

VOL. XIII

MINUTES
OF THE
SUPREME BENCH
OF
BALTIMORE CITY

JANUARY 1, 1948
TO
SEPTEMBER 21, 1950

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Myers, Thomas E.	May/1948	58
Milanicz, Estelle	Sept/1948	79
Miller, Roland L.	Jan/1950	176
Moreland, Frederick J.	May/1950	204
Moynihan, Daniel J.	May/1950	204
Murphy, John A.	Jan/1949	113

N

Nelligan, Maurice J.	May/1948	58
Nolte, Mrs. Charlotte E.	Sept/1949	153
Nossell, Joseph T.	Sept/1949	153

O

O'Brien, William V.	Sept/1949	153
Offer, Francis J.	Sept/1949	57
O'Keefe, Ernest R.	Jan/1948	6
Owens, Arthur F.	Jan/1948	6

P

Panitz, Isidor	Sept/1948	79
Paska, Mrs. Anna N.	May/1950	204
Patterson, Charles W.	Jan/1950	176
Pearre, Sifford	May/1948	57
Peters, Charles H. T.	Jan/1948	6
Pierce, Mrs. Leonore M.	May/1949	142

	<u>Term</u>	<u>Page</u>
Pine, Wordy	May/1949	142
Pitt, Linwood L.	Sept/1948	76
Porter, Margaretta C.	May/1948	58
Powell, Gilbert S.	Sept/1948	79
Proctor, Bertha B.	Jan/1948	6

R

Rebbel, William L.	May/1950	204
Rhodes, William C.	Jan/1950	176
Ridgely, Katherine S.	Jan/1949	113
Ritterpusch, Henry G. D.	May/1948	57
Roberts, Frank G.	Jan/1948	6
Robinson, Mrs. Rebecca	May/1950	204
Rockwell, Mrs. Merle G.	May/1949	142
Roloso, Charles H., Jr.	May/1948	57
Rothschild, Mrs. Marie L.	Sept/1950	226
Roy, Clarence E.	May/1950	204
Ruppel, Miss Amalie G.	Sept/1949	153
Ruth, Mary Nelson	Sept/1948	79

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Sackett, Walter J.	May/1948	58
Sadowski, Charles D.	Sept/1949	153
Saffran, Frederick A.	Jan/1950	176
Samet, August	Sept/1950	226
Samler, Mrs. Evelyn H.	Sept/1949	153
Saunders, Milton V.	May/1948	58
Sause, Jacob of C.	Jan/1950	176
Sause, John Conrad	Jan/1949	113
Scharfe, Mrs. F. Louise	May/1950	204
Schloss, Daniel L.	Jan/1949	113
Schneller, Wm. H.	May/1949	142
Scott, Vera Gang	Jan/1949	113
Segers, George W.	May/1949	142
Selis, Leon E.	Sept/1948	58
Shaffer, Claud	May/1948	58
Silverman, Joseph C.	May/1950	204
Sinton, Robert N.	Sept/1950	226
Smith, George H.	Jan/1949	113
Smith, Roy Edward	Sept/1948	79
Spickmall, S. Wilson	Sept/1950	226
Spielman, Samuel I.	Sept/1948	79
Sprague, Thomas B.	Jan/1948	6
Starklauf, P. Henry	May/1950	204
Stemple, Mrs. Margaret M.	May/1949	142
Stephens, Albert L.	Jan/1949	113
Stewart, William B.	Jan/1948	6
Stieff, Mrs. Claire M.	Sept/1950	226
Stoffberg, Jack Z.	Sept/1950	226
Strobel, Mrs. Caroline G.	Jan/1950	1 76

	<u>Term</u>	<u>Page</u>
	<u>T</u>	
Talbott, Wm. W.	Sept/1948	79
Tarter, Doris B.	Jan/1948	6
Taylor, Milburn B.	May/1948	57
Thain, Arthur E.	May/1950	204
Thompson, George D.	May/1948	57
Thompson, John D.	Sept/1948	76
Tille, Karl F.	May/1949	142
Trine, E. Stanley	Sept/1950	226
Triplett, Dr. Wm. H.	Sept/1948	79
Tubman, Carroll	May/1948	57
Tucker, Gladys E.	Jan/1949	113
Turk, K. Herbert	Jan/1948	1

	<u>V</u>	
Van Natta, Mrs. Charlotte	Jan/1950	176
Ver Valen, Mrs. Loretta Lee	May/1949	142
Von Hagel, James H.	Sept/1949	153
Vickers, Mrs. Mary Louise	May/1950	204

	<u>W</u>	
Wallis, Mrs. Dorothy W.	May/1949	142
Webb, Frank F.	May/1948	57
Wilcoxon, Irvin J.	Sept/1948	79
Wilhelm, August, Jr.	Sept/1950	226
Williams, Samuel K.	May/1948	57
Wooddy, Arthur E.	May/1948	57

	<u>Y</u>	
Yursik, Otto V.	Sept/1950	226

MOTIONS FOR NEW TRIALS

	<u>Granted</u>	<u>Denied</u>	<u>Sub Curia</u>	<u>Page</u>
<u>A</u>				
Anderson, David	4-1-50			199
Arrington, Benjamin	11-6-48			101
Askin, Stanley 1st Count	2/24/49			
	5th Count	2-24-49	2-5-49	124, 127
Averella, Thomas		10-2-48		90
<u>B</u>				
Berger, Jack		10-2-48		90
Black, Robert	10-8-49			164
Blackwell, Idell	6-20-49			152
Blackwell, Richard	6-20-49			152
Bouchet, Anthony	11-10-49		11-5-49	169, 170
Bowers, Thomas H.	12-4-48	12-4-48		107
Brown, Clifton W.	12-3-49			172
Buchman, Harold 1st Count	2/24/49			
	5th Count	2-24-49		124, 127
<u>C</u>				
Carter, Wilford		6-20-49		152
Coolidge, Leonard 1 Count	2/24/49		2-5-49	
	5th Count	2-24-49		124, 127
Corbin, Julian B.		6-20-49		152
<u>D</u>				
Dixon, Bertha		10-8-49		164
Dober, Joseph W. 1st Count	3-6-48			
	2nd Count	3-6-48		37
Dodd, Robin J.		10-8-49		164
Draper, Joseph	12-4-48	12-4-48		107
<u>E</u>				
Edwards, Andrew W.		2-4-50		181
Edwards, James	2-9-50	6-19-50	2-4-50	181, 183
Edwards, Thomas A.			6-4-49	148
<u>F</u>				
Farber, William	4-24-50			203
Freeman, Bernard		10-2-48		90

	<u>Granted</u>	<u>Denied</u>	<u>Sub Curia</u>	<u>Page</u>
<u>G</u>				
Gaddy, Norman		6-20-49		152
Garrett, Hortense		10-8-49		164
Gaskill, Albert	6-20-49			152
Gentile, Mario		2-5-49		124
Getlan, Benjamin		6-3-50		221
Good, Samuel		6-20-49		152
Gray, Basil		4-2-49		134
Grear, Edward		6-20-49		152
Gregory, Leroy		4-25-49		141
Green, Rowell	4-25-49			141
Greoski, Joseph		2-4-50		181
<u>H-</u>				
Herbert, James	12-3-49			172
Hill, Anita		10-8-49		164
Hill, Mary	6-20-49			152
<u>J</u>				
James, Eugene H.		11-6-48		101
Johnson, Clarence		2-7-48		26
Johnson, Natalie		10-8-49		164
Johnson, Thomas		6-3-50		221
Julian, Ralph		2-4-50		181
<u>L</u>				
Lyons, Richard		12-3-49		172
<u>M</u>				
Madison, Robert	11-6-48			101
Matthews, John E.		6-20-49		152
McKnight, Blaney	6-20-49			152
Miller, Ben	12-3-49			172
Miller, James		2-7-48		26
Myers, Alvin Lee, Jr.		12-19-49		175
<u>P</u>				
Palmer, W. R.	12-19-49			175
Parker, Burt		4-24-50		203
Perkins, Percy M.	6-20-49			152
Perna, Daniel		2-4-50		181
Platerote, Vincent		2-4-50		181
Promutico, Gilbert	2-4-50			181

	<u>Granted</u>	<u>Denied</u>	<u>Sub Curia</u>	<u>Page</u>
<u>R</u>				
Rezek, George J.		3-5-49		129
Rucker, Jesse W.		11-6-48		101
<u>S</u>				
Sampson, William Fields		12-3-49		172
Shecter, Sol K.		4-25-49		141
Silverberg, Regina 1-Count	2-24-49		2-5-49	
	5th Count	2-24-49		124, 127
Sloman, Edward		2-4-50		181
Smith, Oscar	2-9-50		2-4-50	181, 183
Smith, Romain		10-8-49		164
Spencer, Edgar A.	4-1-50			199
Spinks, Howard L.		11-6-48		101
Swan, Charles M. 1st Count	2-24-49		2-5-49	
	5th Count	2-24-49		124, 127
<u>T</u>				
Taylor, John G.	12-4-48	12-4-48		107
Tucker, Murphy		2-19-48	2-7-48	26, 30
<u>V</u>				
Van Dale, Leo Otto	12-3-49			172
Vendetti, Marshall		2-4-50		181
Vestal, Warren L. 1st Count	2-24-49		2-5-49	
	5th Count	2-24-49		124, 127
<u>W</u>				
Walker, Samuel J. 1st Count	4-1-50	4-1-50	3rd Count	
	2nd Count	4-1-50	4th Count	199
Watson, Robert		10-2-48		90
Williams, Billy	11-5-49			169
Winkler, Irvin 1st Count	2-24-49		2-5-49	
	5th Count	2-24-49		124, 127

M I N U T E S .

A memorial meeting of the Supreme Bench, for members of the Bar who died in the year 1947, was held on Thursday, January 8, 1948, at 12 o'clock noon. All of the members of the Bench were present, and the Chief Judge presided.

Mr. Enos F. Stockbridge, President of the Bar Association of Baltimore City, opened the exercises and introduced the speakers to the Court.

The memorial minute was presented by Mr. Thomas J. Tingley, Chairman of the Association's Memorial Committee, and was seconded by Messrs. A. Albert Menchine and Doctor Justinus Gould.

The response on behalf of the Bench was made by Judge Sherbow. Mr. Thomas B. Crooks was excused from service on the January, 1948 Grand Jury, and Mr. K. Herbert Turk, 4009 Round Top Road, was selected to fill the vacancy.

Mr. John S. Clarke, Clerk of the Circuit Court No. 2, by letter, reported that he would like to appoint Mrs. Marilyn Zimmerman, 2044 Ruxton Avenue, as a recorder in his office. On motion the appointment was confirmed.

Mr. John O. Rutherford, Clerk of the Baltimore City Court, requested the approval of his appointment of Mr. Walter Vincent Fahey, 342 East 28th Street, as a deputy clerk in his office. On motion this appointment was confirmed.

There being no further business, the meeting adjourned.

Edwin Richardson
Secretary.

EDWIN J. DICKERSON,
CHIEF DEPUTY CLERK.



EARL E. AUER,
AUGUST BENKEMEIER,
JOSEPH S. DOPP,
ROBERT H. BOUSE,
EDWARD S. CLAYPOOLE,
HUGH A. KENNEDY,
JAMES H. PARSONS,
DEPUTY CLERKS.

IRVING KATZ,
CARRIERS AND
DEPUTY CLERK.

Baltimore City Court,

JOHN O. RUTHERFORD, CLERK.

TELEPHONE,
LEADINGTON 7089.

OFFICE OF THE CLERK,
128 COURT HOUSE,
ST. PAUL AND FAYETTE STREETS,
BALTIMORE 2, MD.

January 7, 1947.

Hon. W. Conwell Smith, Chief Judge, and
Associate Judges of the Supreme Bench,
Baltimore-2-Maryland.

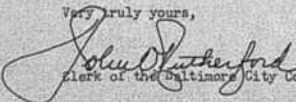
Gentlemen:-

I respectfully request your approval of
the appointment of Mr. Walter Vincent Fahey of 342
E. 26th Street, to be Deputy Clerk in the Baltimore
City Court.

Both Mr. Parsons and Mr. Claypoole will
retire on March 1, 1948 and both are absent from the
office on sick leave, so that at the present time we
are shorthanded and need to have one of the present
vacancies in the office filled by the appointment of
Mr. Fahey. I shall be able to get along without
filling the additional vacancy until March 1.

I am sorry that my letter of December 16
did not make it altogether clear that it is now
immediately necessary to confirm Mr. Fahey's
appointment because the office is shorthanded.

Very truly yours,


John O. Rutherford
Clerk of the Baltimore City Court.

January 8, 1948.

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

Dear Mr. Rutherford:

I take pleasure in advising you that your appointment of
Mr. Walter Vincent Fahy, as a deputy clerk in your office,
was today duly approved by the Supreme Bench.

Very truly yours,

Edwin T. Dickerson.
Secretary.

Circuit Court No. 2 of Baltimore City
Baltimore, Maryland

04

JOHN S. CLARKE
CLERK

January 5th, 1948

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

Appointment of
Re: Mrs. Marilyn Zimmerman

Dear Judge Smith:-

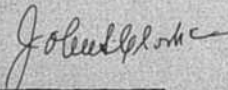
Subject to the confirmation of the Supreme Bench of Baltimore City, I would like to appoint Mrs. Marilyn Zimmerman, 2044 Buxton Ave., as a Recorder in my office.

My reason for requesting this appointment is occasioned by the voluntary retirement of Mr. John A. Johnson.

I personally interview Mrs. Zimmerman and feel she will prove to be a capable and efficient employee. She also comes well recommended.

It is my desire that this appointment become effective as of January 12th, 1948.

Respectfully yours,



Clerk

JSC:JMC

January 8, 1948.

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

Dear Mr. Clarke:

I take pleasure in advising you that your appointment of
Mrs. Marilyn Zimmerman, as a recorder in your office, was
today duly approved by the Supreme Bench.

Very truly yours,

Edwin T. Dickerson.
Secretary.

Deceased Members Of Bar Honored At Memorial Services Yesterday

Members of the local Bar, who died during the past year, were honored at Memorial Services which were held in the Court House yesterday afternoon at a special meeting of the Supreme Bench of Baltimore.

The ceremonies were arranged by the Memorial Committee of the Bar Association of Baltimore City, of which Thomas J. Tingle is the chairman. Enos S. Stockbridge, president of the Association, opened the exercises and introduced the speakers to the Court, after which Mr. Tingle presented the Memorial Minute, together with biographical sketches of the deceased attorneys, and requested that they be placed among the permanent archives of the Court.

Seconding addresses were delivered by W. Albert Menchins and Dr. Justinus Gould and the response on behalf of the Supreme Bench was made by Judge Joseph Sberbow.

Chief Judge W. Conwell Smith presided at the services.

ADDITIONAL GRAND JURORS FOR JANUARY TERM SELECTED BY SUPREME BENCH

K. Herbert Turk, 4000 Round Top road, was selected by the Supreme Bench of Baltimore to serve as a member of the January Term Grand Jury. He will serve in the place of Thomas B. Crooks, who was excused.

The Grand Jurors for the January Term are scheduled to assemble in the Criminal Court before Judge J. Abner Saylor at 10 o'clock on Monday morning, when an effort will be made to organize the body.

Supreme Bench Approves Appointment Of Deputy Clerk In City Court

The appointment of Walter V. Falley as a deputy clerk in the Baltimore City Court, has been approved by the Judges of the Supreme Bench of Baltimore.

Mr. Falley, who was named in the post of John O. Rutherford, Clerk of the Court, will succeed one of the two deputy clerks who are scheduled to retire on March 1st. A graduate of Loyola High School, he resides in the 400 block East Twenty-Elzth Street, and served in the office of the Supervisors of Elections for nine years.

JANUARY 13, 1948

January Term Grand Jury Organized In Criminal Court Yesterday

The Grand Jury for the January Term was organized in the Criminal Court yesterday by Judge Herman M. Moser. Thomas H. Sprague was named foreman of the body, while Joseph P. Healy was designated as assistant foreman.

Judge Moser also appointed the following members of the Jury to constitute the Penitentiary Committee: Vernon Cook, Jr., Chairman; Samuel Abrams, W. Emerson Brown, Sr., Thomas F. Eichelberger, Melvin Hess, Daniel W. Jamison, Leon L. Katz, Frank G. Roberts, Mrs. Albert D. Kries and Mrs. William H. Proctor.

The Grand Jury as organized follows:

Abrams, Samuel, 3501 Reisterstown road.

Brennan, John F., 2213 North Charles street.

Brown, W. Emerson, Sr., 629 Cumberland street.

Cooper, Samuel, 3522 Old York road.

Cook, Vernon, Jr., 300 Oakdale road.

Eichelberger, Thomas F., 3311 Elgin avenue.

Frick, Albert L., Sr., 3014 Harford road.

Harrison, Katherine B. (Mrs. Harman), 1000 Poplar Hill road.

Healy, Joseph P., 3700 North Charles street, Northway Apts.

Hess, Melvin, 2413 East Fayette street.

Jamison, Daniel W., 710 Edgewood street.

Katz, Leon L., 2510 Eutaw place (Esplanade Apts.).

Kimpel, Edward A., Sr., 3700 North Charles street (Northway Apts.).

Kries, Alice S. (Mrs. Albert D.), 3101 St. Paul street.

O'Keefe, Ernest R., 237 E. Cross street.

Owens, Arthur F., 1515 Lochwood road.

Peters, Charles H. T., 532 West University Parkway.

Proctor, Bertha B. (Mrs. William H.), 724 North Carrollton avenue.

Roberts, Frank G., 5500 Roxbury place.

Sprague, Thomas H., 1011 East 30th street.

Stewart, William D., 2526 Maryland avenue.

Taiter, Deris D. (Mrs. Robert O.), 1622 Druid Hill avenue.

Turk, K. Herbert, 4000 Round Top road.

06

GENERAL STATEMENT OF THE PROBATION DEPARTMENT
of
THE SUPREME BENCH OF BALTIMORE CITY
FOR 1947

07

submitted by

CHARLES F. SNYDER
Chief Probation Officer

Cases under supervision January 1, 1947		8097
New cases assigned during the year	4265	
Inter-department transfers, reopened cases	<u>2502</u>	<u>6767</u>
Cases under supervision all or part of year		14864
Cases expired during the year	1519	
Filed as inactive and inter-department transfers	<u>3461</u>	<u>4980</u>
Cases under supervision December 31, 1947		9884

At the end of 1947, there remained 9884 cases under the Supervision of twenty-two Probation Officers (one vacancy existing) or 1787 more than the last day of 1946. The increases were as follows: Non-support 353, Divorce and Alimony 158, Criminal 337, Bastardy 258, Indigent Parent 3.

New cases assigned during 1947 exceeded those referred in 1946 by 1102.

CLASSIFICATION OF NEW CASES

Non-support	1681	
Divorce	828	
Criminal	911	
Bastardy	776	
Indigent Parent	<u>69</u>	4265

PAYMENTS MADE BY PROBATIONERS UNDER COURT ORDERS

5 08

Family Disorganization Cases:

Divorce and Alimony	\$812,576.38	
Non-support	822,720.48	
Bond	500.00	
Bestardy	213,510.88	
Indigent Parent	<u>21,941.64</u>	
Total		\$1,871,249.38

Criminal Cases:

Fines and Court Costs	\$35,635.99	
Restitution	<u>17,260.11</u>	
		52,896.10

Fees for Petitions for Adoption Investigations **4,180.00**

Collections for Circuit Court of Baltimore City
Division for Juvenile Causes **534.50**

Sundries **26,434.61**
\$1,955,294.59

Despite the fact that 1947 was not a year of war profits and earnings declined due to strikes and unemployment, collections last year amounted to \$1,955,294.59, an increase of \$382,699.98 over 1946.

Among all of the family disorganization group of cases, the increase was \$350,371.62.

	Increase	Decrease
Divorce and Alimony	\$156,586.49	
Non-support	183,704.90	
Indigent Parent		685.96
Bestardy	20,070.23	

During 1947, extra conditions imposed in criminal cases, where probation was granted by the Judges of the Criminal Court were: the probationers to pay fines and/or Court Costs and make restitution, resulting in collections amounting to \$52,896.10 or an increase over 1946 of \$4,422.49:

Fines and Court Costs	\$35,635.99
Restitution	<u>17,260.11</u>

Fees collected in making investigations in petitions for adoptions were \$4,180.00 during the past year.

Collections for the Circuit Court of Baltimore City, Division for Juvenile Causes under its orders and the supervision of its Probation Officers, amounted to \$534.50.

The \$126.65 paid by probationers for additional postage shows an increase of \$59.83 and Miscellaneous Collections amounted to \$26,184.61.

MONTHLY REMITTANCES TO MAYOR AND CITY COUNCIL OF BALTIMORE

City Comptroller

1947

One percent Collection Charge	\$18,899.18	
Adoption Investigation Fees	4,180.00	
Special Postage paid by probationers	<u>126.65</u>	\$23,205.83

Checks issued by the Collection Division for 1947 - 160,192, showing an increase of 28,102 checks.

Since Rule 36 of the Supreme Bench was passed on December 5, 1942, fixing \$10.00 as the investigation fee in each petition for adoptions filed and referred to the Department to December 31, 1947, the total remittances to the City Treasury amount to \$14,930.00.

INVESTIGATIONS

1947

Criminal Cases:		
Pre-sentence	396	
Post Sentence	34	
Post Probation	7	
Special	16	
Summary	<u>32</u>	485
Civil Cases:		
Circuit Courts		
Adoption investigations completed	445	
Custody of children	<u>24</u>	469
Baltimore City Court:		
Habeas Corpus	8	8
Out of Town		
Probation and Parole Departments	78	78
Total		<u>1040</u>
Decrease over 1946		337

PROBATIONERS RETURNED TO COURT
FOR VIOLATION OF PROBATION

CASES FROM THE CRIMINAL COURT
750

10

Cases:

Non-support	396	
Bastardy	190	
Indigent Parent	8	
Criminal	<u>156</u>	750

Action Resulting:

Adjusted	109	
To enlist in Army	1	
Living together	2	
Failed to appear	242	
Non Est	47	
Postponed	52	
Probation Continued	149	
Re-issue	5	
Ref. to Medical Division	2	
Sentenced	139	
Sentenced in error	1	
Probationer to be extradited	<u>1</u>	750

HEWCH WARRANTS ISSUED

175

Cases:

Non-support	90	
Bastardy	38	
Criminal	45	
Indigent Parent	<u>2</u>	175

Action Resulting:

Sentenced	31	
Probation Continued	12	
Non Est	3	
Pending	<u>129</u>	175

DEFAULTERS IN DIVORCE AND ALIMONY CASES
CASES IN THE CIRCUIT COURTS - 916

Adjusted	247	
Committed	13	
Continued	299	
Dismissed	2	
Immediate Attachment	31	
Failed to appear	34	
Mod. of Order	13	
Notice Returned	29	
Postponed	87	
Referred to Crim. Court	01	
Referred to Medical Division	1	
Re-issue	9	
Show Cause Order	56	
Payments suspended	2	
Hearing on merits	<u>2</u>	916

- 26,270 Reports from Probationers to Probation Officers, in person at the office or by mail from those out of the City were made.
- 27,518 Conferences were held by Probation Officers with Probationers, beneficiaries and other interested parties.
- 19,382 Department Notices (postals) to Probationers were sent.
- 20,044 Complaints were lodged, principally in the family disorganization group of cases - delayed payments and non-receipt of money.
- 11,148 Letters were sent in instances where postals could not be used or phone calls made.
- 6,048 Contacts were had with various social agencies, in conjunction with making investigations and supervising Probationers.
- 1,930 Visits to homes, employers and others were made in investigations referred.
- 170 Visits to homes, employers and others were made in cases under supervision.
- 236 Employment contacts were made with employers on behalf of Probationers.
- 55 Direct employment placements were obtained.

108,431

RECONCILIATIONS - MARRIAGES - ADOPTIONS

Reconciliations:

In Non-support, Divorce and Alimony Cases 49

Marriages:

In Bastardy, Divorce and Alimony Cases 55

Adoptions:

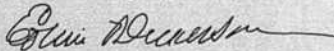
In Non-support, Bastardy, Divorce and Alimony 25

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M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, January 15, 1948, at 12:30 p.m. All of the members of the Bench were present except Judge Niles, and the Chief Judge presided. Mr. Wilford L. Carter, Clerk of the Criminal Court, appeared before the Bench - stated that he would like to appear periodically; that all of his subordinates were doing good work; that the new men had adapted themselves to the work of the office; that he had authority from the Comptroller to raise salaries and wants to show the permission of the Comptroller to the Bench and go over the raises with the Bench; that he had authority to increase the pay of three men mentioned to \$3,000. a year; that Mrs. Ahman was still listed as a typist; that Messrs. Cole and Peltz had not been sworn in; that no changes in the personnel in his office were contemplated; that he had done some things wrong and that he would talk over ^{matters} ~~them~~ with the Chief Judge and later with the Bench; that he would make no changes of his own accord, and that he will discuss future appointments with the Bench; that part of his force would work one Saturday and part the next; that he has one more deputy clerk than Mr. Gross had and that his payroll is \$5,000. larger; that no-one is on his payroll that had not been approved by the Bench.

There being no further business, the meeting adjourned.



Secretary.

Supreme Bench
of
Baltimore City

13

W. CONWELL SMITH
CHIEF JUDGE

BALTIMORE 2, MARYLAND

January 20, 1948

Dear Judge:-

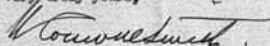
Judge Niles has undertaken a heavy schedule of activities for this year and has asked to be relieved of the chairmanship of some committees of the Supreme Bench which he now holds. I have, therefore, relieved Judge Niles of the chairmanship of the Court House Committee, of the chairmanship of the Jury Committee, and of the chairmanship of the Committee on Hospital Records.

In place of Judge Niles I have appointed Judge E. Paul Mason to be chairman of the Court House Committee.

In place of Judge Niles I have selected Judge Sherbow to be chairman of the Jury Committee.

In place of Judge Niles I have appointed Judge France to be chairman of the Committee on Hospital Records. I have also appointed Judge Tucker to be a member of this Committee.

Very truly yours,



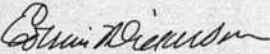
W. Conwell Smith.

MINUTES.

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A luncheon meeting of the Supreme Bench was held on Thursday, January 22, 1948, at 12:30 p.m. All of the members of the Bench were present except Judge Manley and the Chief Judge presided. The Chief Judge read a letter from the Bar Association, requesting the approval by the Bench of its suggestion that jury questionnaires should show the wife's occupation as well as that of the husband. The letter was referred to the Jury Committee. Judge Mason submitted the form of a report to be kept by the Examiners, showing the case number, docket reference, kind of case, plaintiff's and defendant's attorneys, plaintiff's and defendant's names and addresses, date acted upon, fee and expense charged, and recommended that this report be made monthly to the Equity Judges. On motion the form was duly approved.

There being no further business, the meeting adjourned.


Secretary.

Deceased Members Of The Baltimore Bar Are Honored At Memorial Services Before Supreme Bench

Memorial Services for members of the local Bar, who died during the past year, were held on Thursday, January 8th, at a special meeting 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.

The services were opened by Emos S. Stockbridge, President of the Bar Association of Baltimore City, who introduced the speakers to the Court. Thomas J. Tingley, Chairman of the organization's Memorial Committee, presented the Memorial Minute and biographical sketches of the deceased attorneys and requested that they be received by the Bench and placed among the permanent archives of the Court. Seconding addresses were delivered by W. Albert Menchine and Dr. Justinus Gould.

The response on behalf of the Supreme Bench was made by Judge Joseph Sherbow and Chief Judge W. Conwell Smith presided at the exercises.

Following is a complete report of the services:

REMARKS OF EMOS S. STOCKBRIDGE President of the Bar Association of Baltimore City

May It Please Your Honors:

We have met here together again in conformity with a custom of long standing to pay our final tribute to the memory of those members of our Bar who have departed this life during the past year. It is a fitting thing that a public record be thus made of their passing, not only because they have been our fellow workers and officers of this Court, but because in a larger sense they have made their contribution to the public service and to the traditions and progress of our profession. An appropriate minute has been prepared by the Memorial Committee of the Bar Association and will be offered by Thomas J. Tingley, Chairman of that Committee and will be seconded by W. Albert Menchine and Dr. Justinus Gould, members of that Committee.

THE BAR ASSOCIATION OF BALTIMORE CITY Report Of The 1947 Memorial Committee

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

The Memorial Committee of the Bar Association of Baltimore City reports that during the period from December 15, 1946 to December 15, 1947 twenty-three members of the Baltimore City Bar departed from this life. Their names and the dates of their passing, and the name and date as to one lawyer omitted from inclusion in the report of a previous committee, are as follows:

MEMBERS OF THE BALTIMORE BAR WHO HAVE DIED WITHIN THE YEAR

December 15, 1946—December 15, 1947

<i>Names of Deceased Lawyers</i>	<i>Date of Death</i>
DELAWARE CLAYTON ANSBIE	February 22, 1947
ARTHUR E. REISCOE	January 30, 1947
DANIEL BOOXYE CHAMBERS	August 22, 1947
CARL MARTIN DEBYLER	March 22, 1947
WIRT A. DUVAL, JR.	April 8, 1947
EDWARD H. EISENHEARDT	January 24, 1947
JOSEPH A. GUTHRIE	July 11, 1947
HOLLEN B. HOFFMAN	November 9, 1947
CHARLES DAVIS MOORE	December 29, 1944
GEORGE W. S. MURKIN	August 12, 1947
CEARICE BURCHARDER PELTON	June 4, 1947
JOHN HOLT RICHARDSON	November 20, 1947

RALPH ROBINSON	February 15, 1947
GUSTAV FREDERICK SANDERSON	June 5, 1947
FREDERICK F. SCHNEIDER	March 5, 1947
CLARKE L. SMITH	August 25, 1947
FRANK E. SMITH	June 28, 1947
HORACE T. SMITH	September 17, 1947
WILLIAM I. STUCKERT	January 25, 1947
WILLIAM S. THOMAS	December 2, 1947
HENRY C. WEAVER	March 4, 1947
HIRAM J. WEISKOFF	May 27, 1947
HOWARD C. WILCOX	February 14, 1947
ROBERT H. WILLIAMS	December 10, 1947

Biographical sketches of these departed comrades are presented with the Report of the Committee filed herewith. The Bar Association will publish the record of these proceedings, including the biographical sketches, in pamphlet form, and copies will be sent to the families and friends.

The Memorial Committee presents the following minute:

MINUTE BY COMMITTEE

It has been the practice of the Supreme Bench of Baltimore City for some years past to hold annually a session in memory of the members of our Bar who have passed away during the year. That this practice is peculiarly appropriate in the days of activity and stress through which we are now passing, and which so compellingly engage our attention, is without question.

The proceedings which we are to hold today express in a manner only too inadequate our sense of loss in the departure of our comrades at the Bar and the affection and esteem in which we hold them. It may be said of all of them that each in his way contributed to the furtherance of that great object to which all our lives are in some sense dedicated—the furtherance of the administration of justice, even-handed and impartial, under a government by law. And surely no group in the community is better fitted than are lawyers to make a contribution to the furtherance of that great end.

When anyone who has taken part in such an effort departs from the world of temporal affairs, we pause as today to observe and honor his memory.

The Committee moves the adoption by Your Honors of this memorial proceeding, in order that it may be made a part of the permanent records of this Court.

Respectfully,

THOMAS J. TINGLEY, Chairman,
 W. HARRY NORTSI,
 ROGER B. WILLIAMS,
 DAVID P. GORDON,
 EDWIN S. PANETTI,
 W. ALBERT MENCHINE,
 JUSTINUS GOULD,
 A. WALTER KRAUS, JR.,
 HERBERT MYERSBERG,

Memorial Committee.

The Bar Association of Baltimore City,
 December 18, 1947.

RECORDING ADDRESS BY W. ALBERT MENCHINE

The Old Testament tells us that the memory of the just is blessed. It is indeed fitting and proper that we meet here today to honor the memory of those of our brothers of the Bar who died in the past twelve months.

They were our fathers, our sons, our brothers, our friends. We are saddened at their passing, yet comforted by the faith which kneels at the bed of death. Their earthly bodies are dead, their souls live on. The soul lives on in its

eternal youth. How comforting, indeed, are the words of Addison:

"The soul secured in her existence, smiles
 At the drawn dagger, and defies its
 point.

The stars shall fade away, the sun
 himself

Grow dim with age, and nature stak
 in years;

But thou shalt flourish in immortal youth,
 Unhurt amidst the war of elements,
 The wrecks of matter, and the crush of
 worlds."

Some were called after long and dis-

tinglished service at the Bar, some were cut off in the prime of their careers, and the voices of others were stifled in the days of their youth. Yet each, in greater or less degree, made his contribution to our civilization.

This solemn hour is, and should be, more than a memorial to them. It should and does also serve as a period of contemplation and re-examination of ourselves.

In an earlier day, Thomas Paine spoke of, "Times that try men's souls." These are also times that try men's souls.

At our nation's birth, Thomas Jefferson, a lawyer and perhaps the greatest American, successfully fought a battle which has made his name a noble heritage—a heritage neither dimmed nor dimming. Then was born the American principle of equal justice under law. Since that day, lawyers, great and small, have been in the forefront of the fight to maintain that principle. Our forefathers fought and died to establish the rights of man; our fathers by pain and blood and death created here a government which is the servant of the people. Today a new idea casts its shadow on the world. Do I say "new idea"? It is as old as man's first inhumanity to man. It is as old as the doctrine that might makes right. It is the repudiated doctrine that man is the servant of the state. Its power is derived from false propaganda; from the suppression of the free exchange of ideas; from a denial of the rights and dignity of man. Where the people have no voice—is tyranny.

It is the lawyer, far more than any other member of our society, who understands that where law ends, tyranny begins. It is for the lawyer then, in the future, as in the past, to render that eternal vigilance which is the price of liberty. It is for us to reaffirm the faith of our fathers; it is for us to guard our heritage; that the light of freedom may guide our future generations.

Our departed friends and brothers honorably have performed their duty to mankind, who they remain cannot, must not, fall them.

It is with a deep sense of humility that I say it is my honor to second the motion of Mr. Tingler.

SECONDING ADDRESS BY JUSTINUS GOULD

May it please your Honors:

It is indeed a privilege to have been asked by the Bar Association of Baltimore City to second the Motion of the Chairman of the Memorial Committee that his Report be received and preserved among the archives of the Supreme Bench of Baltimore, which I accordingly now do.

We are here assembled in remembrance of those of our brethren who have finished their earthly course and have answered the Summons from the Supreme Court of Last Resort to appear before the All Highest Judge, who not only administers Justice and Mercy, but Love as well.

To the relatives who mourn the loss of loved ones, and at this hour remember the sweet companionship and the cherished hopes that have passed away with them, give me in the words of comfort spoken in the name of the Lord. The soul lives on in the Shelter of God's Love and Mercy. And when

we ask in our grief, "Whence shall come our help and our comfort?" Then, in the strength of Faith, let us answer with the Psalmist: "My help cometh from God. He will not forsake us nor leave us in our grief. All life cometh from Him. In His Hands are the souls of all the living and the spirits of all flesh. Under His Protection we abide and by His Love are we comforted."

"Death's but a path that must be trod if man would ever pass to God."

—Parnell.

May those who have gone into the World of Light inspire us to a more useful life, to higher hopes and greater contentment of spirit.

But life in this World must go on and the task of its continuation necessarily devolves upon us who must grapple with and solve today's complex problems.

May I ask that the Bar rise above mere matters of everyday routine and again take its rightful place as the guides of the destinies of our great and beloved Country and as the protectors of our cherished and valued rights and liberties?

We are the inheritors of a proud tradition of liberty under law and of the just principles of the great English system of our Common Law, that found eloquent expression in those historic documents from Magna Charta to our own Constitution as well as the decisions of the Courts of the English speaking world.

The Justice-Christian conception of the dignity of the individual and the worth of the human soul has been implemented into our civilization and laws and made for what is termed "The American Way of Life." This conception of individual liberty, with all that it has meant in the release of human energies and all that it has accomplished in raising the material level of man's existence and enriching his spiritual life has justly made our Land the greatest and best Country on God's earth.

Unfortunately, these great ideals are being actively challenged by certain foreign groups whose motto and false doctrine is that "Religion is the opium of mankind." The godless are now engaged like termites in various activities to undermine the structure of our government. Thomas Jefferson very wisely said that "Eternal vigilance is the price of liberty." Communism is the exact antithesis of everything that we in America hold dear and treasure, even beyond our very lives, for life without liberty would be nothing but a living death!

The first step to preserve this, our way of life, is to expose the nefarious aims of the Communists, for our surest weapon is Truth. They wish to destroy all freedom—of religion—of the press—of speech—of enterprise—as well as all those rights which we take for granted. There is no difference between them and the equally detested Nazis, for their ends are one and the same, namely, the destruction of the individual as such, for the attainment of the state. In both so-called "systems," individual initiative is stifled, rewards for industry and achievement are done away with, tender family relationships are mocked, and religion itself is cruelly persecuted.

It is our obligation as lawyers, to be ever watchful that the courts shall

at all times be supreme and that the right of judicial review of both the facts as well as the law from the decisions of the vast number of administrative boards, authorities and commissions, be always assured to our citizens and that the treasured right of trial by Jury as well as the important functions of Grand Juries be in no wise nor manner abridged or emasculated. God forbid that the day ever arrive when the Government be entrusted entirely in the hands of commissioners, for commissioners tend, unconsciously perhaps, to become "commissioners."

I have stated that it is our obligation to be ever watchful for those things that are inimical to the spirit of the Common Law. It is far more than a mere obligation—it is our sacred duty to preserve the American Way of Life, the supremacy of the Constitution, to see that the judicial function remains unimpaired, and to enforce those laws that assure the people of their rights and liberties, for that is our faith.

Scientific discoveries as well as great inventions have in comparatively recent years wrought changes more profound than have occurred probably since man first appeared on this planet. Modern transportation has, indeed, made the World a smaller, a more intimate, and annihilated distance; radio communication to the very ends of the earth is a commonplace today and television is a present reality; national isolation, whether for a great or a small people is now quite impossible—indeed, unthinkable.

It naturally follows that the lawyer is obliged to widen his horizons and to deal, in a very so-called "practical way," with international law as it affects the average citizen in his business and often even in his personal relationships.

Previously I had suggested that the Bar again should take its rightful place as the moulders of public opinion and furnish the leaders of our Land. We have that opportunity here and now to develop such essential leadership. Lawyers and judges quite naturally believe that disputes between people should be settled in courts.

Out of the caldron of the Second World War has arisen, phoenix-like from the ashes of the old League of Nations and the World Court, an organization known as the United Nations. While this new instrumentality is far from perfect, yet it is the only thing we have at present and our only hope of preventing further destruction of millions of innocent human lives and incalculable valuable property—yes, even preventing cataclysmic atomic wars that would surely level whole teeming cities and utterly annihilate civilization and extinguish precious life itself.

Therefore, does it not logically follow, in the interest of humanity, that everything be done to strengthen the public international law and the United Nations Organization to bring about that for which we daily pray, that God's Kingdom be established on earth and that nations "shall beat their swords into ploughshares and their spears into pruning hooks; nation shall not lift up sword against nation; neither shall they learn war any more." And remembering always that "Blessed are the peacemakers, for they shall be called the children of God."

**RESPONSE OF
JUDGE JOSEPH SHERBOW**

We are gathered here today in a traditional ceremony to pay tribute to the memory of our departed brethren of the Bar. We lament their passing and extend our condolence and sympathy to their loved ones. Each has contributed in his own way to the Bar which he served. Some reached positions of public prominence, others were pre-eminent in some branches of the law, and all helped to uphold the dignity of a noble profession.

