance, so that the above cases represent a decidedly greater nmtar of important matters handled by this office. It goes without uylng that more tlae is required to handle these more Important utters than would have been taken up In the handling of the smaller transactions.

It is fair to assume that with this enormous volume of business the number of notions for nan trials and Appeals to the Court of Appeals likewise have increased, all of which roaulre the attention of the staff.

Many of these cases are of such importance that they "quire the attendance of an Assistant at the Inception of the case « the Police station, and his fall attention throughout All the later stages of the oase.

Ja addition there are numerous": appearances of members of toe office at the various homicide hearings at the several police 5? tlo" " \*n \*\*\* c1 \*y- During the past year we had 235 such hearings, JUof which involved considerable irafe and carried through to late WOTS in tha afternoon.

At all times the work with the Grand Jury is most exacting, hardly a day passing by that we are not called in to consult with the Grand Jurors before then. This service has grown with the general increase of business in the office. I cannot recall a single year in which some investigation was not before one of the several Grand Juries, requiring the exclusive attention of one or several of my Assistants over an extended period of time.

The general increase in business has resulted in a corresponding increase in detailed paper work, involved in checking, drafting and preparing indictments, as every indictment must be approved by an Assistant before it is submitted to the Grand Jury for true-billing.

In view of recent legislation and judicial opinions, relative to habeas corpus, the work required in preparing such cases has more than doubled. During the last year 578 such cases were handled by the office. I might say in passing that there are now before the Court of Appeals some six or seven of such cases for argument. In all of these appeals this office participates fully in the preparation and presentation of such matters to the Court of Appeals, in recent years the Judges of the various Courts throughout the State have been liberal in granting writs of habeas corpus to persons convicted in Baltimore. This practice has required the attendance of my Assistants at these hearings and has entailed an unusual amount of additional work.

The general increase in the volume of business in the office has been reflected in extradition cases, requiring consultation by a member of the staff with police and witnesses, and drawing papers covering the extradition. There were 108 such cases during the past year.

For many years there has been the very closest relationship between this office and the various State's Attorneys' offices throughout the State, probably as an outgrowth of the State's Attorneys' Association, of which the head of this office has been (resident for the last twenty years. This rather cordial relationship has prompted many of the State's Attorneys in the counties to consult with this office on matters within their own jurisdictions, also on many occasions to suggest the removal of their cases to this jurisdiction for trial. Your Honors will recall that within the last year we had two cases removed here, each of which required the exclusive time of one of my Assistants for a period of over two weeks.

In matters of legislation we have been called on to give our views on our part. Practically all legislation having to do with criminal law and procedure during the last decade has been prepared and carried through the Legislature largely through the efforts of this office.

The increase in population of the City has resulted in an increase of citizens visiting the office for advice, requiring the attention of someone in the office.

Our request for additional help in the office in keeping with the increase in personnel of the various departments throughout the entire city. The police Department has made provision for 212 additional men, which will develop more business for this office. The City Solicitor's Office has increased its personnel and at present has a listed staff of twenty men.

The new practices of arraigning cases in advance of trial, and appointing counsel, has had the effect of requiring additional time in consultations with counsel, and additional work in the preparation and trial of these cases\*

This increase in the volume of work has been recognized by the Supreme Bench through the creation of a third Criminal Court. This additional Court has imposed the obligation of providing the necessary Assistants to handle the work assigned to that Court. So best this situation, I have found it necessary to assign but one Assistant to each Court. While this temporary arrangement will be satisfactory in many instances, I would deplore its continuation of the established practice. Certainly, there are numerous cases which require two, and even three Assistants to fully and completely represent the State's interests.

Finally, the volume of cases handled annually in the Domestic Relations Department far exceeds all expectations made at the time of its establishment. An examination of the attached schedule shows that from 1937, when a total of approximately 2300 matters were handled, the volume has increased steadily to the point where in 1946 a total in excess of 6000 items came to the attention of that department. The number of personnel assigned to this department today is practically the same as it was in 1937. As a consequence of this steady increase in the number of cases, the time allowed for hearings must, of necessity, be reduced to a bare and unsatisfactory minimum. In spite of diligent efforts to keep abreast of the work, there are still open cases at the end of the year, and cases cannot be reached for hearing sooner than four or five months after they are placed on the docket. Certainly, if this Department is to continue to function efficiently, its staff must be augmented.

To effectively render to the Supreme Bench and the public the character of service that they have a right to expect, I respectfully urge the absolute necessity of your Honorable Court granting the request made in my accompanying letter\*

With much respect, I am,

Yours very truly,



STATE'S ATTORNEY

.. Here re nunbw of non-support, bastardy and Indigent parent cases and interviews handled In the Eonoetic Relations Depirtreont during the p>Bt twslva years ~ 1935 to 19^6 inclusive|

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## a I H U T i 8 .

A luncheon meeting of the Supreme Bench was held on Thursday, february 10, 1947, at 12:30 p.m. All of the members of the Bench were present except Judges Xoser and -jason and the Chief Judge presiaea.

The oracr ettaheu hereto was unanimously pt\*sseu.

The comniti.ee, eppointea to consiaer ana report on the desir- eblity of additional personnel for the Stute's Attorney's office, recommences the approval ol' the appointment or Mr. J. Harold Grstcy as en Assistant State's Attorney; mm recom- mended that tne Domestic Relations Department ail'ora hearings in all cases within one week after the complaint is received. Both of these recommendations were approved by the Bench.

There was a uiscussion o' jury pay, but no action /es taken.

There being no further business, the meeting adjourned.



Secretarj-,  
Supreme Bench of Baltimore City.

### New Order Is Adopted By The Supreme Bench Of Baltimore

An order prohibiting the performance of marriage in the Court House, or the collection of income tax, or the issuance of a license, or the issuance of a license to the Justice of the Peace of Baltimore City.

The order was adopted by the Bench.

Ordered by the Supreme Bench of Baltimore City, this 20th day of February, 1947.

W. CORWELL SMITH,  
Chief Judge.

That no person shall hereafter be admitted to enter the Court of Common Pleas, or molest or solicit, persons therein for marriage, or for any other purpose, or for the purpose of performing the ceremony of marriage, or for the purpose of performing the ceremony of marriage by any other person, or for the purpose of performing the ceremony of marriage in the Court House, or any other place.

W. CORWELL SMITH,  
Chief Judge.

### Appointed Assistant State's Attorney Approved by Bench

The Supreme Bench of Baltimore City yesterday approved the appointment of J. Harold Grady, Jr. as Assistant State's Attorney, by State's Attorney J. Denard Wells, Jr. Mr. Grady was born in Baltimore, Maryland, and received his education at the University of Maryland and the University of Virginia. He is a member of the Maryland Bar and the United States Bar.

Mr. Grady was born in Baltimore, Maryland, and received his education at the University of Maryland and the University of Virginia. He is a member of the Maryland Bar and the United States Bar.

February 30, 1947.

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

Dear Mr. Wells:

The Supreme Bench, at a meeting today, approved your appointment of Mr. J. Harold Grady as an Assistant State's Attorney in your office.

It was recommended by the Bench that the Domestic Relations Department afford a hearing on all complaints within one week after the same subpoena be received.

Very truly yours,

Secretary.



~~ORDERED~~ By the Suprae Bench of Baltimore City this

20<sup>th</sup> day of February, 19U7i

That no person shall hereafter be permitted to loiter near the office of toe Clerk of the Court of Coaaon rieaa, to nolest, or solicit, persons applying for marriage licenses, for tlie purpose <?! performing the ceremony of marriage, or soliciting the performance of such ceremony by any other person, whether an ordaiiiod minister of the gospel or noty and that no cerunany of marriage shall hereafter be perfonood In the Court uouse, ur a.y part thereof\*

(Violations of this rule will be auaeaarly and appropriately puniahecU)

EX CHIEH OF 'irX BENCH.

W. Samuel Smith

Chief Judge.

XtABRT O. BELDEK DiftBABBBD  
PBOM PBAOTIOE OF LAW flir  
I SUPREME BENO

An order WM ginned by Uic Supreme Bendi of Baltimore jcslerdny ~~was~~ barring Barry G. He ld en from the further practice of iatr.

SclenB dlibnncot recalled when lie filteu lo mtirer a petition filed by CWef Julco W. Crontrd Smilli oa behalf of Uic Benci. ID wheli Uo ottoraoy iciu dirnceJ n-iti conduct nrbconilDC a member of the Bar.

It tvns stated la the petition that Sclen plMild ptUilty In Hoy of last year to conspiracy and subornation of nerjury <ir> provinc out of tho ball troud InrcitipitOD, far aliidi he iron <enict>d to IB monUis In Jalf, tot nhltd sentence vent sapcndcil upon Uo pajraent of casts.

## I: I K U T E 5.

A luncheon meeting of the Supreme Bench was held on Thursday, February 7, 1947, at 1:30 p.m. Those present were Judges Eickerson, Eakin, Sherburne, Wiles, Loyd and Oser, and the Chief Justice.

The Chief Justice called to the attention of the Bench the Senate bill providing for the increase in the salary of the Justices of the Juvenile Court from \$4,500.00 to \$6,000.00 per year. A resolution was passed approving the bill, with the proviso that any subsequent increase should be subject to the Board of Estimates, and authorizing the Chief Justice to write to the City Senators approving the bill.

The Chief Justice also called the attention of the Bench to a House bill providing that a member of the Court House, after 50 years as a City employee, might be retired at \$500.00 per year, a certificate of the Supreme Bench certifying as to the service to be provided. A resolution was passed approving the bill and authorizing the Chief Justice to write to the City Senators expressing the approval of the Bench.

There being no further business, the meeting adjourned.



Secretary,  
Supreme Bench of Baltimore City.

## SUPREME BENCH ASSIGNMENT

March 1, 1947

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William J. O'Donnell

State of Maryland

David J. Harkoff

vs.

Harold Buchman

Sam Fields

Wo. 312X1, Sept. Term, 1946

Charge: Rape, etc.

Guilty 1st and 2nd counts (Assault with Intent to rape)

From: Sherbow, I.

*Denied*

John C. Weiss

State of Maryland

Jos. Hettleman

vs.

Earl I. Rosenthal

Charles Mohl

Thomas J. Swift

Roy E. Wood

Ro. 10313, Jan. Term, 1947

Charge: Larceny, etc.

Guilty on 3rd Count (Unauthorized Use)

From: Sherbow, J.

*Denied*

**RESOLVED\*** That the Chief Judge be authorized to appoint a committee of judges to study the jury system in Baltimore City and make recommendations to the Bench for changes in the laws and notbods new in effect, looking toward the following ends:

1. The improvement in the representative character of the Basic Jury List and increasing its size to ~~the~~ ~~number~~ ~~of~~ ~~jurors~~ ~~now~~ ~~in~~ ~~the~~ ~~City~~.
2. The increase in the pay of jurors for service in the courts of Baltimore City, and the transfer of control over the rate of pay of jurors to the Board of Estimates of Baltimore City.
- 3\* Such improvements in the method of selecting persons for jury service as will provide a larger number of qualified and **eligible jurors, and** make actual service on the jury less frequently **necessary.**

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

Two motions for new trials of  
Charles H. Thomas J. Swift and  
to a Wood, convicted of the theft  
of a 1933 Buick automobile, and of  
Sam Fields, found guilty of the  
murder of J. Edgar Hoover, were overruled by the Supreme  
Bench of Baltimore on Saturday.  
Assistant State's Attorneys William  
J. O'Donoghue and John A. Weiss repre-  
sented the State at the hearing.

### Bailiff Appointed By The Supreme Bench To Serve Under Judge France

In a 6-1 decision the Supreme Bench of Baltimore on Saturday appointed as bailiff under Judge Robert France.

Mr. P. J. Smith, who is 45 years of age, was born in Baltimore on October 10, 1893. He is a native-born citizen and was employed in the office of the Bethlehem Steel Company until he enlisted in the United States Navy on December 11th, 1914.

Since his honorable discharge from the Navy in September, 1918, Mr. Smith has been engaged in the real estate business and is at present attending Johns Hopkins University where he is taking a pro-law course.

## « i H u v &amp; s .

A luncheon meeting of the Supreme Bench was held on Thursday, March 15, 1947, at 3:30 p.m. All of the members of the Bench were present and the Chief Judge presided.

The Probation Committee filed its report, with the Bench, and recommended the appointment of Mr. Charles W. Snyder as Chief Probation Officer; and that the Court be authorized to authorize the appointment of non-residents of Baltimore City as Probation Officers. The report was read, and Mr. Snyder was thereby appointed Chief Probation Officer, effective immediately. A resolution was passed by the City Delegation at the Legislature to have enacted into law an act to authorize the appointment of non-residents as Probation Officers.

The Chief Judge presented a letter from the Foundation which had a copy of a resolution passed by the foundation with respect to the Probation Department, both of which were received, and the Chief Judge was requested to write a letter of appreciation to the Foundation.

The Chief Judge presented a letter from Mr. Howard S. Matthews, Trust Clerk of the Supreme Bench, requesting the approval of the Bench of a salary increase for Mr. Matthews. His request was approved, and the Chief Judge was authorized to write a letter to the City Delegation of the Legislature to this effect.

Minutes-  
Page -2-

There being no further business, the meeting adjourned.

*Edwin Dickerson*

Secretary.

**Supreme Bench Appoints  
Charles F. Snyder As  
Probation Chief**

Charles F. Snyder yesterday was appointed by the Supreme Bench of Baltimore City as Chief Probation Officer, to fill the vacancy created by the death of William H. Stuckert, who died January 25 last.

Mr. Snyder has been associated with the Probation Department since its formation by the Supreme Bench and before that in connection with the operation of the AM Association in a similar capacity, for a total of thirty-three years. He received his education in the local public schools and took a correspondence course in sociology. He is a member of the Baltimore Bar and is married. He resides at 715 Rank Avenue, Mt. Vernon.



Supreme Bench  
of  
Baltimore City

EDDY H. NILES  
JUDGE

BALTIMORE 2, MARYLAND

March 12, 1947

Dear Judge:

As Chairman of the Probation Committee I enclose herewith a copy of a "Report of a Brief Survey" made by Ur. Francis R. Killer of the National Probation Association. I expect to bring this matter up at the meeting of the Bench on Thursday at lunch.

Sincerely yjura,

EHN/Jp

*QjIkK*

REORGANIZATION SERVICE IN BALTIMORE, UMW

Report of a Brief Survey

Francis H. Hillier  
Field Consultant

*NATIONAL REORGANIZATION ASSOCIATION*

Headquarters: 1790 Broadway, New York 15  
San Francisco Office: 107 Montgomery Street  
Chicago Office: 343 South Dearborn Street

February 1947

## PROBATION SERVICE IN BALTIMORE, MARYLAND

## Support of Q Brief Survey

Francis H. Hillor  
Field Consultant, National Probation Association

This survey was made at the request of the probation committee of the Supreme Bench, arranged through the Uluhan Foundation\*. It was occasioned by the sudden death of the chief probation officer, and on account of the need for early action to fill the vacancy there was time for only about one week's study, from February 4 to 14. In both the juvenile and adult departments, however, all those concerned gave full and frank information as to their needs and shortcomings as well as their accomplishments, and the writer had access to data secured by L. S. Pigeon and Mr. Loon Storn in their recent observations of the probation work in Baltimore.

Probation Service

The probation law applying to the Supreme Bench of Baltimore City, enacted in 1938, contains many excellent and progressive features. It confers broad discretion upon the court in using probation. It provides that probation officers' records shall be confidential. It authorizes the appointment of probation officers for merit, through competitive examinations. It provides for appointing such persons who had been residents of the city prior to the preceding year, and the time has come when this limitation should be removed.

The probation department was organized in 1929 with Mr. William L. Stuckart as chief probation officer, and remained under his devoted leadership until his sudden death in January of this year. During Mr. Stuckart's 18 years in the department, much progress was made. Many of the staff were appointed through competitive examinations, and qualifications were raised from time to time. Announcement for the current, elimination states that "it is desired that applicants have a degree from an accredited college, plus formal education in a school of social work of accepted standards", though less education will be acceptable if the applicant has had successful experience in probation or similar social work. During those 18 years the number of probation officers has been doubled. The present officer is appointed to be able, conscientious and most industrious. Many of the duties are of a technical nature.

The department has been methodically organized. Procedures have been carefully proscribed, forms and outlines, have been furnished. A 5300 record system has been established. Detailed statistical records are kept and detailed annual reports prepared. Reports to the court of investigations are also detailed and well written. An excellent accounting system has been installed, with modern facilities. Collections for support, fines, restitution and other fees increased from about a quarter of a million dollars in 1930 to over a million dollars and a half in 1946. The confidence which the probation department has merited is evidenced by the fact that during the 18 years of its existence the number of cases referred to it annually has nearly tripled.

.....On the other hand, the increasing amount of work referred to the probation department, without corresponding increases in its personnel and other facilities, has brought about a situation which will require substantial measures to remedy. There are far too few probation officers to handle the number of cases assigned to the department. The clerical staff is also insufficient and there are no dictation machines. Salaries have been and still are too low, and as one result there has been too rapid an overturn in personnel for the best results. In one subdivision with two men officers, there have been nine replacements within the past four years. Some of these officers who have families to support are compelled to do other paid work to supplement their probation salaries. One of the new officers is so employed from 5:50 to midnight every night a week. All members of the department, including the chief probation officer, have been overloaded with work that no time has been left for staff conferences or other means of inservice training. There is no case work supervisor to guide and counsel the officers, and the officers themselves are so engrossed in preparing reports of investigations for the court that they are able to give little supervision to the persons placed on probation to them\*.

no. 0Diof probation officer

If this probation department, in which so much progress has been made during the past 18 years, is now to be made one of the best in the country, as all those concerned desire, a chief probation officer must be secured who not only has good probation methods and is an excellent administrator, but who will have the personal strength and force of character to take the load in securing the vitally necessary increase in facilities and personnel. In searching for the very best person available, the court should not be limited to residents of Baltimore City. It will also probably be necessary to offer a larger salary than the \$5500 which has been paid for the position.

Whether or not an ordinance to the Z. can be secured so as to open the position of chief probation officer to the country, the probation committee should announce an "unrestricted" examination for a position of this kind, a written examination is far less important than an inquiry into the candidates' records and previous accomplishments, followed by personal interviews with them. The interviews should be thorough enough to bring out the important aspects of the candidates' personal acceptability, their qualities of leadership, initiative and judgment, and their ability to win support by convincing argument. It would be advisable for the examination to be conducted by a committee of qualified citizens, acting on request of the Judge. The committee should then submit to the probation committee of the court the names of the candidates considered best qualified for the position.

Now that the Juvenile court is part of the Supreme Bench, the question has been raised whether there should be an overall director of Juvenile and adult probation, with assistant directors in immediate charge of the two divisions. In favor of this proposal the following factors are relevant:

1. The position of overall director would soon be important enough to justify the payment of a larger salary and to attract candidates of greater administrative ability.

2. The functional areas of the probation departments overlap or merge to such a degree that they should be coordinated and perhaps from time to time personnel or functions should be transferred from one to the other.

The adult probation department now deals with juveniles 16 and 17 years of age, although they come under the jurisdiction of the juvenile courts in the Maryland counties and in all parts of many other states. Adoption investigations are done by the adult probation department, although adoption jurisdiction and investigations are also properly a part of the work of the juvenile court and its probation department. Juvenile relations cases are now dealt with by the adult probation department. Although this case work is often combined with juvenile court work, in domestic relations courts. Cases of adults contributing to the delinquency or neglect of children are now heard in the juvenile court and are dealt with by the juvenile probation department, although this is adult probation work. The accounting and collections division of the adult probation department may serve the juvenile probation department also.

There are various objections to the proposal for an overall director of probation. The juvenile department is already very well organized, staffed and equipped, and not seriously deficient in number of personnel. It has a well developed intake procedure, dealing with many cases informally; a competent director; a juvenile supervisor; a full time psychiatrist skilled in child guidance; a director for care of girls and younger delinquent children. The director conducts an inservice training course for the staff, and there are various case conferences for training purposes as well as for decisions about cases. It appears that there would be little for an overall director to do for the juvenile court and its probation department.

On the other hand, there is so much to be done in the adult probation department that an overall director would need to give his full time to building up personnel and facilities for the adult probation work. In the adult department also there is need of an inservice training course, case conferences and supervision of probation officers' work, though these things can be done to the best advantage only as the staff is increased in numbers so that case loads can be reduced and the officers will have time to learn and use better methods. There is danger that an overall director responsible for the efficiency of both juvenile and adult probation would be strongly tempted to transfer functions or personnel from one division to the other as to strengthen the weakest spot of the whole organization, perhaps to the disadvantage of the juvenile court and probation work as it is now conducted. It is further to be observed that the probation committee, composed of three of the associate Justices of the Supreme Bench, is in general charge of both the adult and juvenile probation departments, so that through this committee, with the advice and recommendation of the heads of the two probation departments, coordination can be worked out and desirable transfers of work from one department to another from time to time can be decided upon.

There is room for difference of opinion, but on the whole it seems that the most practicable thing to do is to secure the best possible full time chief probation officer for the adult department, instead of creating the additional position of overall director of both departments.

#### HOP dad increaBO In porsonnel

Since the adult probation department of too Supremo Bench was established in 1928 the volume of its work has about tripled. From 1928 to 1946 the number of cases assigned to It annually increased from 1353 to 3163\*. The number of cases under supervision at the end of the year increased from 2773 to 8097. The number of Investigations increased from 578 (in 1930, figure not available for 1929) to 1577 In 1946. The number of pre-sentencia investigations in criminal cases showed a still greater increase, from 165 in 1931 (figures not available for earlier years) to 793 in 1946. But during these 18 years the number of probation officers has only doubled, from seven white and three colored officers in 1930 to 12 white and eight colored officers in 1946. The appointment of two additional officers is now in process.

Increase in the volume of work has been especially rapid during the past three years. From 1944 to 1946 the total number of cases assigned to the department increased from 1874 to 3163; the number of Investigations from 182 to 793; the number of pre-sentencia criminal court investigations from 182 to 793; and the total number of cases under supervision at the end of the year increased from 7247 to 8097. During the depression, the number of cases assigned to the department fell as low as 1021 in 1935; in that year only 280 investigations were made, and only 40 of those were pre-sentencia investigations in criminal cases. The effect of the war was again to decrease slightly the total number of cases assigned to the department, but not to decrease the number of "investigations or the number of persons remaining under supervision". So far this year, the increase in the work of the department has been still more rapid. In January 315 new cases were received, at the rate of 3780 for the year QB compared with 3163 in 1946, and the total number of cases under supervision increased during the month from 8097 to 8287.

It is possible that among the cases recorded as under supervision are many which ought to have been transferred to the inactive file, do department report for 1946 states that more cases were transferred to the inactive file than during the preceding year "through the research work of the case supervisor whose services continued until April 15, 1946". The officers state that there are comparatively few such cases on the active list at present, but the renewed work of the case supervisor would no doubt result in transferring cases to the inactive file more promptly. On the other hand, a case supervisor might discourage transferring some cases to the inactive file when it appeared that more work ought to be done, provided of course that there were enough probation officers to do the indicated work.

The adult department has probably been understaffed from the beginning and certainly is badly understaffed now. Most of the officers carry various kinds of cases, some requiring more attention than others, so that it is not easy to determine just how much increase in personnel is called for. Of the 8287 cases under supervision on January 31, there were 2533 of non-support, 2070 of alimony and divorce, 2523 of bastardy, 248 of indigent Parents, and 901 criminal court cases. Most of the non-support, alimony and bastardy cases require primarily the enforcement of payment orders, but in many of them some should be done in seeing that the payments are properly used for the benefit of children. In counseling families regarding such matters as budgets, and so on in effecting reconciliation.