They contributed their services and their means to many worthwhile causes, to the field of public service, to their church, to the philanthropies and to civic endeavors of every kind.

As we note the biographical sketches prepared by their fellow members of the Bar for inclusion in the permanent records of this Court, we see that two of those we commemorate here today lived the allotted four score years. They were born in 1807 and died in 1947.

We who are here today may well pause and consider what has happened to our world in this very period of eighty years just past. What has happened to our civilization, to our way of life?

The lifetimes of those two men began in the same year of 1807 when the Constitutional Convention of Maryland was held at Annapolis. It was a great historic occasion. The delegates unanimously selected Judge Richard B. Carmichael of Queen Anne's County as their presiding officer. As he ascended the rostrum to address the delegates his voice shook with emotion.

Only five years before this noble judge was sitting on the bench at Easton and the Civil War was at its height. Without warning the doors of his courtroom were flung open. The United States Provost Marshall, flanked by a squad of Union soldiers, without warrant and without legal authority, proceeded to the bench and placed this judge under arrest. He demanded to know what offense he had committed, but for answer he was beaten and dragged away. He was taken from fort to fort and was finally released without any charges having been placed against him.

And now he was Chairman of the Convention to draft the State's Constitution. During the preceding five years this border State had been invaded; the tramp of marching soldiers was heard across the fields of Maryland; its meadows were battlefields where a great civil war was fought, and men bled and died for a cause in which they believed.

Maryland's inhabitants, torn between allegiance to the Union and loyalty to their neighbors and friends, knew what civil war meant. They felt the heel of the military; saw attorneys, jurors, justices, preachers, officers forced to

take an oath so restricted as to effectively disfranchise the great majority of the voters of this State. They saw their government for a short time in the hands of a small minority who had no regard for the proud traditions of our State and no interest in its welfare, but were widely concerned with keeping themselves in power.

Before this Constitution was adopted the Federal Government was urged to intervene and interfere with the election, but fortunately there were no troops stationed at the polls and there

was no violence. The Constitution was adopted and has been in effect since 1867,—changed in detail, yes—but in its essence the same.

True, we have reorganized our State government from time to time, but always within the framework of constitutional government. Over the intervening years we have seen our State increase in population and in wealth. The great industrial revolution served to make Baltimore City an outstanding manufacturing center with diversified industries. Our port is now one of the greatest in the world and ships from all nations are in our harbor.

For a long time we lived in a world of our own, with little understanding of, and no interest in, the affairs of other nations separated from us by the Atlantic and Pacific Oceans. We knew of the bitterness and hate of some of our southern neighbors against the colossus of the north, but beyond that we showed little interest in foreign affairs.

Then came World War I. For the first time we realized what it meant to send our loved ones to foreign soil to fight a war. Many never returned. Those soldiers of World War I fought in a war along conventional lines. Our civilization had not yet advanced to the stage when war meant total war, for in those days civilians and non-combatants were relatively safe. Mass destruction of human beings, the obliteration of whole cities and areas, was still considered uncivilized. That came the rise of totalitarian governments, the creeds of Fascism and Communism. Civilization as we knew it was on trial. It seemed as though we had returned to the dark ages. We saw millions of people exterminated solely because of their race and religion. We know that even today there are millions engaged in slave labor, living under governments where they have no freedom and no real life to live.

With the advent of World War II we were suddenly struck forcibly with the knowledge that our world was a small one; that man had conquered the air. Space and time no longer had meaning. We made tremendous scientific strides forward, but we utilized our knowledge for the destruction of man rather than for his well being. The great advancements of science were used to kill and to maim.

Now with the ending of World War II we find ourselves in the midst of a cold war, and as we gather here today we wonder what this new year 1948 presages for us. Is it the year of destiny? Is it the year of final decision? Will a way be found to end the East and the West to live in peace? Will we realize and understand that there can be no compromise with the forces of evil, that appeasement ended with Munich?

We must solve the great problems that lie ahead because the survival of our civilization depends on that solution. We know that a large part of the world lives under the orbit of a form of government which has embarked on a career of aggrandizement and world revolution. We must face the present and future realistically. There is no isolation in this world of ours. There are no non-combatants anymore. The landfills of barbaric force and fury in Eastern Europe and Asia must never be permitted to crush Western Europe and bring more human misery and starvation to the world.

We cannot allow our civilization to be caught somewhere in mid-journey

through this maelstrom and our way of life engulfed by forces seeking to destroy our way of life. We must know now that we are engaged in a life and death struggle for survival. We in this country have the resources and the resources; we must also have the faith and determination needed for victory.

Whole countries have been bled white by war. Their peoples lie exhausted and watch the two gladiators of the East and West in the death-throes of an epic struggle,—and civilization hangs on the outcome.

And so in the eighty years that have passed—just a lifetime—we have seen the end of the Civil War in our own country, and we have also seen the end of any selfish will on our part to live alone. We now know that what happens in the rest of the world affects us.

A year hence there will be another memorial meeting in that intervening year great events will take place. The legal profession will play a great and noble part in those happenings. Our departed brothers who have lived through the years just past have by their lives and their careers given us great inspiration. And so now, the report of the Committee, the memorial minute and the address will be received and preserved among the permanent records of the Court.

Biographical Sketches

DELAWARE CLAYTON ANDRE

Delaware Clayton Andre was born in Baltimore, Maryland, on June 7, 1870, the son of the late Dr. James Ridgway Andre and Margaret McCrone Andre, his wife.

He was educated in the private schools of Baltimore, first attending Lamb's School and completing his secondary education at Deichmann's Preparatory School. Thereafter he studied at the Johns Hopkins University, graduating and receiving the A. B. degree in the class of 1893. Among his classmates at the Johns Hopkins University who later achieved great distinction in the law were Newton D. Baker and Judge W. Calvin Chesnut. The following year (1894) he received his LL. B. degree from the University of Maryland.

Upon his graduation, he determined to open his own law office, which he did; however, at a later period he maintained offices in association with Alfred Jenkins Shriver, a former classmate. Among other law associates were William H. Perkins, Jr., Richard H. Pleanants and Charles Morris Howard.

Mr. Andre was a close student of the law, well grounded in knowledge and understanding of legal principles, and accurate and thorough in his work. Personally, he was a man of modest, retiring disposition, and an active trial practice did not appeal to him. Rather, he devoted much of his time to real estate law, and trusts, and in those fields he attained a high degree of knowledge and skill. For many years he assisted the late William H. Perkins, Jr., in the work of annotating the Maryland Reports.

Mr. Andre married Miss Marietta Donovan, whom he survived. He was fond of reading, his library was especially rich in literature, both ancient and modern. Continuing his activity in practice unabated almost to the very end, Mr. Andre was taken to the hospital late in January, 1947. He died on February 12, 1947, in the seventy-

seventh year of his life, his nearest surviving relative being his sister, Mrs. Lolo M. Hecce.

By Charles F. Stein, Jr.

ARTHUR E. BRISCOE

Arthur E. Briscoe was born in Baltimore in 1884, the son of the late Abraham and Caroline Briscoe. He was educated in the local public schools, New York Harbors Evening School, and later received his legal education at the Howard University Law School in Washington, from which he received his Degree in 1915. In the same year he was admitted to the Baltimore City Bar.

He began an active career in politics by being named a Judge of Elections and later was appointed as Clerk to the City Delegation in the Legislature in 1918.

During 1926 he appeared to be the winning candidate for a place in the House of Delegates, but was subsequently defeated by only thirty votes when a recount was taken. For many years he was Vice-President of the Fourteenth Ward Republican Club and finally became its President.

Mayor Iroonings appointed him as Assistant City Solicitor in 1928, and he was active in many civic affairs, continuing the practice of law until shortly before his death. He was a devout churchman, being a Lay Delegate to the Methodist General Conference as well as a Trustee of his Church.

On January 30, 1947, he passed away, leaving surviving him his widow and two brothers.

By Justina Gould.

DANIEL BOONE CHAMBERS

Daniel Boone Chambers, a prominent Baltimore attorney, and an outstanding Democratic leader in the State of Maryland since the turn of the century, died at his home, 5339 Windsor Avenue, on August 22, 1947, after an illness of three months. He was seventy-three years old.

Mr. Chambers was born on November 9, 1873, the son of the late Benjamin Chambers. At an early age he moved with his parents to Northumberland County, Virginia, where he later attended Randolph Macon Academy in Virginia. He received his legal education at the University of Maryland Law School, from which he graduated in 1897, being President of his Class. He was admitted to the Baltimore Bar in the same year, and practiced until his last illness.

During Mr. Chambers' legal career he served as Chief Judge of the People's Court. He also served two terms in the State Senate during the 1920's. In 1930 he was a candidate for the Democratic Congressional nomination in the Second Congressional District, but was unsuccessful in his bid for that office.

Mr. Chambers' advice was frequently sought and often followed in the Democratic political circles of both our City and State, for he was a recognized authority in this field. He was tall, soft-spoken, and imparted a feeling of strength and self-confidence to his listeners.

Mr. Chambers was a member of Concordia Lodge, Masons, and is survived by two sons, Daniel Chambers, Jr., President of the Board of Supervisors of Elections, and Benjamin Chambers, of the Law Department of the Consolidated Gas Electric Light and Power Company of Baltimore, both of whom are practicing attorneys.

By David P. Gordon.

CARL MARTIN DISTLER

Carl Martin Distler was born in Baltimore, Maryland, March 24, 1886, the son of John C. and Elizabeth E. Distler. He received his early education in the public schools of Baltimore City and was graduated from the Baltimore City College in 1904, receiving one of the Peabody prizes for excellence in scholarship. In 1907 he received his Bachelor of Arts Degree from Johns Hopkins University, and in 1909 his Bachelor of Laws Degree from the University of Maryland. He was admitted to the Bar immediately upon his graduation and continued the practice of law until the time of his death. He was a member of the Baltimore City, Maryland State, and American Bar Associations.

He was interested in civic affairs where he could be of service, and at the time of his death was President of the Baltimore City Jail Board, of which he had been a member for four years, and during World Wars I and II he served on Advisory Boards of the Selective Service System. He was a Vice-President and Director of the firm of Riggs, Distler and Company, Inc.

But Mr. Distler's chief interest was in things spiritual. He was one of the organizers and the first Treasurer of the Inner Mission Society of the Evangelical Lutheran Church of Baltimore City, and had been its President for a number of years prior to his death. He was a member of Grace English Evangelical Lutheran Church, of this City, where he had been the Superintendent of the Sunday School for more than twenty-five years. He was also for many years a member of the Council of Grace Church and was serving as its President when he died.

He was a member of the Local Church Extension Board, was on the Executive Committee of the Laymen's Movement for Stewardship, and was a member of the Board of Laymen's Missionary Movement, of North America. In 1930 he was elected by the United Lutheran Church in America as a member of the Board of Inner Missions, which was later recognized as the Board of Social Missions, and shortly after his election he was named President of the Board and served in that office continuously until the time of his death.

Mr. Distler never married. He was called from this life on March 22, 1947, just a few days before his sixty-first birthday, at his home 2905 North Calvert Street, this City. He died in the apparent possession of all of his physical powers, having spent the day and the evening before his death in his usual pursuits, passing out without warning during the night. He left surviving him one brother, Walter George Distler, Vice-President of The George A. Fuller Company of Washington, D. C., and a niece and nephew, children of his later brother, John Cyrus Distler.

By Harry B. Neeth.

WERT A. DUVALL, JR.

Wert A. Duvall, Jr., son of the late Dr. Wirt A. Duvall and Mrs. Roxanna Duvall, was born in Baltimore, Maryland, on October 20, 1896. He attended the Baltimore public schools and was graduated from the Baltimore City College in 1914, and from the law school of the University of Maryland in 1920.

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Following his graduation from City College, Mr. Duvall served on the staffs of the Baltimore News, the Baltimore Star, and the Baltimore American. During World War I he served in the United States Navy. He joined the legal department of the City of Baltimore and was, successively, Assistant City Solicitor, Deputy City Solicitor, and, when Philip B. Perlman resigned in 1926 to enter the private practice of law, he served as acting City Solicitor until a successor was chosen. Since 1927 Mr. Duvall has been an associate of Philip B. Perlman, recently confirmed as Solicitor General of the United States.

Mr. Duvall was a member of the Baltimore City Bar Association, the Maryland State Bar Association, and the American Bar Association.

Mr. Duvall died in Baltimore on April 8, 1947, and is survived by his wife, the former Miss Shirley Gross, daughter of Dr. and Mrs. Harry Gross, and by two children, Mrs. Gordon Williamson and Wirt A. Duvall, III.

By Harry T. Gross.

EDWARD B. EISENBRANDT

Edward B. Eisenbrandt, who was seventy-nine years of age at the time of his death, was admitted to the Maryland Bar in 1900, following his graduation from the Law School of the University of Maryland.

For many years he was a member of the legal staff of the Baltimore and Ohio Railroad, and was a member of the former Centaur Club and the Chesapeake Wheelmen, both cycling organizations, and also of the Maryland Yacht and Early Birds Clubs.

Mr. Eisenbrandt never married and resided at 4822 Park Avenue, Baltimore. He died on January 24, 1947. He is survived by a sister, Mrs. Graebel G. Heghinian.

By Justina Gould.

JOSEPH A. GUTHRIE

Joseph A. Guthrie was born in Baltimore City on August 1, 1888. He received his early education in parochial schools in Baltimore City and was graduated from Loyola High School. He received the Bachelor of Arts and Master of Arts Degrees from Loyola College. In 1922 Mr. Guthrie was graduated from the University of Maryland School of Law and engaged in the practice of law for two years thereafter.

Mr. Guthrie was an instructor in mathematics at the Loyola High School from 1915 to 1921. He served from 1929 until 1931 as an substitute police magistrate under appointment of the late Governor Ritchie. In 1931 Mr. Guthrie was appointed as a deputy clerk of the Criminal Court of Baltimore City and served in that capacity until his death on July 11, 1947. In his incumbency as a deputy clerk, Mr. Guthrie devoted himself to his duties with an industry and energy which endeared him to the Bench, Bar and general public by his friendly, courteous and able advice and assistance.

Mr. Guthrie was very active in boy welfare work. For many years he participated in the activities of the Catholic Big Brothers Association, and once served as president of that organization.

He was a communicant of the St. Andrew's Roman Catholic Church and was a member of the Knights of Columbus.

He is survived by his wife, the former Margaret L. Moran of Catonsville.

By W. Albert Menchini.

HOLLEN BERRY HOFFMAN

Hollen Busey Hoffman was born in Baltimore City on August 20, 1905, the son of Harry G. and Maude E. Rock Hoffman.

He attended the public schools of Baltimore City and was graduated from Baltimore City College with the class of 1925. Thereafter he took up the study of law at the University of Maryland from which he was graduated in 1929. He was admitted to the Bar of Maryland in 1931 and soon thereafter began the practice of law in Baltimore City. He was successful in his profession and was an active practitioner at the Bar until the time of his death. He was a member of the Baltimore City Bar Association.

Mr. Hoffman was active in the work of Immanuel Evangelical and Reformed Church of Baltimore City, of which he was a member.

On August 21, 1927, Mr. Hoffman married Miss Cornelia D. E. Zies, and he is survived by his father, his widow, and nine children, namely: Ethel M., Helen B., Junior, William H., Cornelia D., Margaret E., Dorothy E., Charles B., Ruth H. and Charlotte A.

Mr. Hoffman died on November 9, 1947, following a surgical operation.

Funeral services were conducted at his late residence on Reisterstown road near Owling Mills, in Baltimore County, the Rev. Julius F. Granel and Rev. T. Ward Kemp officiating. Interment was in Loudon Park Cemetery in Baltimore City.

By C. Arthur Bby.

CHARLES DAVIS MOORE

Charles Davis Moore was born on November 6, 1914, and died on the field of battle at the untimely age of thirty. He enlisted in the United States Army on September 21, 1942, served with Headquarters Company, 88th Infantry Regiment, Second Division. Sergeant Moore landed with the invasion forces in France and was killed in action during the Battle of the Bulge on the twenty-ninth day of December, 1944, in Belgium.

After attending, with distinction, Baltimore City College and the Johns Hopkins University, Mr. Moore was graduated from the University of Maryland Law School. At the time of his enlistment he was employed in a clerical capacity in the office of the Clerk of the Superior Court of Baltimore City. Surviving him are three brothers, one of whom is Calvert F. Moore, 3144 Harford Road, Baltimore City.

We have no need to mourn this gallant man.

"And how can man die better
Than facing fearful odds
For the ashes of his fathers
And the temples of his Gods."

By Lawrence R. Mooney.

GEORGE W. S. MUSGRAVE

George Wilmer Samson Musgrave, remembered by most of his friends as Colonel Musgrave, was born July 25, 1868, in Owyhee County, Idaho, at about the place where Silver City now stands.

His father was William LeBaron Musgrave of Philadelphia, an officer of the United States Navy in the Civil War. He served on the Minnesota, which stood by at the battle between the Merrimack and the Monitor, and was standing under the United States

flag at the time the cannon ball tore through it. That flag is now in the museum of one of the Armories in Boston, Massachusetts. Lieutenant Musgrave served also on the Chippewa, one of two ships which "bottled up" the Sinitar at Gibraltar, and in one of his letters to Colonel Musgrave's mother whom he then was courting, he gave a very interesting account of the attempted escape of the Sinitar with the aid of two British warships; the escape being prevented by a Spanish warship which blocked the channel. For his participation in this blockade Lt. Musgrave received "prize money" in an amount which was then a large sum. This was invested, and lost, in silver mining—and because of this investment Colonel Musgrave's parents were living in Idaho where he was born, (Lt. Musgrave being on leave from the Navy).

Colonel Musgrave's mother was Anne Virginia Baird, the daughter of Matthew Baird and his wife, Ophelia Cantthon of Tappahannock, Virginia. She was descended from Richard Cuthbert, who was author of the first Arithmetic written in Virginia, and the third produced in America. There was a war romance, as she was living in Washington and met Lt. Musgrave when he was brought to the home by a fellow officer who was courting her sister. Lt. and Mrs. Musgrave were married March 10, 1864 in Washington by the Reverend George Wilmer Samson, Lt. Musgrave's mother was a Miss Frisco, a descendant of Johan Frisco, the Swedish Prince John who came to America in early Colonial times and established a Swedish colony on both sides of the Delaware River and Delaware bay. Because his mother was from the South and his father from the North, Colonel Musgrave would never "take sides" but when called upon to express himself would say: "My father was an officer in the United States Navy and I am an American."

George W. S. Musgrave was brought back to Baltimore when he was an infant and remained a resident until he and his mother moved to Laurel, Maryland, January 1, 1911; although when his father, who died when he was quite young, had above duty at Philadelphia and New York, his wife and son lived with him in those cities.

As a child, George W. S. Musgrave was called "Sam" by all excepting his mother. After he grew up he was better known as "George," although after his marriage in 1910 close friends thought of his as "Wilmer" because his wife chose to use the name that his mother had preferred.

Colonel Musgrave was educated chiefly in the public schools of Baltimore, attending City College in the old days when it was on Howard Street. For a time he was a cadet at Pennsylvania Military Academy and received his legal education at University of Maryland Law School. Several famous Maryland lawyers were among his instructors. He was greatly impressed by their wisdom and knowledge and often quoted them throughout his long career at the bar.

As a young man, on one occasion when a case was settled by a compromise just before being called for by the elderly clerk of the Court inquired as to who would pay the costs. Mr. Musgrave responded, "I will." Whereupon his opponent said, "Let me write that in" but the clerk answered, "That is unnecessary, Mr. Musgrave's word is as good as his bond

in this Court." That statement accurately expressed the standard by which he practiced law for more than fifty years.

Young Musgrave would have chosen medicine as a profession because his father had had a brother who was Dr. John Musgrave of New Castle, Delaware. However, his father having died, his mother was almost entirely dependent upon him and he could earn his way through law school but not through the study of medicine.

The satisfaction of adding to his mother's security was his only consolation for bitter disappointment when he was detailed active duty with the Fifth Regiment in the Spanish American War because of wearing eyeglasses, although the greater "security" seems a bit doubtful in view of the fact that he served as a volunteer on "The Three Friends" and in other such enterprises. He was a member of General Fitzhugh Lee Camp No. 8, United Spanish War Veterans.

Colonel Musgrave was very proud of his success in winning what is known as the Balk-Harris case in the Supreme Court of the United States, which case was tried or heard nine times by the various courts through which it progressed to final decision. It grew out of a non-resident attachment in Baltimore on behalf of a Baltimore merchant, "laid in the hands" of a North Carolinian then temporarily in Baltimore, who was indebted to the debtor of the Baltimore merchant. It was based upon the premise, which it

established, that the situs of a debt in whatever process may be served on the debtor, for the purpose of garnishment upon the garnishee. In late Mr. Charles Warren, a distinguished lawyer of North Carolina, was associated with Mr. Musgrave in the case but died while it was in progress, so that Mr. Musgrave was obliged to argue the case in the Supreme Court of the United States against an opponent who was a most able lawyer and a member of Congress. That he won this case he always attributed to his opening statement, which was not what he had prepared but prompted by fright and the fact that none of the Justices appeared to be giving the slightest attention. It is said that Professor Beale, a leading authority on Conflicts of Laws, was not in accord with the decision and decided to write a case against it, although in later years he changed his view of it.

In the Nineties, when Baltimore was almost exclusively the wholesale market for the South, young lawyer Musgrave travelled extensively in the interest of Baltimore clients who had various types of business transactions with Southern merchants which required that decisions regarding the proper course at law be made "on the spot," quick action was necessary. The forwarding of legal matters then was not organized as today and usually local counsel was retained after arriving "on the scene." Through such contacts, Colonel Musgrave made many valued life-long friendships with lawyers throughout the South and the States surrounding Maryland. He was a charming raconteur and on occasion entertained delightfully with recollections of the incidents and experiences of these trips.

Colonel Musgrave adhered strictly to the principle that the interest of the client was paramount and was proud of his ability as a "mediator." He never

took a divorce case unless he was convinced that there was no hope of reconciliation. In many partnership disputes he was able to adjust the differences to the great satisfaction of all. In one instance, where the brothers had a disagreement over a matter of minor importance and both wanted to dissolve the partnership and liquidate the business regardless of the loss involved, he was able to reconcile the brothers and preserve the business. However, he sent them a bill for \$100.00 for his services, whereas if he had liquidated he would have received a few of several thousand at least. But the brothers thought \$100.00 exorbitant and ceased to retain him.

He was ever modest in the amount of fees charged, and on one occasion lost an important New York case because he charged only \$250.00 for drawing a mortgage which he thought was commensurate with the amount involved, but which required no more than the average mortgage for which the minimum fee was \$10.00. However, the New York lawyer had intended to charge \$5,000.00 for his services, which was far out of line with a bill for \$250.00, so he called Colonel Musgrave a "joker" and thereafter engaged other Baltimore counsel.

Colonel Musgrave's best work was in trying to save business men from bankruptcy and the resulting loss to creditors whom, usually, he represented—this, although he was an expert on bankruptcy law and filed the first case in Maryland under the Bankruptcy Act of 1908. He was also a member of the Committee appointed by the Supreme Court of the United States to prepare recommendations for the new General Order in Bankruptcy adopted after the passage of the Chandler Act, and was a member of the National Bankruptcy Conference at the time of his death.

Colonel Musgrave was a member of the Bar Associations of Baltimore City, Prince George's County, and Maryland. Also, the American Bar Association and the Commercial Law League of America of which he was active in the Baltimore Members group. He was senior member of the law firm of Musgrave, Bowling and Cook of Baltimore, maintained an office in Laurel, Maryland, where he conducted his Prince George's County practice, and was associate counsel, in the advisory capacity, to the firm of Musgrave and Sichter in Washington. His wife, whom he married in 1919, is a member of the latter firm and also practices in Prince George's County. Mrs. Musgrave did not study law until seven years after their marriage, but Colonel Musgrave was so pleased with her interest in law that he readily consented to her study at George Washington University and patiently encouraged and aided in her instruction.

In 1914, when his mother was struck by an automobile passing the street car from which she was alighting, Colonel Musgrave became deeply interested in safe driving and through his interest assisted the late Colonel E. Austin Baughman, Commissioner of Motor Vehicles, in preparing the original law establishing the Traffic Court of Baltimore City, of which he was the first Judge appointed. The title of "Judge" by which he was known to many, was thus acquired. Also he was Special Deputy of the Automobile Commissioner for about sixteen years. His service was rendered on a voluntary basis in the promotion of safety regulations.

The patriotic interest of Colonel Musgrave was evidenced by membership and by active participation in organizations. He was a past president of the Maryland Society of the Sons of The American Revolution and a member of the Flag House Association, and "turned out" for all of its events. But his main effort for the past thirty years has been through military units. Because of an injury received in a train wreck about 1910, and his age, he was unable to be admitted to active military duty in World War I despite his eminent qualification and strenuous effort. However, he took over two Scout Troops when their Scout Masters went on active duty and was proud of the ability of his troops, sponsored at Emmanuel and Christ Episcopal churches, as hosts at soldiers' canteens and in selling bonds. He also drilled "rookies" and served as a member of the Baltimore Unit of The American Protective League, (the voluntary "F. R. L." of World War I), in recognition of which he received an autographed copy of Emerson Hough's book "The Web."

When the order requiring the registration of all crew members of ships in harbor was issued in September, 1917, he spent thirty consecutive hours, (and contracted "flu"), registering men on ships in port at Baltimore.

The Veteran Corps of the Fifth Regiment, (Maryland's famed Fifth, now 117th I. M. N. G.), of which Colonel Musgrave at the time of his death was Colonel and Commanding officer, and the Centennial Legion of Historic Military Commands (composed of the historic military units of the original thirteen states), of which the Veteran Corps is a unit and Colonel Musgrave was Adjutant and Treasurer, claimed his most devoted service. The Veteran Corps met every Friday evening and despite doctor's orders, Colonel Musgrave rarely missed. He believed that the Corps had a sacred duty to the Regiment to "keep the home fires burning" when the Regiment was away on active duty in the two World Wars, and be deeply appreciated the Regiment's recognition of this service rendered by The Corps.

When Colonel Musgrave became Adjutant and Treasurer of The Centennial Legion the treasury was very low. By adding unit members, sending "reminders" which produced regular payments of dues, and some profits from sale of medals, bars and supplies to the members, he was able to build up a comfortable operating income and a reserve fund. He inaugurated the publication of The Centennial Legion Bulletin and was engaged in the preparation of the third issue at the time of his death. Much of the correspondence and the composition of the Bulletin he typed personally with "two fingers" the evenings and week-ends at his home.

In addition to activities through the Veteran Corps during World War II, Colonel Musgrave was a member of the Registrants' Advisory Board for Laurel and gave many hours of strictly voluntary legal services to enlisted men and their families. Mrs. Musgrave also served in the same capacity, and together they gave approximately one hundred hours time between 1940 and 1947.

Among fraternal organizations, Colonel Musgrave was a member of Laurel Worth Lodge, A. F. and A. F., and Scotch-Irish Royal Arch Chapter of Laurel, Maryland, and of Grand Commandery Knights Templar and

Dunsm Temple, Order of the Mystic Shrine of Baltimore. He also was a past president of the Maryland State Chapter of National Sojourners.

In Church affiliation Colonel Musgrave was a member of the St. Philips Protestant Episcopal Church of Laurel, serving as Vestryman at the time of his death and for a long period prior thereto. Also, for many years he taught a Sunday School class of teen-age boys. Seeing these boys grow to manhood and become established successfully gave him keen pleasure.

A wonderful sense of humor was part of that attitude of mind which kept him young in spirit. He enjoyed a "joke" on himself almost more than any other. But Colonel Musgrave's chief characteristics were serenity and loyalty. He was deliberate in thought and action—rarely moved to anger—sincere and constant in his friendships and affections—firm in his beliefs—generous, kind, considerate, thoughtful in his home—a devoted husband—a dignified and gracious host—a gentleman of the old school and a truly patriotic citizen.

Colonel Musgrave died on August 12, 1947.

By Mrs. George W. S. Musgrave.

GLARICE BURKHOLDER PELTON

Glarice Burkholder Pelton was born in Savannah, Georgia, October 28, 1915, the daughter of Mr. and Mrs. Ralph E. Burkholder. She received her early education in the public schools of Mullins, South Carolina. She came with her family to Baltimore City in 1929 and enrolled in the Western High School, from which she was graduated in 1932. She received her Bachelor of Laws Degree from the University of Baltimore and was admitted to the Maryland Bar in 1937. She was a member of the Women's Bar Association of Baltimore City, the National Association of Women Lawyers, and the Inter-American Bar Association.

Mrs. Pelton took a position in the Federal Intermediate Credit Bank of Baltimore in 1934, and after her admission to the Bar was appointed to the legal staff of the Farm Credit Administration of Baltimore, where she remained a member of the General Counsel's staff until her illness.

She was very active in the Women's Bar Association of Baltimore City. She was recording secretary of this organization from 1934 and Treasurer in 1946. Mrs. Pelton was instrumental in compiling a short history of the association, which was broadcast over the radio in 1945. She also served as chairman of the Dinner Committee in 1945 and again served on this committee for the annual dinner held on January 16, 1947. She had been appointed chairwoman of the Program Committee for the year of 1947.

Mrs. Pelton had a variety of interests and was always willing to assist in a good cause. During World War II she was very active at the USO Center and on many occasions participated in the War Bond drives, as well as other affairs sponsored by the Armed Forces. She was most determined in her undertakings, sincere in her efforts and comforting in her spirit. The last public affair that she attended was the Prisoners' Aid Association's annual dinner held at the Belvedere Hotel on Wednesday, February 12, 1947. A few days later she entered the hospital, where she remained until her final moment and departed this life on June 4, 1947.

She is survived by her husband, John R. Pelton, of Baltimore City, her mother and father, Mr. and Mrs. Ralph E.

Burkholder, and a brother, Eugene Burkholder, of Savannah, Georgia. The loss of Clarice Burkholder, Peiton will be mourned by those who knew and loved her. To them she is gone but will never be forgotten.

By H. LaRue Parke.

JOHN HOLT RICHARDSON

John Holt Richardson, son of Caleb and Mary Hawkins Richardson, was born at Baltimore, Maryland, on February 27, 1897. He married the late Elizabeth Nitzel of Canton, Baltimore County, Maryland.

Mr. Richardson read law in private offices and was admitted to the Bar in December, 1897, having been examined in open Court in the Circuit Court for Baltimore County by a Board of Examiners comprising William Griggs, uncle of the present Chief Judge of that Court, John B. Gontrum, father of the present Associate Judge of that Court, and Z. Howard Isaac. Following his admission to the Bar, Mr. Richardson was engaged in the general practice of law in Baltimore City until a short time before his death on November 28, 1947, at the age of eighty years.

Mr. Richardson was very active in the practice of his profession and participated wholeheartedly in the activities of the Bar Association of Baltimore City. For many years Mr. Richardson presided at the daily luncheon meetings of the Baltimore Bar Association, which, with the passage of the years, came to receive the nickname of "The John Holt Richardson Club." Mr. Richardson was a member of an old Maryland family and lived to become one of the most outstanding and best known members of the legal profession. He was a man of very decided opinions to which he felt free to voice. He was a legal adversary who was regarded by his fellow lawyers as an able and vigorous advocate of the cause he represented. In addition to this, however, he possessed that rare trait of character which combined fortitude, honesty and honor with the ability to gain and hold the friendship of his fellows. His death is a loss not alone to his family and the legal profession, but to the community in which he lived and worked.

Mr. Richardson found time in the course of his busy practice to give generously of his time not alone to the Bar Association of Baltimore City, but to organizations devoted to the public welfare generally as well. He was very active in the work of the Masonic order, of which he was a thirty-third degree member. During the period of the Second World War Mr. Richardson gave further evidence of his interest in the general welfare of the people by accepting appointment as Chairman of Local Board No. 5 of Baltimore County, whose offices were located in Dundalk and whose jurisdiction included the Twelfth and Fifteenth Election Districts of Baltimore County, a heavily populated territory which made it the largest Selective Service Board in number of registrants in the United States. Mr. Richardson gave to this task the same zeal and care that he gave to other enterprises with which his name was connected, an undertaking which required a considerable sacrifice of his time and energy. Mr. Richardson previously had served as a member of the same Selective Service Board during World War I.

In February, 1947, Mr. Richardson was the guest of honor at a testimonial dinner in celebration of his eightieth

birthday and his fiftieth year at the Bar. This dinner was attended by leaders of the Bar of the City and State and by many judges and public officials. In addition to membership in the Bar Association of Baltimore City, Mr. Richardson was a member of the Maryland State Bar Association and the American Bar Association.

Mr. Richardson found time to partake of a hobby which afforded him great pleasure, that of music. Mr. Richardson was gifted with a fine bass voice and for many years sang in the Masonic Choir and directed the choir of St. John's Protestant Episcopal Church at Kingsville, Maryland.

Mr. Richardson was survived by a daughter, Miss Elizabeth Richardson, and two sons, John Richardson and Stanley L. Richardson, the latter a member of the Bar of Baltimore City.

By W. Albert Menchac.

RALPH ROBINSON

Born on June 3, 1867 at "Waverly," the stately estate on the Chester River in Queen Anne County, Maryland, Ralph Robinson was the son of John Mitchell Robinson and Marianna Stoughton Emory Robinson. His forebears stemmed from many of the distinguished families of that particular section of Maryland known as the "East-Cent Shore," and his lineage contains the names of Bennett, Emory, Hemmley, Lloyd, Mitchell and Tilghman.

John Mitchell Robinson, his father, was one of Maryland's most eminent sons. Coming to the Bar in 1849 and commencing the practice of law at Centreville, Maryland, he served successively as Deputy Attorney-General for the counties of Queen Anne and Kent, State's Attorney for Queen Anne County, and Judge of the Circuit, comprising the counties of Queen Anne and Kent. Upon the adoption of the Maryland Constitution of 1867, Judge Robinson was elected Chief Judge of the Second Judicial Circuit of Maryland, which included the counties of Cecil, Kent, Queen Anne, Caroline and Talbot. Thus, he became an Associate Judge of the Court of Appeals of Maryland. In 1883, upon the resignation of Chief Judge Alvey, Judge Robinson was appointed Chief Judge of the Court and served as such until his death in 1896.

Boyhood days at "Waverly" left a definite imprint upon Ralph Robinson's later life. There he gained a knowledge and love of nature, of the habits, rights and songs of birds, of trees and flowers. Hunting quail, duck shooting and fishing became his favorite sports, and his fondness for sailing had its inception in his youthful days on the Chester River. His life at "Waverly" also gave him a practical understanding of and fascination for agricultural pursuits. These interests continued with him and were a joy to him throughout the passing years.

In 1883 he entered the Episcopal High School at Alexandria, Virginia. His prior schooling was had at the county schools in Queen Anne County and in the schools at Annapolis, where his family spent the winters, while Judge Robinson was there in attendance upon the sessions of the Court of Appeals. At the Episcopal High School he joined the Blackford Literary Society. He soon became recognized as one of its foremost debaters, in his third year receiving the Society's highest honor—the gold medal given to its leading debater. A merited recognition also came to him when he was chosen School Yaledictorian.

Upon the completion of his preparatory education, Ralph Robinson entered the Johns Hopkins University in the Autumn of 1886, receiving his degree

of Bachelor of Arts in 1889. While there he became a member of the Maryland Alpha Chapter of the Phi Kappa Psi Fraternity.

True to his illustrious heritage, Ralph Robinson chose the legal profession as his life's calling and entered the Law School of the University of Maryland, from which institution he received the degree of Bachelor of Laws in 1891.

For a number of years he engaged individually in private practice. Shortly after the Baltimore fire in 1894 he became a member of the law firm of Bond, Robinson and Duffy, his partners being Edward Duffy and the late Nicholas P. Bond. Upon the death of Mr. Bond he resumed his individual practice. The scope of his practice, individually and as a partner, was extensive and varied, compelling frequent appearances in the State, not only in appellate courts and in the Federal Courts. For many years he was counsel for the Pennsylvania Railroad and its subsidiaries in Maryland. He early became recognized as a wise counselor and an attorney of sound legal learning, industry, ability and unswerving integrity.

Ralph Robinson became a member of the Maryland Bar Association in 1896, the year of its founding, and continued as such until his death. He was also a member of the Bar Association of Baltimore City and served as its president in the year 1940.

His interests, however, extended beyond the curtilage of his profession. From April, 1913 to October, 1917 he was commanding officer of the Maryland Naval Cadets, with the rank of Commandant. During this period of service the USN Iowa was assigned to the militia for one of its cruises, and Ralph Robinson had the distinction of commanding the old "battlewagon," which, under "Fighting Bob" Evans, had taken such a decisive part in the destruction of Admiral Cervera's fleet at the battle of Santiago on July 3, 1898.

Ralph Robinson took a deep interest in and was a profound student of history. He was one of Maryland's recognized authorities on the War of 1812. An enthusiastic member of the Maryland Historical Society, he made a number of contributions to its quarterly magazine, both articles and book reviews.

He was a member of the Society of Cincinnati, as well as of the Sons of the Revolution. Other memberships, in clubs and social organizations, being definite relationships to the professional and social life of Baltimore, included the Bachelors Cotillion, the Baltimore Country Club, the Gibson Island Club, the Green Spring Valley Club and the Maryland Club.

On October 6, 1891 he married Miss Ellen Gowen, daughter of James E. and Emeline Fox Gowen of Thiba, Delaware. He was a member of the Protestant Episcopal Church. Politically he was a staunch Democrat. Though he never sought or held political office, he always took lively interest in party affairs.

One of his classmates at the Episcopal High School (Dr. W. H. K. Pendleton) has written of the high regard in which Ralph Robinson was held by the Faculty and student-body, in that the high standards he set for himself and maintained in everything that

be undertook, of his approachability and of his generous heart and refined nature. These qualities, so apparent in this formative period of his life, developed and crystallized as the years rolled on. Gentle by nature and with a keen sense of humor, cultivated in mind and liberal in thought, courtly in manner and buoyant in spirit, and possessed of unusual personal magnetism, Ralph Robinson never seemed to grow old.

Esteemed by the members of his profession, both Bench and Bar, admired and revered by a host of friends, adored and loved by a singularly devoted family, his death, on February 15, 1947, in his eightieth year, after a brief illness, came as a great shock. He left an enviable heritage of a life successfully and nobly lived.

Surviving him are his wife; five daughters, Mrs. A. Adgate Dyer, Mrs. Norman H. Waddington, Mrs. Emeline Robinson Fisher, Mrs. Francis K. Read, and Mrs. Henry Scott Baker; seven grandchildren and three great-grandchildren.

Funeral services were held at St. David's Church, Baltimore, on February 17, 1947, and burial was in St. Anne's Churchyard at Annapolis, Maryland.

By Edward D. Martin.

GUSTAV FREDERICK SANDERSON

Gustav Frederick Sanderson was born on September 18, 1869, in Baltimore, Maryland, the son of Shirley F. Sanderson and Bertha E. Sanderson.

He spent his boyhood in Baltimore, and there received his early education in the public schools. Later he entered a Naval Preparatory School in Annapolis, after which he attended the Naval Academy.

By this time World War I was in progress, and stirred by the "call to arms" he left the Naval Academy to enlist with the Royal Canadian Air Force, with which organization he served overseas as an officer. Upon cessation of the war, he returned to this country and determined upon a law career. His choice was the University of Maryland, from which institution he received his LL.B. degree and was graduated in 1922.

Mr. Sanderson was imbued with the spirit of adventure and travel, and upon his graduation from the University of Maryland he took a cruise around the world. During the course of his life he also traveled extensively throughout the United States and Canada.