It is not easy to say just how many cases in which the principal problem is the collection of money can properly be assigned to one probation officer, but a caseload of a thousand such cases is certainly far too many. Yet on January 31 two of the officers had 1011 and 1024 such cases respectively. Probation officers can and do keep track of the payments made, send out notices when payments do not come in on time, and refer defendants to the state's attorney when court action is necessary. The kind of work they are doing is important and valuable, and is reflected in the large amount of money collected through the department; but more service needs to be given in many of these cases.

231B 901 criminal cases were distributed under the supervision of 14 officers. Seven of these officers had few other kinds of cases to supervise; they were carrying 711 of those cases, an average of 101 for each officer. According to accepted standards, this is much too great a number to be under the supervision of a probation officer. But these same officers are also required to make investigations for the court. The inevitable result is that supervision of those already on probation is neglected. These officers state frankly that they have little time left for supervision, because reports to the court of investigation in new cases must be made on time and must be thoroughly done. In the supervision of probationers, reliance is of necessity placed largely upon reports from them, in person at the office or by mail. Last year 22,945 such reports were received from probationers, while the officers made only 321 visits to their homes, employers and others concerning them.

The work of the officers has been equalized - so far as possible, and we may therefore assume that all of them are about as seriously overloaded as the seven who work with criminal cases only. It is obvious that if this probation department is to be made one of the best in the country, the number of officers must be greatly increased. Salaries also must be further increased if qualified workers, especially men, are to be attracted and held, and all positions in the department, except for clerical work, should be open to candidates from other counties and states. Opportunities for education and training in work with delinquents and criminals are limited in Baltimore, but Baltimore should avail itself of the best workers obtainable.

#### The Juvenile Court

Only brief observation was given to the Juvenile Court and Probation Department. It is obvious however that the work is well organized and the personnel, so far as observed, appear to be unusually competent. The court is fortunate in having the full-time service of a Judge who is intensely interested not only in the problems of children brought before the court, but also in delinquency prevention and in programs of the correctional

<sup>1</sup> See further comments in discussion of the juvenile court, and appended schedule of salaries paid in other large cities.

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institutions. Although there may be other Judges on the Supreme Bench who are equally well adapted to the juvenile court, it is to be hoped that the rotation system will not be adopted. A Judge needs two or three years, perhaps four or five years, of experience in the juvenile court to learn how to do his job in dealing with the complicated problems there. This court is also fortunate in having a case supervisor, a full time psychiatrist and a part time pediatrician. It is to the credit of the court and department that case conferences are held weekly and that an inservice training course is being conducted by the director\*

An experienced social worker, appointed as "nestor", hears the cases of delinquent girls, neglected and dependent children and of younger delinquents. She also gives much time to counselling in cases not officially before the court but brought in by the schools and other social agencies. This is a valuable community service to parents and children concerned. It avoids official procedures and records in cases which can be dealt with as well or better without official court action and it helps to emphasize the non-punitive character of the Juvenile court.

There was not time to interview the juvenile probation officers\* The director stated, and no doubt accurately, that with the recent addition of four officers, and with the director, the staff is nearly sufficient in numbers. Here however as in the adult department and in other social agencies, the sharp increase in the cost of living and the higher pay offered in other occupations have made it very difficult than it was before the war to retain qualified workers. Although the salaries were recently increased to begin at \$2200 with a maximum of \$2750, one VTOI qualified probation officer was recently lost to a public department where a higher salary was offered. It is urged that Baltimore adopt the salary scale for probation officers recommended by the Committee on Standards of the National Probation Association, with a beginning salary for qualified workers of \$2600 to \$3000 per year and graduated increases thereafter, as the committee report was adopted in 1945. Since which time the cost of living has increased further. Instead of increasing regular salaries, some communities have given underpaid employees a cost of living adjustment or bonus, which of course may be discontinued when circumstances warrant it.

It is not to be discussed of the court's policy in hearing cases of children without previous social investigation, when they are brought before the court for the first time. This is the practice in the Children's Court of New York City, in the Juvenile courts of England, and in a fair number of others. The majority opinion now favors having a full social investigation made before the child is brought before the court, unless there is some emergency requiring immediate court action. Such preliminary investigation is provided for in the Standard Juvenile Court Act of the National Probation Association, which was adopted by a committee composed largely of Juvenile court Judges\*. When the Judge has before him for study a report of the social investigation before the hearing, it is unnecessary for the case to be continued for a later hearing and disposition after an investigation has been made.



Special study might be made of the temporary detention facilities for juvenile court children. They are held for brief periods, not exceeding 24 hours, in the city police stations of Baltimore, separately from adults and with some supervision by the police officers. For longer hospital proceeding disposition of their cases, children are held in the state correctional institutions, all but one of which are within a short distance of the city, and in the houses of the Good Shepherd. The need for long time detention of non-resident children seems to be avoided by unusually expeditious cooperation exercised by the director of probation with the places where the children belong. If the state correctional institutions continue to be used as places of temporary detention for the Juvenile court, they should be equipped to give detained children not only shelter and protection but also a thorough study case can be made in the time available.

The juvenile court age limit in Baltimore City is 16 years, whereas in the counties it is 18 years. The reasons for this difference are not clear. In the largest number of states the Juvenile court jurisdictional age limit is 18 years, and the age has recently been increased from 16 or 17 years to 18 in a number of states. Eighteen years is the age limit recommended in the Juvenile court standards adopted by the U. S. Children's Bureau and the National Probation Association. It would seem that the age limit in Baltimore City should be raised to 18 years, as soon as suitable detention and probation facilities can be provided for the 16 and 17 year old children. Boys and girls of the latter ages are now taken before the criminal courts and tried for the offenses they have committed, there are no special detention facilities for them outside the jails, and if placed on probation they go to the adult probation department. If the juvenile court, and the juvenile institutions cannot take care of the 16 and 17 year old delinquents, certainly special procedures and facilities for them should be set up in the criminal court, the adult probation department and in the correctional institutions of the state.

1. Much progress has been made in the adult probation department since it was established 18 years ago. The probation law has many excellent features. Probation officers have been selected through competitive examinations. The department has been methodically organized. The officers are able and most industrious, and they have done their best under difficult circumstances. The defects which undoubtedly exist are largely due to insufficiency of staff, in proportion to the increased volume of work.

2. The most urgent need is to secure the best available person as chief probation officer. The position should be open to candidates without regard to their residence. A larger salary should be offered than has been paid. If necessary, the amount available from public funds should be supplemented temporarily by private contributions.

3. If the quality of the probation work is to be made equal to the best in the country, there must be considerable additions to the personnel. The staff should probably be doubled in size, if the officers are to be expected to do thorough work in the supervision of probationers, as well as to make satisfactory investigations and reports to the court. There should be a deputy chief and two or more skilled case work supervisors who are not themselves required to carry cases. There should be sufficient clerical help so that probation officers will not have to spend part of their time at the typewriters. There should be case conferences and an inservice training program should be organized. Good psychiatric service should be available for adult defendants, supervised by the chief psychiatrist of the Supreme Bench.

4. In order to get and keep good professional workers in the adult department as well as in the Juvenile, salaries should be raised in accordance with the recommendations of the National Probation Association, provided that new appointees are required to have the qualifications recommended by the Association. All professional positions in the department should be open to candidates from any part of the country.

5. The juvenile court Jurisdiction's age limit should be raised to 18 years, or if this cannot be done, then a youth division should be set up in the adult probation department for offenders of 16 to 18 or 21, and special procedures for them should be set up in the criminal court.

6. Further study should be made of the facilities for temporary detention of juvenile court children, especially if the Juvenile court age Unit is raised.

7. Consideration should be given to the relative responsibilities of the juvenile and adult probation departments. Adoption Jurisdiction and investigations of adoptions should probably be in the juvenile court and probation department. Although such coordination and possible coordination of functions might be facilitated by an overall director of probation, with assistant directors in the two departments, it would

<sup>1</sup> See Standards for Selection of Probation and Parole Officers, National Probation Association, 1945.

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*seem* that the advisable change could be made by the probation committee of the SuprocB. Bdch, with the advice and assistance of the heads of the two departments. Essential developments in the adult probation department will require the full time of the ablest chief probation officer who can be obtained.

## ANNUAL SALARIES OF PROBATION OFFICERS

Director  
Chief Probation Officers

	<u>Director</u>	<u>Chief Probation Officers</u>	<u>Probation Officers</u>
<b>BOSTON</b>			
Boston TUT. Ct. (part of city)	\$3800		\$2100 - 2800
Boston Munic. Ct. (770,816)	\$6500 - 7300		\$3400 - 4500 Jr. \$4000 - 4670 Sr.
Suffolk Co. Adult (863,248)	\$4500 - 7300		\$1920 - 4570
<b>CHICAGO</b> (4,063,342)			
Cook Co. Adult	\$5000 - 8000		\$2600 - 3500 Jr. \$3000 - 4500 Sr.
<b>CLEVELAND</b> (1,217,250)			
Co. Ct. of Com. Pleas - adult	\$5000		\$2750 - 3080
<b>DEHOIT</b>			
City Recorder's Ct. (adult) (1,623,452)	\$5850 - 7350		\$3090 - 3990
Co. Cir. Ct. (adult) (392,171) (outside of Detroit)	\$6750		\$3090 - 3870 Jr. \$4213 Sr.
<b>ESSEX CO., N. I.</b> (857,340)			
	\$7500 - 9000		\$2880 - 3840 (Incl. \$360 cost of living bonus)
<b>MISSISSIPPI</b> (2,875,643)			
All Dist. (co. dept.)	\$8124 - 9888		<del>\$2280</del> - 3828 Jr. \$3456 - 4260 Sr.
<b>MISSOURI</b> (766,885)			
Co. JUD. Ct.	\$4680 - 5580 (Incl. \$780 cost of living bonus)		\$2940 - 3480 (Incl. \$780 cost of living bonus)
Co. Mun. & Mat. Ct.	\$4680 - 5560 (Incl. \$780 cost of living bonus)		\$2940 - 3480 (Incl. \$780 cost of living bonus)

	<u>Directors or Chief Probation Officers</u>	<u>Probation officers</u>
NEW YORK (7,451,995) Dem. ROI3. Ct. (ind. Juv. ct.)	\$7150 (Incl. \$650 cost of living bonus)	{2460 - 4270 (Incl. \$650 cost of • living bonus)
KugistratG3' Ct.	\$4900	\$2460 - 3410
Spoolal Sesslona	\$6000	\$1800 - 2760 \$2761 - 3240
Oaneral Sessions	\$10,000	\$3000 - 3350
PHILADELPHIA (1,931,334) Wun. Ot. (adult & Juv.)	\$6500	\$2300 - 2600
PITTSBURGH (1,411,529) Co. Juv. ct.	\$5604	\$2076 - 3120 Jr. \$3180 - 4044 3r.
Co. Ct. of garter Sessions	\$5856	\$3120
SAF FRANCISCO (634,536) Co. Adult Dopt.	\$5220 - 6240	\$2640 - 3300 Jr. \$3300 - 4044 sr.
Co. Tuv. Dopt.	\$7020 - 8400	\$2640 - 3300 Jr. \$3300 - 4044 sr.
WESTCHESTER CO., N.Y. (573,558) All ots. (co. dopt.)	\$7215 - 9345 (Incl. \$435 cost of living bonus)	\$3105 - 3645 Jr. \$3345 - 3975 or. (Incl. \$435 cost of living bonus)

Supreme Bench  
of  
Baltimore City

March 13, 1947

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

Dear **Judge Smith:**

The Probation Committee of the Supreme Bench begs to report that it has received and considered the suggestions of the National Probation Association with reference to the Probation Department, which suggestions it has found valuable and helpful for future conduct of the Department. A copy of this report has been furnished to each of the Judges. It has also considered carefully the qualifications of all persons who have applied for or who are known to it to be available for the position of Chief Probation Officer in succession to the late Mr. William L. Stuckert, Chief Probation Officer.

We now desire to make the following recommendations:

(1) That Mr. Charles F. Snyder be appointed Chief Probation Officer of the Supreme Bench of Baltimore City.

(2) That we urge the amendment of Section 456 of Article 4 of the Code of Public Local Laws of Maryland (Baltimore City Charter) by eliminating the requirement - that all probation workers and employees of the Department must have resided in the State of Maryland and the City of Baltimore for at least one year before the time of their appointment. We urge the passage of a resolution of the Supreme Bench to be presented to the appropriate members of the city delegation at Annapolis to express our views on this subject.

Respectfully

*Amey Miles*  
*W. M. McLean*  
*Chas. S. G. [unclear]*

Probation Committee. &

Supreme Bench  
of  
Baltimore City

## RESOLUTION.

RESOLVED, By the Supreme Bench of Baltimore that it is the sense of the Supreme Bench that the effectiveness and value of the work done by the Probation Department of Baltimore City would be increased by the elimination of the residence qualifications for probation officers and other workers now contained in Section 4-56 of the Baltimore City Charter. We therefore urge that the Senators and Delegates representing the City of Baltimore in the General Assembly of Maryland support the amendment of said **Section 456** by the elimination of the following words:

"All probation workers, clerical assistants and other employees so appointed or assigned, before the time of their appointment must have resided in the State of Maryland and the City of Baltimore for at least one year before the time of-such appointment."

K I H U T L 5.

A luncheon meeting of the Supreme Bench was held on Thursday, March 20, 1947, at 1:50 p.m. All of the members of the bench were present except Judge Sayler and the Chief Judge presided. The Chief Judge submitted to the Bench a letter to him from: Ur- Lloyd K- Preemsa, Jr., requesting the approval or installing automatic vending machines for Coca Cola, etc., in the Court House, its resolution was passed disapproving the request, and the Chief Judge was authorized and ordered to write Mr. Freeman to this effect.

Judge Wiles reported on the work of the Jury Committee and the views held by the members of the committee, but no affirmative action was taken.

There being no further business, the meeting adjourned.

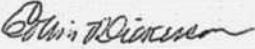



Secretary.



## \* I H U T i 3.

A xuncbtxon D&etiibb α\* the ouprtr-c S-muh was aeiJ an Thursony,  
 \*crch £7, 10-17, et 12:bO j.s. All oi' the inexours or Um fouch  
 rrc- present except Judge Seyler, tnu tlc Obiel' Judic're^iceu.  
 The Chier Judge presented n letter iron ur. it. Luiner t\*ltuaan,  
 Clerk oi' tee iuterior court, rt^u63tinε: the ftprovbl or rhatevtr  
 coy bo che necessary expense ro:\* the purchase ftmu instailtion  
 or tho most ciouum tnc UJI to dtc photostat suunln^s, x'or rooi\*c-  
 lnf orioinbl popers in the HCCDIQ OJriuo. *7ht ti.prov&i trej flvcii.*  
 /. lettar **was** roeeivec Jror. i-r- Pliilip Heller oochs, in which Ac  
 5ttited thot, \*<sup>1</sup>\*<sup>1</sup> in the concurrence oi' ir. mul K. Kuch, rrcsioent  
 ai' tbc Bar Association ol' Boltinorc City, he rebutstei jiorais-  
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 attisioctory orrougements \*vich tho Juage in v/hose Court the  
 osse orlginctoQ.ror the use ol' ois Court *i-jotz.*  
 Thorc boinε no i\*urtbur business, tliu mectinc uajournoa.

  
 Secretary.

# Superior (Sxott)

Baltimore 2.Mb.

March 26, 1947

The Honorable, Tho Members of the  
Supremo Bench of Beltimore City,  
Court House\*  
Baltimore 2, Maryland.

Honorable Sirs:

Section 1 of Art. 17 of the Code has been amended to read in part as follows:

"All entries and records shall be made in fair, legible hand, or with a typewriter, or by the use of appropriate printed foiros, or by photostat machine, or any other method of recording approved by the Court, or by a combination of one or more of the aforegoing; in vfell-bound books procured by him for the purpose, etc."

"The cost of photostat machine or other device shall, upon approval by the Court, be allowed as on expense of the office."

I hereby request your approval of whatever necessary expenses may be involved in the purchase and installation of the most modern and up-to-date photostat machines to properly equip the Record Office with all necessary requirements. I believe I can do this at a total cost not to exceed \$25,000.00, and I have enough funds on hand to pay for somo.

My intention at this time ia to record only original land papers by this method. Short Assignments, Short He-leases, and various other pacers will still bo recorded Under the method now in effect.

2—Supreme Bench of Belto. City, March 26, 1947

I request your approval at this time because I am informed that it will telce approximately six months to acquire the necessary machinery.

Very truly yours,

*M. Luther Kellman*  
Clerk

*Approved*  
*3/27/47*

March 27, 1947.

M. Luther Plattman, Esq.,  
Clerk of the Superior Court,  
Court House, City-

Dear Mr\* Pittinaa:

The Supreme Bench today approved your request to be permitted to incur whatever may be the necessary expense for the purchase and Installation of the most modern and up to date photostatic machines, for use in recording- original papers in the Record office.

By direction of the Chief Judge I am, writing to advise you of the action of the Bench.

... •                      •                      Very truly yours,

Secretary.

**minutes.**

A luncheon meeting of the Supreme Bench was held on Thursday, April 3, 1947, at 12:30 p.m. At this time the members of the Bench were present together with Judge J. H. Stiles, and the Chief Justice presiding. It was suggested that the Bench cooperate with the public relations committee of the Court House Loan, and it was the sense of the meeting that the matter be handled by the Court House Loan Committee.

There was a discussion with reference to the selection of members of the Criminal Jury, and a list of men qualified for Jury and Grand Jury service was presented to each member of the Bench. There being no further business, the meeting adjourned.



**Secretary.**

## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, April 10, 1947, at 11:30 p.m. All of the members of the Bench were present except Justice Sayler, and the Chief Clerk presided. Upon motion, duly made and seconded, it was resolved that the monthly meeting of the Supreme Bench, scheduled for Saturday, April 12, 1947, should be called off. It was also resolved that the Term Meeting of the Supreme Bench be held on Friday, April 25, 1947, at 10 a.m., for the transaction of such business that may properly come before the meeting. There being no further business, the meeting adjourned.

*Estlin J. Dickerson*  
Secretary.

APRIL 11, 1947

Meeting Of Supreme Bench  
Scheduled For Tomorrow  
..... Is Postponed .....

The regular monthly meeting of the Supreme Bench of this Court, which was scheduled for tomorrow morning, has been postponed, it was announced in the Court (HBM: yesterday).

The Council of the Court, held a General Term meeting on Friday, April 11, at 10 A. M. At this time the Grand Jury for the May Term will be selected and arguments will be heard on several. In criminal cases Motions for continuance of the trial will be entertained and other business may be properly presented will be transacted.

## M I R D T £ S.

A Tera Meeting of the Supreme Bench v&s held on frititty, April £5, 1947, et 10 o'clock a.m. Ail of the members of the- Bench were present except Judge iloser, end Lhe Chief Juã^e presided.

Tie rollov.ing were admitted to practice before the Courts of Baltimore City:

f"JL Sato. Arcera and George Sadisc  
>were nJmited to practice in racntkn  
of Uic DolUuioic Infr by-the Supremo  
jDncil of Itaitmarc Clj- rcsicainjy  
upon Uio respwUo. moMoinof T> E.  
NcUoa.StcUit ooj ThomaO At. Har-  
rington.

The motion of Felix ueple, for 2 new trial from his conviction of murder in the Criminal Court, was argued, submitted end over-ruled.

The Summer assignments oi' the members of the Bench were filed, with the understanding that any exchanges shell ha mede oo or before feey 9th next.

There was a discussion with respect to the ureuing: of Grand Jurors, and on motion of Judge Niles it v/es resolved -  
i - To strike out the words "Corrected list of nominations for Crand Jury" and insert "Additional names for Jury".

? - That 68 additional names on said list oe added to the 7c0 Qaiaes submitted to the Jury Clerk "for the m&y Ters".

It y,as then resolved that the following shell constitute the seabers of the Grand Jury for the Kay Term:

Adams, James Av. 102Vp.ruId.IJill avenue.	Horney, Frank C. 616 Lyndhurst Street.	Nerb " 61 J. 617 W "IdUsI SI'S
Barnette, John E. 2502 McCulloch Street.	Hussman, Peter I. 600 Wcilfrato road.	TelerBOD.Clun)C3 ISOSHomllloa avenue.
Bartholow, E. riv Inter. JOB TVK* ford road.	Hutchison, Ed. fnd. N. 6702 Loch Invc road.	hot-eater, Fml A. "31-Λ"-F! tract
Boston, William D. Sr. 1663 Harlem avenue.	Leloeveber, William Sr. 3210 Mil- ford avenue.	Hohenstock, Julian O. 3744 Columbus Jr.
Coutin, Paul H. 5*Si Tulor Area avenue.	Mabston William J. Sr. 733 Hist road Street.	SliiJllh. JnrrelfSI, Jr. 637 North Patterson Park avenue.
Debert, George S. 21K Elta^jt Street.	Miller, Clarica xv. 2700 North C/N Jrcitllrec L.	Swindell, Jacob B. 2213 Blaney ave- nue.
Duke, A. Brown. 5583 Roland ave- nue.	Moore, Albert T. W. 218 Sag Neal, Joseph H. oil	ttrel, William F. UH ACIno DiCr.

icimites  
4 47

It was suggested that when the Judge in the Criminal Court studs out notices, that he shall subisit the reasons for any unwillingness or inability to serve on the usrt of en/ nia-bei'S of the Crend Jury to the Chief Judge.

It W03 resolved that tae saaitionol name\* on the additional list, who ere not selected as members or the Grand Jury, shell be eaded to and treated in the seme manner as the nnmea on the list of 750 sen heretofore submitten e&the Jury Clerk.

The members of the Bench v/ere acvisee ta<t the charge lor the listing of Pleza 2000 for members of ths.Bench v.-ill be withdrawn.

TUe Chief Jutf^e subtuittcu to xhc Bench a letter froi^ Mr. Joseph 5oip to the Chiel' JuCfe, asi;in^ ior c hcerin.7 bel'oj-e tho Supr&ae Bench in connection with his proposes dismissal as e Deputy Cler-; in the Baltimore City Coiu-t, a copy of v.hich wes sent to ^r.

Itutherford, ana a eppy of lettai- v.f.s submitLeu rrom kr. fluther-Tord to Mr. fowp; stat^f^vthet J.l.r. Bopp hau called to sec him on the 24th instant. The Chief Judge referred to Section 36 of

Article 4 of the State Constitution, v/hich gives the right to the Bench to remove Deputy Clerks for incompetence o.- ioerfieiciency, end it was suggested that the Chief Judge v.-rite to Mr. Hutherford

ard UT. Bopp ana arrange for 9 meaiel examination or Kr. Bopp, to determine whether or not he can continue as e Deputy Clerk "ithout danger to those who nay come in contact with him.

'here was o discussion of the refusal of air. Sipperge:-, Clerk ox' l^ie Circuit Court, to keep his office open after 4 p.m. to permit inspection of papers within his custody, and the matter was re-ferred to the Chief Judge.



Page 5 -  
Minutes  
4/25/47

Judge Hanley suggested that he would like to have a door-man at his Court, and Judge Sberbow agreed to Mr. Sosen <sup>his doorman</sup> serving in that capacity. This was accepted by Judge Mauley.

It was the sense of the meeting that any Judge who may be trying a civil case during the Summer recess, should have arrangements made for the services of a stenographer without disarranging the Summer assignment.

There being no further business, the meeting adjourned.

  
Secretary.

## SUPREME BENCH ASSIGNMENT

April 25, 1947

Alan H. Hurrall  
Anselm Sodaro

State of Maryland

E. Everett Lane

vs.

Felix Maple

Ho. 30686, Sept. Term, 1946

Charge: Murder

Verdict: Guilty of Murder in the 1st degree

From: Sherbow, Niles and France, JJ.

*overruled*

**Motion For New Trial Was  
Denied By The Supreme  
Bench Yesterday**

The motion for a new trial was denied by the Supreme Bench yesterday.

The motion was made by the defense in the case of Felix Maple, charged with the murder of E. Everett Lane, at the hearing of the Supreme Bench yesterday.

VACATION ASSIGNMENT - S11E.SS. 1917

<u>*EBS</u>	<u>CRIMINAL COURT</u>	<u>R'-IITC COURT</u>
june 30 - July 5	JUDGE SIHTH	JUDGE THICEE
July 7 - 12	TUCKHI	SIHTH
July 14 - 19	HUES	SHE3B0/V
July 21 - 26	SKERSO.S	KILES
July 28 - August 2	UASOH	DICKERSOK
August 9 - 14	DICKBI SOH	IVISOI
August 16 - 21	MAULEY	HUIICE
August 23 - 28	HUU'CE	UWKSX
September 1 - 6	HOSES	SAXLSI
September 8 - 13	SA11E!	HOSES

Re: Joseph L. Bopp

8BPHEHE BENCH

OP

BALTIMORE CITX.

Samuel K. Dennis,  
Chief Judge.

October 13, 1933-

Hon. Stephen O. Little,  
Clerk of the Superior Court,  
Hon. George Carey Lindsay,  
Clerk of the Baltimore City Court,  
Hon. James Y. Claypoole,  
Clerk of the Court of Common FleaB,  
Hon. Edward Gross,  
Clerk of the Criminal Court,  
Hon. Charles H. V/hlteford,  
Clerk of the Circuit Court,  
Hon. John fleasants,  
Clerk of the Circuit Court No. 2,  
Court House, Baltimore, Maryland.

Gentlemen:

The attention of the Supreme Bench has lately been directed to what is perhaps a custom of long standing whereunder the Clerks of the several Courts of Baltimore appoint deputies, put them to work, pay them often for considerable periods without such appointments having first been confirmed by the Suoreme Benoh ae is reaulred by Sec. 26 of Article k of the Oonstitabtutlon. (Also see Sec. 37, Article k- of the Constitution) The aforegoing provisions of the Constitution were onstrued in the oase of Smith va. Turner, 101 Md. 5dh, wherein it was held at page 591 that: "Deputies are not mere servants of the Clerk; they'are agents and officers of the Court, being appointed, in the language of the Constitution, 'to perform together with (the Clerks) themselves the outles of said office".

The provisions of the Constitution olted and as onstrued in 101 Maryland Impose duties and responsibilities upon the Supreme Benoh, both" in relation to the employment and discharge of deputies, which should be observed both by the Clerks of the several Courts and by the Supreme Benoh.

The payment of salaries to deputies who have not first been confirmed by the Supreme Benoh is of course made at the risk of the Clerk making such payments and his bond.

In order to maintain and clarify the respective duties of the Clerks and of the Benoh, the Supreme Bench at lts meeting held October. 6th, 1933, adopted the following resolution for your guidance, viz:-

RESOLVED: ~~Office~~ Hereafter In all c&sea of vacancy or the creation of a new poaition In the offices of any of the Clerics of the Ourta of Baltimore City, no appointees shall enter upon the dutiee of their respective offices until after their confirmation by the Bench; all appointments ehall be accompanied by a statement of the circumstances thereof, whether to a new position or to a vacancy, and in each case the reasons for **the** existence of the vaoancy or the creation of the new position shall be given.

Very respectfully,

Sara'l K. Dennis\*  
Chief IXudge\*

SED:S

COPY.

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SUPREME BENCH  
OF  
BALTIMORE OIK.

Samuel K. Dennis,  
Chief Judge.

April 23, 1938.

Eon. Stephen O. Little,  
Clerk of the Superior Court,  
Hon. Frank C. Hobey,  
Clerk of the Court of Common Pleas,  
Eon. James B. Blake,  
Clerk of the Baltimore City Court,  
Eon. Charles H. Whiteford,  
Clerk of the Circuit Court,  
Eon. John Pleasants,  
Clerk of the Circuit Court No. 2,  
Eon. Edwardfloss,  
Cleric of the Criminal Court,  
Baltimore, Maryland.

Gentlemen:

'At the last meeting of the Supreme Bench, I was directed to write to all the Clerks of the Courts and to notify them that in view of the present volume of work generally existing, that there is in the opinion of the Supreme Bench no need of any additional clerical assistance. Therefore the Supreme Bench is declined to approve the appointment of any additional assistants or deputies in any Clerk's office.

It is further suggested that in the future should a vacancy occur in your office that you confer with the Supreme Bench before making any commitment looking to the appointment of a successor, since that course may tend to avoid any embarrassment or misunderstanding.

Very respectfully.

Sam'l K. Dennis,  
Chief Judge.

copy:

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BDPBEMS B&7CH  
OF  
BALTIMORE CIJT.

- dssmel K» Dennis i  
Chief Judge.

Boveober 16, 1938.

Sir« John O« Butherford  
Clerk of the Baltimore City Court  
1200 Court Square Building  
Baltimore Maryland

Dear Sir:

I trust you will shortly qualify as Clerk of the Baltimore City Court.

So keep you informed of the sense of the Supreme Bench, not to say that the Bench discourages clerical changes in Clerk's offices; except when it is clearly demonstrated that changes are needed for the good of the Bar and the Supreme Bench; holds the view that subordinate positions are a poor lot for a young man in the several offices of the Clerk of the Court.

We are confident that you are in accord with the foregoing policy and that it may be a protection to you if you are asked to make appointments as regards for political or other considerations other than the good of the Bar and the Supreme Bench. It is the policy of the Supreme Bench that the Bar should regard such positions as non-partisan, and will refuse to approve the appointment of a subordinate to a deputy or other position of less than the highest rank.

I also enclose for your information a copy of letter sent to all Clerks of the Court on October 13, 1933.

Trusting you have a successful and happy experience as Clerk of the Baltimore City Court, and assuring you of the good will of the Bench and of the desire of the Judges to cooperate with you in promoting the efficiency of your prospective office and the effective and economical operation of the Court.

Very respectfully,

Sam'l K» Bonnla.

EEDIS  
Eno.

## • muti.fi.

A luncheon Beetinf of the Supreme Bench sat held on Thursosy. Hay 6, 1947, at 11:30 y.B. ?reseui Cbief Juu,e Sslth, aj4 Judges Uoear, Seyler, ttason, Nilee, Sherbow ami Dlckaraon. Judge Nil\*\* reported mat h\* hud baa torn oorratioaceno\* dla-ouialoo wltfi ra(aitl to brln^log nosyital r\*oori< into Court, •DC It «•» r\*Bolv\*d tn\*t th\* Cbl<r Judge abould ay,:olot a oaaalttca of in n««<<D><T» or th« Sanch to dlsoua\* to\* aatttr with tvo lawyers appointad or fraaidant Kaeh or tna Bor A»»o- ciation, to taia u> tha aaitar irita tno Ba>b<rs of Joans Hopkins Hospital atarf, to dataradna tha baat katboo or havln- tba raoorda brought into Court.

Uessra. (illian I. Nalaon, froderick A. labar, Abrabai. Rubanatain, Arthur Albaumh, V. Moby Purnall, Jr., ana Ciaton L. Anaall, rara aalaotad to fill raeaaeia on the Hay Tara Crane Jury, In liou of Uaaara. John \*> Barnatta, L, Saoatar aartnoio^, >r<n\* C.Hornay, H<\*rd li. Hutohlaon, Cbarlaa Saltar Mi-liar anc Jarratt M.Sbarldan, who bava baaa axouaad.

Tha Chial Judga reportad that tir. Iolfar, tba Jurj- Jucfa, i> in bad abapa and rill ba confined to the hoa;>ltal lor tan daya to tiro ireeka.

Tha Chief Judca alao reportac that Dootor Outtaeahar had azaalnad Ur. Joaepb L. Bopp, and had racoaaaaaded that no action ba taken with regard to ttr. Bopp until the dootor should Bake a rinal '•port.

There bains no further business, the Beating adjourned.

*B*  
Secretary.



MAY 10, 1947

### Additional Grand Jurors Arc Selected By The Supreme Bench

Tip Supreme Bench of Duillmore  
icslenlvy nolecleJ Willim B. Nelson,  
333 DoljilLu mn-ci; Kmliclct A. Fnlcr,  
Amngemdr Amrtwms; Ahimmi,  
nulticutcu. 3501 Trlnor nrcnuc;  
ArUur Alhaup, 5100 St. Altanji War;  
W. KoUr riirndl, Jr., 4103 Molnu nve-  
iwe, nnil Oratlon L. Awtel. HH But  
UnUewly Frnkwny, to servo on mem-  
bers of Uic May Term Guini Jury.

The now Jitmra nrc clllrJ lor Mon-  
by, ilor Mih, nnd win nccrc In Ilc  
plnce and atml of John E. Barncite  
E. Welmitr Rnrtiolow. Ftink C. Hot-  
ncir, EdwnrU N. ilutcbliou, Charles W. <  
Miller nnd Jorrott M. SUCrdon, Jr. 1  
\*ho were extuctd.

MAY 13, 1947

### May Term Grand Jury Is Organized In Criminal Court

Tin- nmnl Jut? for the May Term  
wnH oninnicJ In the Criminal Court  
Ttsicnlj- licfore JUdges J. Abncr & >-  
ler Joifih Shorhow and Mleml J.  
Ma

Juil-p Knr'cr niinolnlnl W. ItoIT P'nc-  
w.-lt. Jt.. nH Porumn or tho Uod- nod  
&xlcnajnl Willlam Lclnrcbcr, Sr., to  
wcv nk AEdalnut Foreman.

Tin- firmU Jury n\* organized fol-  
lOim:

Adams, jQiaet A., 1021 Druid IIII

Albuu; i, Arthur, C100 SL AJUon'i  
Way.

AnellOratlon L., 31-1 East Ualvcr\*  
ally Parkivny.

Uoston, William D., Sr., 1003 Harlem  
nveDitc.

Coslht, Pnnl JL, ST\* Tudor Ami  
nveDitc.

Dol.crlj-, George S., 21W Ellomoot  
nrcct.

DolKI, A. Urotn. OSOS nolond ote-  
nuc.

Fnbcr, Frederick A., Araboundor  
AjnrimntB.

UucsmoD, Fcier I. COO We\*lento  
road.

I'nlon-eber, William, Sr., 3210 Mil-  
ford oTcnuc.

Molltram, WIUlam J., Sr., 733 Eut  
S-mil nr\*L

ilooore, Albert T. W., 313 Suffolk road.

Negat, Jotcpb n\* 013 Bokcr sirtvL

Nclion, William R., 333 Dolphin  
Street.

I Korln, Paul J., 017 West 33rd mrcOL

Pcltz, Rotict I- 2218 Lake nvenue.

rcicraon, CUnroe E., 2S03 ITaalltois  
OTcnuc.

Iumcll, W. Uaby, Jr., 410S Mala\*  
nveDitc.

RodiMter, Fred A., 220 Eait XLL  
Itrot.

ItiCDdocfc, Jallaa a, 3744 Columbus  
Drlo.

Itubcnitcln, Abrnbnni, 36DL Trolnoir  
avenue.

Sirioccll, Jacob D., 2213 Sldnej arc-  
nuc

WeUcl, TVillmni P., 1U1 AT\*onno  
Drlo.

## I I I V T I S .

A luncheon steeting of the Suyreiae Bench was halo on Thursday, My 15, 1947, «t XI:30 p.B. All or the Matters 01 the Bench i«re yreaent exoept *late\** «\*)rl«r, and lh\* ChW Iwif pr«««lc«o. Th« Chltr ^udge report\*;; that he hao a request IIOK Ur. 5LIK>O t. Sobelorr to set aoen ror a bearing the petition or Mr. Bernard M. Myersoo for ra-IDttataaaot ea • aeabar or ibe Bar. \* resolution m then paiaeo sererring the Beering until the teptenser Ten, 1»«?, on a &\*y to be «et by tn\* Chief Judge. A reaolution nas pessad, ooy/ of •nioh Is hereto attached, rlxinc the salaries or ballirfs, eriectlve June 1, 1947. There being no further business, the Meeting eojoined.



S«cr\*tory.

°Tho City ;:agiotor olioll pay to 'Jxt Pailiffo rooiiootivaly of thw  
 Superior Court of Qaltlaoro uity, of the tourt of Saumu e'-xcao of flaltiyaw  
 City, of tha Doltlawe City Court, of Uo Circuit Carxt yf Baltiaoro City, of  
 thid Circuit Court lio. 2 of Saltisore City find of the CrJLolnal Court of Haiti-  
 noto City, thio mm of not loos than tacnt/-oi<;Jit hundred nor aoro than thirty-  
 five husdrod (Jollors per ammo, and to tho SaUlff aaainpod to too Jury Judge  
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 Mlftrios so to bo ^nid, owi to ocrtify such deterslnatlo.i to thia Hoard of  
 Csticats of naltii:oro City}

And the Honch boinf of opinion that Uo oalario of all of the TJalUffo  
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 oervico, and that the boiliffo of thio varioou courts oucht to ho ^aid at thio  
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 of sordoo, not to exceed 53,503. per onr.ua, mE- diaV tr.t Itfilliff to lie Jury  
 Judgo ou^ht to be paid at t^do rate of 53,50Q, per .iirius with an i^oroMo at 0100\*  
 per annum for each full year of ocrvico, aot to wwood £b,030» per anuat,  
 DE IT TiiEirCHP. ItE3U»D tt\*1 tho (Joillffo -?r thio varioca cD-rta bo paid  
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 ^ilwiiq. of jut9Ui<r /car.

## VACATION A3SI0IIMEHT - S1HMER, 19117

	CRBIDIAL COURT	B3UITY COURTS
	<u>JPEOE</u>	<u>JUDGE</u>
30 30 - July 5	siara	S/.YL2!
oj 7 - 12	SATLER	sun
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I MAY 30, 1947

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## Supreme Bench To Hear New Trial Motion On June 7th

A meeting of the Supreme Court of the District of Columbia will be held at 10 o'clock on Saturday, June 7, for the purpose of hearing argument on motions for new trials in criminal cases. Motions for reversal in the District Court of the District of Columbia will be considered at the meeting.

The Court will also hold a regular term meeting on Thursday, June 26, at which time the Grand Jury for the September Term will be selected and the Judges will administer oaths for admission to the Bar of the District of Columbia who passed the bar examination by the State Board of Law Examiners in March.

## MINUTES -

A meeting of the Supreme Bench v/cs held on Saturday, June 7, 1947, at 10 o'clock a.m. All of the members of the Bench were present, except Judge Sherbow, and the Chief Judge presided.

Mr. George P. Heyaen v/es admitted to practice before the Courts of Baltimore City

The motion of Julie Grem, for a new trial from her conviction of robbery in the Criminal Court of Baltimore City, was argued, submitted and granted.

The motion of Charles W. Voernlein, for a new trial from his conviction of robbery in the Criminal Court of Baltimore City, was argued, submitted and granted.

The motion of William J. Schloer, for a new trial from his conviction of larceny in the Criminal Court of Baltimore City, was argued, submitted and granted.

The motion of Earl McGee, for a new trial from his conviction of assault to murder in the Criminal Court of Baltimore City, was argued, submitted and granted, and held sub curia for an opinion to be written by the Chief Judge.

The motion of Miller Lucd, for a new trial from his conviction of rape in the Criminal Court of Baltimore City, was argued, submitted and granted.

There being no further business, the meeting adjourned.

Secretary.

SUPREME BENCH ASSIGNMENT  
June 7, 1947

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Alan H. Murrell

State of Maryland  
vs.  
Julia Grem

Joseph Skrentny  
Edward Bees

Bo. 11565, Jan. Term, 1947  
Charge: Robbery, etc.  
Verdict: Guilty  
From: Sayler, J.

*Granted*

Thomas N. Biddison

State of Maryland  
vs.  
Charles W. Woernlein

Ilorris Lee Kaplan

Bo. 11554  
Charge: Robbery, etc.  
Verdict: Guilty  
From: Sayler, J.

*Denied*

William H. Uaynard

State of Maryland  
vs.  
William F. Schloer

Samuel U. Campanaro  
O. Bowie Duckett, Jr.

Bo. 11882, Jan. Term, 1947  
Charge: Larceny, etc.  
Verdict: Guilty  
From: Sayler, J.

*Granted*

John O. Weiss

State of Maryland  
vs.  
Earl McGee

W. A. C. Bughes, Jr.

Bo. 11310, Jan. Term, 1947  
Charge: Assault to Murder  
Verdict: Guilty  
From: Manley, J.

*Granted  
Sub Curia*

Saul Harris  
"Mold Grady"

State of Maryland  
vs.  
Miller Ludd

C. Warren Colgan

Bo. 11382, Jan. Term, 1947  
Charge: Rape, etc.  
From: Manley, J.

*Granted*

JUNE 9, 1917

### Admitted To Practice As Member Of Local Bar By Supreme Bench

Orarje P. Inntdm »\*» mllmited l»  
practice n» n mpmx-r of tin- Unltitoorc  
Bar hj the Sopnauc Donch ot llfilitl-  
more on Haturtlny. tixxin llK> motion Of  
John A. Laichfortt. Jr.

### Arguments On New Trial Motions Hurd Before Supreme Bench

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no tiell sub curi.

O. Rotrie Ducked. Jr. nun tm at-  
lonicr for Schlocr, while Joqpb  
Skrrnril ami Kilwnil ltn-\* appearvl on  
behalf of tic defendant, Julia Ort-u. O.  
Warren Colson repr-cutcl Luld and  
V.- A. C liuchc, Jr. wan the attorney  
(or McOiv. AMlitnt State's Attornrl  
Thomus X. Ulldbwn and Jbn C. WOIM  
represented ibe Stoic In the Wocmcta  
and McGee cases, respectvly.



## u i n t e s .

A luncheon meeting of the Supreme Bench was held on Thursday, June 12, 1947, at 10:50 a.m. All of the members of the Bench were present except Judge Snyder, and the Chief Judge presided. The Chief Judge presented a report on Mr. Joseph Bopp, clerk in the office of the Clerk of the **Baltimore City Court**. He reported that Mr. Bopp had been operated on for a tumor of the throat, and the doctor recommended **that he could return to work** in two weeks and that there was no **actual danger of contagion**. His ailments were quiescent and centered of the throat. It was left to the Chief Judge to dispose of the controversy herewith. **X7. Sutherland** and Mr. Bopp, on such terms as he should think best.

It was **reported** to the Bench that the Clerk of the Criminal **Court** had not sworn in any of his deputies, and this matter was left to the Chief Judge to dispose of at his discretion.

It was resolved that the opinion prepared by the Chief Judge in the case of State versus Earl ~~McC~~Gee, should be recified so as not to reflect upon the State Attorney, and should then be filed and published.

There being no further business, the meeting adjourned.

*Edwin T. Thurston*  
Secretary.

ILL NUTTS.

A Tars Meeting of the Supreme Bench was held on Thursday, June 16, 1947, at 10 o'clock a.m. All of the members of the Bench were present except Judges *tioser* and *Sayltr*, and the Chief Judge presided.

An order was passed authorizing the closing of the Clerk's offices at 3 o'clock p.m. Monday to Friday, both inclusive, and at 12 o'clock on Saturday, beginning July 1st and ending September 6, 1947. The following men and women were admitted to practice before the Courts of Baltimore City:

Twenty-three candidates\* who passed the examination by the State Board of Examiners in the local Bar, by the Supreme Bench of Baltimore.

Admitted to practice:

William L. Hunsdon, Charles D. Paynter, John G. Hose, Donald E. Winstooley, Oatlin M. Flinn, Jr., Curt U. El. C. Tat, Leo J. Lannan, Bolman A. Sciea, J. beiECr, Milton H. F. Ban, J. Lairre, Jr., George D. Calanncl, Dfury M. Dectcr, Jr., John W. Drawn, Jr., Theodoro Scherboir, Julia C. Bolter, Olarton A. Dlectrdi, Norman I. Broadirater, William H. Horpbr, Spiro T. Licncir, Illichod P. Crocker, Barry J. Antcr-on, Sblrcy DnBDOck, and Coil SiPrand\* QorUciolk.

\* Grand Jury for the September Term 1947 was selected.

There was a discussion of the need of **nin help and structur.1** Ganges in the office of the Jury Clerk. The matter was referred to the Court House Committee, with instructions to apply to Mr. \*ul Zimmerman, Superintendent Public Buildings, to have the partition removed in the office of the Jury Clerk, and to secure

minutes  
G/26/47

additional help.

There was discussion on a number of matters in connection with the proposed budget, which Juago Tucker stated had been requested to be filed by August 1st. It was resolved that the Chief Judge obtain from Mr. Fellon, Budget Director, such additional funds as the City authorities might agree to, for the balance of the year, and in preparing future budgets to eliminate the cost of blood tests in bastardy cases.

It was suggested that the purchase of Sun papers be dispensed with during the Summer vacation, and the question of the reduction in the number of Bagezline\* be referred to the Chief Judge.

It was resolved that the salary of the Grand Jury taxon be advanced to \$71,200 a year in the next budget, or to the pay of the other two, whichever should be the higher.

It was resolved that the Chief Judge and a member of the Budget Committee submit the next budget in behalf of the Supreme Bench. The question of the pay of jurors and increases or salaries and such other matters that the Chief Judge may think proper, be included in the budget, with authority to the Chief Judge and such other Judges as he may call upon for assistance, to submit the budget.

A letter was received from Mr. Elliott L. Carter, Clerk of the Criminal Court, submitting for approval a list of four appointments to his office. The matter was referred to a committee consisting of the Chief Judge as chairman, and such other members of the Bench as he may select.

There being no further business, the meeting adjourned.

*Estimé J. D. Williams*  
Secretary.

## I Clerks Of Local Courts Authorized To Close Offices At 3 P.M.

The Supreme Bench of Baltimore City issued an order Monday authorizing the Clerks of the District local Courts to close their offices at 3 P. M. during the Summer months. Instead of the usual hour of 1 o'clock.

In accordance with the terms of the order the Clerks will be closed at 12 noon on Saturdays. This schedule will be in effect on next Tuesday, July 1st, and will remain in effect up to and including Saturday, September 1st.

## Grand jury For September Term Is Selected By Supreme Bench

The Grand Jury for the September Term was selected by the Supreme Bench of Baltimore yesterday at a Council Meeting.

When the list was announced by the Judge it was disclosed that two women have been designated to act as members of the Jury and they will be the first to serve under the terms of the Women's Jury Service Bill which was passed at the last Session of the General Assembly. The Jurors were called for Monday, September 1st, when the local Courts will convene for the September Term.

A complete list of the jurors follows:

- Aniel, Turl Edward, 1301 EdiloDd avenue.
- Bismilci, Samuel S., 201 North Etcetera street.
- Demarcit, Clorton Jr., 140B Norwood road.
- Dison, Walter T., 1033 McCulloh street.
- Dopita, Henry, 2312 Norfolk avenue.
- Fardwell, C., Leonard St., 5400 SpHaciako XVOT.
- FinnU, William T., 100 Llanani street.
- Bagel, Anton, 3»1 CroulaaU nvenue.
- Hcalj, Joicpli P., NorUilOr Apts., 3700 North Charles street.
- nobillUcll, Cilsc Ilorj-, 3510 North Colcrt street.
- KhWls, John Sr., GMC Carter avenue.
- Lubber?, Lan-rcnce, 422 North CBOKJ-mlie lane.
- Martin, Jolui A., 12aj Eujor airclL
- J la ton, Otenr J., 1C37 Aixrlo orcnue.
- McCellan, Emny H., WOS Poplar tfrace.
- Neuburget, Jacol, 30H H(literstown road.
- Norris, William H., Jr., 817 Ilcani mont avenue.
- Norwood, Harold D., 3SU Ednoc road.
- Sheridan, Jnrrect M., Jr., 53T North I'itlcnon Patl; avenue.
- Treaholm, Glorcr O., 100 WclL Oist.
- ltry Pa 13.
- Vanaorn notwrt J., Anbau dor.
- Apw., 3SU Canterbury mail.
- Wood, Abram, 277 cullor are nue.