He became an active practitioner of the law and devoted a great deal of his time and efforts to the Bar Association of Baltimore City, in which he was a valued member and acted on many of its important committees.

His pleasant "hall fellow, well met" manner, together with his keen sense of humor, made for him a host of friends, both in his profession and socially, and endeared him to all who knew him. He was a member of the Scottish Rite Consistory, the Knights of Templar Commandery, the Shrine, and was past Worshipful Master of the John B. Latrobe Lodge A. F. and A. M.

He became ill about two years ago, which illness brought about his death on June 3, 1947. He is survived by his wife, Mrs. Lillie Sanderson, and his parents.

By Edwin E. Fennell.

FREDERICK F. SCHNEIDER

Frederick F. Schneider, former diplomat, passed away during the night of Wednesday, March 5, 1947, at the Morrell Park Nursing Home after an illness of more than a year. He was seventy-one years of age.

He was born in Vienna, Austria, on July 18, 1876. He graduated from the public schools of that city in July of 1890. At the age of fourteen he left Vienna and came to America by way of Antwerp, landing in New York, and came on through to Baltimore, where he resided continuously from that time until his death. He attended the German-English Public School No. 3 at Baltimore and Alsquith streets and graduated therefrom on June 4, 1892. Just two days later he took employment with the law firm of Louis F. and Percy C. Hennighausen, and remained with that firm until December 31, 1895. He then entered the office of the German Consul in Baltimore as secretary on January 1, 1900. A few months before entering the Consulate he matriculated at the Baltimore University School of Law and was graduated, cum laude, with the degree of Bachelor of Laws on June 7, 1907, and on September 20, 1907, he was admitted to the practice of law by the Supreme Bench of Baltimore City. He had sometimes previously filed his application to become a citizen of the United States and was granted his citizenship papers by the Superior Court of Baltimore City on September 10, 1907.

For quite a number of years he acted as manager of the German Consulate at Baltimore and for the District of Columbia and then, in 1925, was named acting consul and a year later, April 15, 1926, was given the permanent rank and acted in this capacity until the Consulate was closed in June, 1941.

Mr. Schneider was thoroughly honorable and a man of the highest integrity. He had a remarkable memory and once he gave his word in any transaction he was sure to keep it. He was a man of the highest integrity, and in any transaction he gave his word in any transaction he was sure to keep it. He was a man of the highest integrity, and in any transaction he gave his word in any transaction he was sure to keep it.

Mr. Schneider is survived by his widow, Beata, who lives at 601 Stoneleigh road, Stoneleigh, on the York road, and two sons. The elder, Kurt A. Schneider, of Richmond, volunteered for the Army Air Forces during three years of service. The other son is Ernest E. Schneider of this city. Two granddaughters also survive.

By John C. Kuop.

CLARKE L. SMITH

Clarke L. Smith was born in Jacksonville, Florida, on Christmas Day, 1879. He was the son of the late Avery and Adel T. Smith.

He attended the schools of his native State and as a very young man went to Chicago, Illinois, where he entered the Chicago Dental College. Upon graduation he went to Lexington, Kentucky, and for several years followed his profession there.

He came to Baltimore in 1907 and for several years worked in the real estate office of the late Hugh Burkett, a member of the Baltimore Bar, who then conducted a very successful business here. In the meantime he began reading law in the office of Attorney Williams C. McCord, late of this City, and in 1915 Mr. Smith was admitted to the Maryland Bar. He maintained an office within this City to the time of his death, but for several years also maintained an office in New York City.

Mr. Smith, while carrying on a general practice, very largely confined his activities to the field of Real Estate Law. His counsel and advice were sought by many prominent attorneys of the local Bar, and his opinions and advice were highly regarded.

He showed an unusual interest in the younger members coming into the profession, and many of the successful practitioners at the Bar today recall with gratitude many acts of kindness shown them during their early practice.

Mr. Smith died suddenly at his late residence, 435 Bloom Street, on the afternoon of August 25, 1947. He was buried from the Charles Law Funeral Parlor, on Madison Avenue, the following Thursday. Interment was made in Arbutus Memorial Cemetery.

Surviving Mr. Smith is a widow, Mrs. Maymie Smith; two sons, Dr. Clarke L. Smith, of Brooklyn, New York; J. Avery Smith, of Buffalo, New York; a daughter, Mrs. Anna Held, of Baltimore, Maryland, and a sister, Miss Augusta Smith, of Brooklyn, New York.

By Linwood G. Koger.

FRANK E. SMITH

Mr. Frank E. Smith, a member of the Baltimore Bar, died on June 25, 1947.

Mr. Smith was born in Baltimore, Maryland on June 23, 1896 and died on his birthday. He was educated in the Public Schools and Baltimore City College. He received his law degree from the University of Baltimore in 1922. Mr. Smith had been with the Veterans Administration since 1919, first in a secretarial position and after receiving his law degree, was transferred to its legal staff. Mr. Smith was a member of the Federal Bar Association and Washington and the Baltimore and Maryland State Bar Associations and a number of other organizations.

Mr. Smith is survived by his wife, Mrs. Gaynell Young Smith, his mother, Mrs. Regina Smith, a son, Dr. Norval F. Smith, and a grandson.

By Roper D. Williams.

HORACE T. SMITH

Horace Taylor Smith was born in Baltimore on June 30, 1884, the son of the late Horace L. and Elizabeth Jervis Smith. After graduating from the Baltimore Polytechnic Institute in 1902, he received his law degree from the University of Maryland in 1906 and was admitted to the Bar the following year.

He was an instructor in the Law School of the University of Maryland for some years, and between 1927 and 1929 he was a member of the Zoning Commission of Baltimore City. During World War I he served as legal advisor under the Selective Service Act. From the year 1933 until 1936 he was also a director of the Baltimore Bar Library. A member of the Barristers'

Club for many years, he became its President in 1904, and also belonged to the Maryland State and Baltimore City Bar Associations. He was elected as President of the Roland Park Civic League and served from 1928 until 1930. A Republican, he was frequently mentioned for the Federal Bench, and in the last election he was a candidate for Judge of the Supreme Bench of Baltimore City.

Mr. Smith was widely known for his interest in modal yachts, which he made and sailed. His chief hobby was woodcarving, and he made many pieces of fine furniture in his shop at home at 209 Edgevale Road, Roland Park.

He was a member of the Batave Place Baptist Church and held membership in the Baidric Club.

On September 17, 1947 he died, leaving surviving him his widow, Mrs. Mable Wolf Smith, and two daughters, Mrs. Margaret S. Schmeiser and Miss Sarah Legare Smith.

By *Justinus Gould.*

WILLIAM L. STUCKERT

William Louis Stuckert, the son of John P. Stuckert and his wife Mary, nee Wolf, was born in Baltimore, on March 1, 1887. He received his early education in the public schools of Baltimore, and upon finishing the elementary grades, worked in his father's cigar manufacturing establishment on East Baltimore Street. He continued his education by attending Baltimore Business College at night. He later entered the University of Baltimore, enrolling as a law student, graduating from that school in 1910. Upon successfully completing his Bar Examination, he entered private practice in Baltimore. Mr. Stuckert saw brief service in the Armed Forces of his country in 1918.

His ability as an Attorney can be recognized by the fact that he was appointed to the position of Assistant State's Attorney under Herbert R. O'Connor. After several years' service in this office he was appointed to the position of Chief Probation Officer, and for seventeen years was associated with the work of the Probation Department of the Supreme Bench, serving as its head during that time. Mr. Stuckert left his impact upon the work of probation on the national level as a member of the National Probation Association, being called upon to address the organization from time to time at its conventions. As a public speaker in and about Baltimore he was much in demand.

Mr. Stuckert throughout his adult life remained active in the work of his church, having been a life-long member of Immanuel Lutheran. He served his congregation well by remaining for many years a member of its Church Council. He likewise took an active part in the work of a national organization of Lutheran laymen, serving for a time as a member of its Board of Governors.

He made an outstanding contribution to the war effort of his country by giving generously of his time in serving continuously on a local Draft Board from the beginning of Selective Service until his death.

Mr. Stuckert died suddenly on January 25, 1947, being survived by his wife, the former Anna Stienke, whom he married on July 4, 1918, and a son, Paul. He remains lie buried in Immanuel Lutheran Cemetery on Grindon Lane.

By *Rev. Eldor A. Cassens.*

WILLIAM S. THOMAS

The members of the Bar Association of Baltimore City, with regret, learned recently of the death of William S. Thomas, a prominent retired member of the Association.

Mr. Thomas was well noted for his varied achievements both in his chosen profession and also for his contribution to the public welfare.

Born in Baltimore on January 31, 1898, the son of John L. Thomas and Azalia Hussey Thomas, he received his early education in both private and public schools of this City. He was graduated from Baltimore City College and received his legal education at the University of Maryland, School of Law, from which school he was graduated in 1920.

Mr. Thomas entered into the practice of law as an associate of his father in the year 1906. It was not long before he became one of the foremost attorneys of this State, winning the admiration and respect of his fellow members of the Bar, as one of the leading corporation lawyers of his day. Among others, he was retained by The Adams Express Company, The American Park-way Express Company, and the Park-way Express Agency, Inc. Early in his career he represented the City of Baltimore in many matters regarding Public Service Companies. He was also a director of the Union Railroad Company.

In 1916 Mayor Preston appointed Mr. Thomas to head the Private Commission of Baltimore City, which position he held until the Commission itself was abolished some years later.

Always a leader in civic activities, Mr. Thomas was also a Trustee of the James L. Kernan Hospital for Crippled Children, and it was largely through his efforts that the present modern building of that institution was erected. His interest in the welfare of children was also expressed by his untiring endeavors as Director of the Children's Playground Association.

Mr. Thomas was a member of the Bar Association of Baltimore City and a member of the Maryland State Bar Association. He was also a member of the University Club, The Baltimore Country Club, and the Everglades Club of the Inland Beach, Florida.

Upon his retirement from active practice of the law, he resided in Ventnor, New Jersey, and it was here that he was suddenly stricken with his last illness and succumbed on December 2 of last year.

Funeral services were held on December 5, 1947, at the Greenmount Cemetery Chapel. Mr. Thomas is survived by a brother, John L. Thomas.

By *Edwin S. Panetti.*

MINNY C. WEAVER

The late Henry C. Weaver was born in Baltimore, Maryland on August 27, 1876. He received his education in the local public schools and at the University of Maryland School of Law, from which he graduated in 1896 at the age of twenty-one years, and the same year was admitted to the Bar. Since that time he practiced law in the City of Baltimore until the time of his death on March 4, 1947, period of fifty years.

Mr. Weaver was a life member of the Masonic Order, Washington Lodge No. 3 A. F. and A. M.; a life member of St. Stephen's Evangelical Lutheran

Church, Hanover and Hamburg Streets, Baltimore, Maryland; President of the Church Council of St. Stephen's Evangelical Lutheran Church; and a member of the Bar Association of Baltimore City. In the later years of his life Mr. Weaver was associated with his son, Edwin C. Weaver, Esquire, in his practice of law and had been very active despite his age up until approximately six months before his death.

Mr. Weaver is survived by his wife, Mrs. Catherine E. Klumel Weaver; his daughter, Mrs. Carroll S. King, of Chambersburg, Pennsylvania; and his son, the said Edwin C. Weaver, Esquire.

By *Edwin S. Panetti.*

HIRAM J. WEISKOPF

Hiram J. Weiskopf, a highly respected lawyer of Baltimore City, died at Mercy Hospital on Tuesday evening, May 27, 1947, after having been stricken while trying a case.

Mr. Weiskopf was born in Baltimore on October 29, 1889, received his early education in the public schools, and was graduated from the University of Maryland School of Law in 1910. During his law school years he maintained himself by working as a bookkeeper for the Baltimore Bargain House. After his admission to the Bar on September 30, 1910, he devoted himself exclusively to the practice of his profession, acquiring a considerable reputation for ability, industry and the soundness of his opinion.

He and the late Judge Maurice Meyer were partners for many years; this association was dissolved only by the death of the latter. Mr. Weiskopf was a member of the Maryland State Bar Association, the Bar Association of Baltimore City, and the Commercial Law League of America.

His death closed a long and honorable career, and he will be mourned by the many who knew him as a fine lawyer and a good citizen.

He is survived by his widow, Ilka R. Weiskopf, and his son, Joseph Weiskopf.

By *David P. Gordon.*

HOWARD C. WILCOX

Howard C. Wilcox, son of Howard Ridgeway Wilcox and Elizabeth Collie Pereguy Wilcox, was born at Catonsville, Maryland, on October 5, 1890. He lived for many years at Severna Park, Anne Arundel County, Maryland.

He was graduated from Baltimore City College in 1904 and received his legal education at the University of Maryland Law School, from which he was graduated in 1907. After admission to the Bar, Mr. Wilcox engaged in the general practice of law in Baltimore City and Anne Arundel County until his death, on February 14, 1947, following a short illness.

Mr. Wilcox was an active and prominent member of the Masonic Brotherhood. He was a Past Master of Glen Burnie Lodge No. 213, A. F. and A. M., served as chairman of the Instruction Committee of that lodge, and was a trustee of the same. An acknowledged master of the principles and ideals of Masonry, he became widely known and well beloved to his fellow Masons as a result of having given his generosity of those principles and ideals to the teaching of his trainees and those ideals.

Surviving him are his widow, the former M. Etta Mesole of Severna Park, a daughter, Jeanne Tiffany Wilcox, and his mother, Elizabeth Collie Pereguy Wilcox of Baltimore.

By *W. Athey Menchine.*

ROBERT HOPE WILLIAMS

Born on November 2, 1870, at Woodville, Prince George's County, Maryland. Robert Hope Williams was the son of John Walter Williams and Esther Cornelia Hope Williams. His mother was originally from New England and his father a native of Charles County, Maryland. His forebears came from Calvert County, Maryland, and donated the land on which the Court House at Prince Frederick stands.

Boyhood days were spent on his parents' farm at Leonardtown, St. Mary's County, Maryland, from which stemmed his love for country life and trees and flowers. He was particularly fond of good bird dogs, and in his younger days trained many for his own personal satisfaction and pleasure. Hunting quail, duck shooting and fishing were among his favorite sports, in which he participated up to the very last. His life in Southern Maryland gave him a practical understanding of and a fascination for agricultural pursuits. These interests continued with him and were a joy to him throughout the passing years. After leaving St. Mary's County, his parents acquired the Compton Place at Laurel, Maryland, which in point of fact was actually a small farm.

He attended private school on the shores of the Patuxent River in Southern Maryland and then entered Charlotte Hall Academy. Later he enrolled at St. John's College, Annapolis, where he belonged to an honorary Greek Letter Society. "Gabe" Williams, as he was then known to his intimates, participated in many of the college activities, among these, playing end on the football team. Upon graduating from St. John's College in 1890, he taught school for a short period, after which he entered the University of Maryland Law School, where he received the degree of Bachelor of Laws, in addition to the degree of Bachelor of Arts which he had attained at St. John's College.

He then took up the private practice of law in Baltimore and was so engaged at the time of the Baltimore fire in 1904. Subsequently he became associated with the Maryland Casualty Company, and then with the legal staff of

the Consolidated Gas Electric Light and Power Company of Baltimore. After resigning from the latter company, he became associated with the United States Fidelity and Guaranty Company in 1916 and remained with that company until his retirement on January 1, 1943.

Throughout his life he was deeply interested in the work of the Protestant Episcopal Church and, as did his father before him, he served on vestries of several of the churches of which he was a member. At the time of his death he was a vestryman of the Church of the Nativity at Cedarcroft, Baltimore. The development of that Church from a Chapel into one of the churches of the Diocese of Maryland was a matter of great gratification to him. For many years he was an enthusiastic member of the Churchman's Club of Maryland.

He was a member of the Maryland Historical Society, the Southern Maryland Society, and the Early Bird Club and was most interested and active in the Alumni Association of St. John's College, Annapolis. He had a host of friends among his alumni.

On February 1, 1906, he married Miss Jennie Hermione Homan of Long Island, New York. He thereafter made his home in Baltimore, Maryland. He was a staunch "old line" Democrat and always

keenly interested in politics. A gentleman of the "old school," refined in temperament, genial and affable in manner, and with a strong sense of loyalty to his friends, "Bob" Williams, as he was generally known, readily won and held the admiration and esteem of those with whom he became associated, whether professionally or socially. His sudden death on December 10, 1947, in his seventy-first year, after a very brief illness, came as a great shock to his family and friends.

Surviving him are his wife; two sons, Robert Hope Williams, Jr. and Vander Voort Williams, of Baltimore; two grandchildren, Robert Judson Williams and Vander Voort Lee Williams; and a sister, Mrs. John D. Cronmiller, of Philadelphia.

Funeral services were held at Baltimore on December 19, 1947, and burial was in Woodlawn Cemetery, Baltimore, Maryland.

By Robert H. Williams, Jr.

M I N U T E S.

A meeting of the Supreme Bench was held on Saturday, February 7, 1948, at 10 o'clock a.m. All of the members of the Bench were present and the Chief Judge presided.

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

The Supreme Bench of Baltimore City on Saturday admitted the following candidates to practice as members of the local Bar: Robert W. Hiska, Robert E. Holt, Hugh Joseph Menaghan, Ed. J. Darrell Bell, Henry Edward Wisowaty, Herbert L. Cohen, Walter John Jaan and P. Louis Robe, Jr.

The motion of Clarence Johnson for a new trial, from his conviction of murder in the second degree in the Criminal Court, was argued, submitted and denied.

The motion of James Miller for a new trial, from his conviction of manslaughter in the Criminal Court, was argued, submitted and denied.

The motion of Murphy Tucker for a new trial, from his conviction of assault in the Criminal Court, was argued, submitted and held sub curia.

It was suggested that opinions be written by the Law Judges on the applicability of the new rules of the Court of Appeals to replevin, scire facias and attachments. The matter was referred to the Chief Judge with full power to act.

There being no further business, the meeting adjourned.

Estlin Beckwith
Secretary.

SUPREME BENCH OF BALTIMORE CITY

Assignment - Feb. 7, 1948Anselm Sodaro
James F. PriceState of Maryland
vs.
Clarence Johnson

Julius P. Robinson

No. 30031, September Term, 1947
Charge: Murder
Verdict: Guilty (2nd degree Murder)
From: Sherbow, J.*Denied*

William J. O'Donnell

State of Maryland
vs.
James Miller

Linwood G. Koger

No. 20498, May Term, 1946
Charge: Murder
Verdict: Guilty of Manslaughter
From: Manley, J.*Denied*

William J. O'Donnell

State of Maryland
vs.
Murphy Tucker

Morton E. Rome

No. 31305, Sept. Term, 1947
Charge: Assault with Intent to Rape
Verdict: Guilty 2nd Count
From: Manley, J.*Sub Curia***Supreme Bench Of Baltimore
Hears Arguments On New
Trial Motions**

The motions for new trials of Clarence Johnson, who was convicted of murder in the second degree, and of James Miller, who was found guilty of manslaughter, were denied by the Supreme Bench on Saturday. Arguments also were heard on the new trial motion of Murphy Tucker, convicted of assault and the decision was reserved by the Jurists.

Assistant State's Attorneys Anselm Sodaro and James F. Price appeared on behalf of the State in the Johnson case, while Assistant State's Attorney William J. O'Donnell presented the State's arguments in the Miller and Tucker cases. Tucker was represented by Morton E. Rome.

IRVIN J. DICKERSON,
CHIEF DEPUTY CLERK.



EARL E. AUER,
AUGUST BERKEMEIER,
JOSEPH B. GUFF,
ROBERT H. BOUSE,
EDWARD B. CLAYPOOLE,
HUGH A. KENNEDY,
JAMES T. PARSONS,
DEPUTY CLERKS.

IRVING KATZ,
CASHIER AND
DEPUTY CLERK.

Baltimore City Court,

JOHN O. RUTHERFORD, CLERK.

February 6, 1948

OFFICE OF THE CLERK,
128 COURT HOUSE,
ST. PAUL AND FAYETTE STREETS,
BALTIMORE 2, MD.

TELEPHONE,
LEMINSTER 7089.

Honorable W. Conwell Smith, Chief Judge and
Associate Judges of the Supreme Bench
Court House
Baltimore, -2
Maryland

Gentlemen:

Subject to your approval, effective March 1, 1948
I would like to make the following appointment and
promotions in the Baltimore City Court Clerk's Office.

1. The appointment of Mr. William Kramer of 4124
Pimlico Road. He is a graduate of the Baltimore City
College and studied accounting at the University of
Baltimore for two years. He is 38 years of age, married
and the father of three sons. You have my assurance
that he is of excellent character and reputation and
his record is without blemish.

2. The promotion of Mr. Hugh A. Kennedy to succeed
Mr. James H. Parsons as Court Clerk at Large. Since Messrs.
Robey and Pittman pay part of the salaries of our Court
Clerks, I discussed the matter with them and they are
agreeable.

3. The promotion of Mr. August Berkemeier to succeed
Mr. Edward Claypoole as Assistant Chief Deputy Clerk.
The vacancy in the case of Mr. Kramer exists by
reason of the retirement of Messrs. Claypoole and Parsons.
On January 8, 1948 the Bench approved the appointment of
Mr. Walter Vincent Fahey to fill one of the places.

I request immediate confirmation of the appointment
and promotions so that the salary arrangements may be made
with the Comptroller. It is also necessary to complete the
retirement system forms and the United States Withholding
certificates.

Sincerely yours,
THE BALTIMORE CITY COURT

John O. Rutherford
Clerk of the Court

February 9, 1948.

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

Dear Mr. Rutherford:

I beg to advise you that the appointment of Mr. William Kramer and the promotion of Messrs. Hugh A. Kennedy and August Berke-meier were approved by the Supreme Bench on Saturday last, the appointment and promotions to take effect forthwith.

Sincerely,

Edwin T. Dickerson.
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, February 19, 1948, at 12:30 p.m. All of the members of the Bench were present except Judge Manley, and the Chief Judge presided.

The motion of Murphy Tucker, for a new trial from his conviction in the Criminal Court of assault, was duly considered and was denied.

There being no further business, the meeting adjourned.

Edwin J. Deane
Secretary.

**Motion For New Trial Is
Overruled By Supreme
Bench**

The Supreme Bench of Baltimore yesterday overruled the motion for a new trial of Murphy Tucker, who was convicted of assault.

William J. O'Donnell, Assistant State's Attorney, appeared on behalf of the State, when arguments were presented to the Court on February 17th.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, February 26, 1948, at 12:30 p.m. All of the members of the Bench were present and the Chief Judge presided.

The application of Thomas B. Farnsworth, to have changes made in the records of the Criminal Court in 1929, when he pleaded guilty to forgery, was considered and denied.

A letter from Doctor Guttscher, relative to requesting an increase in the salary of Mr. Joseph Meyertholen, was referred to the Probation Committee with full power to act.

A letter from Mr. John O. Rutherford, suggesting the adoption of a resolution of appreciation with respect to Messrs. Edward B. Claypoole and James H. Parsons, who will retire March 1st, was considered, and it was deemed inadvisable for the Bench to take action. It was left to the members of the Bench to act individually as they might see fit.

Judge Niles reported there are about 50 savings bank accounts held by the Probation Department, and that Mr. Beck, City Auditor, had recommended the consolidation of these accounts in four accounts - in the Eutaw Savings Bank, Central Savings Bank, Savings Bank of Baltimore and Equitable Trust Company. The Probation Committee recommended that this be done with one exception, i.e., that unclaimed funds be put in one account. The Committee's Recommendation was adopted.

There being no further business, the meeting adjourned.

Edwin Nicholson
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, March 4, 1948, at 12:30 p.m. All of the members of the Bench were present and the Chief Judge presided.

A letter from Mr. Thomas J. S. Waxter, Director, Department of Public Welfare, in which Judge Waxter proposed that the Probation Department of the Supreme Bench should collect the payments from husbands in connection with prosecutions for desertion and abandonment, and at the end of each month turn over the collections to the Department of Public Welfare, in reimbursement of payments made by that department, was submitted, and the proposal of Judge Waxter was disapproved. There being no further business, the meeting adjourned.

Edwin Dickerson
Secretary.

ADVISORY COMMITTEE

THOMAS D'ALESSANDRO, JR., MAYOR
FRANCIS A. DAVIS, CHAIRMAN
DR. HURTINGTON WILLIAMS, EX OFFICIO



WILLIAM L. GALVIN
PHILLIPS L. GOLDSBOROUGH, JR.
L. EDWIN GOLDMAN
W. BOULTON KELLY
DR. ESTHER L. RICHARDS
DR. RALPH J. YOUNG

DEPARTMENT OF PUBLIC WELFARE

THOMAS J. S. WAXTER, DIRECTOR
327 ST. PAUL PLACE, BALTIMORE-2, MD.

February 3, 1948

*Disapproved
March 4, 1948*

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

Dear Judge Dickerson:

It is my understanding that for the year 1948, you will hear cases of non-support.

Recently, I had the privilege of discussing with you problems which the City Department of Welfare has in the whole matter of relating public assistance payments to Orders for support passed by the State's Attorney's Office and by the Criminal Court. We are aware that the orders passed by the State's Attorney's office do not have the legal effect of a Court Order.

The Department does have a close working relationship with Mr. Charles F. Snyder, Chief of the Probation Department, and his staff. The present procedure is that when a wife, with children, is receiving funds through the Probation Department under an Order and funds from the Department of Welfare to supplement the amount received through the Probation Department, the effort is made for the two Departments to work as closely together as possible.

In such an instance where the wife reports to this Department that she is not receiving payments from her husband, the amount that she receives is not adjusted until after she has reported the fact to the Probation Department and the Probation Department has notified the Department of Welfare that the man is either justified in discontinuing his payments temporarily due to illness, etc., or that the matter has been presented to the Criminal Court and definite action has been taken by the Judge. This procedure works smoothly in the general run of cases and the two Departments co-operate with one another satisfactorily.

There are, however, some mistakes that are made over a period of time by both agencies. I might say, further, that from time to time all of the active cases in the Department of Welfare are cleared through the file of the active cases in the

Judge Edwin T. Dickerson
Page #2

February 3, 1948

Probation Department.

The proposal has recently been made that a new procedure be adopted. It is proposed that in those instances where a wife is receiving money from the Probation Department and, also, public assistance money to supplement the Court Order, that the full amount of the woman's budget be granted monthly by the Welfare Department to the woman for herself and children.

Under this arrangement, the Probation Department would collect the payments from the husband and monthly account for such money to the Department of Welfare. The Welfare Department would take this money in reimbursement for assistance granted. This would mean that the woman would get the full amount of her budget from the Department of Welfare and would look to the Department of Welfare for these funds. At the end of each month, the Probation Department would send in collections as reimbursements and it would immediately be evident in each instance payments had not been made. It would then be the responsibility of the Probation Department and the wife, working together, to compel the husband, through the Court, to make up the deficiency and to keep his payments current.

The above proposal has been discussed by the Advisory Committee of the City Department of Welfare but that they are not at this point ready either to approve or disapprove such a procedure.

I have been, however, instructed to write to you as the presiding Judge of Criminal Court #3 to ask the attitude of the Supreme Bench toward such a proposal.

In conclusion, I would like to say that I have also discussed this with Judge Michael J. Manley who heard non-support cases during 1947. It was Judge Manley's feeling that the Welfare Department might well have a person attached to its staff who would attend the sessions of the Criminal Court where instances of non-support were heard which are known to the Department of Welfare. I might say that I feel that we should further explore this possibility.

Sincerely yours,



T. J. S. Waxter, Director
Department of Public Welfare

TJSW:F

February 6, 1948.

Hon. T. J. S. Waxter, Director,
Department of Public Welfare,
327 St. Paul Place,
Baltimore -2- Maryland.

Dear Judge Waxter:

I am in receipt of your letter of the 3rd instant, and will be very glad to bring it to the attention of the Supreme Bench at its next meeting. The matter will be fully discussed and I will write you again following the meeting.

Sincerely,

Edwin T. Dickerson.

March 4, 1948.

Hon. T. J. S. Waxter, Director,
Department of Public Welfare,
327 St. Paul Place,
Baltimore -2- Maryland.

Dear Judge Waxter:

Early last month I submitted to the Supreme Bench your letter of February 3, 1948, in which you proposed that the Probation Department of the Supreme Bench should collect and turn over to your department each month all payments received from husbands, in reimbursement of payments made by your department, but it was not acted upon until today.

At a meeting of the Supreme Bench today the proposal contained in your letter was disapproved, and I was directed by the Supreme Bench to so notify you.

I am quite sure that your department can receive, if it is not already receiving, full information from the Probation Department regarding payments collected by that department from husbands in connection with prosecution for desertion and abandonment.

Sincerely,

Edwin T. Dickerson.
Secretary.

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M I N U T E S.

A meeting of the Supreme Bench was held on Saturday, March 6, 1948, at 10 o'clock a.m., and the Chief Judge presided. Judges Sherbow and Dickerson were absent from the meeting of the Bench in open Court, but were present at the executive session held in chambers. The motion of Joseph W. Dober, for a new trial from his conviction of assault to rape, in the Criminal Court, was argued and submitted. The motion was granted with respect to the first count in the indictment and over-ruled as to the second.

Motions for admissions to the Bar were entertained, and the following were admitted to practice before the Courts of Baltimore City:

<p>Gonld Gibbons and Clement R. Mer- caldo were admitted to practice as members of the Baltimore Bar, by the Supreme Bench of Baltimore on Satur- day, upon the respective motions of Harry J. Anderson and Ellis M. Fell.</p>
--

The report of the Examiner-Master Committee was submitted and fully discussed. A Resolution was duly passed directing that Mr. Mason P. Morfit be requested to appear before the Bench on Thursday, March 11, 1948, at one o'clock p.m.; that the Bench had found fault with the conduct of his office, and that he be told that he must get rid of Mr. Hobbitt; that Mr. Morfit be requested to explain his fail-
ure to supervise the activities of ^{his office} and explain why he had failed to get rid of Mr. Hobbitt when his irregularities were called to the attention of Mr. Morfit about a year ago.

A Resolution was also duly passed requesting the Examiner-Master Committee to make a further report and to recommend what action should be taken in accordance with the findings and recommendations contained in their report.

There being no further business, the meeting adjourned.

C. J. Dickerson
Secretary.

Arguments Heard By Supreme Bench On Motion For New Trial

The Supreme Bench of Baltimore heard arguments on Saturday on the motion for a new trial of Joseph W. Dober, who was convicted of attempt to rape and assault. The Judges granted a new trial to Dober on the first count of the indictment in which he was accused of attempt to rape, but denied his new trial motion as to the second count, which charged him with assault.

Anselm Sodaro, Assistant State's Attorney, appeared on behalf of the State, while Michael F. Delea represented Dober.

March 8, 1948.

Mason P. Morfit, Esq.,
733 Title Building,
Baltimore -2- Maryland.

Dear Mason:

The report of the Examiner-Master Committee was submitted to the Supreme Bench on Saturday, March 6th, and I am enclosing a copy herewith.

I have been directed by the Bench to ask you to appear before the Bench in chambers on Thursday, March 11th, at one o'clock p.m., to discuss your supervision of the activities of your office and your failure to get rid of Mr. Bobbitt when his irregularities were called to your attention about a year ago.

Very truly yours,

Edwin T. Dickerson.
Secretary.

Encl.

Supreme Bench
of
Baltimore City

E. PAUL MASON
JUDGE

BALTIMORE 2, MARYLAND

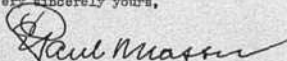
March 5th, 1948

Hon. W. Conwell Smith, Chief Judge,
Court House,
City.

Dear Judge Smith:-

Enclosed herewith is an Interim Report of the Committee on Examiners-Masters for presentation to the members of the Supreme Bench at the meeting tomorrow, March 6th. All of the Judges have been furnished with a copy.

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "E. Paul Mason". The signature is written in dark ink and is positioned below the typed name.

Hon. W. Cornwell Smith, Chief Judge,
and Associate Judges of the Supreme Bench

Gentlemen:-

The following is an Interim Report of the Examiner-Master Committee of the Supreme Bench of Baltimore City.

After the appointment of this committee, it decided to call upon Messrs. Morfit, Hill, Baxter, Bobbitt and Mrs. Sadie Deaver, the latter two being associated in Mr. Morfit's office, for an examination of their activities in connection with any overcharges made by the Examiners' offices for cases that had been heretofore referred to them for the taking of testimony in divorce matters and otherwise.

Your Committee had these parties before it on Tuesday, January 27th, in the chambers of the chairman. They were interrogated and their testimony reduced to transcript form by Mr. Clarence P. Goets, one of the official court reporters. This testimony has been available for the members of the Bench for several weeks and the Committee is under the impression that most of the Judges have read it.

In substance it shows that during the year 1947, in a number of cases which were acted upon by Mr. Morfit, bills for \$13.00 covering Examiner's fee and stenographic charges were rendered by Mr. Bobbitt, who accounted for \$12.00 and appropriated the additional \$1.00 for his own use. While Bobbitt stated that only infrequent cases received this treatment, your Committee is convinced that most of the cases were treated this way and that a \$12.00 fee was the exception rather than the rule.

Mr. Morfit testified that he was unaware that Bobbitt was drawing the bills for \$13.00 instead of \$12.00. The receipts were entered upon the books as \$12.00 payments and Mr. Morfit stated that there was nothing to acquaint him with what was going on. Mrs. Deaver, Mr. Morfit's clerk, stated that she knew about the overcharges by Bobbitt; that while she never made out any of the bills, she knew that they were being made out for the excessive amounts and that Bobbitt was appropriating the excess amount. Mrs. Deaver stated further that she did not acquaint Mr. Morfit with Bobbitt's activities and when questioned by this committee as to why loyalty to her employer did not compel her to acquaint Mr. Morfit with the facts, she said simply that she did not want to see Bobbitt lose his job. Apparently her apprehensions are unfounded as Mr. Morfit has been acquainted with the facts for months but has taken no steps to discharge Mr. Bobbitt or in fact do anything to him except to issue a reprimand.

Mr. Morfit is a respected member of the Bar of many years standing and your Committee certainly hesitates to doubt his statement to the effect that he was without knowledge of what was going on in his office. On the other hand, there is no question but that an Examiner in Equity should have full knowledge of what those persons who are required to accept his services are paying through his office and when such a situation goes on for a period of more than one year, as your Committee is convinced that it did in Mr. Morfit's case, under the very eyes of the Examiner, one is compelled to speculate on the value of that Examiner to the Supreme Bench in a position of trust and confidence which requires him to scrutinize the persons who appear before him and to prevent, insofar as it may be possible, any practice of deception or deceit in the obtention of a decree in matters that may be pending before the Equity courts.

In addition to the foregoing observations, it is apparent that Mr. Morfit has done nothing except issue the reprimand. Mr. Bobbitt enjoys the same confidential position that he has enjoyed heretofore. So far as the records show he still sends out the bills and receives the money and takes down the testimony and transcribes it. His position is a very confidential one and should not be held by a person who on his own admission has been guilty of deceiving his employer, the Judges of the Equity Courts, the Supreme Bench, the attorneys and the public with which he dealt. In the opinion of the Committee he has no place in the equity administration of justice in Baltimore City and if Mr. Morfit is unwilling to dispense with his services then, in the opinion of your Committee, the Supreme Bench should well consider dispensing with Mr. Morfit's services. At this point it might be suggested by the Committee that the fact that Mr. Morfit sees no impropriety in the continued employment of Mr. Bobbitt in his present position does not seem to be a happy omen for the future conduct of his office.

With respect to Mr. Hill, your Committee is convinced that his office is being conducted properly and no criticism can be offered of it at this time.

Another matter that has come to the attention of the Committee and which it feels should be likewise brought to the attention of the Bench, without any further delay, is as follows:

Immediately after the appointment of your Committee it was decided to investigate into the obtention of divorces by persons who were supposedly residents of Baltimore City but whose spouses are non-resident defendants. With this in mind your Committee selected 15 white and 15 colored cases from those that had been before the Examiners and Masters in recent months and where the defendants were non-residents. The Chief Probation Officer of the Supreme Bench was asked to check the residences of the plaintiffs, assigning a white probation officer to those cases which were deemed to involve white persons

and a colored probation officer to those cases involving colored parties. The cases were taken at random as it was only intended to be a spot-check. The results show that of the 15 white plaintiffs, 10 could be regarded as having really lived at the addresses given. In the other five cases the conclusion could be reached that the plaintiffs had lived at the addresses given for much less than the statutory residential period and in a few cases had never lived there at all.

With respect to the colored cases, the situation was more definite and apparently about 50% of the 15 cases indicated no residence whatsoever. Copies of the investigative report are attached hereto in order that the Judges may examine them in detail.

This situation is serious as it indicates a wide-spread falsifying of addresses and residences that in the opinion of the Committee would justify some of these cases being sent to the Grand Jury for investigation. The Committee is unable to carry through such a procedure as is required and suggests to the Bench that the State's Attorney be requested to designate a member of his staff to cooperate with the Committee in the examination of such cases as should probably receive the attention of the Grand Jury to the end that they may be presented to it in proper form with the necessary evidence of the facts.

The attention of the Committee has also been called to many cases filed against non-resident defendants, particularly by one attorney, most of these cases having been filed prior to the year 1947. The Committee is willing to examine the cases that were filed by this attorney during 1947 but it is of the opinion that it should not go back of that year. However, it would like to have the instructions of the Bench on this point. If the Bench will request the State's Attorney to designate a member of his staff, as above outlined, the Committee will examine all non-resident cases filed in 1947 and in the course of that examination will also inquire into the activities of the attorney indicated to see whether in its opinion the facts in a given number of cases tend to indicate that this attorney or any other attorney has been guilty of misconduct with respect to the filing of non-resident divorce cases.

Respectfully submitted,

Paul Mason
Chairman

Michael J. Manley

Chas. E. McLean

INVESTIGATIONS OF RESIDENCES OF PLAINTIFFS
IN DIVORCE CASES WITH NON-RESIDENT DEFENDANTS

PLAINTIFFS AND ADDRESSES:

Munnally, Samuel
1013 Linden Avenue
Photostat Folio 12
56 B-802 - No. 61945-B

Mr. John F. Eger, third floor apartment, 1013 Linden Avenue states Plaintiff's home is in Caswell County, North Carolina. Plaintiff is said to have come to this address "off and on" since the end of the War, but has never stayed more than a week at any one time. No identification as a registered voter.

Johnson, Eva Mae
1313 Division Street
Photostat Folio 12
56B - 1002 - No. 62335-B

Mrs. Mary Boston, who has lived at 1313 Division Street for over thirty years, stated, at first, when questioned that no one by the name of Eva Mae Johnson had ever lived there. When she learned it involved divorce proceedings, she preferred to have time to "contact a party" before she gave a final answer. The following day, Mrs. Boston stated Plaintiff had been there "off and on", had "stopped" there for two years, had left about a month ago, and that her present whereabouts are not known. Plaintiff cannot be identified in Permanent Registration of Voters.

Farmer, William D., Jr.,
Carver Apartments
Division Street & Lafayette
Avenue
Photostat Folio 11
56 B - 364 - No. 61120-B

The Carver Apartments contain fifty-nine separate apartments and maintains a full-time clerk in the office. The clerk, a Mrs. Bradford, stated no one by the name of Farmer had been rented an apartment since the building was established as an apartment house seven years ago. It was also stated that it was unlikely that a Wm. D. Farmer ever lived in with a regular tenant since any mail directed to such a person (not a registered tenant) would be cleared through the office. He cannot be identified as a registered voter.