## K I J O T S S .

A special zeeting of the Supreme Bench was he-lu' on V.rcntsny, September 5, 1\*K7, at ii: o'clock noon, present - The Chief Judge and Judges Uuson, irence, Shsrbov\*, Kilcs, h;oylmi end uickerson. The Bench proceeded to fill the vecr.ues on the September 1M? Term Grand Jury, occesionea by tin- inability s; ili> l'oilowini; previously seleetoo aerabers to serve, vi?: Clbytori Uefturst, Jr., c. Laon&ra >'cru;vell, Sr., Joseph P. Hebly, J&cob Ne-ubtiiver, Harold D. Norwood 9no Jarrett M. tiberiotin, Jr., ond the rollov;iii£ persons were seioccoii to fill r.ht above vacancies, vi:: irilliem r: £>v/son, 4?51 Ivenhoe Avonue, freo-^ricl: 'V. Lotv., S&I? rernpark Avenue, Roger 3. Richer, Sr., 3011 V.eync Avenue, Kelson E. ?oylor, Sr., 2405 Ken Oik Avenue, Lilli&n M. Glbui'clter, 100U 'Vest 3Eth Street, end Isu&c V. Hornstci::, £S23 Bryunt Avenue. The Chier Juage proscntei B letter Iroci Mr. V'iliora L. Ccrter, Clerk of the Criminal Court, re-suuxittin£ the nu&c of t.'r. P. i^oss Bunalc for tne position of Chief Deputy ia the office of t:ie Clcr!: of the Criminal Court. The nomination wei cistpurovoc, onu the Secretary v;es Qirectca to cocununichte tne oction oi' Ltie Bench to Ur. Certcr, end to inform hin: that it is not the policy of the<sup>e</sup> Bench to approve eppointnents of men &a Chief Deputy Clerks v'ho iiove had no previous experience in the office.

The Chief Judge also presentee e letter from Mr. U. Luther Pittaan, Clerk of the Superior Court, inforuiiiE the Bench thet he had appointed us o clerk in his office, to serve e3 A3signue:n. Clcr!: for "11 of the Law Courts, Mr. Arthur V. Griffith, #7 North V.ooiiiigton Sood. On motion the appointment was approved, ond the Secretary v;es directed to so notify lir. PittDEN.

The Chief Judge called the attention of the Bench to a letter from

Minutes

9/3/47

Mr. J. Bernaro 'Veils, State's Attorney of Baltimore City, to the effect that he deemed it necessary to have three Criminal Courts in continuous operation, but no action was taken by the Bench. *The Chief Justice*  
 The Bench also declined the attention of the Bench to the fact that Mr. James A. Cole, a clerk in the office of the Clerk of the Criminal Court, had been convicted of tampering with the coils nearly 50 years ago, and had served ten months of his sentence and had been paroled. It was the unanimous view of the Bench that the move against Mr. Cole was purely political, and that no action should be taken with respect to his criminal record, and a motion to that effect was unanimously carried.

There being no further business, the meeting adjourned.

*Edwin Hutchinson*

Secretary.

[Six Additional Grand Jurors  
 Were Selected By Supreme  
 Bench]

• The Supreme Bench of Baltimore  
 yesterday selected William P. Dalton,  
 William M. Galt, Frederick W.  
 LoU, U12 Federal Avenue, Hbscr IL  
 UDU, Sr., 300 W. Wincennes; Kcl-  
 • On E. Taylor, Sr., 205 Ken Oak  
 • On J. J. Hill, M. Galt, 1000 West  
 SSt. Street, and Isaac T. Dortch,  
 2320 Dryden Avenue, to serve as  
 • On J. H. H. H. H. H. H. H. H. H. H.

• The next jurors are called for Monday.  
 Special Jurors will serve in the place of  
 the jurors of Clarion, Democrat,  
 C. Leo in Fennell, Sr., Joseph  
 P. H. H. H. H. H. H. H. H. H. H. H.

who were excused.

Superior Court  
of Baltimore City  
Baltimore 2, Md.



September 2, 1947

The Honorable, The Members of The  
Sijreme Bench of Baltimore\* City,  
Court House,  
Baltimore 2, Maryland.

Honorable Sirs:

Due to the increased volume of work in the Legal Department, I find it necessary to request the Bench's approval of an additional employee for this department. This employee will also be available to act as the composite assignraent clerk for all the Courto, if the Bench so desires.

I recommend the appointment of Mr. Arthur P. Griffith, 7 H. Woodlington Road. Mr. Griffith is 42 years of age, and is married. He was formerly employed by the law firm of Sommos, Bowon & Semines for a period of 19 years. While so employed, he studied law, and he was graduated from the University of Maryland. He has been a member of the Bar for the past 16 years. For the past 6 years he has been with the Etna Casualty and Surety Company as a claim investigator.

Mr. Griffith is well known to a great many members of the Bar, having handled the assignments for Semoes, Bowon & Sammos for many years.

X also request your recommendation for the approval of his salary at 53500.00 per annum.

Very respectfully,

September 3, 1947.

U. Luther Pittman, Esq.,  
Clerk of the Superior Court,  
Court House, City - 2 -

Dear Mr. Pittman:

The Chief Judge brought to the attention of the Supreme Bench your letter of the 2nd instant, requesting the approval of your appointment of *Mr. Arthur P. Grier* as a clerk in your office, to act as Assignment Clerk for all of the Courts.

Your appointment was approved, and I have been instructed by the Bench to so notify you.

Very truly yours,

Edwin I. DiLarson  
Secretary.



## Criminal Court of Baltimore.

WILFORD L. CARTER, Clerk



September 3, 1947

Honorable W. Conwell Smith, Chief Judge, and  
The Supreme Bench of Baltimore City,  
Court House,  
Baltimore, Maryland.

**Honorable** Sirs:

I respectfully submit for the approval and confirmation of the Supreme Bench the name of Mr. P. Ross Bundlok for the position as Chief Deputy Clerk in the Office of the Clerk of the Criminal Court, effective September 1, 1947.

Mr. Bundlok, Age 57, resides at 4712 Park Heights Avenue. He has been in the employ of the Gosman Ginger Ale Company for the past thirty years.

Very truly yours,

*Wilford L. Carter*

Wil/ord L. Carter, Clerk.

WLC-GB

September 3, 1947.

Wilford L. Carter, Esq.,  
Clerk of the Criminal Court,  
Court House, City -2-

Dear Mr. Carter:

The Chief Judge brought to the attention of the Supreme Bench at its meeting today, your letter of September 3rd, in which you submit, for the approval and confirmation of the Bench, the name of Mr. P. Bosa Eundiok for the position of Chief Deputy Clerk in your office.

Your appointment of Mr. Eundiok was disapproved by the Bench, for the reason that in **the opinion** of the Bench no men should be appointed as Chief Deputies in the offices of the <sup>C</sup> several Courts of Baltimore City who have not had previous experience in the office.

I was directed by the Bench to notify you of this action.

Very truly yours,

Edwin T. Diokeraon,  
Secretary.

## H. I H U T A 3.

A special meeting of the Supreme Bench was held on Monday, September 6, 1947, at 11:15 a.m. All of the members of the Bench were present, except Judge Stanley, and the Chief Justice presided.

Mr. Raymond T. Goodwin, 1510 Hound Hill Road, was selected to fill the vacancy on the September, 1947 Term Grand Jury, occasioned through the inability of Mr. Nelson E. Taylor, Sr., to serve.

There being no further business, the meeting adjourned.

### September Term Grand Jury Organized In Criminal Court

The Grand Jury for the September Term was organized in the Criminal Court before Judge J. Abner Snyder yesterday. The members of the jury are: C. Truholm was designated as alternate.

The Grand Jury is organized in the Alley. Willard G. 171D Harter avenue.

Anid. Purl Eaward, 1301 BtUlau avenue.

Bernstein, Samuel S., 501 North Bicknell street.

Divisar, Willard T., -123 IranLoe avenue.

Disco, Walter T., 1033 McCuoli street.

Dopku, Henry, 2812 Norfolk avenue.

Prnk. Willard P., 700 Linnard street.

Gindolter, Lihon M., 100D West 8BU1 street.

Goodwin, Ituj-mona T., 1G10 Ronull Bill road.

Angel, Anton, 3M1 Crosslmi avenue.

HobUtaU; Eiso Batx, 5510 Nortl Calvett street.

Hornstein, Isaac P., 2320 Urj-ant avenue.

Kable, John Sr., 6505 Carter avenue.

Loz, Frederick W., 6312 Fernpark avenue.

Lablcrs, Lawrence, EC Nottl Climp-sue-logic.

MartJn. Jolin -V, 1204 Eiwor street.

Muson, Ofcur J., 100D Areylc avouue.

McDlun, Eiuorj. B., 3008 Poplar terrace.

Norrls, William D., Jr., 817 DeaumKu avenue.

Rl-cr, Roger n., Sr., 80U Wajn3 avenue.

Ruslioni, Oloror C., 100 West Onl-vesty Farlawy.

Vau Herr, Robert J., Ambassador Apts., 3511 Canterbury road.

Wood, Abram, 2477 Callow avenue.

*Edwin Dickerson*  
Secretary.

### Additional Grand Juror Is Selected By Supreme Bench

It was announced today that the Supreme Bench of Baltimore has selected an additional grand juror for the September Term Grand Jury. He will serve in place of Nelson E. Taylor, Sr., who was elected to the office of the Baltimore County Judge at 10 o'clock today. The grand jury will be organized in the Criminal Court.

## V. I S J I E 3.

A luncheon meeting of the Supreme Bench was held on Thursday, September 11, 1947, at 12:30 p.m. All of the members of the Bench were present except Judges Manley and Uoser, and the Chief Justice presided.

The Chief Justice submitted to the Bench a letter from Mr. Wilford L. Carter, Clerk of the Criminal Court, announcing the appointment of Mr. P. Ross Bundick as deputy clerk in his office effective September 1, 1947, subject to the approval of the Bench. The Secretary was directed to request Mr. Carter to appear before the Supreme Bench on Thursday, September 11th, at one o'clock p.m., and in the meantime no action was taken with respect to the nomination of Mr. Bundick.

Mr. William Carswell Baxter was appointed Special Examiner in Chancery, to perform the duties of Mr. Mason V. Torfit during his illness, in his office and with the use of his staff-Messrs. William Carswell Baxter, Robert Slingluff, Hyman Paul Home, and Daniel C. Joseph were nominated for the position and Mr. Baxter was unanimously selected.

There being no further business, the meeting adjourned.

*E. D. Dickinson*  
Secretary.

Approved by Chief Judge Smith  
9/11/47

September 11, 1947.

Y. Wilford L. Carter, Esq.,  
Cleric of the Criminal Court,  
Court House, City -2-

Dear Mr. Carter:

Chief Judge Smith brought to the attention of the Supreme Bench, at its meeting today, your letter of the 10th instant, in which you announce, subject to the approval of the Supreme Bench, the appointment of Mr. P. Ross Bundick as & deputy clerk in your office, effective September 1st.

Prior to the appointment of a deputy cleric and prior to the performance by him of any of the duties of his office, approval of the appointment by the Supreme Bench is necessary. Mr. Bundick's presence in your office at this time is therefore premature, and he should leave and remain away unless and until his appointment by you is approved by the Bench. The Supreme Bench desires to have you appear before it on Thursday, September 10th, at one o'clock p.m., in the conference room of the Bench.

In the meantime no action will be taken by the Bench with respect to the appointment of Mr. Bundick.

Very truly yours,

Edwin T. Dickerson  
Secretary.

M I » 0 T i S.

A special meeting of the Supreme Bench was held on Wednesday, September 17, 1947, at 12 o'clock noon. All of the members of the Bench were present BUQ the Chief Judge presioed. Hon. Hall Kammona enc Hon. George L. Radcliffe spoke In behalf of the Constitution, and a response on behslf or the 3ench was made by Judge Zdv/in T. Dickerson. There being no further business, the meeting eujourned.



Secreterj'.

# • Constitution Day Observance Is Held Inj'S S S i Court House Before Special Meeting Of The Supreme Bench

Constitution Day was for allly observed at a Special Meeting of the Supreme Bench of the Judiciary on the afternoon of Wednesday, September 24.

The ceremony was arranged by the Maryland State Bar Association with the cooperation of the Sons of the American Revolution. Included were: Ball Himniond, Attorney General of Maryland; and the Hon. George I. Ladd, former United States Senator.

JULIUS EDVILP T. DICKERSON responded on behalf of the Supreme Bench and Chief Justice W. Council Sinton presided in the absence of the Chief Justice.

Following is a complete report of the proceedings:

like to more than the need of the hour, and in the past, the Supreme Bench of the Judiciary has been called upon to take action in the interest of the State. In the past, the Supreme Bench has been called upon to take action in the interest of the State.

**R. W. WYLAND** and **ROBERT A. SASSER** presided at the meeting. The meeting was held in the Court House of the State.

In 1760, the first meeting of the Supreme Bench was held in the Court House of the State. The meeting was held in the Court House of the State.

of the two States would seem to have that this difference may not be caused by Virginia to extend the range of negotiations and to suggest to all the States that they send delegates to Annapolis to consider their relations with the other. This meeting at Annapolis, held in September, was apparently attended, but it resulted in a resolution for a convention, authorized by Congress and approved by the States; for improving the form of government. Congress thereafter forwarded an invitation to the States to send delegates to the convention to be held in Philadelphia on May 14, 1787.

When the convention assembled all the States were represented except Rhode Island, Vermont, which had not yet become a member of the Union. The convention met in the room known as Independence Hall. In 1770, the Continental Congress held its first session in the Independence Hall.

It is also entirely appropriate that the meeting I have made should be seconded and elaborated upon by Senator Radcliffe, whose distinguished public service under the Constitution we honor, and in behalf of the State and the Nation, is fresh in the minds of the people.

### REMARKS OF

HON. OEOB'U HADDLUTE

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and upon, and I will try to trace the Constitution, or the one up to its creation.

Let me refer briefly, however, to one of the roles which Maryland played so brilliantly. Increasingly, it is being given in and outside of our State to Maryland. It is a role which other states are not playing. It is a role which other states are not playing. It is a role which other states are not playing.

I am not going to attempt to go into the origin of the interests, yet well-organized system of checks and balances in our Constitution which were secured, as we know, only after long controversies and often after the total collapse of the Constitution-making convention had seemed inevitable.

It would be interesting to recall the violent attacks made from time to time upon the Supreme Court because of its exercise of a range of judicial interpretation so broad as to be without precedent. A significant fact, however, is there never had been any substantial movement to abolish or to supersede formally our Constitution, whatever may have been the efforts from time to time to modify or circumvent it.

During all of the upheavals of public opinion and the impassioned discussions which have taken place regarding Constitutional questions everyone has practically realized that the existing Constitution must be preserved, even if amended unwillingly.

Possibly unwillingness to rewrite has been due in part to a sunny spirit of caution. Certainly it is that our Constitution has inspired a feeling of security of which there has been and can be, really no substitute. For instance, we would never be satisfied with the formal arrangement as to making of Constitutional changes which prevails in Great Britain. We want our Constitutional protection clearly defined in black and white in the interest of definiteness.

We have also demanded that these rights and guarantees should not be lightly set aside.

We have also demanded that these rights and guarantees should not be lightly set aside.

low phases of the subject. It is also entirely appropriate that the meeting I have made should be seconded and elaborated upon by Senator Radcliffe, whose distinguished public service under the Constitution we honor, and in behalf of the State and the Nation, is fresh in the minds of the people.

Of course, in this time of democracy and liberty, we would like to see the true voice of the people in our country. It is not the voice of the few, but the voice of the many. We are not in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many.

Today we are in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many.

For countless reasons there has not been a moment since our Constitution was adopted when we have not had international relations. It is the great tradition of our country, and it is the great tradition of our country.

In your time to come our Constitution will be a great blessing to our country. It will be a great blessing to our country, and it will be a great blessing to our country.

And so our Constitution which is the most precious and the most useful possession of our country has been passed from one generation to another. It is the most precious and the most useful possession of our country.

any other hideous invasion of our liberty. We are not in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many.

We are in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many.

**HEBOMSD OF JTJDOE EDWIK T. DIOKXILSON**

*Mr. Chief Justice and My Brethren of the Bench, I have the honor to acknowledge the receipt of your letter of the 11th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.*

Today is the 160th Anniversary of the Constitution of the United States. It was drafted by the Constitutional Convention which convened in Philadelphia on September 17, 1787, and it is the foundation of our government. We are proud to have this day as a national holiday.

William Ellery Channing, a famous American orator, once said: "The Constitution is the only thing that we have that is worth dying for." We are proud to have this day as a national holiday.

The Constitution is the foundation of our government. It is the foundation of our government, and it is the foundation of our government. It is the foundation of our government, and it is the foundation of our government.

The Constitution is the foundation of our government. It is the foundation of our government, and it is the foundation of our government. It is the foundation of our government, and it is the foundation of our government.

The Constitution is the foundation of our government. It is the foundation of our government, and it is the foundation of our government. It is the foundation of our government, and it is the foundation of our government.

The Constitution is the foundation of our government. It is the foundation of our government, and it is the foundation of our government. It is the foundation of our government, and it is the foundation of our government.

The Constitution is the foundation of our government. It is the foundation of our government, and it is the foundation of our government. It is the foundation of our government, and it is the foundation of our government.

and in the name of the people, we should be proud to have this day as a national holiday. We are not in the habit of being ruled by a few, but by the many. We are not in the habit of being ruled by a few, but by the many.

The Constitution is the foundation of our government. It is the foundation of our government, and it is the foundation of our government. It is the foundation of our government, and it is the foundation of our government.

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The Constitution, in its preamble recites, emanated from the people rather than from the states, and its purpose was to establish a government of the people, for the people, and by the people, to form a more perfect union in place of the loose confederation which had existed under the Articles of Confederation, to establish Justice, to insure domestic tranquility in replacement of the disorder and civil claims of the individual states which had existed the era following the close of the Revolution; to provide for the common

defense; and to secure the blessings of liberty to the people of that day and to those who should follow after it. We of this day are therefore expressly the legatees and beneficiaries of that great charter of liberty. It is the integrity of the national government of the states and of the people of this country a freedom which no other people on this earth has ever enjoyed. It promises to each state a republican form of government, and at the same time provides for the rights of the minority against the majority. It is a flexible document compared with, many of the constitutions of other countries, thus affording opportunity for its application to the changing conditions of future years.

Time does not permit a further detail of the provisions of the Constitution, but the Constitution, with its amendments, well deserves the careful and constant study of judges, lawyers and laymen as well. It provides for a government of law rather than of men, and the first ten amendments, known as the Bill of Rights, adopted in 1791, guarantee to the individual his life, liberty and property from in-

vasion at the hands of the Federal Government except through due process of law, and a similar protection against invasion by the States. Orotocin, is secured by the Fourteenth Amendment.

Dean Pound, Dean Emeritus of the Harvard Law School, in an article, entitled "The Constitution, Its Development, Adaptability And Future," published in the *Journal of the American Bar Association*, October, 1937, posed the question "Is the Future of the Constitution anything less than the future of the United States? There is a day-by-day battle between the individual and the state, but they will not be the United States unless perhaps indeed. The United States is a creature of the Constitution, and cannot be the United States of America except as an individual member of the indestructible state, a balance between the state and the individual, a scope to the development and function of the individual, and a balance between the individual and politically organized society."

To the creator in our individuality who in his battle or individual way, uphold our principles of government and cherish the ideals on which it is founded, America extends a welcoming hand. But this land is not intended to serve as a refuge or hold for the operations of those who preach or practice subversion of institutions or our laws. Let us keep alive our tradition; let us never forget the founders of this great country, whose lives and

work should be enshrined in our hearts and minds; whose distant footsteps echo through the corridors of time; and let us continue to hold aloft the torch of liberty under the Constitution to light the way for free peoples and the footsteps of the world which follow after us. The fire of civilization of the United States and the United States of America.

i, I N U T i, b.

A luncheon meeting of the Supreme Bench was held on Thursday, September 16, 1947, at 12:50 p.m. All of the members of the Bench were present and the Chief Judge presided.

Mr. Sskin T. Boden was appointed a bailiff by the Supreme Bench to serve under Judge Boylen.

Mr. William L. Carter, Clerk of the Criminal Court., appeared before the Bench and was interrogated with respect to the appointments and proposed appointments in his office. He was given until October 1st next to submit for approval or disapproval a list of his appointments.

There being no further business, the meeting adjourned.

*Estina T. ...*

Secretary.

## I S I K U T I S .

A special meeting of the Supreme bench was held on Thursday, September 10, 1947, at 10 o'clock a.m. All of the members of the Bench were present and the Chief Justice presided.

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

Front Pedro. Entwit ALUKOP Amos,  
 Itclinnl M. DIMK-J and John N. Mr\*  
 are «crr mltlnllnl to practice M  
 members of the Baltimore Bar by the  
 «ljirncic bench of the Court on Satur-  
 day. They were admitted upon the  
 respectul motion of Justice A. Tine.  
 Porotljij K. Wilbur Atnot. Harry J.  
 Enjilnn and J. Frank Ford.

The petition of Mr. Bernard Ivey'son, for the removal of the judgment of disbarment heretofore entered against him, and for reinstatement as a member of the Bar, was heard and submitted. The Bench then met in executive session and by a vote of 6 to 4 denied the prayer of the petition. Judge Moylen did not vote, and Judges Sherbow, Teoser, France and Lianley voted in favor of the petitioner. A motion was duly passed authorizing the Jury Committee to interview the applicants for the position of Jury Clerk, and to report as soon as convenient to the full Bench.

A motion was duly passed authorizing the delivery to the Honorable L. Carter, Clerk of the Criminal Court, of a copy of the transcript of the proceedings when he appeared before the Bench at its luncheon meeting on Thursday, September 18, 1947.

There being no further business, the meeting adjourned.

THE BENCH DENIED MOTION  
 FOR REINSTATEMENT TO BAR  
 OF BERNARD IVEY'SON

The Executive Bench of Baltimore on Saturday denied the motion of Bernard Ivey'son for reinstatement to a member of the local Bar. The motion was denied from the bench of the Court on Saturday, September 13, 1947. The conviction upon which the motion was based was for performing an abortion.

*William J. Dickerson*  
 Secretary.

## STENOGRAPHIC TRANSCRIPT

In the Case of

In the Matter of  
WILFORD L. CARTER,  
Clerk of the Criminal  
Court of Baltimore City

Before the  
SUIVEREIGN  
OF BALTIMORE CITY

Baltimore, Md., September 18, 1947

CHARLES W. KLIPPER  
OFFICIAL COURT STENOGRAPHER  
221 COURT HOUSE  
BALTIMORE 2, MD.

Before the  
SOFBEUS BECH OF HALTEIOHB OUT

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Baltimore, Hd., September IS, 1947.

A meeting of the Supreme Benoh of Baltimore City  
•9 held this day at one o'clock P.M., In the oonuultatlon  
room of the Bench.

Chief Judge Smith presided, and all the members  
of the Bench were present\*

to. Wilford L. Carter, Cleric of the Criminal  
Court of Baltimore City, taring been invited to appear  
before the Bench, was requested to enter the room and  
lie seated.

CHIEF JUDGE SMITH: Have a Beat, Mr. Carter.

MR. CARTER: Thank you.

CHIEF JUDOS SMITH: Hr. carter, the Bench has  
before it your suggestion that you would like to appoint  
Mr. Bondiolc writ clerk In the Criminal Court offloa and  
the Bench would like to ask yon a few questions about the

appointment.

UR. CARRIER: Tea, sir.

CHIEF JACOB SMITH: You are Hilling to anscar them?

UR. CARRIER: yes, Blr.

CHIEF JUDGES S2UTH: what salary do you propose to pay?

MR. CARRIER: \$3,000.

CHIEF 3WUS SLOTH: And what are the salaries of the other clerks In the office?

UR. OARISR: They range, your Honor, from \$2,400 up to \$3,500. The top salary In the offloe Is \$3,500. The vacancy that I appointed Ur. Bnddloc to had a salary of \$3,500, Mr. Outhrle's salary was \$3,500.

OMBP JUBOB SMITH: ifas Ur. Outhrle the acting head of the office?

IS. OABISB: There was no acting head, your Honor. X was there most of the time nyaelf, and I usually aim to be In the office during the court hoars and If I had to leave or whan X had to leave X never appointed anyone to serve Inmy plse; I tried to see that all natters trsre wound up before X left the office.

CHIEF JUDGE SMITH: Bell, **then, there** is nobody  
In the office who is receiving that salary?

IE. CASTER: Ho, sir.

CHIEF JUDGE SLOTS: None of your dorks in the  
**office** is paid as **now** as \$3,000 now?

US. MASTER: Oh, **fee, there are**, sir. Brown re-  
sives \$3,250; Mr. Martin receives \$3,220; and Mr. Feehley's  
salary, until he left, I brought him back to help me on the  
records and books of the office, at the same rate of pay.  
His pay before was \$3,220.

The highest salary in the office when I came in  
was Mr. Guthrie's salary, \$3,500. There is no one receiv-  
ing that amount now.

CHIEF JUDGE SUHB: You had not selected anybody  
to be chief deputy until you suggested Mr. Bundick last  
June?

IE. CASTER: I had not. That is correct.

CHIEF JUDGE SETH: So that there is no one as  
the acting head of the office under you at the present  
time?

US. MASTER: That is right, yes, sir.

CHIEF JUDGE SKETH: Is it true that Mr. Bondick

came into your office and served for a time?

MR. CASIER: Ur. Bundick, I asked Ur. Bundlok to come in my office September 8, Oast Monday a week. Kollo Ur. Bundlok was there we had several cases in other courts to be disposed of and it took quite a lot of my time to arrange for the man to leave the office and go to these various courts, and while I was doing that I learned there was to be a Supreme Bench meeting at twelve o'clock noon and I discussed that with Ur. Bundick, whether or not he would accept the salary, or the position at a salary of \$3,000 as docket clerk in my office, and after learning that he would accept that, and that there was to be a Bench meeting at twelve o'clock noon, I asked him if he would like to go to work, I would send a letter immediately to the Bench, and that if he would like to go to work right away subject to the approval of this group— and I made it clear to him that if you did not approve his appointment that he would not have a position. He accepted that. He went out and had some lunch and he came back and asked me what I wanted him to do and I assigned him to the docket book along with Kr. Colo so that he might become



familiar with those duties, because that is what I had In .  
 Bind for him to take over as soon as the three courts go  
 In sesBion. He agreed under those terms: that if the  
 Bench did not approve his appointment to that position then  
 he was not to receive that salary.

**CHIEF JUDGE SLOTH** Hell, your letter to the  
 Bench was not delivered until just after the meeting.

**MR CASIER** I did not know that, sir. I in-  
 structed my secretary at, I think, approximately eleven- :  
 fifteen, to draw up this letter advising the Bench that Z  
 desired to make the appointment to fill the vacancy created  
 by Mr. Oathrie's death. I failed to put the salary in the  
 letter. I am sorry about it, I had no intention to do  
 that, and when I signed the letter I asked him to deliver  
 it to the Senoh at twelve o'clock noon, I told him that I  
 had heard that was the time you were going to meet. Hr.  
 Bundick actually started to work about twelve-thirty. ,

**CHIEF JUDGE SLOTH** Well, you paid him a week's  
 salary during the following week, did you?

**MRS. OARIK** Yes, sir, I did. !

**CHIEF JUDGE SMITH** Have the olarks In your of-

floe been sworn?

HR. CARTER: Ho, sir, they have not.

CHIEF JUSOG SMITH: Hone of them?

UB. CARTER: Bone.

CHIEF JDDQE SUTTH: Why not?

UB. CARTER: I felt that it would be better If I worked with theBe men a reasonable length of time until I found out whether or not I wanted to retain all of these man in the office. I wanted to be sore for myself whether or not they were all qualified and competent to fulfill the duties that they were assigned to, and I had talked with, I think, his Honor Judge Saylor and yourself, once or twice before about this. Perhaps you might think It is a laxity on ay part but I did not want to do anything or make any submissions or suggestions to this Bench until I was absolutely sure of what I was doing.

In the meantime, there have been two or three vacanoieo and the addition of a stenographer, a girl stenographer, in the office, and I hare tried to bring people in who are competently qualified to serve In every respect in that office. I asked the criminal Jnstioe Conolsslon,

Ur. Wallaoe Beidtt to sake a complete and thorough study of •Tory nan's duties in that office with me and submit a report, wloh he did\* eo that I might know for myself the duties of every man and trok with every nan to find out whether *at* not he was satisfactorily porforalng his duties.

I am prepared to say at this tine that I find, with the exoeptlon of two men, overyone else in my opinion is competently qualified to serve in that offloe. I hare not dismissed this with them at all, because X wanted to have this meeting first, I wanted to talk with you gentlemen first, and then I expaot to submit a report of my opinion to this Bench and find out whether or not you will approve the changes I am going to suggest; and if yon do, or whatever this Bench will instruct me to do, following that, then I certainly shall do it. I think then the office will be brought up to the full complement of men, and I think every one of them should be morn in and the offloe will continue to function properly.

CHIEF JuH(S SMITH: Hho are the oan yon think are not satisfactory?

UR. OAXISB: Pardon, sir?

**CHIEF JUDGE SMITH:** I say, who are the two names you believe to be unsatisfactory?

**KB. OAHIB:** Mr. Buschmann and Mr. Peters. Raymond Buschmann at the present time is acting as a legal clerk, and Mr. Peters, who is one of my appointments—and I am ready to admit I made a mistake in the man, I was misled as far as his qualifications are concerned and I do not hesitate to say I made a mistake in appointing the man to that office.

**CHIEF JUDGE SMITH:** I think we approved three at once.

**UR. CARTER:** Mr. Block, Mr. Cole and Miss O'Leary. You previously had approved the appointment of Mr. Donagan and Mr. Peters at the same time.

**CHIEF JUDGE SMITH:** Well, I think I can say quite positively that the Bench feels that the clerks in your office should be sworn in right away without any further delay. You haven't any disposition to deny the authority of the Bench to superintend the operation of the Clerk's office, have you?

**MR. CARTER:** Pardon me, sir? I am sorry.

(SIS? JUDOS SMITH: I say, you haren't any disposition to deny the authority of the Bench to supervise the operation of your office?

MR. OABIER: Oh, no, sir, not at all\*

CHZK7 SXWQS STūxu: And to approve or disapprove the employees?

HR. QASTSRi That 1B correct. I understand that\*

CHIEF JUKE SHUS: Do you hare any plan In mind to appoint a chief deputy clerk at this tins?

MR. CARXKR: At the present tine I hare none, sir.

CHIEF JUDGE SIOTH: Wall, I think I oan say to you now that the Bench feels you ought to select from the experienced employees In the offioa, without any farther delay, a ohief deputy olerk and recomsnd his approTal by the Bench. I have no further questions. Do any of you hare any farther questions of Mr. Carter?

JUDGE IOSOR: Mr. Chief lodge, I would like to call your attention to thla: Mr. Carter ought to swear In th\* tao aan.

JThXE SHERBOW: one of thorn Is already snorn In. H» had to be In order to get on the payroll.

CHIEF JUDOS SIQSH: Mono of thea are mnrn in.

**JUDOS SSSRBOW:** I wan the people you approved, Or. Dunnlgan and Mr. Paters. En did they get on the pay-roll It they are not suora in?

**US. QABXER:** Veil, the approval of the Bonoh authorizes the State Ocmptroller to aoept them on the pay-roll.

**Jinx; SHBRBOW:** And even those two mre not m m In?

**MR. CARIER:** Ho, sir.

**JUDG3 SHEHBOI:** They are being paid out of the receipts of your office, not by the Oooptrroller's checks?

**IB. CARIER:** Oh, yoe, six.

**JUDGE SHERBOW:** Hot ty the Controller's checks?

**JIOGE MEHLET:** He means tho Oooptrroller recog-nizes the dednctlon of their salaries.

**IS. CASIER:** Oh, yos. Oh, yes. Tha approval of this Bonoh, as I understand it, authorizes the Controller to allow then to bo paid as functioning 1° 'ho offloe.

**JDDGB MAKLET:** You deduct it fron your rsoelpts?

**ME. QASXER:** Absolutely.

**JTJMS UANLEY:** And the Conptroller wants aoao

authorization to allow the deduction?

~~HE. OABIEE~~ That's right.

JUDOS SHKSBO7: If that be so, by what authority HQB the payment oede to Mr. Buodlok before the Bench approved him?

UH. OAB7ER: I said that Mr. Bundlok had recalled a oheck— I hope you will believe me when I say I am not oertain as to whether or not he did get a oheck last Thursday or Friday; I will have to check that. I am not certain as to whether or not he did receive a oheck. I know I InBtrnoted the secretary as to the amount of salary ha waa to receive, but I am not oertain In ny mind that he did raoaire it. I know I said Tea.

JUDOS SHSEBOW: Well, didn't you sign the ohecks?

Iff. CABIBR: I signed the ohecks In a group.

JUDOS SHSHBOS: Rail, you would know whether you signed Mr. Buodiok's oheck?

IB. CAKPEE: I really didn't pay any attention to that. I usually sign the checks, a number of ohecks go out, end I turn them baok to the ssoetary for disposition of them.

JffIOB HILS3: At what zate was he paid?

**MR. OAHIKR:** His rate is \$3,000.

**JUKfi BXLffi:** Is that the rate at which you paid him for the work that he has done?

**MR. CARTER:** If he received a check, yes, sir.

**JUDGE SHSRBOB:** I don't think it fair to say that of the other men in the office one group gets about \$2,200, and the other another group gets about \$2,600, and then two men, leaving Mr. Peehley out, get over \$3,000?

**MR. CARTER:** Yes, that's right.

**JUDGE SHSRBOB:** Nobody gets between \$2,600 and \$3,200 except Mr. Bundloch?

**MR. CARTER:** Mr. Carr—I mean, Mr. Donovan gets \$2,600. Mr. Schorr, I think, gets \$2,600—I submitted a list to the State Comptroller raising the salary of several of the men in the office, for instance, Mr. Schorr, Mr. Helabaoh, Mr. Broku, and three or four of them.

**JUDGE SHSRBOW:** Mr. Nolan, you raised?

**MR. CARTER:** Mr. Nolan was getting \$2,000 and I recommended to the Comptroller \$2,600, and they recommended to us \$2,400 for Mr. Nolan. I wanted to put all of those men in the same bracket because I felt they were doing an



eijaal amount of work and should receive the aaoe pay.

JDB(K UASON: !Disy are court clerks?

UR. CARTER: Hr. Donovan is a oooart olerk end Hr.  
Holan la a oourt cleric.

JOIISE SBBBBOT: They get \$2,400 and \$2,600? And  
Hr. Holan has been there how long?

IE. CARIBR: Four or five years.

JUDOS 3HERBOW: FOOT or five years, and Ur.  
Donovan has been there six ysaxs?

UH. CARTER: That's right.

JUDOS SHSnBOv: And Mr. Bundlok Jast aomes In  
end *he* gets \$3,000 and they get \$2,400 and \$2,600, and  
than the two oldest *tma* In the offioe, Ur. Brown, and who  
Is **the** other one? get \$3,200?

MB. CARTEB: Hr. Broan, fifteen years, and Ur.  
Ifartin, ten.

JDDCE SHSRBOR: And they get \$3,200? And the  
new gentleman oonaa In and gets \$3,000?

UR. OAHISf: That's right.

JUDQB HILS3: How jsaoy axe there In your office  
getting paid at the rate of between \$2,000 and \$2,600?

ME. OAHKB: I think there are four. I an not  
oertain. ;

JUDGE MILLS: Only four?

MR. CAHIBB: Pour or five. Ulsa Glass, Ur. stain,  
Mr. Dunnlgan, Mr. Busohoan ana Ilr. Helabaoh, they receive  
less than \$2,500.

JDDGB BHB3: Well, how maay receive \$2,6007

IB. CARTER: Two.

JEDOE NUBS: in other words, how many are paid  
In your offloe at a rate IOBB than the rate you propose to  
pay lir. Bundiok?

HE. CASIER: About eight.

JXHXB SHEBBOH: Well, putting It the other way,  
there are eight In the office who hare been there and are  
getting less than the proposal for Mr. BunOlclc; there are  
tao «ho have been there aho are getting more than Mr.  
Bundlck, and that Is the oospleoent of the office?

IB. CUBX2B: That's right.

JTODS SUSS: I don't know whether this Is per-  
tinent, but I mold like to know waat Mr. Feahley's status  
IB. I

**MR CAEISH:** Ur. Feehley had rsslgnad froa the office on July 1 to aosopt another position. About three weeks ago I saw Mr. Feehley and he told no he had not re-oeiTed his othar position as yet and he was not quite sura as to wind he was going to get it.

**JODOB NHSS:** Did you aooept his resignation?

**MR. CAHIBB:** It was Terbal.

**JUDGE BILES:** Bat he quit?

**UR. CARIER:** Tea.

**JUDOS HILES:** Did ha stop getting his pay?

**MB. CARTER:** Too.

**JUDOS HILKS:** All right.

**MR. CAHISR:** And than I had a talk with him and than I aatod him *It* he would eoae baek as a part-tiae employee to help oe gat these reoords and reports and books brought up to date, so that everything in the offioe would be brought up to date.

**JOIXB HUBS:** Has he been paid slnoe he oaae  
baekf

**MR. OABZEB:** Tea, sir.

**JDDQg mtB3:** Has his name erer been subaitted to

the Bench?

US. CARTER: I didn't think it was necessary to submit a part-time employee.

JUDGE HUBS: Have you any other part-time employees?

MR. MEIER: Other than he? Ho.

JUDGE NILES: He is the only part-time employee?

MR. OAHIBER: That is correct.

JUDGE NILES: Why did you not think it was necessary to submit a part-time employee?

MR. OAHIBER: Well, I discussed it with my secretary.

JUDGE SHERBOW: You mean temporary employees?

MR. OAHIBER: Temporary, yes.

JUDGE HILES: Well, part-time would mean not full time each day.

MR. OAHIBER: That is right.

JUDGE MLE: Have you any other temporary employees?

MR. OAHIBER: Ho, sir.

JUDGE

HILES: Have you had any since you took

over?

UR. CARTER: Ho, sir, the first week I came in I asked Mr. Sunnigan to come in and work in the stock room, cleaning it up, straightening out the books and so forth, and I think the first month he was there was as a temporary employee, and I submitted his name to the Bench.

JUDGE HUES: Have you ever gotten a ruling or raised any question about the difference\* between temporary and permanent employees?

MR. CARTER: Not from the State Comptroller. I discussed the whole matter with Mr. Brown, the secretary, and he told me in the years he was in the office it was customary when there was special or extra work to be done that other people could be brought in to do that work without authorization of the Bench.

JUDGE JILBS: Mr. Brown said that?

MR. CARTER: Yes, sir.

JUDGE SHEPHERD: Mr. Carter, you spoke of bringing the work up to date. To what extent is the work not now up to date?

MR. CARTER: The work now is up to date, but at the time I talked with Mr. Reehley, the minute book

oas about two or three months baek, hadn't been brought up to date, and the cost book was back, that Is, the total fines and the oostB assessed, that book was baok<sub>a</sub>. That took about two weeks to bring that up to date, and It has bean kept op since it HOB brought up to date; and then the report I hope to submit In the next several dayB to the Bench, to each member of the Benoh, of the amount of eases handled by each one of you during the entire year, I am **late** on that because from September, 1946 there was no record of any disposition of any oases kept at all, other than In the dookets. I understand now It was customary for each olark to sake out a report once a week, but the clerks did not make the reports onoe a \*week, and It was necessary to go over each oourt'a docket and the Indictment docket and the probation and the ball dooketa, and so on, to get all of these statlstlos and figures and that took Mr. Dunalgan and Hr. Feehley about ten days to get that report ready, and at the present time It Is ready to be typed up.

CHIEF JUSTICE SMITH: Has the survey \*r.H<sub>o</sub>id<sub>t</sub> was oaklng been completed?

HR. OAHIEH TOB, sir, I have that turn, sir.

**CHIEF JUDGE SMITH:** Pld be make a reoord report to 70a?

**Kt. OAOIBR:** Tea, sir, I hare It now. I will sab-ait a copy to 70a, sir\*

**CHIEF JUDGE SMITH:** Baa Hr. Bundiak severed Us aonnection with the Gosann (Uager Ale Company)?

**MR. CARIES:** To the best of ray knowledge, he has. I asked his when I talked with him on the eighth if he was available Immediately and he told me that he was. So I assume from that— I did not ask him, I assumed from his answer that he had or was going to Borer his oaanaatlon with the company he worked for.

**CHEF JUDQK SMITH:** He does not propose to do any work for the Ooraan Ginger Ale Company after he oooss into the Original Court Clark's offloe?

**MR. CARIER:** to the best of jay knowledge, no, sir. I told bin that the hours were fron nine to four, and nine to one on Saturdays, and the few days that he was In the offloe he was in there full tin\*. One day ha asked per-llsion to go to the hospital to visit his wife who, I believe, Is still In this hospital. Of oonrae, I gave that

permission to take an extra hour to go over there to see her, but other than that he has been there the whole time.

CS1SF JUDGE StfXTH: It has been the suggestion from time to time, from various sources, that the clerks in the court house should be appointed by the Bench rather than be elected. It has been the disposition of the Judges to be rather unwilling to take the executive responsibility for running the clerks' office, and heretofore the Bench has always got along with the clerks through a spirit of cooperation and has felt that in all essentials the clerks' offices were as well run by elected clerks as they would be by appointed clerks. But you can readily understand, if there is any disposition on the part of the clerks to resist or evade or dispute the authority of the Bench over the operations of the clerks' offices, that would add impetus to the suggestion that the clerks ought to be more directly controlled by the Bench. The Bench has the authority to control the operation of the clerks' offices and to visit the clerks' offices and to see how they are being operated and to determine how many employees are necessary and the terms and conditions of their employment.



This Is the first time in my experience that any difficulty has arisen between the Bench and any of the clerks and I sincerely trust it will be the last. I think the Bench would feel better satisfied if you would submit a list, which I think you can do very readily, of the present employees in your office, giving their salaries.

IB. HIBB: Tes, sir.

JUDGE SHEPHERD: May I add to that: Including the period of years they have served?

IB. CARR: Tea, sir.

JUDGE JUDITH: Well, we would like to have that. So you have any other questions to ask Mr. Carter?

JUDGE TUCKER: I have just a few: I think one has been asked. How many writ clerks do you have? Just one, Mr. Carter?

MR. CARTER: That is all, your Honor.

JUDGE TUCKER: And I think the other question I had in mind has really been brought up by the Chief Judge in his last statement. That question was, as it was my understanding from what you said a moment ago, that you would submit a list?

IB. CARR: Oh, yes.

**JICMI TUCKSR:** Of proposed appointees very promptly, and they would Include the appointee for chief deputy olerk?

**IB. CABIBR:** Gentleman, I realize the position I am in and X am not trying to evade it or to say in any immnr I do not realize you do have the powers over the clerka and all of the offices to the courts. From working with these man for the past ten months I wouldn't know what naoa In the office to submit as chief deputy clerk in the offioe. X do not hesitate to say that out of the men who are in there I would hesitate to plaoc complete trust and oonfldenoe in them\* I intend to be in that office all the time, regardless of the chief olerk. I pledged I would spend my full tima in the office and with the exoeption of an hour or so now and then I expert to do that, because I want to do the Job, I want to do it right, and I want to do it in conjunction with thiB Bench, and I want to do it under the supervision of this Benoh. I don't want to do anything that is contrary to your wishes.

**CHIEF JIOGS SUTH:** Well, is that feeling you have about your deputy clerks influenced In any way by the

fact that they may be members of a different political faction, Mr. Carter?

IS. CHIKR: Ho, air.

CHIEF JUDGE SMITH: Because it is the feeling of the Bench that politicians ought not play any part in the selection of persons in the clerk's office, and that the men who serve in the clerk's office ought to be regarded as on a more or less permanent basis and that they ought not be dismissed except for reasons which refer to the efficiency with which they perform their duties.

MR. OAKER: Tea, sir.

CHIEF JUDGE SMITH: Is there anything else?

JUDGE INELAH: I would like to ask two questions, Mr. Chief Judge: Mr. Carter, when Mr. Bundiok's name was most recently proposed to the Bench as writ clerk, was there any feeling or intention on your part if he were confirmed as writ clerk to let him get experienced in the office, holding the chief deputy's job open in the interim and then resubmitting his name as chief deputy? In other words, whether the most recent action was to get Mr. Bundiok into the position for which you originally proposed him, through

this method of bringing him in and getting him experienced and holding the Job open for him until you thought he had gotten enough experience to submit his name for appointment as chief deputy?

MR. QAHTSR: That was not my Intention\*

JUOCS MOYLAH: Is It your intention now?

MR. OASEBH: Ho, sir.

JODOE HDYLAH: The second question I want to ask: Did you give any thought when your secretary brought up the proposal of Mr. Bunaiok as writ clerk to the deloacy, I might call it, or propriety of having him come in before you got the green light from the Judges, that they would or would not approve him as writ clerk? Was it done without any thought, or was it done sort of to beat the gun, or what? It is a rather frank question.

MR. OABTER: It certainly is, and I am going to try to answer it in as frank a manner as I possibly can. My answer to that would be Ho, and I would like to explain it in this way: I have two weeks, one more after this, in which to prepare a man to make the docket entries on the indigent docket and the other docket in the office.

Uy intention Is to put Hr. James Cole In Part I, with the help of one of the other men, until ouch tints as the Judges feel be la qualified to carry on alone.

**JOICS SHERBOW:** Whose place will he take?

**UR. CARIER:** He will go In Part I.

**JUDOE SHSHBOW:** In place of Ur. Feehley?

**UR. CARIER:** That is correct. And I asked Hr. **Broom** If he won't go la there to help him oat until such time as he can handle the duties of a clerk alone, and I felt in those two weeks Mr. Bundick, with his education and his business background and qualifications, would be almost ready to handle those dockets alone\* And then, of course, by assigning one of the other nan to assist when lie needed help, 2 felt that the routine of the office could continue on.

X certainly had no thought to displease this Bench in telling Hr. Bundick that he ould go to work before I had an answer from ray letter. It happened on the spur of the moment. Someone case in my office, I don't know I Just who it was any more\* I think it was one of the report- ; ers, because he saw Mia in there talking, and they said to

me, "Have you submitted Mr. Bundlok's same to the rooting today?" And I Bold, "Ilhat *meeting!*" Be said, "Well, I understand the Supreme Bench Is going to meet at twelve o'clock," sod then I immediately oalled my secretary In and "Informed him of that, and to go and find out if that was true and If it were true to prepare immediately a letter so **that** you would hare it at that meeting.