Bliss, Frances E.
1516 McCulloch Street
Photostat Folio 11
56 B - 948 - No. 62227-B

Miss Carmen Topping, occupant of 3rd floor apartment, 1516 McCulloch Street, states Plaintiff maintains a room there, and comes there "off and on". It was said it was not known where she worked or where she was when not in the home as she, Miss Topping had never asked Plaintiff her "business". Plaintiff cannot be identified in Permanent Registration of Voters.

Shannon, Herman E.
1622 McCulloch Street
Photostat Folio 10
56 B-1150 - No. 62628-B

1622 McCulloch Street is a three story dwelling containing two apartments on each of the second and third floors and one apartment on the first floor. The tenant in each apartment was contacted and no one knew of a Herman Shannon having lived there during the past year. He cannot be identified in the files of Supervisors of Elections.

Brown, Oliver
1334 McCulloch Street
Photostat Folio 10
56 B-519- 62177-B

Living at 2534 McCulloch Street are a Mrs. Hicks, maternal aunt of Oliver Brown. When questioned as to his whereabouts she stated he "comes back and forth", but had not been seen in two months. There was a great deal of reluctance on part of the aunt to divulge any information. Despite the fact that her nephew supposedly "comes back and forth", she knew he had remarried, but knew nothing at all of his present whereabouts or where he had worked when he supposedly resided there. During the interview, a relative entered the room and warned Mrs. Hicks against "too much talking". No identification as a registered voter.

King, Lucille A.
1554 N. Olinor Street
Photostat Folio 10
56 B-914 - No. 62172-A

Three attempts have been made to interview the occupants of the above address but all efforts to date have proved unsuccessful. No one in the neighborhood could or would say whether such a person resided there. Plaintiff cannot be identified in Permanent Registration of Voters. Efforts will be continued to ascertain whether Plaintiff resided there.

Wilson, Augusta M.
339 Bloom Street
Potostat Folio 10
B-554 - No. 61456-B

Records of the Permanent Registration of Voters show that Augusta Wilson, 303 Prossman Street registered on January 13, 1940; and the 1942 Baltimore City Directory reveals that the Plaintiff lived at 303 Prossman Street. Her daughter Gwendolyn Wilson, 339 Prossman Street, stated that the Plaintiff resided at 339 Bloom Street during October, 1947 but lived at 303 Prossman Street 12 years previously.

Thompson, Ella
1005 Woodyear Street
Potostat Folio 10
B-531 - No. 62202-B

Records of the Permanent Registration of Voters show that Ella Thompson, 1005 Woodyear Street registered in 1939; the Dockets of the Clerk's Office of the Court of Common Pleas reveal that Ella Thompson, 1005 Woodyear Street married on December 18, 1947.

Thompson, Nannie
1402 Druid Hill Avenue
Potostat Folio 10
B-1153 - No. 53049-B

Mrs. Maggie Hubbard, 1402 Druid Hill Avenue stated that the Plaintiff lived in her house from 1916 until January, 1948.

Thompson, Virginia R.
Manchester Apartments
Bloom Street and Madison Avenue
Potostat Folio 10
B-983 - No. 62297-B

The owner, manager, elevator operator and janitor of the Manchester Apartments said that no one by the name of Virginia R. Thompson has lived on the premises during the past eight years. Plaintiff is not registered with the Permanent Registration of Voters.

Thursley, Mamie E. J.
1516 Presser Court
Potostat Folio 9
B-686 - No. 61716-B



The Manager of Gilmor Homes stated that the two bedroom unit at 1516 Presser Court has been occupied since September, 1942 by James and Jessie Ross and their 19 year old son. Mr. Ross stated, positively, that his unit has been occupied solely by himself, wife and son; and that the Plaintiff never resided there. His wife overheard this conversation, and, after the nature of this investigation was divulged to her, stated that the Plaintiff who is her sister lives in New York at the present time, but she lived at 1516 Presser Court. Following this statement her husband seemed bewildered. Plaintiff is not identified with the Permanent Registration of Voters.

Thoms, Evelyn M.
28 N. Monroe Street
Potostat Folio 9
B-1079 - No. 62487-B

Efforts are still being made to gain entry into this residence, and a report will be made as soon as the occupants can be interviewed.

Thoms, Marie
130 McCulloh Street
Potostat Folio 8
B-774 - No. 61889-B

Investigation disclosed that Plaintiff has resided at 1520 McCulloh Street since July, 1947, and previously lived at 1736 Druid Hill Avenue for eighteen months.

Thurgill, Alverstone
124 W. Lafayette Avenue
Potostat Folio 7
B-899 - No. 62138-B

Plaintiff has resided at 1624 W. Lafayette Avenue for the past two years.

NON-RESIDENT DEFENDANTS

Hoyle, Timothy ,
232 Laurens St.

Unable to get in or get any information whatever regarding this person.
Not registered with Supervisors of Election.

Goff, Mary G.
830 E. Baltimore St.

Secured a room here 7/12/46 and left 9/12/46. Present address unknown.
Not registered with Supervisors of Election.

✓ Sharp, Edna Merle
811 Gorsuch Ave.

Has lived at this address over two years and prior to that on N. Charles St.
Has lived in Baltimore over five years.
Not registered with Supervisors of Election.

✓ Durham, Nannie C.
1210 N. Charles St.

This person is known as Shirley Durham and is living at 1212 N. Charles St.
but formerly lived at 1210. Claims to have lived in Baltimore about six years.
Not registered with Supervisors of Election.

✓ Wortham, William E.
2963 Yorkway, Dundalk

Has lived at this address about three years.
Not registered with Supervisors of Election.

✓ Smith, Mary (colored)
913 E. Fayette St.

Has lived at this address about three years.
Registered with Supervisors of Election.

Mayfield, Ruth
223 N. Monroe St.

A neighbor states this person has not lived at this address since early summer.
Lived there less than a year. Is now living with her mother at an unknown address.
Not registered with Supervisors of Election.

Metcalf, Marie
3435 Reisterstown Road

Roomed at this address for seven months but moved away about three months ago.
Present address unknown.
Not registered with Supervisors of Election.

✓ Madsen, George W.
3346 E. Baltimore St.

Has lived at this address about 1 year and prior to that at 1101 Homestead St.
Not registered with Supervisors of Election.

✓ Kraft, Anne Green
3904 Cloverhill Road

This is parents' home and she has lived there twenty-three or twenty-four years.
Not registered with Supervisors of Election.

✓ Krout, Leroy A.
3532 Keswick Road

Has lived in this house twenty-eight years.
Not registered with Supervisors of Election.

Blackwell, Lavalette
1118 Greenmount Ave.

Formerly lived on the first floor at this address but moved away three months ago.
A tenant states she was in this house over a year. Present address unknown.
Not registered with Supervisors of Election.

✓ Pinkerman, Mary E.
516 S. Hanover St.

Has boarded here nearly two years and formerly lived in the house next door.
Not registered with Supervisors of Election.

NON-RESIDENT DEFENDANTS

Cannon, James (colored)
2810 Fox St.

Unable to gain entrance at this address but a neighbor states Cannon does live there.

Not registered with Supervisors of Election.

✓
Jubb, Anna V.
934 Burgundy St.

Has lived at this address with married daughter for two years. Prior to that, resided in Annapolis.

Not registered with Supervisors of Election.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, March 11, 1948, at 12:30 p.m. All of the members of the Bench were present except Judges Sayler and Sherbow and the Chief Judge presided.

Mr. Mason P. Morfit appeared before the Bench and stated that he had read the report of the Examiner-Master Committee, and felt that some aspects of the report were too severe, and stated that if any member of the Bench lacked confidence in him, he would be willing to retire from the office of Examiner. He said he was provoked with Mr. Bobbitt and was severe in his condemnation of him; that he was sick when called to see the Chief Judge and was not then able to break in a new stenographer; that he had tried to get one but found none suitable; and that it was not happy to live with Mr. Bobbitt day to day. He said he did not know if he could get well enough to continue as Examiner - had been put back by the report of the Committee; that there was a mistake in the report - that he had made no changes in the conduct of his office; that the statement that Mr. Bobbitt makes out and receipts bills was not correct, because he Mr. Morfit receipts most of the bills; that since October 1, 1947, he had had 800 divorce cases, and in 49 of them Mr. Bobbitt collected over \$12.00 a case, and all of the charges were proper; that he is not well now, and is not willing to sell his soul for the examinership; that he told Mr. Bobbitt he would have to go, but he has cases slated up to the ^{25th} and that he had told Mr. Bobbitt he would have to stay until he could get someone in his place; that Mr. Bobbitt said he wanted to resign. The Chief Judge stated that the report was not final but interim; that Mr. Bobbitt should not continue

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the work he is now doing. Mr. Morfit said that Mr. Bobbitt was now doing the work already made up, and that he, Mr. Morfit, had not made up his mind to do anything until the investigation should be concluded; that he had told the Chief Judge that he could not get rid of Mr. Bobbitt then, but would.

Judge Mason said he had no doubt of the personal integrity of Mr. Morfit, but did not like the way he was running his office. Mr. Morfit said that Mr. Bobbitt was doing the same work, making up bills, and that either he, Mr. Morfit, or Miss Deaver re-cipted them; that he had regularly attended hearings and asked questions since complaint was made; that some times he stayed in all the time, and also with the door open according to the lawyers, and that Miss Deaver usually receipted the bills and that he still has confidence in her; that if Bobbitt wants to resign and the Bench approves, he will let him resign, but that if anyone inquires as to Mr. Bobbitt he cannot say that he is honest. He cannot tell how long before he can get a substitute, and had no definite intention until he got the report.

Judge Mason said he did not think that Mr. Bobbitt ought to take any more testimony in Court cases.

Judge Dickerson expressed his regard for and confidence in Mr. Morfit, but thought he should put his house in order. Judges Tucker and Niles concurred with Judge Dickerson, and Judge Niles said he would not want Mr. Morfit to resign, but testimony should be taken in the presence of the Examiner. Mr. Morfit said he will think if he can do this.

Mr. Morfit said that he did not think that either Mr. Hill or

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Mr. Baxter would want to substitute for him in event of his incapacity.

There being no further business, the meeting adjourned.

Erwin Dickerson
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, March 18, 1948, at 12:30 p.m. All of the members of the Bench were present except Judges Sayler and Moser and the Chief Judge presided.

The Chief Judge presented a letter from Mr. Philip Heller Sachs, President of the Commercial Law League of America, suggesting that the Clerks of the various Courts prepare appropriate forms for filing suits in the various Courts, and that summonses in supplementary proceedings be sent by registered mail, on the ground that the work of the Courts would thus be expedited. His letter was referred to the Committee on Rules.

There being no further business, the meeting adjourned.

Edwin Dickerson
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, April 1, 1948, at 12:30 p.m. All of the members of the Bench were present except Judges Sayler and Moser and the Chief Judge presided.

It was decided to hold a term meeting of the Bench on April 23rd, at 10 o'clock a.m., at which time the Grand Jury for the May Term will be selected.

A form of jury notice and questionnaire was submitted by Judge Sherbow.

There being no further business, the meeting adjourned.

Edwin Robinson
Secretary.

April 1, 1948.

Honorable W. Cowell Smith,
Chief Judge, Supreme Bench of Baltimore City,
Baltimore, (2) Md.

Dear Judge Smith:

You have referred to the Committee on Rules for report a letter to you dated March 19, 1948, from Philip Heller Sachs, President of the Baltimore Members, Commercial Law League of America, in which the Supreme Bench is requested to instruct the Clerks of the law courts of Baltimore "to have printed appropriate forms for the filing of suits in the various courts", and to give consideration to the possibility of allowing summons by registered mail in the Supplementary Proceedings cases."

The Committee believes it is unnecessary, and possibly improper, for the Supreme Bench to order the Clerks of the law courts to provide new printed forms of declarations and other papers. The Clerks have heretofore furnished printed forms of pleadings, etc., for convenience of members of the Bar, and we are sure they will gladly continue this practice. They as well as lawyers are, of course, interested in seeing that any new forms that are printed will be suitable for practice under the rules recently adopted by the Court of Appeals and particularly those relating to Summary Judgments. The new rules have been in effect for only a short time, however, and until procedure thereunder has become fairly uniform the Clerks would not want to incur the large expense of printing new forms because of the chance that they might soon become obsolete and have to be discarded for other more appropriate forms.

We suggest that Mr. Sachs or a committee of his organization confer with the Clerks of the law courts about the matter, and, if this is done, we believe a mutually satisfactory disposition of the matter can be arranged.

As to the second request of Mr. Sachs, namely, that the Supreme Bench "give consideration to the possibility of allowing summons by registered mail in the Supplementary Proceedings cases," we have the following to say:

The manner of serving writs of summons is regulated by the statute, and there is no authority for making such service by mail. In mentioning "summons" Mr. Sachs probably means to include orders of Court passed in pursuance of Article 75, sections 147 and 148 of the code (Supplementary Proceedings) requiring the appearance

of an order of court requiring his appearance before the Commissioner and he complies with it, no question as to the procedure arises regardless of the method by which notification is given, but if such a person should fail to appear he could not be punished for contempt or brought in by attachment unless service of the order has been made as required by the statute.

Any change in the method by which service of an order may be "duly" made must be effected through an Act of the Legislature or Rule of the Court of Appeals, and cannot be accomplished by a Rule of the Supreme Bench.

Respectfully submitted,

E. Paul Mason

Joseph Sherbow

John T. Tucker

COMMITTEE ON RULES.

M I N U T E S.

A Term Meeting of the Supreme Bench was held on Friday, April 23, 1948, at 10 o'clock a.m. All of the members of the Bench were present except Judge Niles and the Chief Judge presided.

The Grand Jury for the May Term 1948 was drawn in the following manner: Each member of the Bench submitted to the Chief Judge not more than five nominations for the Grand Jury, and a sufficient number of names was taken from the general list to make up 100 names. These 100 names were placed in a box and shaken up. From the box the members of the Bench, in turn, each drew one name until 23 had been selected. These 23 constituted the Grand Jury for the May Term.

The members of the Bench, in the same manner, then selected 20 alternate Grand Jurors, from which any vacancy occurring in the Grand Jury will be filled in the order in which the 20 were drawn.

The names of the jurors not drawn from the list of 100, as well as those drawn and challenged, were returned to the Jury Clerk, to be placed by him in the wheel from which are to be drawn the petit jurors for the next three weeks.

On motion, it was resolved that only the original list of Grand Jurors for the May Term shall be published, and that no information shall be given by anyone connected with the Courts regarding the alternate list; the Judge of Part I of the Criminal Court and the Chief Judge were furnished copies of the alternate list.

Judge Francee agreed to take the final week of the Summer recess in civil matters, and Judge Sherbow agreed to take up criminal cases in the same week.

By resolution the Chief Judge was requested to ask the Mayor of Baltimore City to place the Court House and People's Court loans on the ballot at the election in November.

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There being no further business, the meeting adjourned.



Secretary.

May Term Grand Jury Is Selected By Supreme Bench

The Grand Jury for the May Term was selected by the Supreme Bench of Baltimore yesterday. The jurors are called for Monday, May 19th, when the local Courts will convene for the May Term.

Those selected to serve on the Grand Jury are:

Amrhein, George J., 1435 Bolton street.
Boswell, Grover C., 626 South Marcon street.
Brandt, Charles E., 512 Woodside road.
Eldridge, John T., 2809 Alvarado square.
Fink, Arthur P., 2716 Inglewood avenue.
Pitpatrick, Martin A., 1525 Shady-side road.
Fard, Harry M., 3401 Dennyln road.
Gleus, Joseph W., 318 Taplow road.
Grant, Morton A., 714 North Charles street.
Hoff, Florence D., 3515 North Calvert street.
Jones, Elizabeth S., 4410 Ethland avenue.
Katz, Myles, 3308 Labyrinth road.
Mangels, Walter B., 6306 St. Albans way.
Offer, Francis J., Greenway Apts., Charles & 34th streets.
Pearre, Sifford, 6 Blythwood road.
Ritterbusch, Henry G. D., 21 South Hillwood avenue.
Holston, Charles H., Jr., 6301 Spring-lake way.
Taylor, Milburn B., 1306 Division street.
Thompson, George D., 402 Hossiter avenue.
Tubman, Carroll, 311 East 33rd street.
Webb, Frank E., 1320 Union avenue.
Williams, Samuel K., 2327 Druid Hill avenue.
Woody, Arthur B., Northway Apts.

ALTERNATE LIST

Saunders, Wilton V., 609 Stamford Road
 Sackett, Walter J., 3700 Echodale Avenue
 Johnson, Mary E., 2013 Woodruff Avenue
 Limpert, Mildred E., 4946 Parkside Drive
 Shaffer, Claud, 4130 Roland Avenue
 Duvall, Ernest M., 3405 Breenway
 Selis, Leon E., 3200 Vickers Road
 Hoopes, Eugene F. Jr., 318 E. 20th Street
 Burnham, George H., 578 W. University Parkway
 Nelligan, Maurice J., 5006 Edmondson Avenue
 Chaney, Chester K., 1004 N. Dukeland Avenue
 Porter, Margaretta C., 4822 Roland Avenue
 Harris, B. Neal, Sr., 4305 Norwood Road
 Brooke, Charles G., 2634 Guilford Avenue
 Chase, William J., 1517 W. Franklin Street
 Lane, John E., 2211 W. Pratt Street
 Bergland, John M. Jr., 313 Overhill Road
 Myers, Thomas E., 2410 Edmondson Avenue
 Demuth, Howard E., 4305 St. Paul Street
 Erberts, Joseph J., 601 N. Chapelgate Lane

 W. Conwell Smith

 Edwin T. Dickerson

 J. Abner Saylor

 Emory H. Hiles

 John T. Tucker

 Charles E. Moylan

 Joseph Sherbow

 E. Paul Mason

 Herman M. Moser

 Michael J. Manley

 Joseph C. France

VACATION ASSIGNMENT - SUMMER, 1948

<u>WEEKS</u>	<u>CRIMINAL COURT</u>	<u>EQUITY COURTS</u>
June 28 - July 3	Judge Saylor	Judge Smith
July 6 - 10	" Smith	" Saylor
July 12 - 17	" Tucker	" Niles
July 19 - 24	" Niles	" Tucker
July 26 - 31	" Sherbow	" Mason
August 2 - 7	" Mason	" Sherbow
August 9 - 14	" Dickerson	" Manley
August 16 - 21	" Manley	" Dickerson
August 23 - 28	" France	" Moser
August 30 - Sept. 4	" Moser	" France
Sept. 6 - 11	To Sherbow	To France

M I N U T E S.

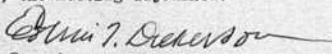
A luncheon meeting of the Supreme Bench was held on Thursday, April 29, 1948, at 12:30 p.m. Present the Chief Judge and Judges Niles, Tucker, Moylan, Sherbow, Mason and Dickerson.

The Chief Judge presented a letter from Doctor Flack, relative to the revision of the local law respecting the selection of jurors. The letter was referred to the Rules Committee and the Jury Committee, with full power to act.

The Chief Judge presented a letter from Mr. Wilford L. Carter, Clerk of the Criminal Court, requesting approval of an increase of salary for Mr. Frank J. Peltz from \$2,300.00 to \$5,000.00 a year. This letter was referred to Judge Sherbow, with authority to investigate and report on the equalization of the salaries of all of the court clerks of the Criminal Court, the Peltz recommendation to be held in abeyance until Judge Sherbow shall have completed his investigation of and shall report on salaries of such clerks.

The Chief Judge was requested, by motion, to take up with the Sheriff of Baltimore City the notation on returns of service the service of motions for summary judgment where such motions shall have been made.

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, May 6, 1948, at 12:30 p.m. All of the members of the Bench were present except Judge Sayler, and the Chief Judge presided. The Probation Committee recommended to the Bench the appointment of Mr. Thomas Perry MacCarthy, as Deputy Chief Probation Officer. By a majority vote the report was approved, and Mr. MacCarthy was selected to serve during the usual trial period of six months. Mr. Irvin Cooper was selected as a grand juror to fill an existing vacancy. *Judge Maule requested that L. be recorded again in appointment*
The Chief Judge reported that the Sheriff had agreed to make proper returns of service of process, and that he was writing a full letter to the Clerks of each of the Common Law Courts. There being no further business, the meeting adjourned.

Edwin Beckwith

Secretary.

Supreme Bench
of
Baltimore City

ENORY H. NILES
JUDGE

BALTIMORE 2, MARYLAND

May 5, 1948

Hon. W. Conwell Smith, Chief Judge,
Court House,
Baltimore 2, Maryland.


Dear Judge Smith:

The Probation Committee recommends the appointment of Thomas Perry Mac Carthy as Deputy Chief Probation Officer.

This action is made unanimously by the Probation Committee, and has received the approval of Mr. Charles F. Snyder, Chief Probation Officer.

As Chairman of the Probation Committee, I request that the matter be placed before the Bench at its next meeting, and that the approval of the Bench be obtained for this appointment for the usual trial period of six months.

Sincerely yours,



Chairman, Probation Committee.

EHN/jp

Copies to
Hon. Charles E. Moylan.
Hon. Herman M. Moser.
Charles F. Snyder, Esq.

Grand Jury For May Term Organized In Criminal Court Yesterday

The Grand Jury for the May Term was organized in the Criminal Court yesterday before Judge Herman M. Moser. Myles Katz was appointed Foreman of the Body, while Charles H. Roloson, Jr., was designated as Assistant Foreman. The following were selected to serve as members of the Penitentiary Committee: John E. Lane, Chairman; Arthur P. Fink, Morton A. Grant, Harry M. Ford, Maurice J. Nelligan, Joseph J. Erbets and Chester K. Chaney.

The Grand Jury as organized, follows:

Boswell, Grover C., 626 South Mason street.

Brooke, Charles G. Sr., 2634 Guilford avenue.

Chaney, Chester K., 1604 North Duke-lane avenue.

Cooper, Irvin, 825 Brooks lane.

Eldridge, John T., 2909 Alvarado square.

Erbets, Joseph J., 601 North Chapel-gate lane.

Fink, Arthur P., 2716 Inglewood ave-nue.

Fitzpatrick, Martin A., 1622 Shady-side road.

Ford, Harry M., 3461 Denalyn road.

Glenn, Joseph W., 313 Taplow road.

Grant, Morton A., 714 North Charles street.

Hoff, Florence D., 3515 North Calvert street.

Hoopen, Eugene F., Jr., 515 East 20th street.

Jones, Elizabeth S., 4419 Ethland ave-nue.

Katz, Myles, 3008 Labyrinth road.

Lane, John E., 2211 West Pratt street.

Myers, Thomas E., 2410 Edmondson avenue.

Nelligan, Maurice J., 5006 Edmond-son avenue.

Ritterpusch, Henry G. D., 21 South Elwood avenue.

Roloson, Charles H. Jr., 3301 Spring-lake way.

Shaffer, Claud, 4120 Roland avenue.

Thompson, George D., 402 Rowdter avenue.

Tubman, Carroll, 311 East 33rd street.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, May 13, 1948, at 12:50 p.m. All of the members of the Bench were present except Judge Saylor, and the Chief Judge presided. It was resolved that the Chief Judge should appoint a committee, of which he should be chairman, to take up with the Board of Estimates the question of the million dollars loan for the renovation of the Court House. The Chief Judge suggested that the Court House Committee, in addition to himself, should appear before the Board of Estimates.

There being no further business, the meeting adjourned.

Erwin Deussen
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, May 27, 1948, at 12:30 p.m. All of the members of the Bench were present except Judges Manley and Moylan, and the Chief Judge presided.

Judge Moser submitted to the Bench a letter from Mr. Joseph Kadans of the Baltimore Bar, offering his services, without charge, for a period of three months, to persons accused of crime, in order to gain trial experience and become qualified to represent indigent prisoners thereafter. It was the sense of the Bench that the letter was highly improper, and ^a ~~the~~ solicitation of business, especially in view of the fact that the Judges of the Criminal Courts appoint and exercise supervision over counsel appointed by the Court. Judge Moser agreed to reply to Mr. Kadans' letter on behalf of the Judges sitting in the Criminal Court.

It was resolved that the Jury Clerk be authorized to purchase an electric typewriter, subject to the approval of the Budget Director, to be paid for out of such account as may be directed by the Budget Director.

It was decided to hold the Term Meeting of the Supreme Bench on Monday, June 21, 1948, at 11 a.m.

There being no further business, the meeting adjourned.


Secretary.

JOSEPH KADANS
ATTORNEY AT LAW
16 ST. PAUL STREET
BALTIMORE 2, MD.

May 25, 1948

Hon. Edwin T. Dickerson,
Associate Judge,
Supreme Bench,
Courthouse,
Baltimore, Md.

Dear Judge Dickerson:

I am writing identical letters to each Judge presiding in the Criminal Courts of Baltimore City.

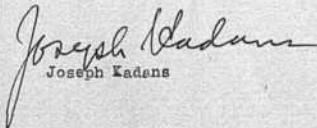
Unless there is objection, I propose to offer my services without charge for a period of three months to persons of Baltimore City accused of crime.

The purpose of this unusual action is to enable me to gain trial experience, so that perhaps at some future date I may be considered qualified to represent indigent defendants as a Court-appointed counsel, and also so that I will become prepared to render a better service to private clients.

I regard this activity as being similar to a physician serving a hospital clinic without pay.

I feel that as a courtesy to Your Honor I should notify you of this plan in advance.

Very respectfully,


Joseph Kadans

May 26, 1948.

Joseph Kadens, Esq.,
16 St. Paul Street,
Baltimore -2- Maryland.

Dear Mr. Kadens:

I am in receipt of your letter of the 25th instant.

I shall, of course, not take any action upon your proposed plan, as an individual member of the Bench.

Very truly yours,

Edwin T. Dickerson.

C O P Y

May
27th
1948

Joseph Kadans, Esq.,
Attorney at law,
16 St. Paul Street,
Baltimore-2, Md.

Dear Mr. Kadans:

Judges Dickerson and Niles
have suggested I write you in connection with
your communication of the 25th inst.

We believe it would be highly
improper for you to offer your services to
persons in Baltimore City accused of crime.
The Judges of the Criminal Court exercise super-
vision over the appointment of counsel for
indigent prisoners.

Very truly yours,

(sgd) Herman M. Moser

MONDAY, JUNE 7, 1948

**Summer Assignment For
Supreme Bench Judges
June 28 To Sept. 11**

The Summer assignment of the Judges of the Supreme Bench of Baltimore City follows:

June 28-July 3, Criminal Court, Judge Saylor; equity courts, Chief Judge Smith.

July 6-10, Criminal Court, Chief Judge Smith; equity courts, Judge Saylor.

July 12-17, Criminal Court, Judge Tucker; equity courts, Judge Niles.

July 19-24, Criminal Court, Judge Niles; equity courts, Judge Tucker.

July 26-31, Criminal Court, Judge Sherbow; equity courts, Judge Mason.

August 2-7, Criminal Court, Judge Mason; equity courts, Judge Sherbow.

August 9-14, Criminal Court, Judge Dickerson; equity courts, Judge Manley.

August 16-21, Criminal Court, Judge Manley; equity courts, Judge Dickerson.

August 23-28, Criminal Court, Judge France; equity courts, Judge Moser.

August 30-September 4, Criminal Court, Judge Moser; equity courts, Judge France.

September 6-11, Criminal Court, Judge Sherbow; equity courts, Judge France.

C O P Y

JOSEPH KADANS
Attorney at Law
16 St. Paul Street
Baltimore 2, Md.

June 3, 1948.

Hon. Herman M. Moser
Associate Judge
Supreme Bench
Courthouse
Baltimore, Maryland

Dear Judge Moser:

Receipt is acknowledged of your letter dated May 27, 1948, in reply to my letter of May 25, 1948, wherein you state that it would be highly improper for me to offer my services to persons in Baltimore City accused of crime.

Perhaps my letter of May 25th was not plain, or perhaps it did not fully disclose what I had in mind. Firstly, I had no intention of making any public announcement of my availability to defend accused persons, and perhaps you believed that I intended making a public announcement. I merely desired to have the privilege, when I found time to do so, to step forward when an accused person states that he cannot afford to obtain counsel and to offer to defend that person without charge, merely as a charitable offer of help, but which would also provide me with experience. This would save the State the expense of paying for Counsel and I thought this was a meritorious offer of assistance. In fact, when I wrote to State's Attorney Wells about the matter, after suggesting that I communicate with the trial judges of the Criminal Court, he thanked me for my "generous offer".

Secondly, I did not intend to seek to defend each and every person accused of crime, but only as many as I would have time for, perhaps two or three cases aweek or maybe more, or less.

Also, at the same time that I wrote to Your Honor, I wrote to the American Bar Association (of which I am a member) and sent a copy of the letter of the 25th to them, and stated as follows:

"Before going ahead with the activity mentioned, I would like very much to have an opinion from your Committee as to whether or not the proposed action may be unethical."

Today, I received a reply from the Hon. Henry S. Drinker, Chairman, Standing Committee on Professional Ethics and Grievances, dated June 1, 1948 reading as follows:

"Your inquiry of May 25th has been forwarded to me for reply.

"I see nothing unethical in your representing indigent defendants without charge for three months, or any other

-2-

period, or of your advising the local judges that you propose to do so, but you may not properly advertise this fact. See Opinions 148 and 192, a copy of each of which is enclosed; this, despite Opinion 169, which you will please note."

Opinion 148 reads in part as follows:

"As to the first of these questions there would seem to be no doubt. The defense of indigent citizens, without compensation, is carried on throughout the country by lawyers representing legal aid societies, not only with the approval, but with the commendation of those acquainted with the work. Not infrequently services are rendered out of sympathy or for other philanthropic reasons, by individual lawyers who do not represent legal aid societies. There is nothing whatever in the Canons to prevent a lawyer from performing such an act, nor should there be. Such work is analogous to that of the surgeon who daily operates in the wards of the hospitals upon patients free of charge--- a work which is one of the glories of the medical profession."

If your Honor would like to review the various Opinions enclosed with the letter from Mr. Drinker, I would be pleased at your convenience to bring them to you.

Incidentally, under date of May 11, 1948, I wrote to the Hon. W. Conwell Smith, Chief Judge, seeking permission to proceed in a manner similar to that outlined in the letter to you under date of May 25, 1948. I was unable to ascertain, from your letter of May 27th, whether or not your reply could also be considered as a reply to my letter to Judge Smith of May 11th, and I would appreciate some clarification as to that point.

In view of the further explanations contained in this letter, and in view of the letter from Mr. Drinker, do you still consider that it would be improper for me to offer my services to persons accused of crime, with the understanding that there would be no public announcement of this fact, that my services would be gratis and offers of payment rejected, and that I would only undertake to handle the defense of cases that I felt that I could defend efficiently?

Very respectfully,

(sgd) Joseph Kadans

MINUTES.

^{TERM}
A meeting of the Supreme Bench was held on Monday, June 21, 1948, at 10 o'clock a. m. All of the members of the Bench were present except Judge Dickerson and the Chief Judge presided.

A resolution was adopted authorizing the Budget Committee to submit a tentative budget to the Mayor and City Council on August 1st as requested.

The Grand Jury for the September Term and an alternate list of seven persons were selected.

The appointment of Mr. Frank L. Ensor as Assistant Clerk in the office of the Clerk of the Superior Court was approved.

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

The Supreme Bench yesterday admitted Walter Glicriat Goss Finch and John Edward Hamilton Bailey to practice as members of the Baltimore Bar, upon the respective motions of William S. Wilson, Jr. and James L. Benjamin.

There being no further business, the meeting adjourned.

Edwin Deussen
Secretary.

P.S. The Clerks of the Courts were authorized to close their offices at 12 o'clock noon on Saturdays from July 1st to Sept 13 & on other week days ~~at~~ at 3 o'clock P.M.

ED

Supreme Bench
of
Baltimore City

W. CONWELL SMITH
CHIEF JUDGE

BALTIMORE 2, MARYLAND

June 21, 1948

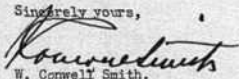
Dear Ned:-

At the meeting of the Bench today a resolution was adopted authorizing the Budget Committee to submit a tentative budget to the Mayor and City Council on August 1, as requested.

The Bench selected an alternative list of seven persons for the Grand Jury, copy of which is enclosed herewith.

The Bench approved the appointment of Frank L. Ensor as an assistant clerk by Luther Pittman.

Sincerely yours,



W. Conwell Smith.

Honorable Edwin T. Dickerson
Court House
Baltimore, Maryland.



M. LUTHER PITTMAN, Clerk

Superior Court
of Baltimore City
Baltimore 2, Md.

June 18, 1948

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 Frank L. Ensor as an assistant clerk, to take the place of Joseph Hanson, who retired as of June 1, 1948.

Mr. Ensor has been employed as a recorder in the office for a year and a half, and his work in this capacity has been entirely satisfactory. His appointment is a promotion in view of his satisfactory service.

Very truly yours,

M. Luther Pittman

approved 6/21/48.

June 21, 1948.

M. Luther Pittman, Esq.,
Clerk of the Superior Court,
Court House, City -2-

Dear Mr. Pittman:

I beg to advise you that your appointment of Mr. Frank L. Ensor as
Assistant Clerk in lieu of Mr. Joseph Hanson retired, was today
approved by the Supreme Bench of Baltimore City.

Very truly yours,

Edwin T. Dickerson.
Secretary.

ALTERNATE LIST

Ghingher, Ida G. (Mrs. John), Roland Park Apts., Upland Road
Heubeck, Isabel D. (Mrs. Geo. F.) 501 W. University Parkway
Offer, Francis J., Greenway Apartments, 3401 N. Charles St.
Cohen, Sidney D., 3510 Reisterstown Road
Pitt, Linwood L., 1808 Rosedale Street
Chelf, Elizabeth L. (Mrs. Irving F.), 3913 Ednor Road
Thompson, John D., 1317 Webster Street

W. Conwell Smith

Edwin T. Dickerson

J. Abner Saylor

Emory H. Hiles

John T. Tucker

Charles E. Moylan

Joseph Sherbow

E. Paul Mason

Herman H. Moser

Michael J. Manley

Robert France

JUNE 22, 1948

Grand Jury For September Term Selected By The Supreme Bench

The Grand Jury for the September Term was selected by the Supreme Bench of Baltimore yesterday, they are called for Tuesday, September 14th, when the local Courts will convene for the September Term.

Those selected to serve on the jury are:

Arrington, Alice B., 1301 Madison avenue.
Buckless, George F., 3120 Glendale avenue.
Callis, Ulysses S., 2013 McCulloh street.
Cohen, Aaron Benjamin, 3022 Bonner road.
Dudley, Margaret M., 2015 East Preston street.
Fisher, Lula Mae, 2005 North Fulton avenue.
Jordan, Thomas, J., 4204 Loch Raven boulevard.
Katzentels, William, 2203 Linden avenue.
Krahe, Carl L., 6200 Birchwood avenue.
Lucas, Leroy J., 840 North Augusta avenue.
Lynch, Mary Edith, 2403 Druid Hill avenue.
McKeena, William C., 705 Linard street.
Mello, Manuel J., 1204 McElderry Court.
Milanich, Estelle, 2301 Eastern avenue.
Panitz, Isidor, Lake Drive Apts., 903 Lake drive.
Powell, Gilbert S., 216 Mallow Hill avenue.
Ruth, Mary Nelson, 10 Hillside road.
Sells, Leon E., 3200 Vickers road.
Smith, Roy Edward, 2810 West Mashee street.
Spielman, Samuel I., 3902 Forest Park avenue.
Talbot, William W., 2632 Beechland avenue.
Triplett, Dr. William H., 5209 Edmondson avenue.
Wilcoxon, Irwin J., 3806 Juniper road.

Clerks' Offices Of Local Courts To Close 3 P. M. In Summer Months

The Judges of the Supreme Bench of Baltimore City yesterday authorized the Clerks of the local Courts to close their offices at 3 P. M. instead of the usual hour of 4 o'clock from July 1st to September 13th.

The Clerks are permitted, under the order, to close their offices at noon on Saturdays, instead of the customary closing time of 1 P. M.

M I N U T E S.

A special meeting of the Supreme Bench was held on Thursday, September 9, 1948, at 12 o'clock noon. The Chief Judge and Judges Tucker, Moylan, France and Dickerson were present.

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

Thirty-four new attorneys were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore yesterday.

Those admitted to practice are: Fredrick J. Green, Gordon M. Allen, O. Meredith Wilson, George H. F. Eberman, Mitchell Stevan, Wellford H. Ware, Lillie G. Hahn, Charles H. Reed, Clifford C. Bruck, Alfred I. Malenon, Solomon M. Schapiro, Frank I. Fuller, III, Harrison M. Robertson, Jr., Charles A. Hysan, David I. Dudley, Harwood D. Jackson, E. Thomas W. Stahl, William E. Schoeberlein, Reginald D. Malloy, Henry L. Rogers, Bernard J. Sef, James S. Sfikas, John P. Zebelen, Jr., John W. T. Webb, Howard I. Scamra, Jr., Norman Hochberg, Bernard M. Longstreth, Vernon L. Knecht, F. Duncan Cornell, Nolan P. Chipman, Densell C. Blevins, Karl M. Koudelka, James R. Crook, Jr., and William R. Price, Jr.

Four new grand jurors were chosen for the September Term, in place of the four originally selected who were excused.

There being no further business, the meeting adjourned.

**Four New Grand Jurors For
September Term Selected
By Supreme Bench**

The Supreme Bench of Baltimore yesterday selected Isabel D. Heubeck, 501 West University Parkway; Francis J. Offer, Greenway Apartments, 3401 North Charles street; Sidney D. Cohen, 3510 Reisterstown road, and Linwood L. Plitt, 1805 Rosedale street, to serve as members of the September Term, Grand Jury.

The new Grand Jurors, who are called for Tuesday, September 14th, at 10 A. M., will serve in the place and stead of Aaron R. Cohen, Leroy J. Lucas, Mary E. Lynch and Manuel J. Mello, who were excused.

Edwin Dickerson
Secretary.

SEPTEMBER 15, 1948

Grand Jury For September Term Is Organized In Criminal Court

The Grand Jury for the September Term was organized by Judge Herman M. Moser in the Criminal Court yesterday.

Mrs. Margaret M. Dudley was named Foreman of the body and Linwood L. Pitt was designated as Assistant Foreman. Judge Moser also appointed the following to serve as members of the Penitentiary Committee: Sidney D. Cohen, Chairman; Francis J. Offer, Irwin J. Wilcoxon, Roy E. Smith, Thomas J. Jordan, Samuel I. Spielman and Ulysses S. Callis.

The Grand Jury as organized follows:

- Arrington, Alice B., 1801 Madison avenue.
- Buckless, George F., 3120 Glendale avenue.
- Callis, Ulysses S., 2013 McCulloch street.
- Cohen, Sidney D., 3510 Reisterstown road.
- Dudley, Margaret M., 2015 East Preston street.
- Fisher, Lola Mae, 2005 North Fulton avenue.
- Heubeck, Isabel D., 501 West University Parkway.
- Jordan, Thomas J., 4204 Loch Raven boulevard.
- Katzenstein, William, 2206 Linden avenue.
- Knabe, Carl L., 6200 Birchwood avenue.
- McKenna, William C., 705 Linnard street.
- Milantex, Estelle, 2001 Eastern avenue.
- Offer, Francis J., Greenway Apts., 3401 North Charles street.
- Panitz, Isidor, Lake Drive Apts., 903 Lake drive.
- Pitt, Linwood L., 1806 Rosedale street.
- Powell, Gilbert S., 216 Mallow Hill avenue.
- Roth, Mary Nelson, 10 Hillside road.
- Sells, Leon E., 3200 Vickers road.
- Smith, Roy Edward, 2810 West Mosher street.
- Spielman, Samuel I., 3002 Forest Park avenue.
- Talbot, William W., 2832 Beechland avenue.
- Tripiett, Dr. William H., 5200 Edmondson avenue.
- Wilcoxon, Irwin J., 3906 Juniper road.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, September 16, 1948, at 12:30 p.m. All of the members of the Bench were present except Judges Sayler and Sherbow, and the Chief Judge presided.