I had no thought of trying to take any underhand method, or any method that would be detrimental to the of-floo, to myself, and certainly not to this Bench\*

**JUDK SHSRBOB:** Ur. Carter, my I ask you: You oontemplate putting somebody in Ur. Feehley'B place, shore there will bs a vaooany?

**UR. CASTES:** Yes, sir.

**JOKE SHERBOT:** Do you hare any thought in mind of replaoing Ur. Donovan, the court dark in Fart II?

**ME. OAHKB:** Ho, sir. Mr. Donovan has talked with ma on several occasions, once before I talked with his Honor Chief Judge Smith about that, and X told him, and I told Ur. Donovan, that there was no thought in my jsind of replaoing him as long as he did <sup>h\*</sup>> work in the

office. I consider it to be one of the most efficient court clerks that we have.

**JIMB HHS3:** Mr. Carter, I would like to ask any you asked Mr. Bundloe, who hadn't had experience, to come in at a higher salary than people who were already in there, who had had experience.

**MR. OMBIKB:** Because, sir, I did not feel I could get many, highly educated men, to come in there at a salary less than \$3,000; and I hope, if I have the good fortune to continue to be Clerk of the Criminal Court, that if the finances are available, if the funds in the office are sufficient, to bring all the salaries up to an even par. That is the hope that I have in mind.

**JUDS HUES:** Don't you think it is better to promote one of your efficient people to a higher salary and bring in a new one at a lower salary?

**MR. QAHKE:** Yes, sir, I could do that, but I could not get a man today at a salary of \$2,200 or \$2,300 to come into that office. I find that educated men are hard to find, and the salaries they are asking today are much greater than the salaries we have to offer in that

lower braotet, and I feel that the man, the \$2,200, the \$2,300, and the \$2,400 clerks, as It is now, I believe they are being paid a rate according to their abilities. I do not hesitate to say that. I do not mean to degrade then In any ~~man~~ at all, hut I just don't believe that they can get Jobs at a higher classification than they hare, and at a higher salary. But I do not feel that I could get men of *high* aduoation and business ability to oome Into that offloe at \$2,200 or \$2,400 salary, or \$2,600 salary.

**TODGE SHREOV:** Mr. Carter, bearing in mind the fact that in the entire history of the court house in the memory of all who are here, every clerk of every court has always had a chief deputy except, of course, during the Interim period of death or illness or resignation, why do you feel the Criminal Court Cleric's office should function without a ohief deputy?

**m. CAEISR:** I do not feel that it should, sir. I would just like a little bit of time to consider what name I would submit. I mean, I would be grateful for suggestions from this Bsnoh. I an not trying to erode or to



bold anything dom, but, as I said before, I don't think that the man I have in these nan, that I could feel that I could lean ~~that~~ offios and plaoc *my* complete trust and confidence in theo in all natters, and I feel oith those qualifications— and that is one of the things that a ohlef slerk should have-- I think a man should have complete end unwavering trust in the nan under him, espeoially in a position of that type. Certain things have happened that have led me to this frank and open dlsousalon. I am perfectly willing to say, I am laying it on the table, the auditors have been in *my* office for days, too waeke, or a little better, and every day they are coming to mo with mistakes and things that have happened. Xt la no one nan's fault; everybody has had a part In it.

**JUDGE DICKERSON:** You inherited that, didn't you?

**MR. CARRIER:** I Inherited that, yes, sir, the cheat Is for the last three years: 1945, 1946 and 1947. But, at the same time, these nan have been there, the oases hare been filed wrong, the papers have not been put In their proper places; proper records have not been kept; bookkeeping records have not been kept up. to date; oar

financial report to the State Comptroller has not been submitted as yet\* I tried to get that report out before the auditors came. I didn't know when they were coming, but I knew I could expect them at any time and I tried to get that report to the State Comptroller and turn over the funds of the office to him, but the bookkeeping conditions were in such order, even making until nine and ten and eleven o'clock at night, sometimes on Saturday, whenever the time was available, we still could not get that record brought up to date\* I had to appeal to the State Comptroller's Office, when the auditors came in there, I asked then for an extension of three or four days, and told them I we would stop everything in the office if necessary. that we possibly could stop, and get that report out, and they told me not to bother about it, let the auditors go ahead with their work and when they were through to submit it to them as soon as I possibly could\*

And that is the condition of one of the men who has been there fifteen years, Mr. Brown, he is a good man, he is a conscientious man, and I have tried to help him, I don't want to hurt the son, I want to help him all I can,

but I find he has Jumped from one job to another and he has left his necessary work go, his records should be up to date at least once a week.

**JION** *UISOS*: Veil, what happened to Hr. Oothrle's work of keeping a count of the Judges' decisions and work? Didn't he keep that record?

**III. CARRIER** He kept it until September, 1946. Repeatedly I asked him if all his records were up to date, if he needed any help, and Hr. Nolan has helped him quite often, and when I got the folders out I found that September, 1946 was the last report in that book.

**JUOE** *ISOH* Then you have to go back from there and check it from the dockets?

**IK. CARRIER** Tea, I would have to check every court docket and the indictment docket and the appeal docket, bail docket, to make an amounting of the cases. We try to make as accurate a report as we can. There is one thing in there I am sure we cannot do, that is the determination of how many cases were approved by each of the judges. We can only submit—and I have spoken to Chief Judge Smith about this-- we can only submit the total

number of balls approved and make a notation on there the record was not kept as to how many were approved by each Judge. But that record is being kept at the present time\*.

**JUDGE MASON:** well, of course, you have it up until September.

**MR. CARTER:** It was brought up until September, yes, sir.

**CHIEF JUDGE SMITH:** Do you have anything else?

**JUDGE MASON:** You did not answer my question, sir. Chief Judge, about those two men, whether they should be sworn in.

**CHIEF JUDGE SMITH:** We can defer any decision on that question by suggesting to Mr. Carter that he swear in all except those two.

**TWO MEN:** You only had three people approved, didn't you?

**MR. CARTER:** live, sir. The others were hold-over appointments.

**JUDGE MASON:** All the others were hold-overs.

**CHIEF JUDGE SMITH:** I think we can say it is the feeling of the Bench that Mr. Carter should swear in all

j the clerks except the two men whom he regards now as  
 I unsatisfactory.

JUDGE TUCKER I understood the list was to come  
 : la, and then we would approve or disapprove, and then I  
 I think the swearing in should take place immediately.

CHIEF JUDGE SMITH You will submit us a list  
 i of all the employees, Mr. Carter, and their salaries?

j IB. OAKER Too, sir, I will do that.

I CHIEF JUDGE SMITH I think that is all.

MR. OAKER Your Honor, if I may, will you per-  
 mit me to discuss this a little bit? Will you give us  
 : until October 1 to swear these men in, so that I can submit  
 to you and state the reasons for the changes? I do not want to  
 hurt anyone, offend their feelings, and I feel if you would  
 give us until October 1 to submit to you the names, my  
 disposition of these two men, what I feel about them, and  
 If you will uphold my decision, they will be given suitable  
 notice and at the same time I will submit to you two re-  
 placements of those, and whatever the disposition of this  
 Bench is, I will certainly do everything you instruct me  
 to do.

The position I think I am in, if I swear all of then in but two before that time, it will certainly hurt those men mentally and there will be some talk about it, and I don't want to hurt than, and then I will submit all the naaaa at that time.

**CHIEF JTO® SMITH:** I think that Is all rltf\* .

**JIOGK rocKSR:** I think so.

**CHIEF JUCK SMITH:** Mr. Carter will submit the list for approval, and that will be by the first of October.

**IB. CARTER:** I will submit the list of naarn lamediately, and then I will submit to you my recommendations, wall, I will say by the end of the weak, which will become effective by October 1, and then from October 1 these men will be given suitable notice to try to help them get other positions and then by the end of that tlaa the other nan will be notified to come in.

(Thereupon, at one fifty-five o'clock P. li., the Beating adjourned)

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## Criminal Court of Baltimore.

WILFORD L. CARTER, Clert,

September 18, 1947

PERSONNELCLERK'S OFFICE OF THE CRIMINAL COURT

NAME	POSITION	DATE EMPLOYED	LENGTH OF SERVICE	SALARY RATE PER ANNUM
Ward L. Carter,	Clerk	Nov. 29, 1946		85600.00
• I" Fehley,	Deputy clerk,	June 1, 1931	16 Yrs. 4 Mos.	3220.00
me T. J. Brown,	R a	June 15, 1932	16 Yrs. 3 Mos.	3860.00
I" Hartin,	H B	Nov. 1, 1937	9 Yrs. 10 Mos.	3820.00
me S J. Nolan,	o o	Dec. 16, 1939	7 Yrs. 9 Mos.	2400.00
B" O. Helobaoti,	" "	May 1, 1941	6 Yrs. 6 Mos.	2300.00
Mi Soherr,	" "	May 1, 1942	5 Yrs. 8 Mos.	2600.00
• a X. Donovan,	o H	Dec. 16, 1942	4 Yrs. 9 Mos.	2600.00
• " I A- Buechmann,	" "	April 1, 1943	4 Yrs. 6 Mos.	2300.00
B'eln,	Watchman,	Dec. 15, 1946	--- 9 Mos.	2000.00
• P. Hunnigan,	Deputy Clerk,	Jan. 1, 1947	--- 9 Mos.	2000.00
• »l« Peters,	" "	Jan. 1, 1947	--- 9 Mos.	3000.00
* Waac,	" "	July 1, 1947	--- 3 Mos.	2000.00
• »• Cole,	" "	July 16, 1947	--- 2 Mos.	2600.00
K <sup>8s</sup> - Rlokens,	" "	July 16, 1947	--- 2 Mos.	3000.00

Repeatfully submitted,

*Wilford L. Carter*

September 25, 1947

ton. V'. Connell Smith, Chief Judge,  
 Supreme Bench of Baltimore City,  
 Court House,  
 Baltimore 2, Maryland.

Dear Judge Smith:

As the Jury Committee of the Supreme Bench, we beg to make the following report with respect to the candidates for Jury Clerk to fill the place left vacant by the death of the late Ednard B. Folger.

Five candidates made application for the position, and the majority of the Committee has interviewed them all. They are as follows:

H. Stafford Bullen, now bailiff to Judge Smith.

Vincent P. Campbell, now bailiff to Judge Mason.

Marydel Linthicum, now clerk in the Jury Judge's office.

John J. Novakowski, now chief clerk in the office of the Supervisors of Elections of Baltimore City.

Henry J. Rehrmann, now bailiff to Judge Sherbow.

In general, we were favorably impressed by the applicants, but we feel that the qualifications of two of them do not measure up to those of the remaining three. Miss Linthicum has had 14 years' experience in the Jury Judge's office under Mr. Folger. She is an efficient and capable woman, well acquainted with the routine duties of the office, and one who would do a good job if promoted to the position in question. Nevertheless, we feel that the duties of the position require a man who has had some administrative experience, together with the personal and ability to meet members of the public having dealings with



Hon. V. Connell Smith, Chief Justice. -2- Sept. 25, 1947

the office. Mr. Notsakowski is an active and energetic member of the Bar, who has spent much time in local politics, and has held several political appointments. He has never been connected with the Supreme Bench or any of its activities. If it were not for the fact that the other three candidates have all been bailiffs for some years, and as such are familiar with Court House routine, we would feel that Mr. Uocakowski's application could deserve most serious consideration by the bench. It is our considered opinion however that the principle of promotion from within should govern us in the recommendation which we make for the present appointment.

The other three candidates, Messrs. Bullen, Campbell and Kehriaann, are all well known to the members of the Superior Bench. All of them are efficient, faithful and able bailiffs, and the difficulty of the Committee has been to choose one as being superior to the others. Their personalities are of course different, and we feel it our duty to make such observations as we can, based upon their experience, and the impressions which they have made upon us.

Mr. Bullen, who is 44 years old, has had the richest business background of the three. His education extended through one year of high school, to which must be added a correspondence course in Engineering. He then engaged in various business activities, having been employed by the A. & O. Railroad for six years, the State Comptroller for seven years, the American Radiator Company for a shorter period, and having been court clerk of the People's Court immediately prior to his becoming bailiff to Judge Smith. He has had more opportunity than either of the others to direct employees under his supervision, particularly in connection with the annual re-registration work done in the office of the Commissioner of

Hon. W. Convrell Smith, Chief Judge. -3- Gcpt. 25, 1947

Motor Vehicles on behalf of the State Comptroller, Mr. Mullen is a resident of Baltimore County, and although this does not disqualify him from the position which he seeks, it is a circumstance to be brought to the attention of the Bench.

Mr. Campbell is 46 years old, and has had an education equivalent to one or two years of high school, and served one year overseas as a volunteer in the U. S. Army during World War I, and was granted an honorable discharge. After the war he served two years as chief clerk in a Government bureau at Port Deposit, and for about seven years he was an employee in the Register of Wills' office. In 1927 he became bailiff to Judge Ulman, in which capacity he served until the latter's death, after which he has successively acted as bailiff to Judge Henderson and Judge Mason. Mr. Campbell has had the longest experience in the Court House of any of the three candidates. He has an agreeable personality and probably "knows his way around" better than any of the other three. He would be capable of handling the employees and of dealing with members of the public satisfactorily, and we have no doubt he would be well able to administer the office routine.

Mr. Rehrmann is 36 years old. His educational qualifications are approximately the same as those of the other bailiffs, namely, something less than a complete high school education. After he graduated from school he was employed as a bookkeeper by a commercial firm, served as private secretary for two years, and entered the State's Attorney's office as a stenographer, from which position he rose to the position of Indictment Clerk. In 1941 he became bailiff to Judge Ulman, and after Judge Ulman's death was bailiff to Chief Judge Dennis. For the last three years he has been bailiff to Judge Sherbow. During the last year

Dr. T. Cornell Smith, Chief Judge. -J,- Sept. 25, 1947

He served as Secretary to the Committee on Revision of the Rules of the Supreme Bench, and as Secretary-Reporter for the Maryland Commission in the Distribution of Tax Revenues. The Committee was particularly impressed by Mr. Rehrmann's earnestness and feels that if he receives the appointment there can be no question as to his willingness to give all his time that the Job requires.

The Committee, as indicated above, does not express a formal preference between the three candidates who are bailiffs, namely, Messrs. Bullen, Campbell and Kehrman. We feel that each of them is capable of doing a good Job, desires to do a good Job, and would make a satisfactory Jury Clerk. Our view is that Mr. Bullen's strong point is his previous experience in private as well as public business. Mr. Campbell's strong points, added to his qualification as a Veteran, are his personality, his ability to deal with people, and his long experience at the Court House with the Bar, the Bench and the public. Mr. Rehrmann's strong points are that he has long familiarity with Court House work, a great ability to do accurate work, and to create and maintain complete and dependable records.

We submit, therefore, the names of Messrs. Stafford D. Bullen, Stafford D. Campbell, and Henry J. Rehrmann to the Bench, with the recommendation that one of them be appointed, but in no preferential distinction between the three.

We realize that in recommending three candidates equally it may be stated that we have not performed our duty completely. The three candidates recommended, however, are so nearly equal in ability that we feel that the ultimate decision will rest upon the individual Judgment of the members of the Supreme Bench upon the personal and

o. •(. Connell Smith, Chief Judge. -5- Sept. 25, 1947

tangible factors which will contribute to or detract from the appointee's qualifications for this particular office.

Our recommendation of three candidates should not be taken as indicating a difference of opinion among the members of the Committee as to which candidate should receive the appointment. We are unanimous in the feelings expressed above, first, that all three are well qualified, and, second, that each has strong points different from, rather than conflicting with, those of the others.

Respectfully submitted,

1 *Robert J. ...*  
 \_\_\_\_\_  
*Robert J. ...*  
 \_\_\_\_\_  
*Miles*  
 \_\_\_\_\_

## MINUTES.

A luncheon meeting of the Supreme Bench was held on Thursday, September 5, 1947, at 1:30 p.m. All of the members of the Bench were present except Judges Saylor and [unclear] and the Chief Judge presided.

The report of the Jury Committee, with respect to the selection of a Jury Clerk, was submitted, but no action was taken because of the absence of two members of the Bench. The selection of a Jury Clerk was postponed until the next luncheon meeting on October 1, 1947.

The Chief Judge submitted a letter from Mr. Herbert Lodwick, requesting approval of his plan to investigate furors, with respect to the [unclear] family, political and religious standing and affiliation, and to publish and sell copies of his investigation to Lawyers, insurance companies and other interested parties. The Chief Judge was directed to advise Mr. Lockwood that the Bench declined to approve his proposed undertaking.

The Chief Judge submitted to the Bench a list of nominees of Mr. Wilford L. Carter of a Chief Deputy Clerk and Deputy Clerks in the office of the Clerk of the Criminal Court. The nomination of Mr. Alfred Scherr as Chief Deputy Clerk was disapproved.

The Chief Judge was directed to request Mr. Carter to submit specifications with respect to incompetence and grounds for removal of Mr. Raymond A. Euschmann, to inform Mr. Carter that no action would be taken on the removal until after receipt of this information.

The nomination of Mr. P. Hoss Bundick as a Deputy Clerk was disapproved. The Chief Judge was directed to communicate with Mr. Carter, either personally or by letter, and to advise him that further action on his nominations would be postponed until a future date.

The Chief Judge reserved the right to suggest to Mr. Carter that either Mr. Brown or Mr. Donovan would be acceptable as a nominee for the

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chief deputyship.

\* resolution was passed approving the statement of Judge McCersoo with respect to the policy of the Bench concerning appointments and removals of Chief and Deputy Clerks in the offices of the several Court Clerks of Baltimore City.

There being no further business, the meeting adjourned.

  
Secretary.

THE DAILY RECORD, BALTIMORE, SATURDAY, SEPTEMBER 27, 1907

### Supreme Bench Resolution Relating To Clerks Of Local Courts

The resolution relating to the positions of Chief Deputy Clerk and Deputy Clerks in the various offices in the Court House was adopted by the Supreme Bench of Baltimore City on the 21st day of September, 1907.

It is the opinion of the Supreme Bench of Baltimore City that the positions of Chief Deputy Clerk and Deputy Clerk should be career positions, and that none of the men now holding such positions hereafter hold these positions should be removed for political reasons, or for any reasons except those of physical or mental incapacity or inefficient performance of his or their official duties, and that the Bench will not approve appointments to such positions in full vacancy or in the event of the removal of any incumbent for political or personal reasons only.

### George F. J. Brown Named Chief Deputy Clerk Of Criminal Court

George F. J. Brown was appointed Chief Deputy Clerk of the Criminal Court of Baltimore yesterday by Judge J. Carter, Clerk of the Court. Mr. Brown was appointed by the Supreme Bench of Baltimore following the resignation of the late Mr. Carter. Shortly after his appointment by Judge Carter, Mr. Brown was named Chief Deputy Clerk of the Criminal Court Room with Judge J. Carter as his superior. Other members of the Supreme Bench who attended the installation ceremony were Judges Michael J. Manley, Thos. J. France and Kraory II. SIM.

Mr. Brown, 431 N. W. yeom of the Baltimore City, is the Clerk of the Criminal Court for the past several years. He is married and resides at 4031 Upton street, with his wife and three children.

Supreme Bench  
of  
Baltimore

EDWIN T. DICKERSON  
JUDGE

BALTIMORE a. MARYLAND

I hereby certify that on the 25th day of September, 1947, at a public meeting of the Supreme Bench of Baltimore City, the following resolution was duly passed:

"It is the opinion of the Supreme Bench of Baltimore City that the position of Chief Deputy Clerk and Deputy Clerks should be career positions, and that none of the men now holding or who shall hereafter hold these positions should be removed for political reasons, or for any reasons except those of physical or mental incompetency or inefficient performance of his or their official duties, and that the Bench will not approve appointments to these positions to fill a vacancy or vacancies created by removal for political or personal reasons only.



Secretary of the Supreme Bench  
of Baltimore City.

## Criminal Court of Baltimore.

WILFORD L. CARTER, Clerk

September 26, 1947

Honorable W. Conwell Smith, Chler Judge, and  
The Supreme Bench of Baltimore,  
Court Houee,  
Baltimore, Maryland.

Honorable Sirs:

I beg to acknowledge receipt **of your letter of** September 25th in which you inform me that you disapprove of my nomination of Mr- Alfred Scherr aa Chief Deputy Clerk. I note also that you disapprove of the name of Mr. P. Hose Bundick as Deputy Clerk to replace the late Joseph A. Guthrle and that your action with reference to him is final.

It lB my dealre and I have personally expressed It to you before that I want an Office personnel of the highest character and prestige obtainable. I want the Clerk'e Office of the Criminal Court to function Bmoothly and efficiently in order that the public's interest may be properly served.

I have been the Clerk since November, 1946, as you state and I did not select any person to be my Chief Deputy until June, 1947, when I suggested Mr. Bundiok for that position. Mr. Bundick's background was so rich in business accomplishments and experience that I felt his splendid talents could be utilized by my Office. You have een fit, however, for reacons best known to yourselves to reject him. Under the law it is my duty to onour.

With the greatest of respect for the opinion of the Supreme Bench, I must take issue with your statement that I dealre to rid myself of persons who served in the Office under my predecessor or to make it eo uncomfortable for them that they would be foroed to resign. All that I seek is the placing into my Office of men of the highest competence and business aklll unlnfluenoed by personal or political considerations. I sincerely trust that the high wisdom and fine Judgment contained in the Supreme Bench will cooperate with me to such a desirable consummation. I thought that Mr. Scherr was a career man. May I suggest to you in keeping with your announced policy of career positions, the name of Mr. George F. J. Brown for the position of Chief Deputy Clerk. Mr. Brown, although young in years la the oldest in point of service, having been connected with the Office for more than fifteen years.

A word as to Mr. Buschmann. In my desire to have him

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## Criminal Court of Baltimore.

WILFORD U. CARTER, Clerk

September 26, 1947

Honorable W. Conwell Smith, Chief Judge, and  
The Supreme Bench of Baltimore City,

dismissed I will be pleased to give you a specific and detailed statement. My action is predicated solely and simply upon the man's Inability to properly exercise the functions assigned him.

In conclusion, may I say that as the elected Criminal Court Clerk of Baltimore City that I heartily concur with the sentiments contained in the resolution regarding the position of Chief Deputy Clerk and Deputy Clerks which is applicable to the Office of all the Clerks of Courts. I hope to carry out this Mandate in letter and spirit to the best of my ability.

Very respectfully yours,

Wilford L. Carter, Clerk.

WLC-M

Supreme Bench  
of  
Baltimore City

W. CONWELL SMITH  
CHIC-JUOOC

BALTIMORE 2, MARYLAND

September 25, 1917.

Hr. Hlfird L. Carter, Clerk  
Criminal Court Of Baltimore  
Baltimore, Maryland.

Dear Sir:-

Your letter of September 25, 1917, which was handed to me just before the Bench Meeting, was duly presented to the Judges and they have instructed me to inform you of the action of the Bench on the suggestions.

The suggestion of Mr. Alfred Scherr for the position of Chief Deputy Clerk at the salary of \$1,025 per annum has disapproved.

As Mr. Scherr's promotion was not approved it will not be necessary to replace him, and the suggestion of Mr. Outtenborfer as a replacement for Mr. Scherr was, therefore, not approved.

Your suggestion of P. Guss Bundick of 1712 Park Heights Avenue as Deputy Clerk to replace Mr. Joseph Guthrie, deceased, was disapproved. The action of the Bench on Mr. Bundick is final.