It was resolved that the matter of filling the vacancy of Master in Chancery be peremptorily set for Thursday, September 23rd next, at the luncheon meeting of the Bench.

The question of increased pensions for retiring Judges was also postponed until that date.

There being no further business, the meeting adjourned.

Erwin Deerson

Secretary.

M I N U T E S.

A special meeting of the Supreme Bench was held in Room 201, Court House, on Friday, September 17, 1948, at 12 o'clock noon. All of the members of the Bench were present except Judges Sayler and Sherbow, and the Chief Judge presided.

The meeting was held to celebrate Constitution Day, and the proceedings were opened by a statement by Mr. Karl F. Steinman of the purpose of the meeting.

Addresses were made by Hon. William Curran, former Attorney General of Maryland, and Mr. Enos S. Stockbridge, President of the Bar Association of Baltimore City, and [^]response on behalf of the Bench was made by Chief Judge Smith.

Representatives of patriotic societies were present.

There being no further business, the meeting adjourned.

A handwritten signature in cursive script, appearing to read "Edwin W. ...".

Secretary.

Constitution Day Celebration Held At Special Meeting Of Supreme Bench

Constitution Day was celebrated in the Court House yesterday afternoon before a special meeting of the Supreme Bench of Baltimore City.

The ceremony was held in the large Superior Court Room on the second floor of the Court House and was attended by a large gathering of members of the Judiciary and the Bar and representatives of various civic and historical organizations.

Arrangements for the services were made by Karl F. Steinmann, who was designated as chairman for Baltimore City by Judge William C. Walsh, president of the Maryland State Bar Association. He was assisted by Joseph Bernstein, as co-chairman and the following committee: Attorney-General Hall Hammond, Paul M. Higginbotham, Earl K. Wellachinger, William F. Malone, Margaret S. Wright, president of the Women's Bar Association of Baltimore City; William I. Gossnell, president of the Monumental City Bar Association; R. Cardleton Sharrrett, Jr., president of the Junior Bar Association of Baltimore City; Enoch S. Stockbridge, president of the Bar Association of Baltimore City; George Robertson, president of the Sons of the American Revolution; Mrs. Harry K. Nield, state representative of the Daughters of the American Revolution; Deane R. Rice, vice-chairman of the Constitution Day Committee of the Sons of the American Revolution; Dr. John T. King, president of the Baltimore City Medical Society; Dr. Charles W. Maxson, of the Medical and Chiropractic Faculty of Maryland; Dr. Daniel E. Sheehan, president of the Maryland State Dental Association; Laurita Garman, president of the Motion Picture Theatre Owners of Maryland, Inc., and Norman B. Boyle, president of the Maryland Bankers Association.

Speakers included William Curran, former Attorney-General of Maryland, and Mr. Stockbridge. Chief Judge W. Conwell Smith presided at the exercises and responded on behalf of the Supreme Bench.

Judge Walsh appointed a committee for the purpose of arranging a program in each Court House of the State of Maryland, with Judge Joseph Sherbow, of the Supreme Bench of Baltimore, as State-wide chairman.

Following is a complete report of the proceedings:

REMARKS OF HON. WILLIAM CURRAN

May 11 Please Your Honors:

To the Committee I express very sincerely my appreciation of the honor I feel it does me in asking that I take a part in these exercises. The very salutary practice of the Bench and Bar of our City marking the anniversary of the coming into being of the Constitution of the United States is a commendable one. Unlike the birth date of the Declaration of Independence, the birth date of the Constitution is not observed as a national holiday. But certainly those who claim and assert the privileges of being lawyers and who as a consequence are peculiarly the guardians of our Constitution should stop awhile to gather in their Courts to give consideration to the Constitution's birth and to its great history. Then, too as guardians, we might ask ourselves: How fares our Ward?

Before undertaking to speak today, I examined the proceedings and upon this occasion here last year. I noted that the precedent then set was: Be Brief. Though it may not be the fashion of the day, to want precedent when dealing with the Constitution, I shall nevertheless follow the precedent set last year and be brief.

In the course of his remarks in the proceedings then held, His Honor, Judge Dickerson made reference to an Article by Dean Roscoe Pound, entitled: The Constitution—Its Development, Adaptability and Future, appearing in the American Bar Association Journal, October, 1937.

You will recall that it was in February of the year 1937, that President Roosevelt proposed his plan of reorganization of the Supreme Court. It was then that we were hearing of the "nine old men" who were living in the ancient days of the "horse and buggy", that the Justices of the Supreme Court were out of step with the progress of events and unfitted to our stream-lined age; that they were willfully or through sheer obstinate reactionless thwarting the will of the American people as expressed by the over-whimsical, re-elected President and his, to them, obedient Congress.

The burden of Dean Pound's observation, timed no doubt to stir the storm then breaking about the Supreme Court, was his stressing of the absolute need to hold on to the "balance" in government that was provided for in the Constitution. He pleaded that the Courts be free and uncontrolled and that they be entrusted to secure that "balance". I quote:

"In law particularly, there must be a balance between stability and change; between the stability required by the economic order and the change involved in the life which law is to govern. Law must be firm enough to secure stability and flexible enough to adapt itself to change. The justification of our Constitutional law is that a law found and administered by judges has, in the experience of the world, best achieved 'balance'."

Aside from the "balance" involved in the maintenance of a just and proper division of power between the three branches of the government, the executive, the legislative, and the judicial,

there was another kind of "balance" that the Constitution aimed to secure. With little experience to guide them, the framers set themselves to establishing a system of dual sovereignty. The task was to create a nation strong enough to endure, yet not so strong as to absorb or destroy, if moved to, the States that had created it.

Let your one of our speakers stressed, as all of us were once wont to do, the unique and distinctive character of the Constitution in that it is a written Constitution. If the question arose as to usurpation of powers by one branch of our government as against another, or by the Nation as against the States, the answer, it was said, is to be found within the bounds of the written Constitution. Consult the text. All is there set out for any man to understand.

Five generations of Supreme Court Judges had been construing that text and giving it life, continuity and an understanding of the main. The younger generation of Judges accepted and developed the work of their predecessors. Under the Constitution thus construed and defined, a few scattered villages along the Atlantic Coast had grown into an empire, with a prestige second to none in the world and with a people as happily circumstanced as any people in the world's history. Liberty under law had been achieved. National rule and local rule had each come to feel safe in its security under the Constitution.

In recent years, however, feelings of doubt are arising in the minds of many. Haven't some strange change come over the Constitution; particularly, as respects the relations of the present Court toward it? Haven't we departed far too much from the text of the Constitution in permitting the federal government and the state governments, too, to invade the life of the citizen? Have not the States lost that Sovereignty which until recently was theirs under the Constitution? Aren't we as a consequence of the new readings of the text of the Constitution incurring the risk of losing the Constitution as we had known it?

Many have the habit of referring to the present Court as the New Supreme Court, as if all the changed notions respecting the Constitution stem from the decisions of the present Court. Here, it might not be amiss to observe that if complaint is made that harm has fallen on the Constitution, responsibility for all the harm may not, with accuracy, be attributed to the New Supreme Court. The mischief, if mischief it be, was on foot prior to the time when the present Court began appearing in the year 1937. What so-called socialistic legislation had had the approval of the old Supreme Court. And it was in the old court that the doctrine of dual sovereignty received its heaviest blows. Back in the period of Chief Justice Holmes, there had been many wild and vicious dissents. These dissents began to become the opinions of the Supreme Court before any of its present members had been named.

The late Chief Justice Hughes and former Justice Roberts made the majorities that decided in the year 1937, the case of West Coast Hotel Co. vs. Parrish, 300 U. S. 370, which case sustained a minimum wage statute. It was in 1937 that the National Labor Relations Act was sustained in an opinion written by Mr. Justice Hughes, 301 U. S. 1. And in the same year,

the revised Francis Lemke Mortgage Moratorium Act was approved—Wright vs. Mountain Trust Co., 300 U. S. 440. In that same year the Social Security Act was approved in *Steward Machine Co. vs. Davis*, 301 U. S. 548. With only Mr. Justice Black of the new Judges taking part in the case, an officer of a state agency was subjected to the federal Income Tax—*Helvering vs. Gerhardt*, 304 U. S. 406.

And this also must be observed, that the New Court is not a regimented Court—it too has its many and vigorous dissents. For those who fear the future, hope may be taken from the reflection that "balance" may be achieved in the swing back of the pendulum. The power and authority of the Supreme Court has throughout its history been sustained through the support of an informed public opinion. The Court has in a way of soon recapturing public opinion and support, when temporarily lost.

Our history fairly well assures us that the Constitution over a period of time provides the self-operating mechanism sufficient to maintain the "balance" between the executive, the legislative and the judicial departments of the national government as contemplated by its framers.

But I inquire, what of the "balance" as between the national and state governments? Isn't that "balance" in every way as essential to the continued existence of the Constitution as the other "balance"? I ask; all well, there? Do we see in the happenings of recent years a challenge to us to do something about the restoration and maintenance of that "balance", which concerns the relationship of the States to the Nation.

All are familiar with the considerations that necessitate the continued existence of the governments. Does the Constitution provide in the case of this "balance" any sufficiently self-operating mechanism as it provided in the case of the other "balance"? There is in the States no power of veto; they have no control over the federal purse which though unlimited, may be spent at the will of the Congress to compel state compliance with national policy in intra-state matters (301 U. S. 619). The States have no effective or final power to interpret and construe the Constitution. They do have the unwieldy power to initiate amendments.

Now, therefore, are the states to survive if the Constitutional provisions intended to secure them in their Sovereignty are to be interpreted and construed, not by a Supreme Court as of old, but by the executive and legislative branches of the federal government? An Act of Congress that can be said to infringe on the power of the states is, under the new reading of the Constitution, well nigh inconceivable. An Act that purports to be in the exercise of the Welfare, the Interstate Commerce or Taxation Clause will not be declared unconstitutional, unless the Act in itself is manifestly arbitrary or capricious. Quite a reversal of the approach formerly taken in construing the Constitution.

Students of current constitutional law will agree with the statement that:

The substance of the new theory of Constitutional Construction is that the guarantee of personal liberty, or at least some of them, and even certain clauses which mark the division of powers between the federal and state governments, have no fixed or definite meaning, but that their content may vary from time to time depending upon

the changing conditions of affairs; that any statute purporting to regulate economic affairs or labor conditions, or to promote the general welfare * * * will not be held unconstitutional if a reasonable man could believe in "any conceivable state of facts" that it is not arbitrary or capricious—92 U. S. Pa. 1, R. 238.

Let me illustrate in concrete and tangible fashion what is happening to the States, and then ask: Aren't we heading into a centralized government? Will not bureaucracy, roam and brood across governmental frontiers and little plot in enlarging on the one hand a visionary civil rights and economic program, while on the other hand, blindly creating an all-powerful bureaucratic state, uncontrolled and uncontrollable.

The consequences resulting from the recently established principles of constitutional law are worth viewing. Following the pattern set in the above-mentioned cases, decided by the old Supreme Court, are:

National Labor Relations Board vs. *Fabblatt*, 306 U. S. 901 (The National Labor Act applies to a local manufacturer whose product may flow into interstate commerce).

United States vs. *Darby*, 312 U. S. 100 (Congress may regulate under Fair Labor Standards Act, the wages of a local mill worker by preventing shipment of product in interstate commerce).

Wickard vs. *Filburn*, 317 U. S. 111 (Congress may subject a farmer, who raises crop for use on his own farm, to a national Marketing Act).

United States vs. *Underwriters*, 322 U. S. 533 (The business of insurance in commerce and may be controlled by Congress).

Gencow vs. Walling, 324 U. S. 244 (Industrial Home work in needle industry may constitute interstate commerce).

Martino vs. Window Co., 327 U. S. 173 (Window washing in a building producing goods for interstate shipment brings it within Fair Labor Standards Act).

Cleveland vs. United States, 323 U. S. 329 (sustaining low rent housing Act).

Grave vs. O'Keefe, 306 U. S. 466 (Inter-governmental immunity from taxation is dead. The Marshall statement that the power to tax, involves the power to destroy was but a "fourish of rhetoric").

United States vs. *Classie*, 313 U. S. 230 (Extending federal control over our election systems).

Shelley vs. Kraemer, 334 U. S. 1 (Denying state courts the right to enforce valid restrictive, racial, covenants in a deed).

Ascraft vs. Tennessee, 322 U. S. 143 (The growing habit of federal Courts to police state criminal trials).

Nardock vs. Pennsylvania, 319 U. S. 105 (The Jehovah Witnesses' case have played havoc with State efforts to secure to their citizens peace and quiet).

A national Fair Employment Practices Act, applicable to the internal affairs of the states may be at hand. National regulation of local education is already with us.

We are not undertaken to exhaust the list of all the relevant cases, but I have mentioned sufficient of them to indicate the road down which we are travelling.

I repeat, can the States halt this progressive destruction of their power and jurisdiction? Shall not say their Sovereignty for much of that is gone? The practical question is: Can the states survive as useful instruments of government?

In high place, it has been urged that Congress may be depended upon not to usurp the powers of the states and thereby cripple them, because after all the member of Congress are representatives of the States. Therefore, the interests of the States will be properly taken care of in the enactment of federal legislation. The representatives of the States will not destroy them. We are witnessing that theory being put to the test and we see the results. The more and more that the States are bereft of their prestige and dignity, the more and less may they look to their representatives in Congress to protect them.

The framers of the Constitution had no faith in leaving uncontrolled power in any one spot. They believed in checks and balances. If they erred respecting the endurability of the States, it was for the reason that the States of their day were strong and sufficient unto themselves. Their destruction was not contemplated. However, even then there were some of greater vision. Hence, the Tenth Amendment, which underlook to reserve to the States all unassigned powers.

Unless recorded a greater significance than what has recently been assigned it, the Tenth Amendment will not save the states. In the *Darby* case, above, the Amendment was characterized as a mere "truisim", adding nothing to the Constitution as originally drafted.

The challenge is here and, must be met, if the states are to be saved from destruction through absorption. Former Justice Owen J. Roberts in the current issue of *The American Bar Association Journal*, suggests as a remedy an Amendment to the Constitution which will wipe out the article and confine the general clauses in the Constitution, such as the welfare clause, the interstate commerce clause and the taxation clause.

Is an Amendment, the answer? Or is an answer to be found in what is now being urged—the election of a President and members of Congress who are publicly pledged to a definite states' rights program? In the view of some, even a token vote will have a wholesome effect on the course of national legislation. I don't know.

This, I do know. The problem is here and now. Its solution calls for the best, most serious and patriotic thought of which the lawyers of Maryland are capable. May I suggest that they, each for himself, accept the challenge? The history of Maryland furnishes many instances where Maryland lawyers and Maryland's elected officials successfully set a pattern for Washington to follow.

REMARKS OF HON. ENOS S. STOCKBRIDGE

It is a privilege to appear before you today as the representative of the Bar Association of Baltimore City and on its behalf to take part on this occasion in recognizing the contribution, beyond rate, made to the social progress of mankind by that group of men who conceived, labored over, and promulgated our Federal Constitution.

On this commemorative day we not only pay tribute to the creative ability and foresight of that remarkable group of men who fashioned our Federal Constitution, but we should pause a moment to give thought to that document in relation to the geographical, economic and social development of our country since

the Constitution was formally adopted. Any such consideration today most of necessity be brief and at best a mere reference to some of those developments as they may be affected or been affected by the Constitution. Certainly such a topic may be controversial and political, and my present purpose is more to suggest questions for serious consideration than to offer answers.

The basic idea of those brief remarks was contained in an address before the Pennsylvania State Bar Association by Hon. Owen S. Roberts, former Associate Justice of the Supreme Court, on June 20th of this year.

Our Federal Constitution is a written document and a model for conciseness, yet one of its most fundamental and unique characteristics is its adaptability to meeting problems which have arisen and will arise as a result of national development and economic changes. This adaptability is provided by the power of the Courts to interpret and the power of the States to amend; the one arises by necessary implication from the express authority granted to the judiciary and the other by express provision of the Constitution. Thus, for example, the regulation of interstate commerce and the relative fields of Federal and State authorities has been kept abreast of the times through judicial definition of constitutional terms, and personal rights and securities have been safeguarded by amendments.

It is significant, perhaps, that nearly every critical period in our national history has been followed by one or more amendments to our Constitution to bring it in line with changed conditions or an awareness of existing defects which have been the fundamental cause of these crises. Two illustrations are obvious — the critical period of change from a confederation of individually independent States to a Federal government and the drafting of a Constitution gave rise to the first ten amendments; the awareness of the need to abolish slavery and the Civil War gave rise to the thirteenth, fourteenth and fifteenth amendments.

Within the past generation we have been engaged in two world-wide wars and severe economic disturbances, and largely because of them our economic, social and political habits have been subjected to unusual strains and dislocations. It would be strange indeed if these circumstances did not result in material changes in our points of view and in the advocacy of new conceptions with respect to governmental functions. Is it not wise then that we, as individuals, should give attention to these trends and how some of them may affect our fundamental rights as citizens and as persons?

We all know that when the Constitution was drafted and adopted, the basic purpose was to set up a Federal government with a degree of power and authority which had not been enjoyed by the confederation. To accomplish this end the several sovereign States, some rather reluctantly, surrendered part of their sovereignty, and the real struggle involved the question as to how to protect the Federal government from the several States. Men zealous not to be dominated by other States, either directly or indirectly through their representatives in the Federal Congress.

In the more than 150 years since that time, and more particularly as the result of the experiences and developments of the past 30 years, the situa-

tion is almost completely reversed. Today we see the Federal government entering into activities which were never contemplated in 1787. True, some of these activities were not thought of in those days and some so crossed State lines that coordinated action by the several States involved insurmountable difficulties (for a single example, flood control and certain irrigation projects), yet the fact remains that the Federal government has been acting over in whole or in part, many activities which to many of us seem inadvisable. This has been accomplished by the ever broadening interpretation by the Courts of the constitutional powers of the Federal government, and also by acts of Congress frequently at the behest of powerful pressure groups.

The result of this rapidly expanding Federal activity has been to impose upon the government, which has shown a complete willingness to be imposed upon, a stupendous volume of administrative activity and regulation with two results: first, the attempt to adopt statutes and regulations to be uniformly applied from Maine to California and from Washington to Washington, even though physical, economic and social conditions vary greatly in different areas; and, second, to involve the Federal government in such a mass of heterogeneous administrative activities that it is virtually impossible for the Congress, the representative of the people, to know or even find out what the Executive branch is doing. In fact we are rapidly approaching, if indeed we have not already arrived at, the point where the system of checks and balances between the Executive and legislative branches of the Federal government are no longer effective. Thus we are in serious danger that one of the vital concepts of our Constitution is being unconsciously and carelessly tossed into the discard.

If I have correctly described the situation and present tendencies, is it not time to give serious thought to these matters? Has the time not come to consider the urgent need to further define and limit those fields of governmental activity by the Federal government? To be more specific and to mention but one, and I believe the most important aspect, has not the time come to limit and clarify by defining amendment the power of the Federal government to provide for the general welfare?

If we are to preserve the form of government provided by the Constitution and under which this country has grown to be the leading nation of the entire world we must be constantly alert to guard against a whitening away of Constitutional concepts. We all recall a recent attempt to pack the Supreme Court and the aroused public opinion which prevented that move. The situation which I have mentioned here is, perhaps, even more dangerous because its development is insidious and proceeds almost unnoticed.

I shall not undertake to suggest the answers to these questions or suggest to what extent such amendment of the Constitution should be carried. These are matters for careful study and extended public discussion. The question involved is not one of States' rights—I believe it can be stated: Do we wish to preserve in fact as well as in word the system of checks and balances conceived by the drafters of the Constitution? If we do not regard that as important, may our lethargy not be a

definite step toward a complaint disregard of our birthright? I leave this problem with you to think about. Our liberties, individually and collectively, can only be protected and preserved by an alert vigilance.

RESPONSE OF

CHIEF JUDGE W. CONWELL SMITH

Our Federal Constitution is not an inspiring and popular document like the Declaration of Independence. Nor was it intended to be. It was rather the practical bargain that was struck between sovereign and independent States which recognized their own inability to survive alone and unaided. We are too prone to attribute our development from the thirteen small colonies to a great and powerful nation to superior natural qualities. As former President Hoover remarked:

"Those who attempt to interpret the greatness of this country in purely material terms are blind to the basic truths. Other nations possess resources which are comparable to ours. We have no monopoly on intelligence, on knowledge or energy, on the potential ability to create and build. But, here, alone, of the great powers of the modern world, we have maintained the right of the individual to do whatever he pleases within the framework of the law. We have said in effect that the man controls the State—and the State does not control the man."

Our Constitution is the basic law. In its provisions are to be found the means whereby the freedom of which we boast is secured to us, and the tools and material with which the nation was built. It holds the hope of our future survival and the maintenance of our liberties. It is appropriate therefore to pause, as we do today, to celebrate its anniversary, to consider its general scheme, and to renew our devotion to the principles which it embodies.

The history of its adoption, and the events which led up to it, fortunately for us, are fixed and unalterable. This history offers a background of strength to the document which fortifies its meaning. As Taft said:

"It speaks not only in the same way but with the same meaning and intent with the words which it contains. It came from the hands of its framers, and was voted on and adopted by the people of the United States."

It was designed to supplant the weakness of the Articles of Confederation with a strong government; but being framed by men who feared tyranny, the necessary powers were gradually given. The purpose was to establish a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

The government was given power to lay taxes, and duties, to pay debts and provide for the common defence and general welfare, to coin money, and punish counterfeiting, to declare war, raise armies and navies and militia, to make treaties; in short, to govern the foreign affairs of the Nation to the fullest extent. In the domestic field it was given power over naturalization, bankruptcy, patents and copyrights, the establishment of post offices and the regulation of post routes, among the States and with the Indian tribes. All other domestic affairs were left in the

hands of the States, the powers not granted being reserved to the States or the people.

Even these powers were separately conceded to the different branches of government, each of which was to act as a check upon the other. Senators, two from each State, were to be elected by the State Legislatures. No further guaranty against encroachment upon the powers of the State Governments was thought to be necessary.

The States themselves were forbidden to wage war, raise armies and navies, or to make treaties. At a time when the States were powerful, and the national government weak, there seemed little prospect that the States would in time be reduced to mere geographical subdivisions administered by a central government of overbearing size and strength.

Until the Civil War the States remained strong. That conflict determined their right to withdraw from the Union for all time to come. Slavery was clearly a domestic question. The amendments adopted following the war gave the Federal Government broader powers to interfere in domestic affairs. These amendments were followed by amendments providing for the income tax, direct popular election of Senators, prohibition and woman's suffrage. By the twenty-first and last amendment prohibition was repealed, and the control of the liquor question returned to the States.

Meantime the powers of the Congress under the Interstate Commerce clause and the general welfare clause have received interpretation by the Supreme Court which can only be described as "explosive" in character. These powers have been "blown up" beyond all reason and far beyond their clear meaning, interpreted in the light of the events which led to the adoption of the constitution.

As a result, the balance of power and authority between the States and the Nation contemplated by the framers, and bargained for by the States as a condition of their approval, has been upset. It is clear that responsibility for the result must be shared by all three branches of the government, executive, legislative and judicial—and by the people themselves.

But the picture is not altogether dark. It must be remembered that in the past thirty years this country has been forced to abandon its traditional policy of unconcern in European affairs, and has fought two great wars. As a result events foreign and domestic have moved at a swifter tempo, under the pressure of time limits. Policies have been adopted in haste. Yet during the same period, much beneficial legislation in the domestic field has been adopted thru the efforts of the State Commissions on Uniform Laws, and the slower Council of State Governments. Regional Interstate compacts covering a wide variety of domestic subjects have had the approval of Congress. So it may be said that the intrusion of Congress into the field of purely domestic legislation can no longer be justified by the plea that there is no other means of accomplishment. The approval by Congress of State enactments, offers less likelihood of further intrusion. And in the field of judicial interpretation, as General Curran suggests, the pendulum swings back as well as forward.

Now is an appropriate time to bring a halt to the further intrusion of national authority in the domestic field. The President and his Congress have such pressing problems in the field of foreign affairs, of such great importance to all of us, as to forbid distraction. And the States have shown ability to solve domestic problems. Even the use of the State Governments in the administration of Federal Laws, which Congress has the power to do, would be beneficial, and effective.

Abroad, our Nation is now confronted by an adversary whose purpose, by the march of events, is clear; as are the means by which he proposes to accomplish it. Those means, by the definition of our law, are riot, arson, robbery, mayhem and murder. His subjects have no rights which may be urged in opposition to the State, nor any place in which to assert them. We who have a degree of liberty under law, will do well to respect the law, and in particular our National Constitution which is the Supreme Law of the Land. By closer approximation to its original plan, we may best defend ourselves abroad, and best secure the perpetuation of our liberties at home.

I express on behalf of the Bench our appreciation to the Committees of the various organizations which have arranged this meeting. The proceedings will become a part of the permanent records of the Court.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, September 23, 1948, at 12:30 p.m. All of the members of the Bench were present except Judge Sherbow and the Chief Judge presided.

Judge Dickerson submitted to the Bench a copy of a letter from Judge O'Dunne to Mayor D'Alesandro and the Mayor's reply, relative to increasing ~~the~~ pensions of retired Judges. The opinion was expressed that the Bench could properly say to the Mayor that the City should make a small increase in the pensions now being paid. It was recommended that the Hon. Philip Perlman be consulted about the matter, and that nothing should be done until after the budget should be adopted next year.

Mr. Samuel J. Fisher was chosen Master in Chancery to fill the vacancy caused by the death of the late Eben J. D. Cross.

The Chief Judge submitted for consideration a resolution of the Baltimore Bar Association relative to Judges engaged in outside activities, but no action was taken.

Photographs of the old Court House and of the new Court House, while the latter was in course of construction, were exhibited, and it was decided to use these photographs in connection with the proposed Court House loan. There being no further business, the meeting adjourned.

Edwin DeWitt
Secretary.

**Samuel J. Fisher Appointed
Master In Chancery By
Supreme Bench**

The Supreme Bench of Baltimore yesterday announced the appointment of Samuel J. Fisher, as Master in Chancery, to fill the vacancy caused by the recent death of Eben J. D. Cross.

Mr. Fisher is a former president of the Bar Association of Baltimore City and is at present chairman of the organization's Judiciary Committee.

M I N U T E S.

A Luncheon Meeting of the Supreme Bench was held on Thursday, September 30, 1948, at 12:30 p.m. Present the Chief Judge and Judges France, Mason, Niles, Tucker, Sherbow and Dickerson. The Chief Judge presided.

There was ^a discussion of a requested increase in the salary of Mr. H. Stafford Bullen from \$3,700. to \$4,000. a year, but no action was taken. Judge Sherbow said that he would tell Mr. Bullen with regard to what took place.

The Chief Judge presented a letter from Mr. M. Luther Pittman, Clerk of the Superior Court, attached to these minutes, requesting the approval of the appointments mentioned in his letter. On motion the appointments were duly approved.

The Chief Judge reported that Mr. Wilford L. Carter, Clerk of the Criminal Court, had applied to Mr. James J. Lacy for authority to increase the salary of one of his deputies to the extent of \$400. a year, without first requesting the approval of the Supreme Bench; that Mr. Lacy reminded Mr. Carter that he had no approval of the Bench, and Mr. Carter came to the Chief Judge during the Summer, when most of the Judges were on vacation, and requested the approval. No action was taken. There being no further business, the meeting adjourned.

Erwin Dickerson
Secretary.



Superior Court
of Baltimore City
Baltimore 2. Md.

M. LUTHER PITTMAN, Clerk

Sept. 30th 1948.

The Honorable, The Members of
the Supreme Bench, of Baltimore City.
Baltimore, Md.

Honorable Sirs:

I respectfully request the approval of the Supreme Bench
of the following appointments:

James J. Crocker, as assistant clerk, to fill the vacancy
created by the death of Joseph J. Cashman.

Michael J. Lucey, as an examiner, to fill the vacancy
created by the retirement of Bernard J. McNally.

T. Thornton Murray, as assistant clerk, to be assigned
to the Legal Department.

Mr. Crocker has been employed in the office as a recorder
for the past 14 years and deserves the promotion.

Mr. Lucey is a former Police Magistrate under appointment
of former Gov. O'Connor, and is very highly recommended.

Mr. Murray is an ex-service man, is in his second year
as a pre-law student, and intends to study law. This is a
new appointment, and his services are very badly needed. He
is presently employed in the Criminal Court. This appoint-
ment to become effective as of November 1st. 1948

Very truly yours,

September 30, 1948.

M. Luther Pittman, Esq.,
Clark of the Superior Court,
Court House, City -2-

Dear Mr. Pittman:

Chief Judge Smith presented to the Bench today your letter of this instant, requesting the approval of the appointments mentioned in your letter.

I take pleasure in advising you that all of your appointments were approved.

Very truly yours,

Edwin T. Dickerson.

M I N U T E S.

A meeting of the Supreme Bench was held on Saturday, October 2, 1948, 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:

The Supreme Bench of Baltimore on Saturday admitted Noah Walker, W. Edward Pitt, Carroll Hamant, E. Taylor Boden and Philip Warren to practice as members of the Baltimore Bar, upon the respective motions of Francis B. Burch, Benjamin C. Howard, R. Palmer Ingram, William C. Rogers and Harry O. Levin.

The motions of Bernard Freeman, Jack Berger and Thomas Averella, for a new trial from their conviction of assault in the Criminal Court, were heard and over-ruled.

The motion of Robert Watson, for a new trial from his conviction of bastardy in the Criminal Court, was argued, submitted and over-ruled.

The proceedings for the disbarment of Thomas Warren O'Byrne were discussed, and on motion the Chief Judge was authorized to set the matter down for a hearing on a date to be selected by him.

There being no further business, the meeting adjourned.

Edwin Peterson
Secretary.

Supreme Bench Overrules Motions For New Trials

The motions for new trials of Bernard Freedman, Jack Berger and Thomas Averella, who were convicted of assault and of Robert Watson, who was found guilty of bastardy, were overruled by the Supreme Bench of Baltimore on Saturday.

Assistant State's Attorneys William J. O'Donnell and J. Harold Grady appeared on behalf of the State at the hearing of the motions.

SUPREME BENCH ASSIGNMENT

October 2, 1948

William J. O'Donnell

State of Maryland
vs.
Bernard Freedman
Jack Berger
Thomas AverellaE. Milton Altfeld
R. Palmer Ingram
Harry C. Levin
Jos. Rosenthal
Samuel S. LevinNo. 1719, Jan. Term, 1948
Charge: Assault to Kill
Verdict: Guilty of Assault
From: Moser, J.*overruled*
10-2-48

Harold Grady

State of Maryland
vs.
Robert Watson

J. Hodge Smith

No. 43, Jan. Term, 1948, Bastardy Inf. Docket
Charge: Bastardy
Verdict: Guilty
From: Dickerson, J.*overruled*

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, October 7, 1948, at 12:30 p.m. All of the members of the Bench were present except Judge Moser, and the Chief Judge presided.

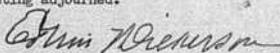
It was the opinion of the Bench that where hearings are had in habeas corpus cases and the relief is denied, that the court stenographer, at the expense of the City of Baltimore, should write a transcript of the testimony taken, the points raised and the decision of the Judge. The Chief Judge was authorized to write a letter to Mr. Edwin J. Dickerson, Chief Deputy Clerk of the Baltimore City Court, to arrange for these write-ups.

It was decided to hear the disbarment proceedings against Mr. O'Byrne on November 12th, at 11 o'clock a.m., and the Judges of the Criminal Courts were authorized to attend their several Courts and not to attend the hearing of the disbarment proceedings.

A letter from Mr. Wilford L. Carter, Clerk of the Criminal Court, requesting approval of raises of substantially 10 per cent. in the salaries of all of the deputies and employes in his office, was submitted to the Bench. The matter was referred to the Chief Judge to get further information regarding the receipts of Mr. Carter's office; and to consider the question of raises in the offices of the clerks of the other Courts.

Judge Mason submitted a report of the Master-Examiner Committee, and action upon it was postponed until next Thursday.

There being no further business, the meeting adjourned.


Secretary.

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

Dear Judge Smith:-

The following is a Report of Special Committee of the Supreme Bench of Baltimore City appointed to study the Master-Examiner System.

Your Committee, on March 5th, 1948, made an interim report, copy of which is hereto annexed and which is made a part hereof.

There can be no doubt that some fraudulent divorce cases have been filed in the Equity Courts of Baltimore City by non-residents of Baltimore City, but such practice has lessened, to a very great extent, since the committee began to work.

The filing of these cases takes two forms. Those where the plaintiff is a resident of Maryland but not of Baltimore City and the defendant is a non-resident of Baltimore and whose where both parties are non-residents of the City and the State.

In the former case, the resident of one of the counties sends the bill of complaint through a lawyer where he or she is supposed to live to a lawyer in Baltimore City, who receives and files it in court. Often the Baltimore lawyer does not see the client until testimony is taken, at which time the client appears without the forwarding lawyer but with a corroborating witness. Under examination by the Baltimore lawyer plaintiff proceeds to prove his or her residence, the desertion and the other facts which are necessary for a decree. In the meantime an answer has been filed for the defendant and according to our practice the venue is said to be waived. If it develops that the plaintiff has perjured himself and he does not and never has lived where he has alleged, Baltimore counsel simply says I had no knowledge of my client's real residence. He gave false information to my correspondent and he perjured himself at the hearing. Meanwhile the plaintiff cannot be

located and he probably has his decree. The residence in these cases is always difficult to check because it means sending out of town and perhaps the expense of sending a Court officer to the location in question. It has been done in some instances by the cooperation of the Maryland State Police force. 94

In the second class of cases the plaintiff simply gives a fictitious address trusting that he will never be found out. An order of publication is obtained and if the defendant does not answer, plaintiff appears at the hearing, perjures himself and hopes to get his decree before the perjury is discovered. It is almost impossible to check every case for residence.

Your Committee has studied the situation carefully and has reached the conclusion that three things may be done which would tend to correct the situation. The first is for the Supreme Bench to require that in every instance where a bill for divorce or permanent alimony is filed in Baltimore City, a certificate of counsel be required to be annexed to the bill stating that the lawyer who signs the bill has personally interviewed the plaintiff, has satisfied himself that the jurisdictional allegations are true, and has advised the plaintiff that he or she is entitled to file the bill of complaint. The second remedial effort might be that the decree in all cases of non-residents be held for thirty days after it is submitted, unless otherwise ordered by the Court, in order that there be sufficient time for checking the residence of the plaintiff and the third effort might well be that the testimony as to residence be corroborated to the satisfaction of the examiner and he as part of his certificate certify that he believes that the testimony concerning the residence of the plaintiff is true and was given in his presence.

In addition to the foregoing suggestions by far the most important preventative of decrees resting on perjury is unremitting care by the examiner. He is the officer of the Court on the premises where the testimony is being offered. His job is

to detect perjury and it is the most important thing he has to do. The Master does not see the witness nor does the Court. Most of the cases of perjury called to the attention of the Court have been found through keen and effective inquiry by the examiner. When the Examiner brings the matter to the attention of the Court it should receive immediate attention and action. Delays almost always result in lack of any punitive action except the dismissal of the bill.

Your Committee heartily approves the resolution of the Supreme Bench requiring the Examiner to be in attendance throughout the taking of the testimony. It should be strictly observed, the Examiner should take an active part in the examination and his remarks or suggestions should appear in the depositions when they are filed. He need not be apprehensive about any falling off of his work because he will be protected in the independent administration of his duties by the system of strict rotation to which the Supreme Bench is committed.

As part of its work Your Committee suggested to the Judges in the Equity Courts that monthly reports be required of the Examiners setting forth the names and addresses of the parties to the cases heard, the case number, docket reference, date of hearing and fees and expenses charged. These reports give the Court a picture of the work done each month, enables the Judge to check rotation in the Clerk's office and to approximate the number of non-residents filing cases in Baltimore City. This practice has been uniformly followed by the incumbent Judges and has proved very helpful.

The Committee believes that generally the Master-Examiner system is working satisfactorily, that it is a valuable adjunct to the administration of equity justice, but that like every man-made authority it must, from time to time, be studied and examined if it is to operate at maximum efficiency. With the suggestions incorporated herein we believe it will continue to work efficiently.

Respectfully submitted,
 MICHAEL J. MANLEY
 CHARLES E. MOYLAN
 E. PAUL MASON
 Chairman



Criminal Court of Baltimore

WILFORD L. CARTER, CLERK

October 7, 1948

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

Honorable Sirs:

Due to the present high cost of living, I am hereby respectfully requesting the Bench's approval of Salary increases for the entire personnel in the Office of the Clerk of the Criminal Court. The proposed increases are, in general, a 10% of their current salaries. I am listing below the names of the personnel, their salaries for the past year, the increases granted during the year and the increases being requested today.

NAME	Salary Rate 7/1/47	Salary Rate 10/6/48	Increase now being Requested	Proposed Salary Rate 10/7/48
Wilford L. Carter,	\$5500.00	\$5500.00	-----	\$5500.00
George F. J. Brown,	3000.00	4025.00	\$402.50	4427.50
Earl O. Martin,	3220.00	3220.00	322.00	3542.00
Andrew C. Heimbach,	2100.00	2520.00	253.00	2783.00
Alfred Scherr,	2400.00	3000.00	300.00	3300.00
Francis X. Donovan,	2650.00	3400.00	340.00	3740.00
Raymond A. Buschmann,	2100.00	2530.00	253.00	2783.00
Anthony J. Nolan,	2000.00	3400.00	340.00	3740.00
Max Stein,	2000.00	2000.00	200.00	2200.00
John P. Dunnigan,	2000.00	2000.00	200.00	2200.00
Mythe Glass,	2000.00	2000.00	200.00	2200.00
James A. Cole,	2600.00	3400.00	340.00	3740.00
George W. Ricketts,	3000.00	3000.00	300.00	3300.00
Helma E. Ahman,	2340.00	2340.00	460.00	2800.00
Thornton T. Murray,	2300.00	2300.00	230.00	2530.00
Thomas L. Morris,	2300.00	2300.00	500.00	2800.00
Frank J. Pelz,	2300.00	3000.00	300.00	3300.00

Mr. Murray has submitted his resignation, to be effective October 22, 1948. However, in the above list I have also included an increase for Mr. Murray to take care of the filling of his vacancy when he leaves this Office.

For your further information I am also listing

Criminal Court of Baltimore

WILFORD L. CARTER, CLERK



herewith in detail a list of all salary increases granted to Office personnel during the Fiscal Year ending June 30, 1948.

George F. J. Brown,	Effective July 1, 1947	\$3000.00	to	\$3250.00	per annum		
Andrew G. Heimbach,	" " 1, "	2100.00	"	2300.00	"	"	"
Alfred Scherr,	" " 1, "	2400.00	"	2600.00	"	"	"
Raymond A. Buschmann,	" " 1, "	2100.00	"	2300.00	"	"	"
Anthony J. Nolan,	" " 1, "	2000.00	"	2400.00	"	"	"
Andrew G. Heimbach,	Jan. 1, 1948	2300.00	"	2630.00	"	"	"
Alfred Scherr,	" " 1, "	2600.00	"	3000.00	"	"	"
Francis X. Donovan,	" " 1, "	2600.00	"	3000.00	"	"	"
Raymond A. Buschmann,	" " 1, "	2300.00	"	2830.00	"	"	"
Anthony J. Nolan,	" " 1, "	2400.00	"	3000.00	"	"	"
James A. Cole,	" " 1, "	2600.00	"	3000.00	"	"	"
Francis X. Donovan,	June 1, 1948	3000.00	"	3400.00	"	"	"
Anthony J. Nolan,	" " 1, "	3000.00	"	3400.00	"	"	"
James A. Cole,	" " 1, "	3000.00	"	3400.00	"	"	"
Frank J. Pelz,	" " 1, "	2300.00	"	3000.00	"	"	"

For the convenience of the Judges, I am sending a carbon copy of this letter to each Member of the Bench.

The Bench's approval of the requested increases will be appreciated.

Very truly yours,

Wilford L. Carter
Wilford L. Carter, Clerk.

Approved:

Supreme Bench of Baltimore City.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, October 11, 1948, at 12:30 p.m. All of the members of the Bench were present except Judges Moser and Dickerson, and the Chief Judge presided.

The Chief Judge reported informally on Mr. Wilford L. Carter's request for increases in the salaries of the clerks in his office. The fees of deputies in the office of the Clerk of the Criminal Court in recent years were commented on, and no action was taken, but the matter was tabled for future consideration.

Judge Sherbow reported that an ordinance, providing for an increase in retiring Judges' pensions, had been introduced in the City Council and referred to the proper committee. The ordinance provides that the amount to be paid by the City be raised from \$60.00 to \$110.00 for each year of service.

Judge Mason reported on the Examiner-Master situation. The matter was discussed, but no action was taken, and it was held for further action at the next meeting.

The Secretary is indebted to Judge Moylan for taking notes of the meeting on behalf of the absent Secretary.

There being no further business, the meeting adjourned.

Edwin Dickerson
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, October 21, 1948, at 12:30 p.m. All of the members of the Bench were present except Judges Saylor, Moylan and Manley, and the Chief Judge presided.

The report of the Committee on Examiner-Master practice was brought up as a special order of business, and there was considerable discussion of the recommendation of the committee that a bill for divorce should have on it a certificate of counsel that the jurisdiction ^{of} requirements exist. The meeting adjourned without action being taken.

A letter from the Chief Judge to Mr. Wilford L. Carter, Clerk of the Criminal Court, was submitted and approved.

There being no further business, the meeting adjourned.

Edwin Nicholson
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, October 28, 1918, at 12:30 p.m. All of the members of the Bench were present and the Chief Judge presided.

The Bench again took up the report of the Committee on Master-Examiner, and it was resolved that action on the recommendation for certificate of counsel, with respect to jurisdictional requirements in divorce cases, be indefinitely postponed.

It was further resolved that the report of the committee be accepted and filed, and that the committee be discharged with the thanks of the Bench for their excellent service.

There being no further business, the meeting adjourned.



Secretary.

MINUTES.

A meeting of the Supreme Bench was held on Saturday, November 6, 1948, at 10 o'clock a.m. All of the members of the Bench were present and the Chief Judge presided.

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

Victor H. Laws, Jr., Sidney I. Kellam, Ernest Cleveland Trimble and Jaques George Ayd were admitted to practice as members of the Baltimore Bar by the Supreme Bench on Saturday, upon the motions of Seymour O'Brien, Clyde Y. Morris, Daniel C. Joseph, Charles E. Orth, Jr., and Douglas N. Sharretts, Jr.

The motions of Jesse W. Rucker and Howard L. Spinks, for new trials from their convictions of manslaughter in the Criminal Court, were argued, submitted and denied.

The motions of Robert Madison and Benjamin Arrington, for new trials from their convictions of rape in the Criminal Court, were argued, submitted and granted.

The motion of Eugene H. James, for a new trial from his conviction of murder in the Criminal Court, was argued, submitted and denied.

On motion Judge Robert France was unanimously elected Secretary of the Supreme Bench, to succeed Judge Dickerson who will retire November 25, 1948.

There being no further business, the meeting adjourned.

Erwin Dickerson
Secretary.

Motions For New Trials Are Overruled And Denied By Supreme Bench

The Supreme Bench on Saturday overruled the motions for new trials of Eugene James, convicted of murder, and of Jesse W. Rucker and Howard L. Spinks, found guilty of manslaughter. The new trial motion of Robert Madison and Benjamin Arrington, who were convicted of rape, was granted by the Bench.

Douglas N. Sharretts appeared on behalf of Madison and Arrington, while Assistant State's Attorney J. Harold Grady represented the State in the Rucker and Spinks cases. Argument on behalf of the State in the James case was presented by Assistant State's Attorney Anselm Sodaro.

ASSIGNMENT
SUPREME BENCH OF BALTIMORE CITY
Saturday, November 6th

102

J. Harold Grady

State of Maryland
vs.
Jesse W. Rucker

Daniel Joseph
Bernard S. Stern

No. 1565, Jan. Term, 1948
Charge: Murder
Guilty of Manslaughter
From: Miles, J.

Denied

Charles E. Orth, Jr.

State of Maryland
vs.
Robert Madison
Benjamin Arrington

I. Duke Avnst
Douglas Sharretts
Rignal Baldwin

Nos. 3705 & 3706, May Term, 1948
Charge: Rape
Verdict: Guilty 1st Count
From: France, J.

Granted

John Harold Grady

State of Maryland
vs.
Howard L. Spinks

H. Chester Goudy
Paul B. Melis

No. 2730, May Term, 1948
Charge: Manslaughter
Verdict: Guilty
From: Dickerson, J.

Denied

Anselm Sedaro
Alan H. Murrell

State of Maryland
vs.
Eugene H. James

William H. Murphy
Charles H. Houston

No. 2876, May Term, 1948
Charge: Murder
Verdict: Guilty in the 1st degree
From: Moser, J.

Denied

M I N U T E S.

A special meeting of the Supreme Bench was held on Friday, November 12, 1948, at 11 a.m. All of the members of the Bench were present except Judges Mason, Moser, Moylan and Dickerson, and the Chief Judge presided.

Mr. Joseph I. Huesman was admitted to practice before the courts of Baltimore City.

Disbarment proceedings against Thomas Warren O'Byrne were conducted and submitted. The Supreme Bench then met in executive session and passed an order disbaring Mr. O'Byrne from the further practice of the law.

There being no further business, the meeting adjourned.

Clavin Dickerson
Secretary.

**Admitted To Practice As
Member Of Local Bar**

Joseph I. Huesman was admitted to practice as a member of the Baltimore Bar by the Supreme Bench of Baltimore yesterday upon the motion of Joseph R. Brunsean.

**Supreme Bench Passes Order
Of Disbarment Against
Thomas W. O'Byrne**

The Supreme Bench of Baltimore yesterday signed an order disbaring Thomas Warren O'Byrne from the further practice of law.

The order was signed following a hearing by the Bench upon a petition filed by the Bar Association of Baltimore City, in which O'Byrne was charged with conduct unbecoming and unworthy of a member of the Bar.

Benjamin C. Howard and David R. Owen were the attorneys for the Bar Association.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, November 18, 1948, at 12:30 p.m. All of the members of the Bench were present except Judge Dickerson and the Chief Judge presided. The Chief Judge announced that there were no matters to be taken up by the Bench other than the appointment of a Secretary to the Bench to fill the vacancy caused by the retirement of Judge Edwin T. Dickerson on November 25, 1948.

Upon motion duly made and seconded, Judge Robert France was elected secretary.

Details for the luncheon to be given by the Judges to Judge Dickerson on his retirement were discussed and it was decided that the Bench would gather for luncheon in the Merchants Club on Wednesday, November 24, 1948.

There being no further business, the meeting adjourned.

Chas. E. McFarlan
Acting Secretary.

S. Ralph Warnken Sworn In As Member Of The Supreme Bench

S. Ralph Warnken, prominent member of the local Bar, was sworn in as a member of the Supreme Bench of Baltimore City in the Court House yesterday afternoon. The oath was administered by M. Luther Pittman, Clerk of the Superior Court and the ceremony was witnessed by the Judges of the Supreme Bench, relatives and friends of the jurist and many prominent officials and members of the Bar.

Immediately following the induction ceremony a special meeting of the Supreme Bench was held at which Judge Warnken was assigned to preside in the Court of Common Pleas. Judge J. Abner Saylor, who previously had presided in that Court was assigned to the Criminal Court, Part 3.

Judge Warnken was appointed to the Bench recently by Governor William Preston Lane, Jr., to fill the vacancy caused by the retirement of Judge Edwin T. Dickerson, who reached the constitutional age limit of 70 years on Friday.

S. Ralph Warnken To Be Sworn In As Member Of Bench Today

S. Ralph Warnken will be sworn in as a member of the Supreme Bench of Baltimore City at Noon today in the large Superior Court Room on the second floor of the Court House.

The oath of office will be administered by M. Luther Pittman, Clerk of the Superior Court of Baltimore City, after which the Judges of the Supreme Bench will meet and assign the new jurist to preside in one of the local Courts.

Mr. Warnken was recently appointed to the Supreme Bench by Governor William Preston Lane, Jr., to fill the vacancy resulting from the retirement of Judge Edwin T. Dickerson, who reached the constitutional age limit of 70 years on Friday.

S. Ralph Warnken Will Be Sworn In As Member Of Bench On Tuesday

M. Luther Pittman, Clerk of the Superior Court, will administer the oath of office to S. Ralph Warnken, as a member of the Supreme Bench of Baltimore City, at Noon on Tuesday. The ceremony will take place in the large Superior Court Room on the second floor of the Court House.

Mr. Warnken was appointed to the Bench by Governor William Preston Lane, Jr., to fill the vacancy resulting from the retirement of Judge Edwin T. Dickerson, who yesterday reached the constitutional retirement age of 70 years.

Following the induction ceremony the Judges of the Supreme Bench will meet and assign the new jurist to one of the local Courts.

Induction Ceremony For S. Ralph Warnken To Be Held Tomorrow

S. Ralph Warnken, prominent member of the local Bar, will take the oath of office as a member of the Supreme Bench of Baltimore City at Noon tomorrow in the large Superior Court Room on the second floor of the Court House. The oath will be administered by M. Luther Pittman, Clerk of the Superior Court of Baltimore, after which the Judges of the Supreme Bench will meet and assign the new jurist to preside in one of the local Courts.

Mr. Warnken was appointed to the Bench recently by Governor William Preston Lane, Jr., to fill the vacancy caused by the retirement of Judge Edwin T. Dickerson, who reached the constitutional retirement age of 70 years on Friday.

MINUTES

A meeting of the Supreme Bench was held on Saturday, December 4th, 1948, at 10 o'clock a.m. All of the members of the Bench were present except Judges Manley and Moser and the Chief Judge presided: The following were admitted to practice before the courts of

Baltimore City:

The candidates admitted to practice were: Clare Green Duckett, Lucy Ann Garvey, Charlotte W. Mata, J. Francis Pohlhaus, Frank H. Newell, III, William L. Hollingsworth, Richard H. Lerch, Edward W. Mogowski, Wilbur D. Preston, Jr., W. Emerson Brown, Jr., Milton B. Allen, Robert B. Watts, Winston T. Brundige, Marvin Bratorman, James A. Perrotti, Rudolph E. Tighe, Jr., Marshall B. De Forrest, John B. Garvey, Jr., Louis R. Millo, Robert E. Ashman, Donald N. Rothman, Charles H. Goldborough, Jr., George W. Baker, Jr., Richard S. Klitch.
George W. Sullivan, Martin Z. Vogelhut, Frank J. Tripoda, J. Elmer Weisheit, Jr., Arthur W. Machen, Jr.,

Francis Knopf, Robert T. O'Leary, Jerome M. Asch, Saunders M. Almond, Jr., Edwin J. Drilling, L. Hollingsworth Pittman, William J. Yarworth, Joseph C. Hagner, Irwin Cohen, Leonard Goodman, Wilfred W. Butschky, Joseph Buchta, Walter B. Siwinski, John A. Farley, Jr., David H. R. Loughrie, Vachel A. Downes Jr., Jerome S. Cardin, Fred R. Pausch, Robert F. Podlich, Henry C. Carlender, Herbert H. O'Connor, Jr., Allan H. Fisher, Jr., George M. Radcliffe, Bernard J. Busseil, William L. Siskind, L. Wethered Barroll, Jr., Robert L. Weinberg and Edwin T. Stoffy, Jr.

The motions of Thomas H. Bowers, Joseph Draper and John G. Taylor for new trials from their convictions of assault with intent to murder in the Criminal Court, were argued, submitted and granted. The motions of Thomas H. Bowers, Joseph Draper and John G. Taylor for new trials from their convictions of robbery with a deadly weapon in the Criminal Court, were argued, submitted and denied. Chief Judge W. Conwell Smith announced that plans were underway to hold a memorial meeting for the late Judge Henry Duffy and it was suggested that 12 o'clock noon on December 20, 1948, after the regular term meeting would be a convenient time. Judge Smith then read a letter from Mr. Wilford L. Carter, Clerk of the Criminal Court, announcing the resignation of one of his clerks, Thornton T. Murray, and of his desire to appoint Frederick L. Loose, Jr. After discussion it was moved and seconded that Mr. Carter be advised that he has his full quota of employees at the present time and no vacancy exists. The resolution was carried and Judge Smith announced that he would write a letter to Mr.

Carter in accordance with the resolution.

Judge Smith read a letter from Mr. John Rutherford, Clerk of the Baltimore City Court, with reference to salaries of three of his clerks. After discussion it was decided that Judge Smith should reply to Mr. Rutherford.

A letter of appreciation from Judge Dickerson was read in connection with the flowers sent to his sister by the Bench upon his retirement. A letter from Judge Dickerson's sister was likewise read. Judge Sherbow reported for the Jury Committee recommending that one additional question be added to the questionnaire, "Have you ever been convicted of a crime other than a minor traffic violation?" This met with the approval of the Bench.

There being no further business, the meeting adjourned.

**Arguments Are Heard By The
Supreme Bench On Motions
For New Trials**

The Supreme Bench of Baltimore on Saturday overruled the motions for a new trial of Thomas H. Bowers, Joseph Draper and John G. Taylor who were convicted of robbery with a deadly weapon. The Judges, however, granted the defendants a new trial in another case in which they were found guilty of assault with intent to murder.

Charles E. Orth, Jr., Assistant State's Attorney, represented the State at the hearing.


Secretary.

SUPREME BENCH ASSIGNMENT
December 4, 1948

Charles E. Orth, Jr.

State of Maryland

J. Francis Ford
Wylie L. Ritchey

vs.

Thomas H. Bowers
Joseph Draper
John G. Taylor

No. 4261, Sept. Term, 1948
Charge: Assault to Kill
Verdict: Guilty 1st Count
From Moser, J.

granted

Charles E. Orth, Jr.

State of Maryland

J. Francis Ford
Wylie L. Ritchey

vs.

Thomas H. Bowers
Joseph Draper
John G. Taylor

No. 4262, Sept. Term, 1948
Charge: Robbery with a Deadly Weapon
Verdict: Guilty 1st Count
From Moser, J.

*motion
overruled*

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, December 9, 1948, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

Prior to the luncheon meeting, a special meeting was called for the purpose of admitting to practice before the Supreme Bench of Baltimore the following lawyers:

The Supreme Bench of Baltimore has admitted the following to practice as members of the Baltimore Bar: Stanley C. Brown, Jr., Arthur E. Hess, William M. Ichniowski, Arthur C. Meade, Jr., Don J. Russell, John G. Statler, Paul M. Steffy, and Leopold Vogelstein.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

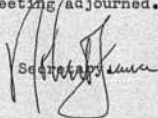
R. H. [unclear]
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, December 16, 1948, at 12:30 P.M. All judges being present with the exception of Judges Moylan, Manley, Moser, and Niles. After discussion, it was the sense of the Bench that the matter of approving an additional court clerk for the Criminal Court of Baltimore City as requested by Mr. Wilford Carter be left in the hands of the Chief Judge with power to act.

The Chief Judge announced that the Memorial Committee of the Bar Association of Baltimore City had selected Thursday, January 6th, at twelve noon in the Superior Court for the Memorial Meeting. All members of the Bench were requested to be present and the Secretary was directed to notify those members of the Bench who are not present at this meeting to be on hand if possible.

There being no further business, the meeting adjourned.


Secretary

M I N U T E S.

A TERM meeting of the Supreme Bench was held on Monday, December 20th, 1948, at 10 o'clock. All of the members of the Bench were present except Judges Saylor, Moser, and Manley.

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

The Supreme Bench of Baltimore yesterday admitted Walter C. Herlitz, Evangelos C. Alexiades, Robert J. Neubauer and Edward James Thompson to practice as members of the Baltimore Bar.

They were admitted upon the respective motions of Joseph Bernatels, Clayton A. Dietrich, Francis X. McDonough and Sweetser Lathicum.

The Grand Jury for the January Term and an alternate list of six persons were selected.

The assignment of the Judges of the Supreme Bench of Baltimore City for the ensuing year was approved.

Judge France, Chairman of the Hospital Committee, submitted the report of that Committee which was approved by the Bench and the Committee was requested to put into operation as soon as possible the changes recommended in the report.


Secretary.

Grand Jury For January Term Is Selected By Supreme Bench

The Grand Jury for the January Term was selected by the Supreme Bench of Baltimore yesterday. The members of the Jury are called for Monday, January 10th, when the local Court will convene for the January Term.

Those selected to serve on the Jury are:

- Behrend, Alice C, Temple Garden Apts, 2001 Madison avenue.
- Berliner, Nelson E., 3822 Park Heights avenue.
- Canaday, William S., 1821 West North avenue.
- Carrington, Napoleon B., 2359 McCall street.
- Cohen, Aaron B., 3022 Benner road.
- Crook, Austin R., 3507 Newland road.
- Dopkin, Louis, 1228 West North avenue.
- Fillicott, Ann Murray, 2405 Ruscombe Lane.
- Everhart, Theresa K., 3307 Gullford avenue.
- Fleischauer, Harry J., 300 East 22nd street.
- Ginsberg, Sadie D., 3707 Chatham road.
- Harris, Ethel T., 1207 North Caroline street.
- Hart, James F., Sr., 4204 Roland avenue.
- Jones, Daisy B., 1219 West Lafayette avenue.
- Kuhlmann, Charles J., 4838 Belair road.
- Murphy, John A., 1331 West Lombard street.
- Ridgely, Katharine S., 4 West 39th street.
- Sause, John Conrad, 2343 Lake avenue.
- Schloss, Daniel L., 3805 Clark's Lane.
- Scott, Vera Gang, 508 Madison avenue.
- Smith, George H., 111 North Kenwood avenue.
- Stephens, Albert L., 714 Colorado avenue.
- Tucker, Gladys R., 606 Edgevale road.

Assignment Of Judges For Coming Year Announced By Supreme Bench

The assignment of the Judges of the Supreme Bench of Baltimore City for the ensuing year was announced yesterday at a General Term Meeting of the Bench.

The Judges and the Courts in which they will preside during the coming year are:

- Chief Judge Smith, Superior Court (Room 201).
 - Judge Niles, Superior Court, Part II (Room 226) (Non-Jury Judge).
 - Judge Manley, Superior Court, Part III (Room 202).
 - Judge Bayler, Baltimore City Court (Room 131).
 - Judge Warnken, Circuit Court (Room 214).
 - Judge Sherbow, Circuit Court, No. 2 (Room 241).
 - Judge France, Criminal Court (Room 103).
 - Judge Tucker, Criminal Court, Part II (Room 122).
 - Judge Mason, Criminal Court, Part III (Room 134) (Jury Judge).
 - Judge Moser, Court of Common Pleas (Room 221).
 - Judge Moylan, Juvenile Court (Room 125).
- Chief Judge W. Conwell Smith and Judge Herman M. Moser to hear all cases arising from or orders directed to the Registers of Voters on petitions filed in the several courts of Baltimore City.

Memorial Services Held In Court House Yesterday For Judge Duffy

Memorial services for Judge Henry Duffy, who served as a member of the Supreme Bench of Baltimore City from 1909 to 1926, were held in the Court House yesterday afternoon before a special meeting of the Supreme Bench.

R. Dorsey Watkins, president of the Bar Association of Baltimore City, opened the ceremonies and presented the speakers to the Bench. Judge W. Calvin Chestnut, of the United States District Court, for the District of Maryland, offered the memorial minute and seconding addresses were delivered by Harry N. Baetjer and Robert W. Williams.

Chief Judge W. Conwell Smith presided and responded on behalf of the Bench.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, January 13, 1949, at 12:30 P.M. All judges being present with the exception of Judge Manley, and the Chief Judge presided. Chief Judge read a letter from M. Luther Pittman, Clerk of the Superior Court, with respect to the vacancy due to the death of Mr. Joseph E. Zech. Mr. Pittman requested permission to promote Mr. Gilbert H. Eyre to the vacancy and to appoint Mr. John E. Boerner to fill the vacancy caused by the promotion of Mr. Eyre. The Bench approved Mr. Pittman's request and the Secretary was requested to so notify him.

The question of the use of loose leaf dockets in the Criminal Courts of Baltimore City was discussed generally without any definite action other than the suggestion that Judges Tucker, Mason and France confer with Mr. Carter, Clerk of the Criminal Court, in order to ascertain why a different type of docket is now being used from those formerly used for many years. There being no further business, the meeting adjourned.



Secretary.

COPY

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SUPREME BENCH OF BALTIMORE CITY

January 13, 1949.

Mr. M. Luther Pittman, Clerk
Superior Court of Baltimore City.

Dear Pitt:

The Supreme Bench at its regular weekly meeting today approved the promotion of Mr. Gilbert H. Eyre to the vacancy in your office caused by the death of Mr. Joseph E. Zech.

To fill the vacancy caused by the promotion of Mr. Eyre, the Bench approved your request to appoint Mr. John E. Boerner.

Yours very truly,

RF:s1



Superior Court
of Baltimore City
Baltimore 2, Md.

H. LUTHER PITTMAN, Clerk

January 13, 1949

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

Honorable Sirs:

I regret to inform you of the death of
Joseph E. Zech, Deputy Clerk, on December 27,
1948.

I respectfully request your approval of
the promotion of Gilbert H. Eyre to the va-
cancy caused by the death of Mr. Zech.
Mr. Eyre has been an employee in the Legal
Department for the past six and one-half years.

To fill the vacancy caused by the promo-
tion of Mr. Eyre, I respectfully request your
approval of Mr. John E. Boerner. Mr. Boerner
is a young man of twenty-six, and a student at
Maryland Law School. He has been serving with
Judge Sherbow for the past two or three months
while Mr. Zech was ill.

Very respectfully yours,

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, January 20, 1949, at 12:30 P. M. All judges being present with the exception of Judge Manley, and the Chief Judge presided. Judge Sherbow brought up question of the necessity for the Equity judges signing trust reports. Since these reports under the rules of the Supreme Bench are approved generally by the Trust Clerk. After discussion, it was the feeling of the Bench that the Trust Clerk be instructed that in preparing the new forms he should leave off "approved by Judge _____". The Secretary was directed to so instruct the Trust Clerk. There being no further business, the meeting adjourned.



Secretary.

January 20, 1949

Mr. Howard B. Matthews
Trust Clerk
Court House
Baltimore - 2, Md.

Dear Mr. Matthews:

I am directed by the Supreme Bench to advise you that you should proceed with printing of new forms without having printed thereon any direction for the judges' signatures on reports required by Rule 667. You will note Rule 667, Section D, Sub-Section 4, states that you are required to notify the court under the circumstances therein mentioned. There is no need for the judges of the equity courts to endorse these reports except where recommendations come from the Trust Clerk with comments requiring action.

Yours very truly,

Secretary, Supreme Bench
of Baltimore.

January 17, 1949

Subject: Signing of 667 Reports by Presiding Judges of the respective Equity Courts of Baltimore City.

To: Judges S. Ralph Warnken and Joseph Sherbow

From: Howard B. Matthews, Trust Clerk of the Supreme Bench of Baltimore City.

As per instructions, I have read the new Equity Rules, effective January 1, 1947 and cannot find any explicit section requiring the Judges' signature on Rule 667 Reports. Rule 667, Section "D", Sub-Section 4 is the closest thing I find and reads as follows:-

Rule 667, Section "D", Sub-Section 4-"The trust clerk shall append to each report the results 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."

May it please Your Honors, if it is deemed unnecessary for the presiding Judges of the Equity Courts to sign Rule 667 Reports, that instructions be given to the trust clerk for the procedure he should follow in filing said reports.

Also, may I suggest a conference with your Honors in regard to the printing of new forms and what printing matter on the present forms can be eliminated. The above subject to the exhaustion of the present supply of forms on hand. Also, any other instructions the Courts deem advisable.

Respectfully submitted,

Howard B. Matthews
Trust Clerk.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, January 27, 1949, at 12:30 P.M. All judges being present with the exception of Judges Manley and Moser, and the Chief Judge presided. Judge John B. Gray of the Circuit Court for Calvert County was present as a guest.

Judge France read a letter from J. Bernard Wells, State's Attorney, requesting additional clerical assistance. After discussion and upon motion duly made and seconded, it was resolved that the Secretary advise Mr. Wells that the Bench will approve his application to the Board of Estimates for an additional secretary but does not approve that such additional clerical assistance be paid for out of the Criminal Court account.

Judge Mason raised the question of the form of dockets now being used in the Criminal Court and it was suggested that Judges Tucker, Mason and France confer with Mr. Carter, Clerk of the Criminal Court, with respect thereto.

There being no further business, the meeting adjourned.

Secretary 

COPY

SUPREME BENCH OF BALTIMORE CITY

January 27, 1949.

Mr. J. Bernard Wells,
State's Attorney,
Court House,
Baltimore 2, Maryland.

Dear Mr. Wells:

At the luncheon meeting of the Supreme Bench today, I submitted the contents of your letter requesting additional secretarial assistance.

The Bench realizes that a considerable amount of clerical work is now necessary in your office and approved your request for an additional secretary. However, the Bench does not feel that she should be paid out of the Criminal Court account but will approve your application to the Board of Estimates for a sum sufficient to pay for the additional secretary.

Yours very truly,

Secretary,
Supreme Bench of Baltimore City.

RF:sl



State's Attorney of Baltimore City

J. BERNARD WELLS

BALTIMORE 2

January
Twenty-sixth
Nineteen
Forty-nine

Honorable Robert France
Associate Judge of the Supreme Bench
Court House
Baltimore, Maryland

Dear Judge France:

With further reference to our conversation having to do with the very urgent need for clerical assistance in my office which you very kindly indicated that you would take up with the Bench at the informal meeting on Thursday, beg to advise you as follows.

My chief secretary, Mrs. Brooks, has been away from the office due to sickness now going into the second week. Miss Bell, another secretary, is away today. Three of the other girls have been away a number of days during the past fortnight. Altogether we have lost over two weeks secretarial assistance. With the unusual load of work that the office is now carrying, needless to say, this situation hampers us much indeed.

I have been able to obtain the service of a Miss Meyer for a few days on part-time work. Also, I have been promised another girl for tomorrow. Their salaries are not taken care of in the budget, and I will be required to ask the Court to approve their expenses, out of the Criminal Court Account, I suppose.

Thanking you for your kindly cooperation in this situation, I am,

Very truly yours,

J. Bernard Wells
J. Bernard Wells
STATE'S ATTORNEY

JBW/daa

WILLIAM H. HAYTHAM
DEPUTY STATE'S ATTORNEY
ANGELM BODARD
OF ASSISTANT STATE'S ATTORNEY
JOHN C. WEISS
OF ASSISTANT STATE'S ATTORNEY
SAUL A. HARRIS
OF ASSISTANT STATE'S ATTORNEY
MORGAN H. WUCHNER
SECRETARY IN CHARGE OF DOMESTIC RELATIONS

ASSISTANT STATE'S ATTORNEYS
ALAN H. HURRELL
WILLIAM J. O'DONNELL
JAMES F. PRICE
J. HAROLD GRADY
CHARLES E. ORTH, JR.
EDWIN A. DENRINO

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, February 3, 1949, at 12:30 P. M. All of the members of the Bench were present except Judge Manley and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.



Secretary.

M I N U T E S.

A meeting of the Supreme Bench was held on Saturday, February 5th, 1949, at 10 o'clock a.m. All of the members of the Bench were present except Judges Manley and Moser and the Chief Judge presided.

The following were admitted to practice before the courts of Baltimore City.

Frank J. Dolan, Bert Arnold Colleton, Matthew S. Rae and J. Franklyn Bourne were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore on Saturday upon the respective motions of William D. Schaefer, Charles S. Lerch, Morton P. Fisher and Linwood G. Keger.

The motions of Stanley Askin, Leonard Coolidge, Irvin Winkler, Regina Silverberg, Warren L. Vestal, Harold Buchman, and Charles M. Swan for new trials from their convictions of Conspiracy in the Criminal Court were argued, submitted and held sub curia. The motion of Mario Gentile for new trial from his conviction of violating the narcotic laws in the Criminal Court was argued, submitted, and denied.

There being no further business, the meeting adjourned.

Arguments On Motions For New Trials Are Heard By Supreme Bench

The Supreme Bench of Baltimore on Saturday, reserved its decision on the motion for a new trial of Stanley Askin, Leonard Coolidge, Irvin Winkler, Regina Silverberg, Warren L. Vestal, Harold Buchman and Charles M. Swan, who were convicted of conspiracy. The Judges, however, overruled the motion of Mario Gentile, who was found guilty of violating the narcotic laws.

Assistant State's Attorney, Alan H. Murrell, represented the State in the conspiracy case while I. Duke Arnet and William H. Murphy appeared on behalf of the defendants. Assistant State's Attorney Charles E. Orth, Jr., presented the State's argument in the Gentile case.

John J. Jones
Secretary

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, February 10, 1949, at 12:30 P.M. All of the members of the Bench were present except Judges Manley and Warnken and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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, February 17, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

Secretary.

A handwritten signature in cursive script, appearing to read "Robert J. Francis", written over the typed word "Secretary".

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, February 24, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

Judge Moser called to the attention of the Bench the fact that in view of the ever increasing number of habeas corpus cases it was becoming quite burdensome to the various institutions to bring prisoners before the Judges at various times and suggested that all habeas corpus cases be set for Thursdays at 3 P.M. This suggestion was adopted by the Bench and the Secretary was instructed to notify all Judges concerned. It being understood, however, that it would not apply to the Juvenile Court.

The question of the motion for new trial in the cases of Stanley Askin, Leonard Coolidge, Irvin Winkler, Regina Silverberg, Warren L. Vestal, Harold Buchman, and Charles M. Swan came on for consideration and it was regularly moved and seconded that a new trial be granted on both counts. On this motion, there were 7 negative votes, with Judges Niles and Sherbow voting in the affirmative. Thereupon it was regularly moved and seconded that a new trial be granted on the first count and overruled as to the fifth count. On this motion, 7 voted in the affirmative and Judges Niles and Sherbow voted in the negative, Judges Moser and Manley did not vote.

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, March 3, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.


Secretary.

M I N U T E S.

A meeting of the Supreme Bench was held on Saturday, March 5th, 1949, at 10 o'clock a. m. All of the members of the Bench were present except Judge Mason and the Chief Judge presided.

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

Thomas N. Clifford and Bernard W. Rubenstein were admitted to practice as members of the Baltimore Bar by the Supreme Bench on Saturday upon the respective motions of Wilson R. Touss and Sydney R. Traub.

The motion of George J. Rezek for new trial from his conviction of violating the State Sales Tax Law, was argued, submitted, and denied.

There being no further business, the meeting adjourned.

The motion for a new trial of George J. Rezek, who was convicted of violating the State Sales Tax Law, was overruled by the Supreme Bench of Baltimore on Saturday.

William J. O'Donnell, Assistant State's Attorney, represented the State at the hearing.

Robert Mason
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, March 10, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

A letter from the Clerks of the Circuit Courts in connection with a proposed increase in court costs was read and the matter left to the Chief Judge to handle.

There being no further business, the meeting adjourned.



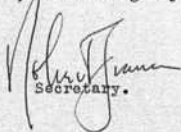
Robert J. France
Secretary.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, March 17, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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, March 24, 1949, at 12:30 P.M. All of the members of the Bench were present with the exception of Judges Moser, Manley and Saylor, and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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, March 31, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announce that there were no matters to be taken up by the Bench.

An informal discussion took place with reference to the advisability of having the Medical Examiner of the Supreme Bench investigate those cases wherein it is sought to have a Committee appointed for an incompetent as to whether or not the persence of the incompetent ^{be} dispensed with because _^ of his or her mental or physical condition.

There being no further business, the meeting adjourned.


Secretary.

M I N U T E S.

A meeting of the Supreme Bench was held on Saturday, April 2nd, 1949, at 10 o'clock a. m. All of the members of the Bench were present and the Chief Judge presided.

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

Richard Stewart Wright, B. Raymond Perkins and Frederick E. Baskhagen were admitted to practice as members of the Baltimore Bar on Saturday by the Supreme Bench of Baltimore. The new attorneys were admitted upon the respective motions of William R. Semans, F. Edward Wheeler and Kenneth H. Ekin.

The motion of Basil Gray for new trial from his conviction of Bastardy in the Criminal Court was argued, submitted and denied. Chief Judge then read to the Bench the petition of the Monumental City Bar Association requesting permission to appear amicus curiae in the pending disbarment case against D. Lindsay Baynham. Chief Judge Smith stated that he would confer with Mr. Cornelius P. Mundy counsel for the Bar Association of Baltimore City which filed the original petition for disciplinary action against Mr. Baynham.

Mr. Potthast, Deputy Auditor for the State of Maryland and Mr. Wilford Carter, Clerk of the Criminal Court of Baltimore City, appeared before the Bench with reference to the pending audit of the Clerk's office.

Upon motion duly made and seconded it was Resolved that the State Comptroller, the State Auditor, the Attorney General, and the Deputy State Auditor meet with the Supreme Bench as promptly as possible.

Upon motion duly made and seconded it was unanimously Resolved, that Rule 502 of the Supreme Bench of Baltimore City be and it is hereby amended by striking out the last sentence of the first paragraph thereof, being the words: "If the third day, as aforesaid, shall be a Saturday, Sunday, or legal holiday, such motion shall be filed in accordance with Rule 6 hereof", and substituting in place of the words so stricken out, the following sentence, viz: "The computation of time for filing such motions shall be in accordance with Rule 6 hereof". There being no further business, the meeting adjourned.



Secretary.

SUPREME BENCH ASSIGNMENT

April 2, 1949

Edwin A. Gehring

State of Maryland
vs.
Basil Gray

William I. Gosnell

No. 165

Bastardy Information Docket, 1948

Charge: Bastardy

Verdict: Guilty

From: Tucker, J.

RESOLVED, that Rule 502 of the Supreme Bench of Baltimore City be and it is hereby amended by striking out the last sentence of the first paragraph thereof, being the words: "If the third day, as aforesaid, shall be a Saturday, Sunday, or legal holiday, such motion shall be filed in accordance with Rule 6 hereof", and substituting in place of the words so stricken out, the following sentence, viz: "The computation of time for filing such motions shall be in accordance with Rule 6 hereof".

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, April 7, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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 14, 1949, at 12:30 P.M. All of the members of the Bench were present except Judges Manley and Mason and the Chief Judge presided.

The following Resolution was unanimously adopted to take effect immediately:

RESOLVED by the Supreme Bench of Baltimore City this 14th day of April, 1949, that from and after the date of this resolution the proceedings of the Criminal Court of Baltimore upon arraignment (in all cases which shall be separately arraigned in advance of trial) shall be promptly transcribed by the stenographer, and the transcript of such proceedings shall be kept by the clerk permanently with the indictment or presentment and other papers in the case.

A copy of this resolution shall be published in the Daily Record, and transmitted to the several stenographers of the Criminal Court, and to the Clerk of said Court.

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 21, 1949, at 12:30 P. M. All of the members of the Bench were present except Judges Saylor and Moser, and the Chief Judge presided.

Judge Mason as Chairman of the Court House Committee reported on the present situation with respect to the plans and specifications for remodeling the Court House.

Judge John T. Tucker announced that he wished to appoint Lawrence W. T. McCabe as Bailiff to fill the vacancy created by the death of A. Shellman Greene. This appointment met with the approval of the Bench.

There being no further business, the meeting adjourned.


Secretary.

M I N U T E S.

A TERM meeting of the Supreme Bench was held on Monday, April 25th, 1949, at 10 o'clock. All of the members of the Bench were present and the Chief Judge presided.

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

The Supreme Bench of Baltimore yesterday admitted Martin A. Mitalck, Weldon L. Maddox and Mano Swartz to practice as members of the Baltimore Bar.
They were admitted upon the respective motions of Louis Mitalck, Solomon M. Schapiro and Emmanuel H. Horn.

The motion of Romell Green for new trial from his conviction of lottery charges, was argued, submitted and granted.

The motion of Sol K. Shecter for new trial from his conviction of assault, was argued, submitted and denied.

The motion of Leroy Gregory for new trial from his conviction of false pretenses, was argued, submitted and denied.

The Bench selected Friday, May 6th, as the date for hearing the Baynham disbarment proceedings and the Chief Judge stated that he would so notify all counsel involved in the case.

The Bench then selected the Grand Jury for the May Term, 1949. There being no further business, the meeting adjourned.

Secretary



Grand Jury For May Term Is Selected By Supreme Bench Of Baltimore

The Grand Jury for the May Term was selected by the Supreme Bench of Baltimore yesterday. They are called for Monday, May 9th.

Those selected to serve as members of the Grand Jury are:

Bell, Mrs. Mand T., 2497 Druid Hill avenue.

Berkow, Mrs. Ruth O., Seville Apts., 723 Lake drive.

Boley, Clarence G., 3645 Dolfield avenue.

Carrick, Clinton L., 5620 Stonington avenue.

Cheif, Mrs. Elizabeth L., 3913 Ednor road.

Cook, George L., 3006 Echodale avenue.

Eckels, Paul W., 4209 Belmar avenue.

Embry, Mrs. Frances C., 1316 Hamblewood road.

Fritz, Andrew J., 1808 East 32nd street.

Harr, Howard R. Sr., 4301 Fernhill avenue.

Johnson, Leonard, C., 912 East Chase street.

Klipp, Robert D., 1857 North Collington avenue.

Knight, James M., 3108 Northern Parkway.

Lofton, Ely L., 1119 West Lantvale street.

Pierce, Mrs. Lenore M., Garden Apts., Stony Run lane.

Pine Mordy, 3200 Glen avenue.

Rockwell, Mrs. Merle G., 3701 Norntoola road.

Schneller, William H., 3601 Raxmere road.

Segers, George W., 1601 Harlem avenue.

Stemple, Mrs. Margaret M., 716 Belgian avenue.

Tille, Karl F., 5108 Ivanhoe avenue.

VerValen, Mrs. Loretta Lee, 5905 St. Albans way.

Wallis, Mrs. Dorothy W., 602 Somerset road.

Supreme Bench Rules On Motions For New Trials In Criminal Cases

The motion for a new trial of Romell Green, who was convicted on lottery charges, was granted by the Supreme Bench of Baltimore yesterday.

The Bench, however, overruled the new trial motions of Sol K. Shecter, found guilty of assault, and of Leroy Gregory, who was convicted of false pretenses.

R. Palmer Ingram was the attorney for Green, while Assistant State's Attorneys Allan H. Murrell and Charles E. Orth, Jr., represented the State in the Shecter and Gregory cases, respectively.

M I N U T E S.

A luncheon meeting of the Supreme Bench was held on Thursday, May 12th, 1949, at 12:30 P.M. All judges being present and the Chief Judge presided.