As to the remaining suggestions in your letter, I was directed to inform you that the Bench is unwilling to consider further changes in your office personnel unless and until you select an experienced and satisfactory Chief Deputy Clerk. You have been Clerk since November, 1906. You did not select any person to be Chief Deputy Clerk until June of 1907 when you suggested Mr. Bundick for that position, who had no previous experience in the Clerk's Office. The suggestion was disapproved by the Bench. Thereafter a survey of your office was made by the Criminal Justice Commission and a report of such survey was made in July, 1917. One of the first recommendations of the survey was that a Chief Deputy Clerk be promptly selected. At the first meeting of the Supreme Bench in September, 1917 you again suggested Mr. Bundick as Chief Deputy Clerk although you know he had already been disapproved. The result is that after nearly a year in office you have not suggested a capable and satisfactory person for Chief Deputy Clerk. The Bench is well aware that there are capable men in your office who have served in the office of the Clerk of the Criminal Court for a considerable period of time and who are well qualified for the position of Chief Deputy Clerk. Your failure to select any of these men for the position does not reflect on itself to the Bench. Taken together with the discrimination in the matter of salaries, it lends color to the rumor that you desire to rid yourself of the person who served in the office under Mr. Edward Brooks, the former Clerk, or to make it so uncomfortable for them that they would be forced to resign. In that connection the Bench has adopted the following resolution which is applicable to the office of all of the Clerks of Court

"It is the opinion of the Supreme Bench of Baltimore City that the positions of Chief Deputy Clerk and Deputy Clerk

yr. Carter

-2-

September 23, 1947.

should be career positions, and that none of the men now holding or who shall hereafter hold these positions should be removed for political reasons, or for any reasons except those of physical or mental incapacity or inefficient performance of his or their official duties, and that the Bench will not approve appointments to these positions to fill a vacancy or vacancies created by removal for political or personal reasons only".

Your suggestion for the replacement of Mr. Buschmann was not acted on by the Bench for the reason that the Bench itself is unaware of the reason for Mr. Buschmann's dismissal beyond your statement that you regard him as unsatisfactory and before approving the dismissal of Mr. Buschmann the Bench desires a specific and detailed statement of your reasons for suggesting his dismissal.

You are directed to confer with the Chief Judge in regard to filling the position of Chief Deputy Clerk.

Very truly yours,

Wm. C. Smith.

- 1 H if Tfc 6.

A luncheon meeting of the Supreme Bench was held on Thursday, October 2, 1947, at 12:30 p.m. All 03 the members of the bench were present except Judges Sayler, Sherbow and Woynen, and the Chief Judge presided.

In accordance with the provisions of the constitution of the Bench, following the report of the Jury Committee, the Bench proceeded, by ballot, to select a Clerk to the Jury Judge. Mr. Stafford Bullfinch was selected by a vote of 6 to 5.

The Chief Judge presented a letter, attached to these minutes, from Mr. V. Wilford L. Carter, Clerk of the Criminal Court.

Mr. Carter nominated Mr. Stephen Jeniak as a deputy clerk, at a salary of \$3,000. per year, and Mr. Thomas Thornton Murray at a salary of \$2300. per year. The appointments were duly confirmed.

Mr. Carter also nominates Mrs. Thelma Ahn as a clerk to assist Mr. George I. J. Brown, Chief Deputy Clerk, in bringing the work of the office up to date, for a period of eight weeks, at \$45.00 a week, and the employment was duly approved.

Mr. Carter also recommended, in his letter to the Chief Judge, that Mr. J. Louis Peters be discontinued on the grounds of lack of proper qualifications for that position, and his recommendation was duly approved.

There being no further business, the meeting adjourned.

*Edwin H. Brown*  
Secretary.

### H. Stafford Bullcii Named Jury Clerk By Supreme Bench

H. Stafford Bullcii, who has served in the position of jury clerk under Chief Justice W. Conrad Weiser for approximately 17 years, has been named jury clerk by the Supreme Bench of Baltimore City, in the case of the estate of the late Admiral H. K. Cole, late June.

Mr. Bullcii, who is 40 years of age, is married and resides in the District of Columbia.

His father is the late Honorable Theodore T. Murray, of the 100 block W. Oatend Street and Stephen Bullcii of the 100 block S. Currier Street. He is deputy clerk in the Criminal Court office. The appointment of the two men was announced to the Bench by William L. Drier, Clerk of the Criminal Court. Also appeared before Judge Drier on the occasion of the appointment of Mrs. Thirion Aliman of the 100 block UawcbuiotK Avenue, in the District of Columbia, to take over the work of the Criminal Court office up to date.



# Criminal Court of Baltimore.

WILFORD > CARTER, Clerk

October 2, 1947

Honorable W. Conwell Smith, Chief Judge, and  
 Die Supreme Bench or Baltimore City,  
 Court House,  
 Baltimore, Maryland.

Honorable Sirs:

I am respectfully submitting herewith for the approval and confirmation of the Supreme Bench, the following names for appointment in the Office of the Clerk of the Criminal Court.

The promotion of Mr. George F. J. Brown to the position of Chief Deputy Clerk and the death of Mr. Joseph A. Suthrle created two vacancies in the Office.

To fill one of the vacancies, I submit the name of Mr. Stephen Janlak, Age 43, of 724 S. Curley Street, at the Salary of \$3000.00 per annum. Mr. Janlak has been in the employ of the Metropolitan Life Insurance Company for the past eight years.

For the other vacancy, I submit the name of Mr. Thomas Thornton Murray, Age 27, of 122 W. Ostend Street, at the Salary of \$2300.00 per annum. Mr. Murray is a veteran of four and a half years in the U. S. Navy. He has had experience as a Clerk at the Customs House and as an Investigator for the Office of Price Administration.

Now that Mr. Brown has assumed the duties of Chief Deputy in addition to his regular duties, which were varied and detailed, but briefly, consisted of keeping the Books of the Office Accounts, Payrolls, etc., including the intricate Cash Accounts. He also handles and answers all of the Office correspondence, all requests for Certified copies of Docket Entries, Exemplified Records of Convictions, prepares all Records of Appeals to the Court of Appeals, Reports to the Board of Supervisors of Elections of Records of persons convicted of Felony. Mr. Brown worked exclusively on this work and we do not have anyone in the Office who can immediately step in to assist him. We are at present behind in some of this work, which was occasioned partly by the Office being understaffed for some time and that considerable time was given by Mr. Brown in helping to break in new personnel which was recently appointed.

## Criminal Court of Baltimore,

WILFORD L. CARTER, Clerk

October 2, 1947

Honorable W. Conwell Smith, Chief Judge, and  
The Supreme Bench of Baltimore City,

I, therefore, submit the name of Mrs. Thelma Ahman, of 4211 Massachusetts Avenue, for appointment to assist Mr. Brown to bring tiiiB work up to date. Mrs. Ahman was in the employ of the State's Attorney Office under Mr. Wells for twelve years. She Is a very capable and thoroughly experienced woman, efficient In Bookkeeping, Typing and an expert in taking shorthand, having taken Court Testimony. She will be able to help us with a minimum of instruction. The appointment Is proposed as a temporary one on the basis of \$45.00 per week Salary for about eight weeks. This proposal will be keeping within our authorized salary appropriation.

I again request that the Bench consider the replacement of Mr. J. Louis Peters. As stated to the Bench, Mr. Peters' name was suggested to me nine months ago when I had a vacancy in the Office. I submitted his name to the Bench for appointment upon recommendation. Mr. Peters has been in the Office now for nine months but Just does not seem to have adapted himself to the work. He is a thorough gentleman but does not have the qualifications for this particular type of work. I dislike very much to take this action but feel obliged to do so for the benefit of the Office.

All of the above appointees come very highly recommended. If the Bench approves them, I am certain that their appointments will bring about a greater degree of efficiency in this Office.

Very respectfully submitted,

*Wilford L. Carter*  
Wilford

L. Carter, Clerk.

October 2, 1947.

Wilford L. Carter, Esq.,  
Clerk of the Criminal Court,  
Court House, City -2-

Lear Mr. Carter;

The Chief Judge brought your letter or this instant to the attention of the Bench at its ueetiag today.

Your noiainetions of 'dr. Stephen Janiak as a deputy clerk, at a salary of \$3,000. per armma, and of HT. Thomas Thornton Murray, at f salary of \$£300. per annum, were duly approved. Tfour nomination of Mrs. Theima Aiu.an as & cl&rkl in your office, at ^45.00 a week for a period of about eight weeks, was also duly approved.

*Recommended*  
Your **aoqavst** that Mr, J. Louis Peters, CG a deputy clerk in your offioe, be replayed for the reasons stated in your letter, was also approved by the Bench.

Very truly yours,

Secretary.



## U I 3 U T I S.

A special meeting of the Supreme Bench was held on Saturday, October 4, 1947, at 10 o'clock; a.m. All of the Members of the Bench except Justices Niles, Sherbow and France were present for the meeting in open Court, and the entire membership of the Bench was present in executive session. The Chief Justice presided. The following were appointed to practice <sup>in</sup> the Courts of Baltimore City:

Brothel I. Kinell and William H. Gannon, II, were admitted to practice as members of the Bar of the Supreme Bench of Baltimore on January 10, 1947, upon the recommendation of Lawrence W. O'Connell and Holbert  
 it associated.

The motion of Welter D. Lane, for a new trial of his conviction in the Criminal Court of assault with intent to rape, was argued, submitted and granted.

The motion of Agnes McKenna, for a new trial of her conviction in the Criminal Court of larceny and false pretense, was argued, submitted and granted. She was denied a new trial on her conviction on the first counts in indictments Nos. 101e3-4 and 5, and on the second and third counts in indictment No. 101fcb0. She was granted a new trial as to the remaining counts in said indictments on which verdicts of guilty were rendered.

It was brought to the attention of the Bench that Mr. Stephen Janiak, who had been nominated as a deputy clerk in the office of the Clerk of the Criminal Court and approved by the Bench, had been convicted of a violation of the Prohibition Law before Judge Chestnut in the United States District Court for the District of Maryland in 1932, and had been fined \$150.00. The matter was referred to the Chief Judge, with full power to act, with the request that he send for Mr. Carter, Clerk of the Criminal Court, and ascertain if the person convicted and the person ..

minutes  
10/4/47

nominated for deputy clerk ere the some men, end if so, That the Bench will rescind its approval of the nomination.

It was also suggested zr. Rt tn\* Chief Judrc inform i.r. Carter that the Qiscrepancies in the salaries of the various deputies in his office jnst be adjusted and ironed out.

The Chief Judge brought to the attention of the Bench the question of expenses of extraditing persons accused of crime in Maryland froit other states. He said that Mr. V. Wells had demanded 9650. to bring back from California a woman charged with abortion. It appeared that the Attorney General had given an opinion that no money of the state could be used for bringing back people who had waived extradition. It also appears that the appropriation is \$2500. a year, and Mr. Wells had used \$2000. in 1944, over \$2000. in 1945, \$5100. in 1946 and \$5800. thus far in 1947.

The Chief Judge said that Mr. Wells wanted to have a conference between the Governor, the Mayor, the Police Commissioner and the Attorney General, with respect to this matter. The Chief Judge said he had suggested to Mr. Wells to try to get from the city what money he needs. On motion, duly made and carried, the Chief Judge appointed Judge Sherbow to confer with Mr. Wells, the Attorney General and the Director of the City Budget, with the view of straightening out the matter.

There being no further business, the meeting adjourned.

  
Secretary.

## SUPREME BENCH ASSMSEBBI

October 4, 1947

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## « I » U I i S.

A luncheon meeting of the Supreme Bench was held on Thursday, October 9, 1947, at 12:50 p.m. All of the members of the Bench were present except Judge Mason and the Chief Justice presided. Judge Sherbow reported that, as a result of a conference on extradition costs, State's Attorney Yell's will receive from the City all the money he needs, while the regular extradition costs will be paid by the State.

The Chief Justice reported that Mr. Carter, Clerk of the Criminal Court, had dismissed Mr. Stephen Janiak from his position as a deputy clerk.

The Chief Justice also reported that U.T. Peters had come in to see him and stated that the objections to him were of a political nature. The Chief Justice reported that Mr. Carter had explained as his reason\* for dismissing Mr. Peters was that Mr. Peters was inefficient.

The Chief Justice also reported that the appointees of Mr. Carter, who had been approved by the Bench, had been sworn in.

On motion, the approval of the Bench of the appointment of Mr. Stephen Janisic was rescinded.

The list of salaries submitted by Mr. Carter to the Chief Justice on October 8, 1947, for the deputies in his office, were approved by the Bench as a salary scale.

The Chief Justice reported that Mr. James A. Cole, a deputy clerk in the office of the Clerk of the Criminal Court, while employed by the Unemployment Compensation Board, was allowed to resign because of a shortage in his accounts in 1936-9. The shortage amounted to \$280.00 and part of it had been paid back.

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Mr. Carter, in his report to the Chief Judge, has omitted any **reference to this**, and the matter was referred to the Chief Judge with **full** power to act.

It was suggested that the Chief Judge advise W. R. Carter unofficially not to interfere with the use, by Mr. Tipton, of the necessary use of the telephone in the office of the Clerk of the Criminal Court.

It was **the opinion of** the Bench that Mr. Sullen, Jury Clerk, **should receive** a salary of £3500. a year to start, subject to increase of £100. for each additional year's service up to 84,000. a year.

There being no further business, the meeting adjourned.

  
Secretary.

## M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, October 16, 1947, at 12:30 p.m. Present Judges France, Conner, Sberbow, Dickerson, Tucker, Ueson and Miles. The Chief Judge presided.

On motion the Chief Judge was authorized to issue an order against Charles T. LeViness Sr. to show cause why he should not be disbarred from the practice of the law, in consequence of his conviction of Income Tax fraud and evasion, in the District Court of the United States for the District of Maryland.

The Chief Judge reported that he had received information from Mr. Daniel L. Clayland, <sup>State</sup> Auditor of the State Auditing Department, to the effect that Mr. James A. Cole, a deputy clerk in the office of the Clerk of the Criminal Court, in 1940, while working for the Unemployment Compensation Board, has a delinquency in his accounts of \$268.81, which he had collected and not turned in, of which he had paid back \$26.66. And also information from Mr. Russell S. Davis, Chairman of the Unemployment Compensation Board, that the records show that Mr. Cole, in April 1937, was a field representative of the Board, and has a delinquency in his accounts or slightly in excess of \$150.00; - that Mr. Cole disclaimed any knowledge of how the delinquency occurred and tendered his resignation. Mr. Davis stated that Mr. Cole's record with the Board was clear. On motion the Chief Judge was authorized and directed to give this information to Mr. Carter, Clerk of the Criminal Court. The Chief Judge called to the attention of the Bench a letter from Judge Thomas J. S. Waiter, relative to registration of infants in connection with adoption proceedings. The Chief Judge was directed to write Judge Waiter and give him the date supplied by Mr. Snyder, Chief Probation Officer.



i. I K U T U S .

A luncheon meeting of the Supreme Stnch was held on Thursday, October 25, 1947, at 12:50 p.m. Present Jurises Niles, .v.culen, Sherbow, Tucker, i.'eson, Irenea, Oicherson and the Chief Judge. The Chief Judge presided.

The Chief Judge reported that he has received a letter from XT. Wilford L. Carter, Clerk of the Crixinel Court, nominating **Frank J. Peltz**, #127, Ashlenci Avenue, and Thomas L. Morris, 3924 Hudson Street, as deputy clerks in his office, and the permanent employment of Thelira L. Ahn«n, all at ^Z,'COU.CO a year. The whole matter was referred to the Chief Jurise, with power to have the nominees investigated, and report to the Bench. The Chief Judge reported that a committee of the Bar Association, headed by Mr. Harry Baetjer, will communicate with the 50ero of Estimates, in favor of increasing the salaries of the members of the Supreme Bench.

The **Chief** Judge presented a resolution in behalf of the bailiffs, drawn by Judge Dickerson, and the matter was left over for further consideration.

There being no further business, the meeting adjourned.



Secretary.



M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, October 30, 1947, at 12:30 p.m. The full Bench was present and the Chief Judge presided.

The nominations of Frank J. Peltz, 2122 Ashland Avenue, and Thomas L. Morris, 3B23 Hudson Street, as deputy clerks in the office of the Clerk of the Criminal Court, and of Mrs. Thelma E. Ahman as a permanent employe in the office of said Clerk, were approved, the last named appointment being subject to approval by the State Comptroller.

The Chief Judge called attention to irregularities in the office of Mr. Mason P. Morfit, relative to stenographer's charge of \$5.00 instead of \$ 4.00 in each case, only 94.00 being entered upon the books by Mr. Morfit. The Chief Judge also called attention to the fact that a previous order of the Court requires the cases to be submitted to Masters and Examiners in rotation as filed, and the fact that all out of town cases had been referred to Mr. Morfit. In these cases Mr. J. Charles Fagan appeared as solicitor for the plaintiff, and Mr. Joseph Hettleb'8n for the defendant, and the Milner Hotel was frequently given as the address of the defendant. The Chief Judge referred the whole matter to a committee, consisting of Judge Mason as Chairman and Judgea Moylan and Uanley, with authority to make a full investigation of all of these matters and report to the Bench. There being no further business, the meeting adjourned.

*Estlin Nicholson*

Secretary.

October 30, 1947.

Wilforo. L. Carter, Esq.,  
Clerk of the Criminal Court,  
Court House, City -2-

Dear Ur. Carter:

I beg to advise you that the Supreme Bench toGay approved your appointments of Messrs. ironic J. Peltz ana Thoaas L. Morris as deputy olorks in your office, ano of Lirs. Thclaid f. Ahmen as a permanent employe in your oIfice, the letter appointment to be subject to tho approval ol' the State Comptroiior. The condi- tion as to the approvel by tho State Comptroller is due to the fact that the addition of employes in your office; have to be approved as to solerioa by the State Comprroller.

Very truly yours,

Secretary\*

## a i n u t e s .

A meeting of the Supreme Bench was held on Saturday, November 1, 1947, at 10 o'clock a.m. All of the members of the Bench were present at the session in open Court except Judge Manley, and he attended the session in Chambers.

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

Leror Willinc FolnlioU. Jr. and  
 Charlotte Melnlin, yrederek W. Jock-  
 little, Jr. and Waller X. Green were  
 admitted to practice na incntore of thir  
 Baltimore fiar nn Saturday hy thic  
 Sunreac Bcncli DI Baltimore.  
 Tho allurnern were nduulteil Ujion  
 the rospcclivc motions of John S. Strn-  
 Uorn, Jr. Frerjclct J. Sncler, Ken-  
 nclh n. ELin and J. Cookran Hvd,  
 Jr.

The motion of James S. O'Donnell, for a new trial, was ordered to be not received and to be stricken from the files of the Court.

The motion of Sam Zimmerman, for a **new trial from his conviction of murder in the first degree - of George W. Wiley, for a new trial from his conviction of burglary and assault to rape - and of Walter Szukiewicz, for a new trial from his conviction of murder,** were argued, submitted and over-ruled.

The motion of Charles H. Johnson, for a new trial from his conviction of **attempted false pretenses and larceny,** was over-ruled as to the first count, in which he was charged with attempted false pretenses and was granted with respect to the second count in the indictment, **in which he was charged with attempt to commit larceny.**

A letter from Mr. Joseph Eadans, submitting two proposed rules of the Supreme Bench, authorizing the use of recording devices in the several Courts of the City, was referred to the Rules Committee of the Supreme Bench.

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11/1/47  
page 2 -

There being no further business, the meeting adjourned.



Secretary\*

Motions For New Trials <  
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Supreme Bench

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## M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, November 6, 1947, at 13:30 p.m. All of the members of the Bench were present except Judges Moylan, Sayler and France, and the Chief Judge presided.

The following resolution, hereto attached as part of these minutes, relating to the retention of **bailiffs** serving under Judges who retire or are deceased, was unanimously passed. There being no further business, the meeting adjourned.

  
Secretary.

WHEREAS, by reason of the death or retirement of Judges of the **Supreme** Bench of Baltimore City, bailiffs who have served under such Judges are left in a precarious position, without any legal obligation on the part of the Supreme Bench or of Judges appointed or elected to fill **vacancies, so occasioned** by death or retirement, to continue such bailiffs in their positions as such;

AND WHEREAS, bailiffs who have served under the predecessors of such **appointed or elected Judges have generally rendered** loyal and capable service to such predecessors and are usually mentally and physically capable of rendering similar service to such succeeding Judges;

AND WHEREAS, it has been the almost unbroken practice of such appointed or elected Judges and of the Supreme Bench to continue in their positions **the bailiffs of** the predecessors of such elected or appointed Judges, so long as such bailiffs shall render capable and loyal service and shall be mentally and physically capable of doing so;

BE IT RESOLVED, that it is the opinion and sentiment of the Supreme Bench of Baltimore City that Judges appointed or elected to fill vacancies on the Supreme Bench should not make, and the Supreme Bench should not confirm, nominations which would displace bailiffs of the predecessors of such elected or appointed Judges, so long as such bailiffs shall be mentally and physically able to perform their duties as such, and so long as they shall serve such appointed or elected Judges in a loyal and efficient manner, and are qualified to fulfill their requirements, subject to any requirement of retirement which is now or hereafter may be imposed by law.

*Passed 11/6/47*

**MINUTES.**

A luncheon meeting of the Supreme Bench v/as held on Thursaay, November 13, 1947, at 12:30 p.m. All or the members or the Bench were present except Judge Sayler and the Chief Judge presided. The Chief Judge reported that the Bar Association officials had failed to file an ansv/er in the disbarment proceedings against Charles T. LeViness III, <sup>had</sup> but promised to file it by next Monday. It was resolved that, in view of the fact that the Bar Association has asked leave to file an answer in the above proceedings, and haju?' been unable to do so up to this date, that the case against Mr. LeViness be peremptorily **set** for consideration and disposition on November 20, 1947, at one o'clock p.m., and tbet the Chief Judge give notice of this fact to the Bar Association officials and to Mr. LeViness.

There being no further business, the meeting adjourned.



Secretary.



## Bimms .

A luncheon meeting of the Supreme Bench was held on Thursday, November 20, 1947, at 12:50 p.m. All of the members of the Bench were present except Judge Sherbow and the Chief Judge presided. The Chief Judge reported that the City Council had agreed on a \$1,000. a year increase in salary for the Judges; that he was surprised, and talked to Mr. Charles-C. G. Evans of the Bar Association. and that U r. <sup>Sluic<sup>he</sup></sup> Evans would see the Mayor, and later on reported that he had seen him, and that the Mayor had stated that he would recall the ordinance for an amendment which would probably be \$1,000. increase for 1946 and \$1,500. more for 1949 - and that he had thought it better for the committee of the Bench to act through the Bar Association with reference to the increase in salary.

Upon a resolution, unanimously passed, an order was signed disbarring Charles T. LeViness from the further practice of the law, and ordering that his enrollment as an attorney and member of the Bar be stricken out. The motion was made by Judge Moylen and seconded by Judge France.

The Committee on Quarters and Examiners reported that they had had several meetings, and recommended that all Masters and Examiners be asked for a memorandum of cases, parties, their addresses find their attorneys during the past three months, and for a monthly report thereafter. The Chief Judge stated that this recommendation might better come in with the final report of the committee. it was the sense of the meeting that it was all right for the committee to request this information.

There being no further business, the meeting adjourned.

Secretary. *Edwards*

### Supreme Bench Judges Puss Disbarment Order Against Charles T. LeViness

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conduct unbecoming a member of the  
Bar, in thiat lie ITOS conrccclU acrcral  
trecka CEO la the local United Stall<sup>100</sup>  
District Court of Inenme tos ommln<sup>100</sup>  
upon vThkli cliorrc lie \a\* Hnct \$10,000  
nrl cMa.

Subsequent to tie mine of the peti-  
tion lu tic Supreme Scncli. Hie Dnr  
AwocInUon of Baltimore Ctr. \*2000\*  
mltin! a petition In n-hch It miucKtril  
pcrmlMloa to Intcrrenc In lli. proceed-  
ocs and aiked thiat LeVinnrs be ill\*-  
barred. A petition lor dl\*-barment W  
also pending in tic local Federal Court.

## S I H U T E 8 .

A luncheon meeting of the Supreme Bench was held on Thursday, December 4, 1947, at 12:30 p.m. All of the members of the Bench were present except Judge Uoylan, and the Chief Judge presided. The report of the Rules Committee of the Supreme Bench, on the proposal of Mr. Joseph Kadens that two new rules be added to the rules of the Supreme Bench, was submitted. The Committee recommended that the petition of Mr. Kadens be denied. The report of the Committee was unanimously adopted.

The application of Doctor Manfred S. Guttsacher, for leave of absence from December 15, 1947, to June 15, 194a, in order that he might serve as consultant psychiatrist to the Social Committee of the United Nations, appointed to study and report to the United Nations on the prevention of crime and treatment of offenders, was granted. It was left to the Chief Judge to determine ~~the substitute or substitutes for Doctor Guttsacher~~<sup>during his absence</sup> and the conduct of his office as Medical Examiner to the Supreme Bench.

It was decided to hold a Term Meeting of the Supreme Bench on Monday, December 22, 1947, at 10 o'clock a.m.

There being no further buBinesa, the meeting adjourned.

*Edwin Greenwood*  
Secretary.

December 3, 1947.

Honorable H. CooveU *Saltn*,  
Chief Judge, Suprene Bench of Baltimore City,  
Baltimore, (2) lio.

Dear Judge Saithr

On or about Uonator 1, 19A7, you referred to the Rulto Coamitte\* of the Suprenn Bench, for tnelr consideration and report, the petition of Joseph Kadens, a member of tne Baltimore BIT, that the Bench adopt the following rules, vit:

'RULE 801: It obeli be perstiaaible for an? Attorney or, any party to any proceeding before any of the Odorta of Baltimore City to use during the trial of any cases such recording equipment aa may be desired for the purpoae oi' obtaining a recording of the proceedings; provided, that in the dla-cretion of the presiding Judge, there be no material interference with the Court'a procedure."

'RULE 802: ffhere tne proceedings of any cause have been completely recorded, and aaid proceeding ia capable of being clearly understood, the parties to the proceedings, if mutually agree-able to thorn, may, at thexr om expanse, transcribe the recording to writing, and it ahaLi thereupon not be necessary for the official court stenog-rapher to transcribe the proceedinga,"

It is the opinion of the Coonlttee that tne proposed rules should not be adopted. There are aany reasons for this opinion, and among then are the following:

- (1) The coat of each recrding Instrument is \$149.50\*
- (2)« According to the advertising circular the Instrument ia equipped with one portable aicrophone which would be insufficient, but assuming that SBVHTOI aicrophonea could be attached to it, the coat would be thereby increased, and it would be particularly incon-venient and distracting to counsel, whoae position ia changed ao froquantly during the trial, to be required to handle a microphone.
- (3). The circular suggests a number of uses that say bt imade of the inatruasnt, but none ofthm approaches the recording of court proceedings, and we doubCTt la adaptable for that purpose.

(4)\* Many witnesses are difficult to hear or understand because they speak in a low tone of voice or indistinctly or both; and in many cases a court stenographer who hears the spoken word directly would be able to take down the testimony accurately where it could not be understood when reproduced through a recording instrument.

(5). There is no reason to believe that a use of the instrument would dispense with the need of a court stenographer.

It is therefore recommended that the petition of Ur. Kadens be denied by the Supreme Bench\*

Respectfully submitted.

---

E. Paul Mason.

---

Joseph Shorbow.

---

John T. Tucker.

COMPTROLLER GENERAL

## MINUTES.

A meeting of the Supreme Bench was held on Saturday, December 6, 1947, at 10 o'clock a.m. All of the members of the Bench were present except Judge Moser, and the Chief Judge presided. The following were admitted to practice before the Courts of Baltimore City:

Tin- fullncnj; attorney\* were adm-  
 mitted to pracUrt by the Suprme  
 Bench of Baltimore in Smtitiny: Oscar  
 H. Crimea, Jr., Carl Esbln Well, Floyd  
 W. Hoti-ann, Henry Vneft Wapsgr,  
 Cnd vr. lwchnrnl. E. hward O. Thomm,  
 Olliart T. Itubn, Edward E. nrmJt,  
 Hnrj- Sult, John Wealcj Smlti, DDDI,  
 T. A. Fair, nonjr Dotere Blnr. Ji,  
 Clarke MurplT. Jr., Carl N. Kvrctndp,  
 C. Bayard Witt, Ceorcc K. Drown, Jr.,  
 J. Lncj Bradler, Frand\* X. Dlppl,  
 William J. Millc, John L. Ankoir, Cyril  
 TL Marpy, Jr., Kntlierlc A. Jlcnrjro,  
 Albert Storrli Dormci, James R. Corop-  
 ton, Mnmhnl A. LCTIH, Vernon H.  
 Wlrnml, JamM A. BlllRitrc, JoMph A.  
 Chnlols, Chnrle\* Etlmm nenli  
 Milton J. Winnckwnkl. and

The motion of David Loughran, for a new trial from hie conviction  
 of falling to answer a summons, was granted.

The motion of Willie McGifr, for t new trial from his conviction  
 of murder, was argued, submitted and held sub curie..

The Chief Judge reported that he had talked with Doctor Guttmaoher  
 and had told him that a single substitute woulc, in his opinion,  
 be more desirable than two - and that Doctor Guttmecher stated  
 that one or two recently graduated psyohiatrlsts would be evail-  
 able, and the Chief Judge asked that the matter be deferred  
 untll. Monday. The matter was left with the Chief Judge to set-

Minutes  
12/6/47  
Page 2 -

tie all relevant questions with Doctor Guttmacher.

State's Attorney J. Bernard Wells, by letter, informed the Court of the resignation of Mr. Bernard G. Peter as one of his assistants, **and** that he had named Mr. Charles F. Orth, Jr., in place of Mr. Peter. The nomination was approved.

It was decided to hold a memorial meeting for deceased members of the Bar on Thursday, January 6, 1948, at 12 o'clock noon, in Room 201, Court House. Judge Sherbow was selected to make the response on behalf of the members of the Bench.

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

  
Secretary."

ASOUUEHTS F<sup>W</sup> BY BUFCMB  
BDNOH OH MOTIONS FOE  
NEW TRIALS

The motion for a new trial of Dnrld Lou eh ran, who WM. confided of falling to nwnlcr a summons, rwni minted) by Uio Supreme Dench ot llnllinorc on Salurtlar. ArGUnclia irerc nlsu liennU by the DcDch on UIC motion of Williamf MKOUT, who vrb foucil pillty of mur-l dler in Uio excond decree. Tie Bench rcserved lta decision In Uili caie. Joseph Enanns cenn the nltorcj for Loueurrn, nblic Julius P. Itoblnson rcpresnted McGW. Assnlant Stots'a Attorcncj Alim a Marecll tcnpaontfil the Suto In the MeOH can.

SUPREME BENCH ASSIGNMENT  
December 6, 1947

Bernard G. Peter

State of Maryland  
vs.  
David Loughran

Joseph Kadans

No. 21798, Hay Term, 1947  
Charge: Failing to Answer Summons  
Verdict: Guilty on 2nd Count  
Prom: Uanley, J.

*Granted*

Alan H. Lfurrell

State of Maryland  
vs.  
HcGill

Julius P. Robinson

Ho.  
Charge: Murder  
From: Sherbow, J.

*Sub cura*





State's Attorney of fSalftmorr (Situ

J. BERNARD WELLS

BALTIHOHC 2

December  
Fifth  
nineteen  
?orty-Fseven

Honorable v;. conwell smith, chief Judge  
And Honorable l'embers of the supreme =eneh of Baltimore  
Honorable sirs:

Due to the resignation of one of ny assistants.  
Hrv.Bernard O. peter, effective the fifteenth of this  
month, a vacancy occurs in my office, to fill rvhich T am  
naming Charles E. orth, Jr.

Mr. orth was one of the investigators during  
the police probe and did most excellent nork. He is a  
graduate of Johns Hopkins university, and .while there,  
was elected to the phi ?eta Kappa freternity. He made  
his law studies at the university of Baltimore, where, on  
graduation, he received the av&rd for the highest average  
for three years study. He ron the honor case first prize  
for the best thesis.

During the war he was connected v.ith the  
Military intelligence with the rank of ».Jor. During  
the last two years of thet service, he was commnOine  
Officer of the counter Intelligence corps for the states  
of Maryland, Virginia and Pennsylvania." sefore his in-  
duction into the Army, he was associated v-lth the low  
firm of Baker and orth, with which firm he is still  
associated.

He comes to me very highly recommended, and  
if Your Honors confirm his appointment to begin as cf the  
sixteenth of December, 19^7, I fell certain i:r. Orth  
will make a very useful member of my staff.

v/ith much respect, I am,

Very truly yours,

*J. Bernard Wells*  
J. Bernard Wells  
STATE'S ATTORNEY

December 6, 1947.

J. Bernard Wells, Esq.,  
State's Attorney,  
Court House, City -2-

Dear Mr. Wells:

The Supreme Bench at its meeting today approved your nomination of Mr. Charles E. Orth, Jr., in place of Mr. Bernard G. Peter who has resigned. From all reports Mr. Orth should prove a very competent assistant.

Very truly yours,

**Edwin T. Oikerson**  
**Secretary.**

H I H I T t S .

A Term Meeting of the Supreme Bench was held on Monday, December 22, 1947, at 10 o'clock a.m. All of the members of the Bench were present except Judge Saylor, and the Chief Judge presided.

The assignment of Judges for the year 1946 to the several Courts of Baltimore City, was duly made.

The Grand Jury for the January Term 1946 was selected. It was the sentiment of the Bench that nominations for the Grand Jury should not be made of repeaters who have served within five years, except in exceptional cases. Judge Usher undertook to write to all of the Grand Jurors selected, advising them of their selection, and to learn whether or not they will be able to serve.

The motion of Willie McCiff, for a new trial from his conviction of murder in the Original Court, was over-ruled.

The appointment of Mr. Edwin A. Gehring as an Assistant State's Attorney, was approved.

The nomination of Mr. George Pattinson as a deputy clerk in the office of the Clerk of the Baltimore City Court, was approved, and notice on the nomination of Mr. Walter Vincent Fahey was postponed until a vacancy shall actually occur.

The nomination of Mr. John T. McNally to the position now occupied by Mr. John A. Johnson, and the nomination of Mr. Raleigh E. Stokes to the position now occupied by Mr. McNally, in the office of the Clerk of Circuit Court No. 2, were approved effective January 1, 1948.

The Chief Judge was authorized to direct Mr. Wilford L. Carter, Clerk of the Criminal Court, to appear before a meeting of the Supreme Bench, on a date to be set by the Chief Judge, to explain

**Minutes**

12/22/4?

Page 2-

why increases in salaries in his office have not been put into effect.

The Chief Judge was also authorized to communicate with Mr.

J. Bernard Wells, State's Attorney, to ascertain whether or not he is taking from his appointees resignations in blank, as it was the sentiment of the Bench that the taking of such resignations in blank is inconsistent with the approval of the appointments.

Judge Sherbow reported on the progress of the increases in salaries or the Judges.

Mr. Ralph Felix Borlik was admitted to practice before the Courts of Baltimore City.

There being no further business, the meeting adjourned.



**Secretary.**

! Court HOUBC Appointments  
i Approved At Meeting Of  
Supreme Bench >•

The Supremo Bcodi or Baltimore, at a general term meeting yeatcrtlay, on prored the appointment of Edwin A. Qchrlnc, mi an Assistant SnticA Attorney. In the otlro of Sinte's Attorney J. Bernard Wells, Mr. Qchrlnc several ycmi ngo served tm a baliff to Chief Jutica V. Conwell Smltit.

The JurMit nino npprociel the appointment of George Pntinson, a clite deputy HlcrIT n.number of years ago, :OI a clerk in the ofice or John O. RnUiprionl. Cleili or the Baltimore City Court 3lr. PntUnnon will nucecc Joseph B. Bopp, who retires on Jon-unryjBL . . .

Another matter which received Uie saocMon of the Bench wn« Uic promo-Itloa by John S. Clntce, Ocrk of UIP : Circuit Court No. 2, of John T. Me-Nolly to hndlo the divorco docket work or John A. Johnson, clcrn court cleric, Trblc Uio pproodion of :IWolfih StoVcft to Mr. McKnllly't former po«ition Tra.HkoivBC oppOTCd. . .

ADMITTED TO THE PRACTICE AS  
MEMBER OF BALTIMORE  
BAR

nalpb Felix BorUt wnt ailmtdnl to practice as a member of the DaUmort, Dor W the Bopcmo Di-ncli of JInU- noro iciterdny upon the molloD otj Eaxl K. WclUchlBeer.

## January Term Grand Jury Is Selected By Supreme Bench Of Baltimore

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TfTin wa\* i-cketei Ly Iie Snjucni-  
IdDfiri of Jnlititine rrdcrda). TEL  
Juror\* nrc mltrd for Ilomlnr. Jnnunrr  
22th. when tin- local C.mrix will con-  
vene for tin- Jnuunrr Tvnii.

Tidic m-iclin in wrvc mi Iie Graul  
Jury nro:

Alimnm. Samuel, 3M1 Hclsicritotvi  
rond.

In-nimn, Jntut P., 2213 Nor Hi Cliarlo  
street.

Jrutvu: V, Emcnou, Sr., GL) Cumber-  
land street.

CDpxr, Samuel, 3522 Old Tori: road.  
ChCOCKN Thoma II, 1100 North HOR-  
ers avenue.

Cook, Vernon, Jr., 300 Oakdale road.  
Elehclberger, Thomas P., 3313 Elgits  
avenue.

Trie): Albert L., Sr., 10H [Inrford  
road.

nrrWou, Kntnerlic II. (Mrs, nrrt-  
imnn). 1000 ropiar-nm road.

Iicalj, Iosepli I., 3700 Northl Clmrks  
I'airct. Northwoj. Aphi.

Inu. JckKfu, \$113 Eait fnyolle  
street.

Jnmlsmn, Dantel W., T30 EdEtmoou  
itrcer.

ICatz, Leon I^ 2210 Kill on- jilnc  
(Eplannad Apta.)

KJiurel. EUonl' A., Sr., 8700 North  
Cmrcki street (NorUwvny Apt\*).

Krle\*. Alice S. (Mrs. AlUcr B.J. 3101  
St. Tnul street.

OKecfo. Kmcot H., 2f7 B. Cro\*  
fruct.

Ovens, Arthur P., 3G1C Lodnroo  
road.

rcldrs, ClinrM n. T., C32 Went Dnl-  
vcralj- Parkirny.

Proctor, Bertha B. (Mrs. William  
n.), 724 North Carrollton nrcnuc

Itol-cr19. Prank G. fiOOO Hoxburr  
place

aprnnc. Thoran\* D., 1011 Ba.it 30ta  
Btrot.

Sierrart, Willom B., 2320 Maryland  
nvenue.

Tarter, Doris B. (Mn. nobert O.),  
1022 Dmlid DIU DTCBUC.

## Supreme Bench Announces Assignment Of Judges For Next Year :

Tic Sit-n-un\* Ili-ncl. of Baltimore  
J\*cf.Tlly) aillKMIIL-vd the assignment  
of lita Jmlct\* fur the couliu JI'ir. The  
J'ew and hi' ConnB hi which they  
whj serve are:

Judge Tucker, Superior Court. Huam  
247.

JmlSf SIDIHm. \*niwrlor Court, Part  
II. Itoutn-EM Inun Jury imlco).

Judw Kroner. »iitrrfor Cuurl. Part  
III. Itoom SOS (Jury Jmlnv).

JiHtre Hauler, Itdillmrvr City Court,  
Krim 131.

Jud)\* SaylIT. Court of Common  
Plac\*. Jwn jai.

Chirf Juilpr Hmilli. Circuit Court,  
ItWQI 2H.

Jmlce JIntou. Circuit Court Nu. \*I  
Itouu 211.

Judpi- ilo\*cr. Crimlutil Court, Boom  
HO.

Juder-ANlic\*. Criminal Court. I'ari It,  
Itoom 1-2.

Jndp\* rilcfccr\*aii. Crimlual Court.  
Tart HI. ItitotnMI.

Judsi- Ilojtnu. Jivriiilk' Dlvlotm,  
Itoom 1-1.

JIUICM Saf-kr nml Tucker to ticar  
all Itoc\* ni-Itkr from onlent K\* The  
IticU'era of Vaicru on iwHUm (Iml in  
the rCTI-ral Cuirio of Imlitlon- Oil).

(Sirtitt Court 3(o. 2 of tSnltuinn\* ©to  
Baltimore. JHnrjlnnii

325

December 20th, 1947

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

Dear Judge Smith:


Mr. John A. Johnson, who has been associated with this office as a Deputy Clerk for the past forty years, now assigned to the "B" Docket, has requested and will be placed on the Pension list effective January 1st, 1946. His retirement was at his own request, due to ill **health.**

Subject to the approval of the Supreme Bench, I desire to promote John T. McNally to his place. I also desire to appoint Raleigh E. Stokes to succeed Mr. McNally in his present position and also to assign him to take charge of the "C" Docket, or Foreclosure Docket.

Mr. McNally and Mr. Stokes have been employed in this office for the past nine years and their work has been very satisfactory to me.

If my nominations meet with the approval of the Supreme Bench, I would like these promotions to become effective as of January 2nd, 1948.

Very respectfully,

  
Clerk, Circuit Court No. 2 of  
Baltimore City

jec/m

Ocecaiber 22, 1947.

Joan S. Clarke, Esq.,  
Olerk of Circuit Court No. 2,  
Court House, City -2-

Dear Mr. Clarke:

I take pleasure in advising you th^t the Supreme Denon today approved your appointment of Mr. John T. McNully to fill the vacancy v/high will be occosionau by the retirement of Mr. Jonn A. Johnson, clerk in your office, and also your appointment of Mr. Raleigh E. Stokes to fill the position occupied by Mr. McNally prior to his promotion. In other words all of the nominations ".entioned in your letter were approved.

Very truly yours,

Edwin T. Dlckerson  
Secretary.

WILLIAM H. MAYNARD  
 SENIOR STATE'S ATTORNEY  
 THOMAS H. ENGLISH  
 ASSISTANT STATE'S ATTORNEY  
 ANSELMA GODARD  
 ASSISTANT STATE'S ATTORNEY  
 BERNARD G. PEYER  
 ASSISTANT STATE'S ATTORNEY  
 MORGAN H. BUCHHEIM  
 ASSISTANT IN CHARGE OF DOMESTIC RELATIONS



## State's Attorney of Maryland (King)

J. BALTIMORE W.C.I.C.S.

BALTIMORE

DECEMBER  
 TWENTY SECOND  
 NINETEEN  
 FORTY SEVEN

ASSISTANT STATE'S ATTORNEYS  
 JOHN C. WEISS  
 EARL A. HARRIS  
 ALAN H. MURRELL  
 THOMAS J. OTSOHHCU.  
 JAMES F. PRICE  
 J. HAROLD BRADY

HON. H. COITTELL SMITH  
 CHIEF JUDGE, and HONORABLE MEMBERS  
 OF THE SUPREME BENCH OF BALTIMORE

Dear sirs:

Through the appointment of my First Assistant, Mr. Thomas N. Biddison, to the position of city Solicitor, a vacancy occurs in my office.

To fill this I am submitting to you for your confirmation the name of Edwin A. Gehring, a young attorney already acquainted, I am sure, to many members of the Bench through his connections heretofore with the courts.

Mr. Gehring saw very active and extensive service in the navy during the last war, and at its conclusion was commissioned out as First Lieutenant. He is a graduate of Loyola College and also of the university of Maryland, having acquitted himself very creditably at both institutions.

He comes to me very highly recommended by many members of the Bar, including the present president of the city Bar Association, and three ex-presidents of that organization.

I feel confident that if Your Honors conclude to confirm the appointment, Mr. Gehring will make a very useful member of my staff. My present plan (subject to your confirmation) is to have him take the oath of office on the day after Mr. Biddison terminates his connection with the office, which I understand will be December 23rd.

With much respect, I am,

Yours very truly,

*William H. Maynard*  
 STATE'S ATTORNEY

JBW:b



Dooobor ZV-, 1947.

licn. J. 3ernurf Tjelle,  
Stote'a Attorney of Bultinore City,  
Court UOUBS, City -2-

Dear Ur. Wellsi

I take pleasure in advising you tbet your apriolntaent of  
jLr. Zdwl n A. Gohrins KS Asaistect Stnta's Attorney, waa ap-  
proved by the Supreoo Bench toAny. X rajard tho appointment  
or M r. Gohring na an ercellect one.

Very t.-uly yours.

Zdv/is T. Dickersoa  
Secretary.

EDWIN J. DICKERSON,  
CHIEF DEPUTY CLERK.



329  
CARL C. AULI,  
AUGUST BERKEMEIER,  
JOSEPH B. BOFF,  
ROBERT H. BOUSE,  
EDWARD B. CLAYPOOLE,  
HUGH A. KENNEDY,  
JAMES H. PARSONS,  
DEPUTY CLERKS.

IRVING KATZ,  
CASHIER AND  
DEPUTY CLERK.

## Sattimre Cdttg (tart,

JOHN O. RUTHERFORD, CLERK.

December 16, 1947

OFFICE OF THE CLERK,  
126 COURT HOUSE,  
ST. PAUL AND FAYETTE STREETS,  
BALTIMORE 2, MD.

TELEPHONE,  
LExington 7088.

Hon. W. Oonwell Smith, Chief Judge and  
Associate Judges of the Supreme Bench  
Court House  
Baltimore, -2  
Maryland

Gentlemen:

It is urgent that I appoint, subject to your approval, two permanent employees in this office, effective January 1, 1948. Mr. Joseph Bopp has terminated his position and James H. Parsons, presently on leave of absence due to illness, has made definite arrangements to retire on March 1, 1948. In addition, Mr. Edward Olaypoole has indicated he will retire at about the same time.

After very careful consideration, I recommend for your approval, the appointment of Mr. George Pattinson, 3706 Third Street, Baltimore, -25; to succeed Mr. Joseph Bopp. I recommend the appointment of Mr. Walter Vincent Fahey, 322 East 28th Street, Baltimore, -18; to fill the vacancy because of the retirement of James H. Parsons.

In view of my responsibility to the Supreme Bench of Baltimore and to the public, I have investigated the character and references of these appointees with great care. A written questionnaire was submitted by each and contains pertinent information upon which my recommendations are based. These new deputies will understand that they will be subject to the constant supervision of the Bench and will conform to discipline at all times.

Messrs. Pattinson and Fahey will start at the bottom of the employment list or ladder. It is needless for me to state that I am entirely in accord with the sense of the Supreme Bench that these positions are regarded as career jobs.

Yours most respectfully,

*John O. Rutherford*  
Clerk of the City Court

H/Slf.

December Eg, 1947.

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

Desr Mr. Rutherford!

I take pleaaure Is advising you that your appoointaant of Mr.  
George Pattlnson to sucoeco. Mr. Joseph Bopp, oa Clark in your  
offioe, was approved by the Suprane Benoc today.

The Bench was of the opinion\* that your appointment of Mr.

Walter Tinoent Fahey should not be anted upon until the two  
.vacancies mentioned in your letter hev.e actually occurrod.

Ho objeotloo was raised in regard to tlr. fahay, but the

•Bench thought that this was not the proper tl-ae to approve  
his appointment.

Varytrdfcy-TOUTS,

Edwin T. Dickerson  
aeoratory.