The report of the State Auditor in connection with the audit of the Office of the Clerk of the Criminal Court of Baltimore City was discussed.

There being no further business, the meeting adjourned.

Secretary,
W. H. France

M I N U T E S.

A special meeting of the Supreme Bench was held on Friday, May 13th, 1949, at 10 o'clock to consider the situation with respect to the Office of the Clerk of the Criminal Court of Baltimore City. All of the members of the Bench were present and the Chief Judge presided.

Messrs. Wilmer Carter and George Brown appeared before the Bench and were questioned at length with respect to the affairs of the Office and particularly the report of the Auditor. After Messrs. Carter and Brown left the Room, considerable time was devoted to a thorough discussion of the situation and the following Resolution was passed:

"Be It Resolved, that the Chief Judge be instructed to write Mr. Carter that it is the view of the Bench that he resign."

Judges Moser and Sayler requested it be noted that they voted against the Resolution.

There being no further business, the meeting adjourned.

Secretary.

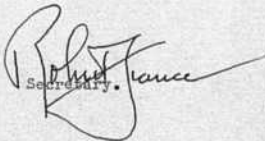
Robert J. Lawrence

M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, May 19th, 1949, at 12:30 P. M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

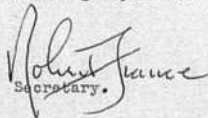

Secretary.

M I N U T E S .

A luncheon meeting of the Supreme Bench was held on Thursday, May 26th, 1949, at 12:30 P.M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.


Secretary.

M I N U T E S.

A Special meeting of the Supreme Bench was held on Friday, May 27th, 1949, at 10 o'clock. All of the members of the Bench were present except Chief Judge Smith, and Judge Sayler presided.

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

Jacob Gold was admitted to practice as a member of the Baltimore Bar by the Supreme Bench of Baltimore yesterday upon the motion of Sidney Chayt.

The disbarment proceedings against D. Lindsay Baynham were argued, submitted and the Bench found D. Lindsay Baynham guilty of the charges and suspended him for a period of two years.

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, June 2nd, 1949, at 12:30 P.M. All judges being present and the Chief Judge presided.

Judge Sherbow discussed at some length a proposal which would result in a consolidation of the courts. After discussion, a Committee composed of Judges Sherbow, Chairman; Moylan and France, was appointed by the Chief Judge to investigate the matter and report to the Bench.

There being no further business, the meeting adjourned.


Secretary.

M I N U T E S.

A meeting of the Supreme Bench was held on Saturday, June 4th, 1949, at 10 o'clock. All of the members of the Bench were present and the Chief Judge presided.

The motion of Thomas A. Edwards for new trial from his conviction of murder, was argued, submitted and held sub curia.

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, June 9th, 1948, at 12:30 P.M. All judges being present and, the Chief Judge presided.

Suggested plan for the consolidation of the courts was discussed and upon vote being called for, Judge Mason requested additional time to consider the matter and it was thereupon made the order of business for Thursday, June 16th.

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, June 16th, 1949, at 12:30 P.M. All judges being present and the Chief Judge presided.

Chief Judge Smith read a suggested reply to the letter sent to the Members of the Supreme Bench by Mr. Wilford L. Carter, Clerk of the Criminal Court of Baltimore City, in connection with the discharge of certain employees in his office. After discussion, the Chief Judge was authorized to reply to Mr. Carter's letter in accordance with the suggested draft.

The report of the Committee on the Consolidation of Courts was read and after discussion was approved and the Chief Judge directed to send a copy of the report and an accompanying letter to Mr. Joseph Byrnes, Chairman of the Legislative Council.

There being no further business, the meeting adjourned.


Secretary.

Report Of Special Committee On Consolidation Of Courts

Consolidation of the Courts of Baltimore City, with their separate, distinct clerks' offices, has long been urged and recommended.

In the Constitutional Convention of 1907, the Judiciary Committee recommended consolidation under the name of the Supreme Court of Baltimore City. After debate, a compromise plan was adopted, the judges were consolidated "under the name of the Supreme Bench of Baltimore City, for service in all the courts" while the distinctions were retained in the clerks' offices (Bond Commission Report, Oct. 21, 1942, p. 6.)

The single consolidated court with its various divisions, with one clerk, exists in all the counties of Maryland and in all the U. S. District Courts.

In 1917 the Bar Association of Baltimore City approved a proposed constitutional amendment consolidating the courts of Baltimore City into one court, styled "The Circuit Court for Baltimore City" with one clerk.

Charles McHenry Howard was one of the leaders in that movement. At the convention of the Maryland State Bar Association in June of 1917, he asked that body to go on record as approving the proposal. Some excerpts from Mr. Howard's remarks are quite pertinent. He said:

"It will not do to say this is a bill in which Baltimore City only is interested. . . . It is something which has got to be done by the State as a whole. . . . It must be voted on in the counties as well as the City before it can be adopted as an amendment. . . . It is the unanimous judgment of the City Bar Association that this bill will accomplish great saving."

(22 Transactions Md. State Bar Assn., 137, etc.)

Osborne L. Yellott, a county lawyer of outstanding reputation, said:

"I am one of the county lawyers, and I also practice in the city. . . . and as I understand the (proposed) law at the present time, it is an admirable thing in every respect. . . ." (Same, page 163.)

The proposed consolidation was approved by the State Bar Association at that convention.

The year before Senator George Arnold Frick of Baltimore had introduced in the State Senate a bill embodying a similar plan (S. B. 425, 1916), but it failed of passage.

The discussion continued over the years until the Bond Commission Report of 1942. The Commission recommended that the courts of Baltimore City be consolidated into one court, the Superior Court of Baltimore City; the court, as consolidated, to sit in separate divisions as at present, that is, criminal, law, (jury and non-jury), equity, and the juvenile equity division for juvenile causes. The distinction between law and equity remained unchanged. The Clerk of the consolidated court would be appointed by the Court, that is, by the eleven Judges who now constitute the Supreme Bench of Baltimore. For the remainder of their terms of office the other five clerks would serve as deputy clerks.

This recommendation of the Bond Commission Report was never submitted by the Legislature to the voters for their approval or disapproval. Rightly or wrongly, this is supposed to be due to the opposition of the court clerks and their friends. Whatever may have been the reasons in the past, we believe the situation is different today.

At the present time the Supreme Bench has very little control over the clerks' offices and their management. Most of the present incumbents are career men who have devoted many years of service as clerks of court. They have acquired a wealth of technical knowledge and in most instances have demonstrated good administrative ability. In the main their offices function smoothly and quietly with no criticism from the bar, the Bench, or the public. These employees are, for the most part, experienced workers. They hold their jobs in constant fear that if their employer, the Clerk of Court, is defeated for reelection, they may lose their jobs. Their source of protection is the Supreme Bench but its power is not too clearly defined.

We do not believe competent and experienced Clerks of Court should hold office subject to the vicissitudes of the tide of politics, and competent employees of the court clerks' offices should be given real protection. Every reason for consolidation that has heretofore existed, is present today with some additional factors that should be taken into consideration.

We recommend that the proposal of the Bond Commission for consolidation of the Courts of Baltimore City into one court, with one clerk's office, should be approved with certain modifications. The changes we suggest are as follows:

1. The Clerk of Court should be appointed by the Court from among the clerks in office at the time of the approval of the amendment, and each of the other clerks approved by the Bench would act as Chief Clerk in charge of one of the separate divisions of law, equity, criminal, juvenile, and record office; and

2. Every employee in the clerks' offices would be retained in his position, without examination, subject to the approval of the Court, for life or until retirement, at the pleasure of the Bench.

The fact that employees would be integrated into the consolidated court without examination follows many precedents. There are a number of instances where similar action has taken place in this State and bureaus and departments have been put under the protection of a merit system without examinations.

The results of these recommendations would mean:

1. More efficient operation of the clerks' offices with a resultant saving in taxpayer money.

2. Saving in time of litigants, witnesses, jurors, and lawyers by a central assignment bureau to assign cases for the law divisions, just as the State's Attorney's Office assigns cases to the various parts of the Criminal Court.

3. The rotation of Judges from one

division to another would continue as at present.

4. The saving in space in the Court House would be considerable. Only one set of dockets for all subsequent law cases would be needed. The same would hold true for equity cases. (In the Criminal Court we now have three court divisions with one set of records in the Clerk's Office.)

5. The absolute right of removal in civil cases from one Judge or Jury panel to another would be preserved as at present.

6. All court clerks approved by the Bench would hold office comparable in dignity, responsibility, and salary to its present elective office, but they would not have to run for office every four years.

7. Every deputy clerk, court clerk, docket clerk, stenographer, recorder, general clerk, or other employee, now working in the Court House would be continued in office without pension and for life, or until retirement, if approved by the clerk of his division and the Bench.

8. Inequalities in salaries between the employees of the various branches of the clerk's office would be avoided by providing proper classifications and wage scales.

9. The present power and authority of the Supreme Bench will remain unchanged. Motions for new trial and in arrest of judgment in criminal cases will be heard as they are now.

10. The recommendations contained in the recent Grand Jury Report can be carried out, and with no difficulty.

A Constitutional Amendment, following the draft submitted by the Bond Commission, should be prepared with the modifications as herein suggested. While the vote on such an amendment will be state-wide, the proposal will apply only to Baltimore City, and this should be made clear.

The Legislature meets early in 1950 and, if approved by that body, the voters can express their views in the November election of 1950.

Our Committee recommends the consolidation of the courts of Baltimore as above set forth and urges the Supreme Bench to authorize the Chief Judge to transmit a report and recommendations on the subject to the Legislative Council for the purpose of public discussion and favorable action, to the end that a constitutional amendment be submitted to the voters at the 1950 Fall election.

Respectfully submitted,
ROBERT FRANCE,
CHARLES E. MOYLAN,
JOSEPH SHEDDEN,
Chairman.

Communication Sent By Chief Judge Smith To Senator Byrnes

June 22, 1949.

Hon. Joseph H. Byrnes, President, The Legislative Council of Maryland, City Hall, Baltimore, Maryland.

DEAR SIR:

The time has now arrived when complete control by the Bench over the operation of the Clerks' offices in Baltimore City can no longer be postponed. By consolidation of the various courts into one court under single Chief Clerk should, in the interest of efficiency and economy, also be accomplished.

You are familiar with the long history of political conflict which is responsible for the existing Court organization in Baltimore. In the Constitutional Convention of 1877 the separate courts, under separate clerks, were so constituted because of the fear that a single clerk with power to select his many employees would have too much political power. So five clerkships were created (which have since become six by addition of one more court and clerk). The offices were made elective, and have ever since been the subject of political content.

Meantime the employees in the various offices who have proved their efficiency have managed to survive political changes with remarkable hardihood. The late Tom Campbell and Peter Stevens are examples of men of long experience and broad knowledge of procedure, who served in the clerk's offices continuously under changing administrations. The influence of the Judges has, of course, been exerted to keep such men in service.

Authority has been given the Bench to appoint the successor of any elected clerk who resigned or died in office. This authority has been exercised to select career men to fill the vacant posts; and the men so selected have been elected by the people to fill succeeding terms in office. It has been hoped that, in time, through the exercise of this power to fill vacancies, and by getting the support of the people to elect the clerks so appointed, the clerkships might all eventually be filled by career men.

We have been reluctant to agree that it is necessary for the Bench to ask for this increased authority and responsibility. For a long time we have hoped that, through co-operation between the Clerks, the Bench, and the people, it would be possible to achieve the ends which the constitutional amendment would accomplish at one stroke. This hope was based on three considerations: first we did not wish to have our administrative burdens increased. The Judges are fully occupied with their administrative duties, and have not time or opportunity to delve into the details of office administration, to hire and fire clerical employees. Second, the present Court House was designed and built to house the existing courts and clerks and provides no space which conveniently lends itself to consolidation of the Clerks' offices. Third, the Clerks themselves have been either career men, or men with long experience in office, co-operative with the Bench, whose public service entitles them to deserved recognition and consideration.

But recent events have convinced us of the necessity for this added authority and responsibility. It now is too clear that the clerks hold their offices

subject to the vicissitudes of factional politics; that clerks may be elected who will not co-operate with the Bench, and who may cause the Judges to be drawn into controversy over the conduct of the Clerk's office, whether they desire it or not.

Furthermore, now is the time when, if ever, the consolidation may most conveniently be accomplished. First, the selection of employees in the various administrative branches may safely be confined to the deputies to be placed in charge thereof. Second, the construction work authorized by the Court House Loan will provide added space which may be utilized conveniently, and Third; the Clerks in office at the time the adoption of the amendment, after the selection of one of their number to be Chief Clerk, will continue in office as deputy clerks in charge of the various administrative divisions, at the same salaries that they now receive, for the balance of their respective terms and thereafter at the pleasure of the Bench. They may occupy, if they desire it, positions of equal dignity, with like remuneration, to those which they now hold.

Finally, the compelling consideration for the adoption of the Bond Plan Amendment for the consolidation of the Courts of Baltimore City is its simplicity. A single court, with a single chief clerk, will of course be easier to administer. And authority can more readily be exercised to accommodate the assignment of Judges and Clerks, to court rooms and offices to care for whatever increase or shift in the volume of litigation may hereafter occur. Changes to serve the convenience of litigants and lawyers may be made by mere rule of court, without resort to the legislature. All of the artificial differences in jurisdiction between the various courts will be wiped out, and court business may be considered and disposed of as convenience may require.

A committee of the Judges of the Supreme Bench of Baltimore City has considered and reported to the Bench upon this subject. The report and recommendation of the Committee has been approved by the Bench. A copy of the report of that committee is enclosed to you herewith. The Bench has authorized me to recommend to the Legislative Council the approval and submission to the coming session of the General Assembly of the proposed consolidation of the Courts of Baltimore City in order that the amendment, if adopted by the Legislature, may be submitted for the approval of the people at the 1950 election.

Very truly yours,

W. CONWELL SMITH,
Chief Judge.

6/20/49

M I N U T E S

A TERM meeting of the Supreme Bench was held on Monday, June 20th, 1949, at 10 o'clock. All of the members of the Bench were present and the Chief Judge presided.

The motion of Idell Blackwell, Richard Blackwell and Mary Hill for new trial from their conviction of lottery charges, was argued, submitted and granted.

The motion of Blaney McKnight for new trial from his conviction of Bastardy, was argued, submitted and granted.

The motion of Albert Gaskill for new trial from his conviction of Burglary, was argued, submitted and granted.

The motion of Percy M. Perkins for new trial from his conviction of assault to murder, was argued, submitted and granted.

The motions of John E. Matthews, Wilford Carter, Julian B. Corbin and Norman Gaddy from their conviction of lottery charges, was argued, submitted and denied.

The motion of Samuel Good for new trial from his conviction of Assault, was argued, submitted and denied.

The motion of Edward Grear for new trial from his conviction of Murder, was argued, submitted and denied.

The Bench then selected the Grand Jury for the September Term, 1949. There being no further business, the meeting adjourned.



Secretary.

Grand Jury For September Term Selected By The Supreme Bench

The Grand Jury for the September Term was selected by the Supreme Bench of Baltimore at its regular term meeting in the Court House yesterday. The members of the Jury are called for Tuesday, September 13th.

Those selected to serve on the Grand Jury are:

- Abrahams, David A., 3313 Taney road.
 Cooper, L. Wesley, 2803 Strathmore avenue.
 Debinski, Nicholas J., 527 South Kenwood avenue.
 Durkee, Frank H. Sr., Northway Apts., 3700 North Charles street.
 Fayman, Frank G., 3206 Ramona avenue.
 Foster, Mrs. Lillian K., 2210 Linden avenue.
 Gile, Mrs. Miriam B., 3401 North Calvert street, Apt. 12.
 Heil, Edward A., 3517 Denison road.
 Hirschman, Leon N., Esplanade Apts., 2519 Eutaw Place.
 Johnson, John M., 1700 Druid Hill avenue.
 Kidder, Herrick P., 1012 Poplar Hill road.
 King, Mrs. Charlotte B., 219 West Lanvale street.
 King, Thomson, 216 Longwood road.
 Knebel, Dr. Edward L., 1763 Montpeller street.
 Krug, Andrew C., 3197 Gibbons avenue.
 Mackall, John N. Sr., 12 Merrymount road.
 Nolte, Mrs. Charlotte E., Northway Apts., 3700 North Charles street.
 Nossell, Joseph T., 2217 Crest road.
 O'Brien, William V., 2722 East Madison street.
 Ruppel, Miss Amalie G., 4306 Roland avenue.
 Sadowski, Charles D., 1905 Eastern avenue.
 Samier, Mrs. Evelyn H., 7311 Park Heights avenue.
 Von Hagel, James H., 510 Lyndhurst street.

Motions For New Trials Are Ruled Upon By The Supreme Bench

Arguments on motions for new trials in criminal cases were presented before the Supreme Bench of Baltimore yesterday.

The Bench granted new trials in the cases of Idell Blackwell, Richard Blackwell and Mary Hill, who were convicted on lottery charges and who were represented by R. Palmer Ingram; Blaney McKnight, who was found guilty of bastardy and who was represented by Albert A. Levin; Albert Gaskill, who was convicted of burglary, being represented by Paul B. Miles and Percy M. Perkins, who was found guilty of assault to murder, and who was represented by Joel J. Hochman.

New trial motions which were overruled by the Bench were those of: John E. Matthews, Wilford Carter, Julian B. Corbin and Norman Gaddy, who were convicted on lottery charges; Samuel Good, found guilty of assault and Edward Grear, who was convicted of murder.

Assistant State's Attorney Charles E. Orth, Jr., appeared on behalf of the State in the lottery cases, while Assistant State's Attorney Edwin A. Gehring presented the arguments on behalf of the State in the Good case. The State was represented in the Grear case by Assistant State's Attorneys William J. O'Donnell and James F. Price.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, September 15th, 1949, at 12:00 noon. All judges being present and the Chief Judge presided.

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

Twenty-one new attorneys were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore yesterday.

The new attorneys are: R. Yroneda Bols, Richard C. Sullivan, George M. Sherwood, Martin Kleiman, C. H. Reed, Jr., John B. Russell, Carlyle Barton, Jr., LeRoy Bald, John A. McGuire, Rene T. Gunning, Calhoun Bond, Austin E. Oppenheim, Fred Kolodner, Felix T. Tallaferra, Andre D. Brewster, Mabel S. Main, Melvin J. Sykes, John F. Godkiewski, George D. Solter, Frank T. Gray and Jack G. Perry.

The Chief Judge submitted for discussion the report recently completed by Mr. Sewell Lamdin, Bailiff, on the number of Counsel appointed to represent indigent traversers and the amounts of fees allowed.

There being no further business, the meeting adjourned.


Secretary

COPY

155

SUPREME BENCH OF BALTIMORE CITY

September 16, 1949

Mr. John O. Rutherford, Clerk
Baltimore City Court.

Dear Mr. Rutherford:

Referring to your letter of September 12th, in connection with the appointment of Mr. Stanley Edgar Rustic as a deputy clerk of the Baltimore City Court, the Supreme Bench of Baltimore City, at its meeting held yesterday, unanimously approved the appointment.

Yours very truly,

Robert France,
Secretary,
Supreme Bench of Baltimore
City.

RF:s1

IRVING KATZ,
CASHIER AND
DEPUTY CLERK.

EARL E. AUER,
AUGUST BERKEMEIER,
ROBERT H. BOUSE,
WALTER V. FAHEY,
HUGH A. KENNEDY,
GEORGE PATTINSON,
DEPUTY CLERKS.



Baltimore City Court,

JOHN O. RUTHERFORD, CLERK.
EDWIN J. DICKERSON, CHIEF DEPUTY CLERK.

September 12, 1949

TELEPHONE,
PLAZA 2719.

128 COURT HOUSE,
ST. PAUL AND FAYETTE STREETS,
BALTIMORE 2, MD.

Honorable W. Conwell Smith
Chief Judge and the Associate
Judges of the Supreme Bench of
Baltimore City
Court House
Baltimore, -2 Md.

Gentlemen: In re: Stanley Edgar Rustic

Subject to the approval of the Supreme Bench of Baltimore City, I would like to appoint Mr. Stanley Edgar Rustic, a deputy clerk to succeed Mr. William Kramer. As you know, Mr. Kramer pleaded guilty to forgery in the Criminal Court and was dismissed from service forthwith.

Mr. Stanley Edgar Rustic, age 50; 3229 Spaulding Avenue is married and owns his own home. He attended the Pimlico Grade School and the Baltimore City College. For many years he was in the automobile business and advanced to service manager in 1939. He went to Camp Holabird in 1941 as Instructor to Mechanics and later transferred to Glenn L. Martin as Airforce Inspector and Co-ordinator. From 1947 to 1949 he was engaged in business, being compelled to withdraw because of the illness of a partner.

Mr. Rustic is a gentleman of excellent character and reputation. He was carefully investigated by the F.B.I. before being employed at Holabird and Glenn L. Martin. His health record is excellent and he has never been discharged from any position nor arrested on any criminal charge.

Mr. Dickerson and the writer are convinced that Mr. Rustic will make the type of employee who will reflect credit on the office. He is a man of mature judgment and accustomed to serving the public.

Since Mr. Kramer was at the bottom of the employment ladder, having worked here only a short time, Mr. Rustic will take over in that particular post. The need of the employee is urgent and prompt approval is respectfully requested.

Yours sincerely,
THE BALTIMORE CITY COURT
John O. Rutherford
Clerk of the Court

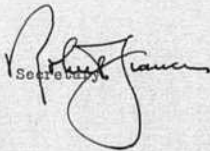
R/slr.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, September 22nd, 1949, at 12:30 P.M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

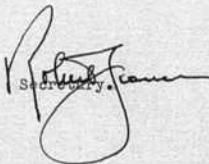

Secretary

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, September 29th, 1949, at 12:30 P.M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.


Secretary.

COPY

SUPREME BENCH OF BALTIMORE CITY

October 6, 1949.

Mr. John S. Clarke, Clerk
Circuit Court No. 2 of Baltimore City,
Baltimore, Maryland.

Dear Mr. Clarke:

Referring to your letter of October 3rd, in connection with the appointment of Mrs. Fannie Malamed as a Recorder in the Circuit Court No. 2 of Baltimore City, the Supreme Bench of Baltimore City, at its meeting today, unanimously approved the appointment.

Yours very truly,

Secretary,
Supreme Bench of Baltimore
City.

RF:s1

Circuit Court No. 2 of Baltimore City
Baltimore, Maryland

JOHN S. CLARKE
CLERK

Oct. 3rd, 1949.

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

Appointment of
Re: Mrs. Fannie Malamed

Dear Judge Smith:-

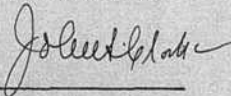
Subject to confirmation of the Supreme Bench of Baltimore City, I would like to appoint Mrs. Fannie Malamed, 2026 Walbrook Avenue, as a Recorder in my office.

My reason for this request is the voluntary retirement of Mrs. Marilyn Zimmerman, who was an employee in this office for the past eighteen months.

I personally interviewed Mrs. Malamed, and feel that she will prove to be a capable and efficient employee. She also comes well recommended.

It is my desire that this appointment become effective on Monday, October 10th, 1949.

Respectfully yours,



JSC:JMC

Clerk

COPY

SUPREME BENCH OF BALTIMORE CITY

October 6, 1949.

Mr. Frank G. Robey, Clerk
Court of Common Pleas,
Baltimore 3, Maryland.

Dear Mr. Robey:

Referring to your letter of September 29th, in connection with the appointment of Mr. Roland L. Keller as a deputy clerk of the Court of Common Pleas, the Supreme Bench of Baltimore City, at its meeting today, unanimously approved the appointment.

Yours very truly,

Secretary,
Supreme Bench of Baltimore
City.

RF:sl



Clerk's Office
Court of Common Pleas
Baltimore 3, Md.

September 29, 1949

Honorable W. Conwell Smith
and
Associate Judges of Supreme Bench
Court House
Baltimore, 2, Md.

Dear Judge Smith:

Since April 1947 Roland L. Keller of 3316 Elm Avenue, Baltimore, Md. has been employed in my office as temporary help. The work which Mr. Keller does; namely, checking marriage records for Veterans and general counter work, has increased so that I feel it advisable, with your permission, to appoint him as a deputy clerk.

I have taken this matter up with Mr. Lacy, State Comptroller, and he has given his approval of the appointment.

I will appreciate it if you will have this appointment approved by the Supreme Bench.

Thanking you, I am

Sincerely yours,

Frank C. Robey
Clerk

FCR:y

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, October 6th, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

Judge Smith read a letter from Carlyle Barton, Esquire, member of the Baltimore Bar, expressing his regret that he could not be present at the admission service of the prior week at which his son was admitted to practice but stated professional business required his being out of town.

Judge Smith read a letter from Judge Allan Rhynhart of the Peoples Court with reference to certain procedure at the time the increased jurisdiction of the Peoples Court becomes effective. After discussion, this matter was referred to the Rules Committee.

Judge Smith next read a letter from Mr. J. Bernard Wells in connection with the recent act of the Legislature requiring a copy of the indictment to be furnished every traverser. After discussion, the Chief Judge was directed to write a letter to Mr. Wells calling his attention to the fact that the act of the Legislature placed this duty on his office but expressing the opinion of the Bench that whatever ^{the} procedure was nevertheless, a receipt should be secured, signed by the traverser or his attorney.

There being no further business, the meeting adjourned.


Secretary.

M I N U T E S

A meeting of the Supreme Bench was held on Saturday, October 8th, 1949, at 10 o'clock a.m. All of the members of the Bench were present and the Chief Judge presided.

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

The Supreme Bench of Baltimore on Saturday admitted the following to practice as members of the Baltimore Bar: Irving K. Reamer, Jacob H. Schluger, Thomas W. Brundage III, Charles B. Levering, Richard E. Davis, Michael P. Yuhass and Peter W. L. Disney.

The motion of Robert Black for new trial from his conviction of Rape in the Criminal Court was argued, submitted and granted. The motions of Robin J. Dodd, Bertha Dixon, Hortense Garrett, Anita Hill, Natalie Johnson and Romain Smith for new trial from their conviction of Lottery in the Criminal Court were argued, submitted, and denied.

The Chief Judge read a copy of a letter which he had sent to Mr. J. Bernard Wells in connection with the matter of furnishing a copy of the indictment to each traverser.

The question of a judge being present on Saturdays was again discussed and it was the sense of the Bench that the Chief Judge draw up a schedule commencing with January 7th, 1950, assigning a judge to be present on each Saturday until the end of the May Term. The Jury Judge (Judge Mason) and Judge Moylan to be excepted.

There being no further business, the meeting adjourned.

V. J. France
Secretary

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, October 13th, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

A communication addressed to the members of the Supreme Bench from Reverend Bailey complaining of certain practices of one of the Court House watchmen was read and after discussion was turned over to Chief Judge Smith for investigation and reply. 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 20th, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

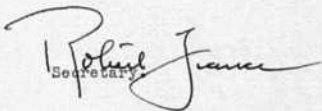
Handwritten signature of Robert J. ...
Secretary.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, October 27th, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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, November 3rd, 1949, at 12:30 P. M. All judges being present except Judge Sayler and the Chief Judge presided.

The Bench discussed the question of the State's Attorney's office failure to comply with the recent act of Legislature dealing with furnishing of a copy of the indictment or information to traversers. It was decided that Judge France should write the State's Attorney to the effect that the three judges of the Criminal Courts of Baltimore City, with the approval of the Supreme Bench, would refuse to permit arraignments of any traversers who had not been furnished with a copy of the indictment or information and that the original indictment should contain a receipt signed by the traverser or his attorney showing date of receipt of a copy of the indictment or information.

Judge Smith brought to the attention of the Bench a request of Mr. Hilary Gans, counsel for William Fields Sampson, for a postponement of the hearing of the motion for new trial set for Saturday, November 5th, 1949. It was the sense of the Bench that the question of postponing a motion for new trial be left to the discretion of the Chief Judge.

There being no further business, the meeting adjourned.

Robert France
Secretary

M I N U T E S

A meeting of the Supreme Bench was held on Saturday, November 5th, 1949, at 10 o'clock a. m. All of the members of the Bench were present and the Chief Judge presided.

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

The Supreme Bench of Baltimore on Saturday admitted Dixie Donald Kilham, Elmer Ue Berhart, Thomas Conway Matthews, Jr., Robert Mason Thomas and Joseph C. Warfield, Jr. to practice as members of the Baltimore Bar.

The motion of Billy Williams for new trial from his conviction of Lottery and Assault on Officer in the Criminal Court was argued, submitted, and granted.

The motion of Anthony Bouchet for new trial from his conviction of Bets on Races in the Criminal Court was argued, submitted and held sub curia.

There being no further business, the meeting adjourned.

Robert France
Secretary.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, November 10th, 1949, at 12:30 p. m. All judges being present and the Chief Judge presided.

Judge Smith stated that new members of the Bar would be admitted by the Supreme Bench on Thursday, November 17th, 1949, and requested all judges to be present with their gowns in the consultation room of the Supreme Bench promptly at 12:30 on that day. The motion of Anthony Bouchet for new trial from his conviction of Bets on Races was granted.

There being no further business, the meeting adjourned.

Robert J. France
Secretary.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, November 17th, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

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

The Supreme Bench of Baltimore admitted fifty-nine new attorneys to practice as members of the Baltimore Bar yesterday. The candidates were those who passed the Bar Examinations given in July by the State Board of Law Examiners.

Those admitted to practice are: David K. Ebersole, Jr., David O'Dunne, Leonard Nipart, Southley F. Miles, Jr., Edward Allan Johnston, John H. Hesse, IV, William E. Dixon, Jack Howard Williams, John P. O'Ferrall, John Joseph Sweeney, Jr., John Judge Mehling, R. Cressap Davis, J. Paul Bright, Jr., Jack C. Merriman, James S. Morrow, Jr., William P. Belton, Jr., Samuel B. Druce, Jay Donald Connor, Robert S. Putterman, Jack Leslie Grossman, Carl Harrison Lehmann, Jr., Charles Gordon Haines, William Howard Rovecamp, Frederick J. Petersen, George H. Rosedorn, George L. Parrish, Harry Augustus Cole, Norman V. Waltjen, Jr., Walter Reitsell Tabler, Jr., Clarence Joseph Flynn, Walter E. Black, Jr., Lelroy E. Hoffberger, Daniel B. Brewster, James Lomax Bundy, Jack C. Doney, Alvin Solomon, George Moore Brady, Jr., Harry O. Thomson, Joseph William Ruhl, Carroll Luther Fogleman, Adam S. Gregorius, Jr., Raphael Semmes, Edward A. Supplee, Doris Petersen Scott, Patrick J. Coughlin, Jr., Philip John Kelly, Jr., Roland Linthicum Banks, Jr., Bernard M. Hawkins, Jr., John F. Kennedy Jr., Alfred Max Porth, Charles J. Froehlich, Jr., H. Frederick Jett, Taylor H. Greenfield, W. Everett Smith, Eugene Patrick Smith, Albeck A. Rensick, George J. Ayd, Claude L. Callagery and Harry Samuel Allen.

There being no further business, the meeting adjourned.

Robert Jance
Secretary.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday December 1st, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

A handwritten signature in dark ink, appearing to read 'Robert J. ...', is written over the typed name 'Secretary'.

Secretary.

M I N U T E S

A meeting of the Supreme Bench was held on Saturday, December 3rd, 1949, at 10 o'clock a. m. All judges being present and the Chief Judge presided.

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

Bernard G. Link, Leonard J. Kerpelman, William P. Wilkinson, David H. Levy, Francis X. Galbraher, Charles E. McCoy, Jr. and Joseph S. Kovacs, Jr. were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore on Saturday.

The motion of Leo Otto Van Dale for a new trial from his conviction of Manslaughter in the Criminal Court was argued, submitted, and granted.

The motions of Clifton W. Brown, James Herbert and Ben Miller for a new trial from their convictions of Robbery With a Deadly Weapon were argued, submitted and granted.

The motion of William Fields Sampson for a new trial from his conviction of Murder in the First Degree was argued, submitted and denied.

The motions of Richard Lyons and Anthony Paraway for a new trial from their conviction of Lottery were argued, submitted and denied. 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, December 8th, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

[Signature]
Secretary

[Signature]

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, December 15th, 1949, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.


Secretary. Zane

M I N U T E S

A TERM meeting of the Supreme Bench was held on Monday, December 19th, 1949, at 10 o'clock a. m. All judges being present except Judge Saylor and the Chief Judge presided.

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

Edward Parker Beachum, Jr., Paul
Greene, J. Calvin Carney, Jr., Paul
Goldberg and George W. McManus, Jr.
were admitted to practice as members
of the Baltimore Bar by the Supreme
Bench of Baltimore yesterday.

The motion of W. R. Palmer for a new trial from his conviction in the Criminal Court of Prostitution was argued, submitted and granted.

The motion of Alvin Lee Myers, Jr., for a new trial from his conviction in the Criminal Court of Larceny was argued, submitted and denied.

Judge France read a letter from Mr. J. Bernard Wells, State's Attorney, with respect to having a notation made on the public docket that the traverser had been given a copy of the indictment or information prior to arraignment. Judge France stated that he had talked this over with Mr. Wilford Carter, Clerk of the Criminal Court, and commencing as of the first of the year the public docket will show by proper entry that the traverser has received a copy of the indictment or information which will be initialed by the Clerk making the entry.

The Bench then selected the Grand Jury for the January Term, 1950. The Assignment of the Judges of the Supreme Bench of Baltimore City for the ensuing year was approved.

There being no further business, the meeting adjourned.

Secretary

Edward P. France

Assignment Of Judges For Coming Year Announced By Supreme Bench

The assignment of the judges of the Supreme Bench of Baltimore City for the coming year was announced at the General Term meeting of the Bench yesterday at 10 o'clock a. m.

The judges and the courts in which they will serve beginning on Monday, January 9th, when the January Term of the local courts will convene, are:

Judge Warnken, Superior Court, Room 201.

Judge Tucker, Superior Court, Part II, Room 206, (Non-Jury and Magistrates' Appeals).

Judge Sayler, Superior Court, Part III, Room 202.

Judge Mason, Baltimore City Court, Room 131.

Judge France, Court of Common Pleas, Room 221.

Judge Moser, Circuit Court, Room 214.

Judge Conroy, Circuit Court, No. 2, Room 222.

Judge Mason, Criminal Court, Room 103.

Chief Judge Smith, Criminal Court, Part II, Room 122.

Judge Sheehy, Criminal Court, Part III, Room 124, (Jury Trials).

Judge Mylan, Juvenile Court.

Judges France and Warnken to hear all cases arising from orders directed to the Registers of Voters on petitions filed in the several precincts of Baltimore City.

January Term Grand Jury Is Selected By Supreme Bench

The Grand Jury for the January Term was selected by the Supreme Bench of Baltimore yesterday. They are called for Monday, January 9th, when the local courts will convene for the January Term.

Those selected to serve on the Grand Jury are:

Amos, Elmer, 449 East 23rd street.

Cann, Mrs. Helen V., 3510 Hilldale road.

Carter, Kenneth L., 1500 Penridge road.

Coleman, Charles L., 501 West Blat street.

Eades, Robert M., 2202 Annapolis road.

Fitzpatrick, Charles J. Sr., Greenwich Gardens, Apt. D1.

Frank, Milton M., 1007 West North avenue.

Hebner, Miss Marie C., 3407 Greenway Apt.

Helstead, Robert H., 6 East 33rd street.

Hessenauser, Mary C., 4501 Walther avenue.

Hutchinson (Tolkow), H., 4192 Roland avenue.

Krug, Mrs. Elizabeth A., 106 Oakdale road.

Lohman, Mrs. Emma V., 3314 Elgin avenue, Apt. 202.

Lowndes, Mrs. C. Dulany, 109 East Melrose avenue.

McCallister, James G. Sr., 2810 Bayonne avenue.

Miller, Roland L., 4 North Hadley square.

Patterson, Charles W., 102 West 30th street, Apt. 1A.

Rhodes, William C., 2433 Druid Hill avenue.

Saunders, Y. A., 4309 Bayonne avenue.

Shinn, Jacobson C., 343 South East avenue.

Sliff, Mrs. Charles M., 106 Judgeswood road.

Strick, Mrs. Caroline G., 2211 West North avenue.

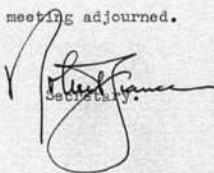
VanNatta, Mrs. Charlotte, Cambridge Arms, 54th and Charles streets.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, January 12th, 1950, at 12:30 P. M. All judges being present except Judge Moser and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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, January 19th, 1950, at 12:30 P.M. All judges being present except Chief Judge Smith.

There being no further business, the meeting adjourned.

Handwritten signature of Robert J. ...
Secretary.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, January 26th, 1950, at 12:30 P.M. All of the members of the Bench were present except Judge Moylan and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.



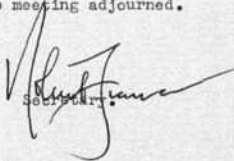
Secretary.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, February 2nd, 1950, at 12:30 p. m. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.


Secretary

M I N U T E S

A meeting of the Supreme Bench was held on Saturday, February 4th, 1950, at 10 o'clock a. m. All of the members of the Bench were present and the Chief Judge presided.

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

Werner Windus, Ruth Howard Bishop and Caroline McBride Bee were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore on Saturday upon the respective motions of Jack H. Williams, Charlotte W. Main and Henry E. Wisowaty.

The motions of Gilbert Promutico, Ralph Julian, Daniel Perna, Marshall Vendetti, Vincent Platerote, Edward Sloman, and Joseph Grecski for new trial from their conviction of Assault in the Criminal Court were argued, submitted, and denied with the exception of Gilbert Promutico, whose motion was granted. The motion of Andrew W. Edwards for new trial from his conviction of Bets on Races, was argued, submitted and denied. The motion of James Edwards for new trial from his conviction of Robbery in the Criminal Court was argued, submitted and held sub curia.

The motion of Oscar Smith for new trial from his conviction of Robbery in the Criminal Court was argued, submitted and held sub curia.

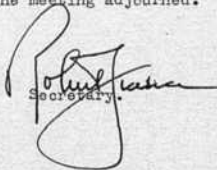
The Chief Judge read a letter from Mr. John Rutherford, Clerk of the Baltimore City Court, requesting authority to employ an additional clerk for reasons stated in a letter to Mr. Rutherford

from his Chief Deputy, Mr. Dickerson. The matter was referred to the Chief Judge with power to act.

A request from Mr. Charles Snyder, Chief Probation Officer, was read wherein he stated that in the very near future it will become necessary for him to buy a new check writer, the present one having been in use for sometime and is rapidly wearing out. This matter was referred to Judge Niles, Chairman of the Probation Committee, with power to act.

Judge Tucker brought up the question of changes in Supreme Bench Rule 904. This was made the special order of business for Thursday, February 16th.

There being no further business, the meeting adjourned.


Secretary.

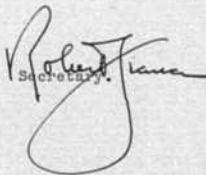
M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, February 9th, 1950, at 12:30 P.M. All judges being present and the Chief Judge presided.

The motion of James Edwards for new trial from his conviction of Robbery in the Criminal Court was granted.

The motion of Oscar Smith for new trial from his conviction of Robbery in the Criminal Court was granted.

There being no further business, the meeting adjourned.


Secretary.

February 16, 1950.

Honorable J. Bernard Wells,
State's Attorney for Baltimore City,
Baltimore 2, Maryland.

Dear Mr. Wells:

The Supreme Bench at its regular luncheon meeting today unanimously approved the appointment of Mr. William Leigh Siskind as an Assistant State's Attorney.

Yours very truly,

Robert Franco,
Secretary.

RF:sl



State's Attorney of Baltimore City

J. BERNARD WELLS

BALTIMORE 2

FEBRUARY
SIXTEENTH
NINETEEN
FIFTY

WILLIAM H. MAYNARD
DEPUTY STATE'S ATTORNEY

ANGELM BODIARD
1ST ASSISTANT STATE'S ATTORNEY

JOHN C. WEISS
2ND ASSISTANT STATE'S ATTORNEY

SAUL A. HARRIS
3RD ASSISTANT STATE'S ATTORNEY

MORDECAI H. BUCHHEIM
SPECIAL IN CHARGE OF DOMESTIC RELATIONS

ASSISTANT STATE'S ATTORNEYS

ALAN H. HURRELL

WILLIAM J. O'DONNELL

JAMES F. PRICE

J. HAROLD GRADY

CHARLES E. ORTH, JR.

EDWIN A. GENRING

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

Honorable Sirs:

I regret to advise you that my deputy, Mr. William H. Maynard, was taken sick Tuesday of this week, very suddenly, and on yesterday was operated upon at Johns Hopkins Hospital. At best I do not look for his return for a month. Needless to say he will be very much missed.

The volume of work now being handled in the office is certainly the largest in its history. This situation, accentuated by the MacCrowe and Edwards cases, both about ready for trial, puts a most trying load on the office. I am, therefore, most respectfully requesting your Honorable Body to approve of the appointment of an additional Assistant State's Attorney. If you will so conclude, I am pleased to submit the name of William Leigh Siskind, 25 years of age, married and residing at 3400 Groveland Avenue.

Mr. Siskind's early education was obtained at the Polytechnic Institute, after which he entered the North Carolina University, graduating from there with the degree of A.B. The next two years he spent in the United States Navy, and from there he went to the Northwestern University, a military school, from which he received a commission as Ensign, later promoted to Lieutenant-J.G. In 1946 he entered Harvard Law School, taking the full course, from which institution he was graduated in 1948, the same year he was admitted to the Bar in Maryland. He is now engaged in the practice of his profession with his father, Herman Siskind, at 208 East Lexington Street.

Mr. Siskind comes to me very highly recommended, and if your Honors will see fit to approve the nomination I feel certain he will prove to be a very useful member of the staff.

With much respect, I am,

Yours very truly,

J. Bernard Wells
STATE'S ATTORNEY

JEW:B

MINUTES

A luncheon meeting of the Supreme Bench was held on Thursday, February 16th, 1950, at 12:30 P. M. All judges being present except Judge Moser and the Chief Judge presided.

The appointment of Mr. William Leigh Siskind as an Assistant State's Attorney was unanimously approved.

Supreme Bench Rule 904 was discussed and final disposition of the matter was postponed until Thursday, February 23, 1950.

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, February 23rd, 1950, at 12:30 P. M. All judges being present except Judge Moser and the Chief Judge presided.

The Chief Judge read a letter from Mr. John L. Rutherford, Clerk of the Baltimore City Court, recommending approval of Mr. John F. Burns as Deputy Clerk and Assistant Cashier.

The Bench approved the appointment of Mr. Burns subject to the usual check-up by the Police Department of any police record.

Rule 904 of the Supreme Bench was again brought up for discussion and it was finally unanimously

"RESOLVED: Rule 904 is hereby repealed.

The repeal of Rule 904 shall not be construed to impair the powers of the judges from time to time assigned to the Criminal Court of Baltimore to punish for contempt."

There being no further business, the meeting adjourned.



Secretary.

COPY

187A

SUPREME BENCH OF BALTIMORE CITY

February 24, 1950.

Mr. John L. Rutherford,
Clerk of the Baltimore City Court,
Court House,
Baltimore 2, Maryland.

Dear John:

This is to officially notify you that the
Supreme Bench of Baltimore City approves the appointment
of Mr. John P. Burns as Deputy Clerk and Assistant Cashier
of the Baltimore City Court.

Yours very truly,

Robert France,
Secretary,
Supreme Bench of
Baltimore City.

RF:sl

IRVING KATZ,
CASHIER AND
DEPUTY CLERK.

WILLIAM R. FLETCHER,
RUBY CLERK.



KARL E. AUER,
AUGUST BERKEMEIER,
ROBERT H. BOUSE,
WALTER V. FAHEY,
HUGH A. KENNEDY,
GEORGE PATTINSON,
STANLEY E. RUSTIC,
DEPUTY CLERKS.

Baltimore City Court,

JOHN O. RUTHERFORD, CLERK.
EDWIN J. DICKERSON, CHIEF DEPUTY CLERK.

TELEPHONE,
FLAX 2719.

128 COURT HOUSE,
ST. PAUL AND FAYETTE STREETS,
BALTIMORE 2, MD.

Feb. 21, 1950.

Honorable W. Conwell Smith, Chief Judge,
and the Associate Judges, of the
Supreme Bench of Baltimore City,
Court House, Room 122.

Honorable Sirs:

Subject to the approval of the Supreme Bench of
Baltimore City, I recommend the immediate appointment of
Mr. John F. Burns, 10 N. Collington Avenue, as a Deputy Clerk
and Assistant Cashier, in the Clerk's Office of the Baltimore
City Court.

Mr. Burns attended the University of Maryland
and Johns Hopkins University. He was Assistant Secretary and
Treasurer of the W. B. and A. Railroad; and Senior Accountant
with the Home Owners Loan Corporation. More recently, Mr.
Burns was Executive Secretary to the Board of Liquor License
Commissioners, until February 12, 1950.

Since his employment in 1939, with the Liquor Board,
he has won widespread confidence and respect. He is well known
to the Bench and Bar. I consider it a privilege to submit
the name of Mr. Burns, who is a proven and well qualified
public servant.

Your prompt approval will be appreciated, as I find
it impossible properly to conduct the business of this office,
without the addition of one permanent employee. This letter
supplements my recent letter and report of desk to desk survey.

Yours sincerely,

John O. Rutherford
John O. Rutherford, Clerk.

all subject to
P.H. record
Curt Wallace

COPY

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SUPREME BENCH OF BALTIMORE CITY

February 24, 1950.

Honorable W. Conwell Smith,
Chief Judge,
Supreme Bench of Baltimore City.

Dear Connie:

On the strength of the enclosed letter from Inspector Wallace and the action taken by the Bench at the luncheon meeting yesterday, I am notifying John Rutherford that he has our approval in the appointment of Mr. John P. Burns as Deputy Clerk and Assistant Cashier of the Baltimore City Court.

Yours very truly,

RF:sl

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, March 2nd, 1950, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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, March 9th, 1950, at 12:30 P. M. All judges being present and the Chief Judge presided.

Judge Tucker presented a draft of a suggested change in Rule 667 of the Supreme Bench which he requested the Judges to consider and asked that its discussion be made the special order of business at the luncheon meeting on March 16th. 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, March 16th, 1950 at 12:30 P. M. All judges being present and the Chief Judge presided.

Judge Tucker presented a Resolution amending Rule 667 of the Supreme Bench by adding the following paragraph:

"J. Estates Not Exceeding Five Hundred Dollars In Cash

When the estate being administered by a fiduciary other than a receiver consists entirely of cash not exceeding Five Hundred Dollars, the fiduciary may deposit such cash in a Savings Bank, or savings department of a banking institution, covered by federal deposit insurance, or a federalized Building Association, in Baltimore City, in the name of the fiduciary as such, subject to the order of the court in which the proceedings are pending. If, after making such deposit, the fiduciary shall report the same to the court, and deliver the deposit book to the trust clerk to be retained in his custody, the trust clerk shall file with the clerk of the court a memorandum of such delivery and the latter shall enter the same on the court docket. Thereafter, until further order of the court, it shall be unnecessary for the fiduciary to file annual reports, or file or continue in effect a fidelity bond, which would be otherwise required. The trust clerk shall report in writing to the judges of the equity courts between the 1st and 30th days of January in each year the status of each estate in connection with which this Rule, 667-J, is then effective."

After discussion, the Resolution was unanimously adopted.

The Chief Judge read a letter from Mr. M. Luther Pittman, Clerk of the Superior Court, seeking approval of the Bench to his destroying chattel records over 25 years old. After discussion, this met with the approval of the Bench and the Secretary was directed to so notify Mr. Pittman.

There being no further business, the meeting adjourned.

Robert J. Jones
Secretary

March 16th, 1950.

Mr. M. Luther Pittman, Clerk
Superior Court of Baltimore City,
Court House,
Baltimore 2, Maryland.

Dear Mr. Pittman:

Your letter of March 14th, addressed to the Members of the Supreme Bench in connection with destroying chattel records more than twenty-five (25) years old was taken up by the Supreme Bench at its meeting today.

This meets with the approval of the Bench and it is suggested that this be done by cremation.

Yours very truly,

Robert France,
Secretary,
Supreme Bench of Baltimore
City.

RF:sl



H. LUTHER PITTMAN, Clerk

Superior Court
of Baltimore City
Baltimore 2, Md.

March 14, 1950

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

Honorable Sirs:

There are in my office, collecting dust and dirt, old Chattel Records running back to the year 1777. Most of these are concerned with furniture, horses, and Negro slaves. They are absolutely of no value of any kind whatsoever, except as curiosity pieces.

The Joint Committee on Court House Records of the Bar and Junior Bar Associations have recommended that all records containing chattels more than five years old be destroyed. (See Daily Record, Monday, October 23, 1949.) While I hesitate to destroy records less than twenty-five years old without some authority, I request your authority to destroy all these old Chattel Records, which are more than twenty-five years old.

The Statute does not require the keeping of such records for any given length of time; but does require the re-recording of a chattel mortgage after five years, and of a conditional contract of sale after three years, to keep them in force and effect. I therefore feel that the keeping of these records for a period of twenty-five years is certainly long enough.

It is necessary to destroy these old records to make room for the additional space for the Probation Department. They were offered to the State Archivist, but were not accepted.

I therefore urge you to grant me this authority, if your Honorable Body feels such authority is necessary.

Very truly yours,

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, March 23rd, 1950 at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge read a letter from Mr. Henry Ripperger, Clerk of the Circuit Court, requesting permission to appoint Mr. John F. Kelly as a Deputy Clerk. The appointment was unanimously approved by the Bench subject to the customary check up with the Police Department with respect to any criminal record of the applicant.

There being no further business, the meeting adjourned.

A handwritten signature in cursive script, appearing to read "Robert H. ...".
Secretary.

March 27th, 1950.

Mr. Henry J. Ripperger, Clerk
Circuit Court of Baltimore City,
Baltimore 2, Maryland.

Dear Mr. Ripperger:

At the luncheon meeting of the Supreme Bench of Baltimore City on Thursday, March 23rd, Judge Smith presented your letter requesting approval of your appointment of Mr. John P. Kelly as a Deputy in your office in the place of Mr. Joseph W. Lynch, retired.

The Bench unanimously approved your appointment subject to the usual check with the Police Department. I have heard from Chief Inspector Wallace that the Department has no record whatsoever of any charges or convictions against Mr. Kelly and hence the appointment has the approval of the Bench.

Yours very truly,

Robert France, Secretary
Supreme Bench of Baltimore
City.

RF:sl



HENRY J. RIPPERGER, CLERK

CIRCUIT COURT OF BALTIMORE CITY

BALTIMORE-2, MD.

March 23, 1950

Honorable W. Conwell Smith
Chief Judge of the 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
John F. Kelly, as a Deputy in this office, in the
place of Joseph W. Lynch, retired.

Kindly notify me when the appointment is

2302 E. North Ave
approved.

Very truly yours,

Henry J. Ripperger
Clerk

HJR:HEM

MINUTES

A luncheon meeting of the Supreme Bench was held on Thursday, March 30th, 1950 at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge read a copy of the letter received by him from Mr. Vernon Eny with respect to a complaint now pending before the Grievance Committee of the Bar Association of Baltimore City against Mr. William I. Euppert, Jr. Judge Smith requested the Members of the Bench to read the letter and be prepared to discuss it at the meeting on Saturday, April 1st.

The Chief Judge then brought up the question of appointing a Jury Bailiff to take the place of Mr. J. Brower Gardner, deceased. After discussion, a vote was taken and Mr. Vincent Campbell was declared elected nine to two.

There being no further business, the meeting adjourned.

Vincent D. Campbell
Secretary.

Vincent D. Campbell
90, E. North Jones St. Baltimore, Md.
By Supreme Bench
1950
Vincent D. Campbell was appointed Jury Bailiff by the Supreme Bench of Baltimore City on Saturday, to fill the vacancy caused by the death of J. Brower Gardner.
Mr. Campbell, who resides at 515 East 58th Street, with his wife and four children, was appointed as a secretary of the Supreme Bench on March 10th, 1927, and served in that position under Judge Joseph N. Dillon, following Judge Dillon's death. Mr. Campbell was also named to Justice William L. Hanson's bench as a member of the Bench of the Court of Appeals of Maryland, and since 1945 has served under Judge E. Paul Mason.

M I N U T E S

A meeting of the Supreme Bench was held on Saturday, April 1st, 1950, at 10 o'clock a. m. All of the members of the Bench were present and the Chief Judge presided.

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

Kenneth Bank was admitted to practice as a member of the Baltimore Bar by the Supreme Bench of Baltimore City, on Saturday, upon the motion of Martin Beerman.

The motion of Edgar A. Spencer for new trial from his convictions of Robbery With Deadly Weapon and Deadly Weapon in the Criminal Court was argued, submitted, and granted.

The motion of David Anderson for new trial from his conviction of Robbery with Deadly Weapon in the Criminal Court was argued, submitted, and granted.

The motion of Samuel J. Walker for new trial from his convictions of Rape and Deadly Weapon in the Criminal Court was argued, submitted, and granted as to the first and second counts but overruled as to the third and fourth counts and overruled as to the Deadly Weapon.

The letter from Mr. Eney relative to the complaint of the Grievance Committee of the Bar Association of Baltimore City against Mr. Buppert was discussed informally but no action thereon taken.

Judge Niles raised the question of all criminal cases involving juveniles up to age 21 being tried by one judge for the purpose of getting uniformity of sentence. After discussion this was referred to the Committee On Probation for report at some

future date.

There being no further business, the meeting adjourned.

[Handwritten Signature]
Secretary.

Arguments On Motions For New Trials Heard By The Supreme Bench

The Supreme Bench of Baltimore granted the motions for new trials of Edgar A. Spencer, who was convicted on a deadly weapon and robbery with a deadly weapon charge. The Bench also granted the new trial motion of David Anderson, found guilty of robbery with a deadly weapon charge.

The new trial motion of Samuel S. Walker, who was found guilty of rape, was granted as to the first and second counts of the indictment. But overruled as to the third and fourth counts. A motion for a new trial on a deadly weapon charge, filed by Walker, was overruled.

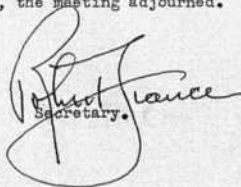
Albert M. Sklar and Martin Boerman argued the motions for Spencer and Anderson, while Assistant State's Attorney J. Harold Grady appeared on behalf of the State in the Walker case.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, April 6th, 1950, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Chief Judge read a letter of appreciation from the family of the late J. Brower Gardiner.

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 13th, 1950, at 12:30 P. M. All judges being present and the Chief Judge presided.

The Bench unanimously approved the appointment of James O'C. Gentry as a Bailiff to serve under Judge E. Paul Mason. There being no further business, the meeting adjourned.

Secretary.



**Supreme Bench Appoints
New Bailiff To Serve
Under Judge Mason**

James O'C. Gentry was appointed a Bailiff by the Supreme Bench of Baltimore City and was assigned to serve under Judge E. Paul Mason. He was named to fill the vacancy which resulted when Vincent D. Campbell was designated as Jury Bailiff following the recent death of J. Brewer Gardner.

Mr. Gentry, who was born on July 3rd, 1923, attended Loyola High School and was graduated from Loyola College in July, 1940. He is at present attending the University of Maryland Law School. Mr. Gentry served in the United States Army from September 1944 until July 1946, seventeen months of which was overseas.

He is married and resides at 956 Arbonne Drive with his wife and child.

M I N U T E S

A TERM meeting of the Supreme Bench was held on Monday, April 24th, 1950, at 10 o'clock a. m. All judges being present and the Chief Judge presided.

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

Frank P. Dunnington, Jr., Edward J. Kabata, Louis H. Weiss and Donald D. Webster were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore yesterday. They were admitted upon the respective motions of Webster C. Tall, James L. Hennegan, Harrison M. Robertson, Jr., and James R. Crook, Jr.

The motion of Burt Parker for a new trial from his conviction in the Criminal Court on a charge of Operating a Disorderly House was argued, submitted and denied.

The motion of William Farber for a new trial from his conviction in the Criminal Court on a charge of Assault was granted at the request of the State.

The Bench then selected the Grand Jury for the May Term, 1950.

There being no further business, the meeting adjourned.

The Supreme Bench of Baltimore yesterday denied the motion for a new trial of Burt Parker, who was convicted of operating a disorderly house and granted, at the request of the State, the new trial motion of William Farber, who was found guilty of assault.

Assistant State's Attorney James F. Price represented the State in the Parker case, while Joseph Rosenthal was the attorney for Farber.

Secretary


May Term Grand Jury Is Selected By The Supreme Bench

The Grand Jury for the May Term was selected by the Judges of the Supreme Bench of Baltimore yesterday. The jurors will report for duty on Monday, May 8th, when the local Courts will convene for the May Term.

Those selected to serve on the jury are:

Amos, David A., 2401 Brambleton road.

Christian, John T., 519 West Lafayette avenue.

Cross, Alfred E., 800 Mt. Holly street.

England, Thomas E., 5 East 53rd street.

Enoch, John J., 5704 Echodale avenue.

Hall, Mrs. Ethel B., 572 West University Parkway.

Huber, William J., 723 East Belvedere avenue.

Issacs, Mrs. Ray Dorothy, 3905 Callaway avenue.

James, Mrs. Anna D., 1612 Ellamont street.

Jerome, Miss J. Margaret, 19 East Eager street.

Lewis, Mrs. Mabel F., 1922 East 31st street.

Meyer, William C., 2706 Grindon avenue.

Moreland, Frederick J., 603 North Ellwood avenue.

Moynihan, Daniel J., 300 St. Dunstons road.

Paska, Mrs. Anna N., 2 South Curler street.

Rehbel, William L., 3307 Rueckert avenue.

Robinson, Mrs. Rebecca, 3741 Park Heights avenue.

Roy, Clarence E., 1137 North Carey street.

Scharfe, Mrs. F. Louise, 3900 Echodale avenue.

Silverman, Joseph C., 3601 Hillsdale road.

Starklauf, P. Henry, 4700 Homer avenue.

Thain, Arthur E., 2116 Mt. Holly street.

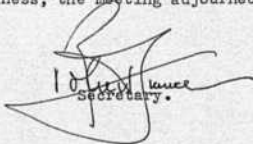
Vickers, Mrs. Mary Louise, 5003 Falls Road Terrace.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, May 11th, 1950, at 12:30 P. M. All judges being present and the Chief Judge presided.

Judge Sherbow submitted a Resolution that the title of the Jury Clerk be changed to that of "Jury Commissioner". After discussion, this Resolution was unanimously adopted by the Bench.

There being no further business, the meeting adjourned.


Secretary.

COPY

206

SUPREME BENCH OF BALTIMORE CITY

May 12th, 1950.

Mr. Herbert Fallin,
Budget Director,
Room 206, City Hall,
Baltimore 2, Maryland.

Dear Sir:

The Supreme Bench at its regular weekly meeting held on Thursday, May 11th, 1950, unanimously adopted the enclosed Resolution conferring the title "Jury Commissioner" to Mr. Stafford Bullen who is the Jury Clerk.

Other than the change in title, there is no change in status.

Yours very truly,

Robert France,
Secretary.

RF:sl

COPY

207

SUPREME BENCH OF BALTIMORE CITY

May 12th, 1950.

Mr. Elmer F. Bernhardt,
Director,
Central Payroll Bureau,
Room 325, City Hall,
Baltimore 2, Maryland.

Dear Sir:

The Supreme Bench at its regular weekly meeting held on Thursday, May 11th, 1950, unanimously adopted the enclosed Resolution conferring the title "Jury Commissioner" to Mr. Stafford Bullen who is the Jury Clerk.

Other than the change in title, there is no change in status.

Yours very truly,

Robert France,
Secretary.

RF:s1

Charter and Public Local Laws of Baltimore City (1949 Edition) Sec. 295 refers to "the Bailiff assigned to the Jury Judge". This section deals with salaries only.

The Jury Clerk has four employees on his staff and a special office assigned to him. He interviews thousands of citizens in the course of a year.

It is essential from every point of view that he be given proper status.

I, therefore, move that the Jury Clerk, assigned to the Jury Judge, be given the title of "Jury Commissioner", and he be authorized to change his stationery and the name-plate over the door accordingly. Further, that the Budget Director and the Pay Roll Bureau of Baltimore City be notified of this action.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, May 18th, 1950, at 12:30 P. M. All judges being present except Judge Moser and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by the Bench.

There being no further business, the meeting adjourned.

Secretary.

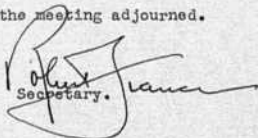


M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, May 25th, 1950, at 12:30 P. M. All judges being present except Judge Moylan and the Chief Judge presided.

Judge Emory H. Niles submitted a report concerning the policies for proposed court procedure for offenders between the ages of 16 to 21 years and explained the proposal in some detail. There was a brief discussion and it was suggested that copies of the report be given to each of the Judges and that further discussion be postponed until the luncheon meeting of Thursday, June 1st at which time it will be made the special order of business.

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 June 1st, 1950, at 12:30 P. M. All judges being present and the Chief Judge presided.

The report concerning the policies for proposed court procedure for offenders between the ages of 16 to 21 years submitted by the Probation Committee was unanimously adopted. There being no further business, the meeting adjourned.

Robert J. Lane
Secretary.

SUPREME BENCH
PROBATION COMMITTEE

REPORT CONCERNING THE POLICIES FOR PROPOSED COURT PROCEDURE FOR
OFFENDERS BETWEEN THE AGES OF 16 TO 21 YEARS.

To the Supreme Bench of Baltimore City

At the organizational meeting of his Baltimore Youth Commission, Mayor D'Alesandro in stressing the need for adequate legislation and procedures in the cases of wayward boys and girls, requested that a survey be made of the Division for Juvenile Causes of the Circuit Court of Baltimore City. A committee of representative citizens, headed by James M. Hephron, was appointed and spent approximately a year in making this survey. It submitted its report in February 1950.

In reporting its findings, the committee stated that the laws affecting the cases of boys and girls under 16 years of age, in force in Baltimore City, are socially sound and wholly adequate. In relation to procedures the report stated that the Division for Juvenile Causes of the Circuit Court of Baltimore City, on the basis of performance, deserves a high rating among the juvenile courts in the United States.

The report in commenting on the procedures affecting minors between the ages of 16 and 21 deplored the lack of a real approach to the problems presented by these offenders. It suggested that a study be made which might result in the passage of legislation creating special procedures. As an interim measure the committee made the following recommendation:

"For the present and until such action can be initiated, the Committee suggests that the Supreme Bench of Baltimore City and the State's Attorney for Baltimore City study the advisability of setting aside Part Three of the Criminal Court of Baltimore City exclusively for the trial of young offenders. This Court, if adequately staffed with probation and psychiatric services, could apply the social approach and treatment methods of the juvenile procedures to the older 'teen age offenders and thus pave the way and lay the foundation for the development of procedures in the cases of young offenders which might be embodied in the law and applied in the Courts throughout the State."

In order that the Probation Committee might have accurate information concerning the number of cases involving young offenders a survey of the cases of offenders between the ages of 16 and 26 years appearing in the Criminal Court of Baltimore City during the first four months of 1949 was made by Wallace Reidt, Director of the Baltimore Criminal Justice Commission, and the figures used herein are abstracted from that report. The suggestions which follow in this report relate to offenders between the ages of 16 to 21 (thru 20) years of age.

It is estimated on the basis of the current crime rate that any special procedures which might be developed will apply annually to approximately 900 individual offenders between the ages of 16 to 21 years. An additional 150 older persons will be involved with these youths. These 1050 individual offenders constitute 23% of the total offenders appearing in the Criminal Court.

SUGGESTED POLICIES

1. The procedure shall be limited to offenders over 16 years of age (or under 16 years where jurisdiction has been waived by the Juvenile Court) and under 21 years of age.
2. It shall be limited to those involved in offenses over which the Magistrate has no jurisdiction (or is unwilling to assume jurisdiction), namely; indictable offenses.

(If it is thought at a later date that the procedure should be extended to minor offenses - those for which the Magistrate has jurisdiction and which are now tried in the Magistrates' Courts - there is the possibility that a Criminal Information rather than an Indictment might be used.)

3. The procedure shall not be initiated until there has been an indictment. The Clerk of the Criminal Court, the Grand Jury and the State's Attorney will be required to include in its records the ages of all offenders and the age will have to appear in the caption of the case -

State of Maryland vs. John Doe, 18 years

4. Upon indictment the cases of all offenders under 21 years of age shall be listed by the State's Attorney and assigned for trial in the part of the Criminal Court set aside for

youthful offenders. To save time this list could be made following presentment and at the time the indictments are drawn.

The list of youthful offenders should be made available to the Probation Department for an immediate check of previous court records, including the Juvenile Court, and other data on individual offenders available through Social Service Exchange. The information thus obtained would enable the Court to calculate the risk involved in releasing the offender prior to the hearing.

5. If there are co-defendants over 21 years of age, the whole case will be assigned to the special court to eliminate any duplication of hearings.

6. Arraignment in all youthful cases shall follow promptly upon indictment.

At such arraignment the Court may consider the advisability of releasing the offender who has not as yet posted bond, on his own recognizance or on a nominal bail, pending hearing. It is suggested that this action be taken upon the recommendation of the Probation Department and the State's Attorney and be limited to first offenders.

(Eighty-five percent of the colored and sixty-five percent of the white young offenders were held in the Baltimore City Jail pending indictment and trial during the first four months of 1949.)

Where an offender enters a plea of guilty at the time of arraignment it is suggested that the case be referred to the Probation Department for social investigation and to the Chief Medical Officer of the Supreme Bench for psychological study.

(Under this plan psychiatric service could be reserved for those cases in which it is the recommendation of the psychologist that it be made, or the Court, because of the nature of the offense or the record of the offender deems it advisable.)

Where the offender enters a plea of not guilty at arraignment or where counsel is appointed and the arraignment is deferred to a later date the matter of releasing the offender pending trial should be considered. In such cases the investigation and psychological study will be ordered after the trial and a verdict of guilty.

Even with the safeguard, that information relating to the offense given to the probation officer during a pre-hearing investigation may not be used at the trial, we question the value of a pre-hearing investigation where the guilt of the traverser has not been established.

The necessity for pre-sentence social and psychological study is recognized generally. Under our present procedure only 41% are the subjects of social investigation and the number sent to the psychiatrist (6) is negligible.

It is estimated that the Probation Department will need an increase of ten probation officers and four clerical assistants to carry this additional burden of investigation.

This matter was discussed with Dr. Manfred E. Guttmacher, Chief Medical Officer of the Supreme Bench of Baltimore City, who expressed the hope that consideration would be given to his overall plan for developing therapeutic as well as diagnostic service for persons appearing in the Criminal Court and in need of such service. The burden of the added psychological and psychiatric service imposed by this new procedure for youthful offenders and the service now rendered by the Chief Medical Officer would require a staff of two additional psychologists, Dr. Guttmacher on his present basis, and the services of one full time or two half time psychiatrists. Two additional clerks would also be needed. It is to be noted that this increased personnel would broaden the service available to all appearing in the Criminal Court and not only to younger offenders.

7. All social and psychological studies shall be completed within two weeks after the date of assignment. It shall be within the discretion of the Court to extend this time where need for extension is shown.

Reports to the Court should include all available information which will be useful to the Probation Department, the State Reformatories for Males and Females and the Parole Department.

8. It is suggested that there be a weekly conference attended by the Judge, the psychologists and the members of the Probation staff involved, at which cases ready for disposition will be discussed.

9. In all cases there shall be a hearing with testimony (admission or proof by State's witnesses) in the record which establishes the guilt of the offender.

10. Practically all of the more recent legislation affecting youthful offenders provides a method whereby first offenders are saved from a criminal record. This can be accomplished in Baltimore City under existing legislation (Acts of 1931, Chapter 132) permitting the grant of probation without a verdict. With the more comprehensive information which will be available as a result of the social investigation suggested herein the Court will have a greater opportunity to use this type of disposition in deserving cases.

(Probation without a verdict was granted in only 5 cases of the 297 offenders under 21 years of age appearing in the Criminal Court in the first four months of 1949.)

11. In the cases of all offenders placed on probation or sentenced to institutions, it is suggested that the Court should give consideration to the advisability of retaining jurisdiction

and requiring reports at six month intervals, which would inform the Court of the adjustment or the progress the offender is making. It is also suggested that the Court publish annually a report of its work.

As a result of the proposed specialized procedure, the Judge, during the year in which he is assigned to the Criminal Court, in his day to day contacts with the probation service and the State Reformatories for Men and Women, will have the opportunity to familiarize himself with the correctional and training facilities, as well as the release procedures, relating to the rehabilitation of these young offenders. The interest of the presiding Judge, in not only the trial, but in all phases of the rehabilitation process is vital to the success of these proposals.

The Probation Committee recommends the adoption of the above plan.

May 23, 1950

The Honorable Emory H. Niles,
Court House,
Baltimore, Maryland.

Dear Judge Niles:

Mr. McDermott recently asked for my views in regard to a separate court for youthful offenders and what type of expansion in psychological and psychiatric facilities would be necessary to serve adequately this new unit. My views on this matter are quite definite and I should like to have the privilege of presenting them to your Committee.

I have always been of the opinion that a large number of Juvenile and youthful offenders could be salvaged by skillful psychiatric treatment. It seems to me obvious that the more set the anti-social patterns become, the more difficult they are to modify. I think it is tragic that few juvenile courts make full use of psychiatric treatment.

It would seem to me very unwise for the Supreme Bench to embark on a project whose chief emphasis would be investigation and classification. I believe that the keynote of the new plan must be treatment and rehabilitation. It seems to me that there can be no question of the legitimacy of courts furnishing facilities for psychiatric treatment to offenders. Probation, itself, is a treatment technique.

Mr. McDermott tells me that there would probably be about 1100 new cases for pre-sentence investigation, and I am in agreement with him that all of these cases should have a psychological examination. This would, of course, be not merely a question of measurement of intelligence, but would include an evaluation of the personality make-up of the individual by the use of the specialized techniques now available. The chief psychologist would then decide which cases should be referred for psychiatric examination. Of course, the Court itself might decide to refer certain cases that had not been previously chosen by the psychologist. The psychiatrist would then select a certain number of these cases for psychotherapy.

As you know, I am very definitely of the opinion that the psychiatric service of the Supreme Bench is at present seriously understaffed. In order to meet this new case load and be able to do the present job assignment efficiently, I believe that we would need an absolute minimum of a chief psychologist and two assistant full-time psychologists, and one fulltime or two half time psychiatrists in addition to myself. With the increased clerical labor involved, I believe that two additional clerks would be sufficient.

One of the additional psychiatrists should, in my opinion, devote all, or nearly all, of his time to treatment.

In doing this, he would be really a member of both the Medical Office and the Probation Department. If such were the case, he should be available to probation officers to advise them on certain aspects of their case work.

While the above letter may sound critical in some respects, I wish to assure you of my most wholehearted sympathy with the basic idea and my strong hopes that the appropriate assistance can be obtained, since I believe that the plan offers good hope of achieving substantial and valuable results.

Respectfully yours,

Manfred S. Guttmacher, M.D.
Chief Medical Officer

MSG:W

M I N U T E S

A meeting of the Supreme Bench was held on Saturday, June 3rd, 1950, at 10 o'clock a. m. All judges being present and the Chief Judge presided.

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

William B. Hendricks and Solomon Gottlieb were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore on Saturday, upon the respective motions of William S. Wilkinson and Dixie D. Kilham.

The motion of Benjamin Getlan for a new trial from his conviction in the Criminal Court on a charge of bets on horse racing and lottery, was argued, submitted and denied.

The motion of Thomas Johnson for a new trial from his conviction in the Criminal Court on a charge of violating the narcotic laws, was argued, submitted and denied.

The Chief Judge presented for the consideration of the Bench a petition for reinstatement as a Member of the Bar of John M. Lyell who had been disbarred by the Supreme Bench some years ago. After discussion, it was decided that the Chief Judge should refer the petition to the President of the Baltimore City Bar Association.

There being no further business, the meeting adjourned.

MOTIONS FOR NEW TRIALS IN CRIMINAL CASES DENIED BY SUPREME BENCH

The motions for new trials of Benjamin Getlan, who was convicted on bets on horse races and lottery charges, and of Thomas Johnson, found guilty of violating the narcotic laws, were denied by the Supreme Bench of Baltimore on Saturday.

Assistant State's Attorneys William J. O'Donnell and Charles E. Orth, Jr., appeared on behalf of the State at the hearing.

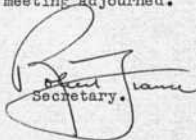
Robert J. James
Secretary.

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, June 8th, 1950, at 12:30 P. M. All of the members of the Bench were present and the Chief Judge presided.

The Chief Judge announced that there were no matters to be taken up by 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, June 15th, 1950, at 12:30 P. M. All judges being present and the Chief Judge presided.

The following Resolution was duly proposed, seconded and passed by the Bench:

"RESOLVED, That in order that the cost of the Collection and Disbursement service may be partially defrayed, the Probation Department is authorized and hereby directed to charge the beneficiaries of Court Orders made payable through the Probation Department an amount equal to 1% of such sums as the beneficiaries shall receive pursuant to such Court Orders, unless otherwise ordered by the Court.

That this Resolution shall supersede the Resolution upon the same subject, passed June 28, 1933."

There being no further business, the meeting adjourned.


Secretary.

SUPREME BENCH
Baltimore City

RESOLVED, That in order that the cost of the Collection and Disbursement service may be partially defrayed, the Probation Department is authorized and hereby directed to charge the beneficiaries of Court Orders made payable through the Probation Department an amount equal to 1% of such sums as the beneficiaries shall receive pursuant to such Court Orders, unless otherwise ordered by the Court.

THAT this Resolution shall supersede the Resolution upon the same subject, passed June 28, 1933.

Adopted June 15, 1950.



M I N U T E S

A TERM meeting of the Supreme Bench was held on Monday, June 19th, 1950, at 10 o'clock. All of the members of the Bench were present and the Chief Judge presided.

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

(see attached list next page)

The motion of James Edwards for new trial from his conviction of Robbery With a Deadly Weapon in the Criminal Court was argued, submitted and denied.

The following Resolution was duly proposed, seconded and passed by the Bench:

"RESOLVED, That Rule 5 of the Supreme Bench of Baltimore City, be and it is hereby, amended by inserting the words: "and the several court stenographers," between the word "auditors" and the next succeeding word "upon" which now appear in the Rule."

A Motion was duly made, seconded and passed that the Chief Judge be authorized to have Curlander Book Store give an estimate on rebinding and repairing the law books located in the various Chambers.

A Motion was duly made, seconded and passed that an insertion be placed in the Daily Record to the effect that attorneys desiring to have cases heard during the summer recess must furnish their own Court Stenographer.

The Bench then selected the Grand Jury for the September Term, 1950.

There being no further business, the meeting adjourned.

Robert J. ...
Secretary.

Forty-Two New Attorneys Admitted To Practice By Supreme Bench

Forty-two new attorneys were admitted to practice as members of the Baltimore Bar by the Supreme Bench of Baltimore yesterday.

The new lawyers are those who passed the Bar examinations given in March by the State Board of Law Examiners and were admitted to practice by the Court of Appeals of Maryland on Thursday of last week.

Those admitted by the Supreme Bench are: Bird H. Bishop, John E. Boerner, John Calhoun, Thomas E. Clinebans, James H. Cook, LeRoy A. Cooper, Robert J. Dougherty, Daniel Eldman, III, John Norton Flynn, Earl M. Foreman, Wendell G. Freeland, Victor W. Fontenals, Charles H. Funk, Jr., Charles J. Harris, George A. Harrison, John I. Helse, Jr., August O. Hemmegan, Jr., Samuel O. Jackson, Jr., Albert J. Kasaban, Henry W. Klempkowski, Herbert V. Kishabon, Linwood G. Kroger, Jr., Robert F. Lafferty, Jr., Julius C. Landrum, Severn E. Lanier.

Also Donald L. Merriman, Martin P. Moser, James W. Murphy, Leo J. Nielsen, Jr., George Norman, Caswell G. Nuger, Bernard C. O'Sullivan, Norman Polaki, Harold Posner, Elmer L. Reese, Jr., Joseph P. Bleger, Charles R. Rouse, Jr., Morton I. Schwartzman, William J. Smith, Jr., Edward W. Sullivan, Jerome W. Taylor and Joseph Vogelbut.

The attorneys were admitted upon the motions of C. G. Haines, Kendall H. Schmitz, Joseph T. Parr, James L. Hemmegan, Anthony Purcell, Charles B. Roman, Paul J. Flynn, Louis Silberstein, Charles A. Hysan, Joseph B. Harris, Carl H. Lehmann, Jr., William Lentz, Frank J. Tripods, Evan A. Chrisa, Adam S. Gregorius, Jr., W. Albert Menchins, Linwood G. Kroger, Sr., Thomas J. Kenney, John A. Latchford, Jack H. Williams, T. C. Merriman Sponsor, Louis N. Frank, Paul B. Mules, Alvin Solomon, William Curran, Carroll Haiment, K. Michael Jeffrey, Wilbur D. Preston, Jr.

The Supreme Bench of Baltimore yesterday denied the motion for a new trial of James Edwards, who was convicted of robbery with a deadly weapon.

Assistant State's Attorney Alan H. Murrell represented the State at the hearing.

September Term Grand Jury Is Selected By Supreme Bench

The Grand Jury for the September Term was selected by the Supreme Bench of Baltimore City yesterday. The jury is called for Monday, September 11th, when the local Courts will convene for the September Term.

Those selected to serve on the jury are:

Arthur, Mrs. Katherine S., 2558 Wilkens avenue.

Bond, Mrs. Ellen W., 4411 Underwood road.

Brash, Alexander L., 2473 Callow avenue.

Brian, George T. Jr., 5400 Parlington Way.

Butler, George R. Jr., 2419 Madison avenue.

Fiddis, Mrs. Bess Kirk, 5563 Remmell avenue.

Gross, Mrs. Selma W., 2404 Eutaw Place.

Harris, Charles D., 1306 McCulloch street.

Harvey, Mrs. Anna H., 3323 Piedmont avenue.

King, Mrs. June Lee, 440 Yale avenue.

Kroh, James S., 3710 Echodale avenue.

Kruse, Henry H., 4311 Belvieu avenue.

Marburger, Thomas E., Greenwich Garden Apt. - B-1.

Meady, Mrs. Helen F., 225 Hawthorn road.

Rothschild, Mrs. Marie L., 2215 Ken Oak road.

Samet, August, 2414 Callow avenue.

Sinton, Robert N., 2102 Carterdale road.

Spicknall, S. Wilcox, 2215 Chelsea Terrace.

Stief, Mrs. Claire, 109 Ridgeway road.

Stofberg, Jack Z., 2300 Roslyn avenue.

Trina, E. Stanley, 2817 Quautico avenue.

Wilhelm, August, Jr., 1715 East 11th street.

Yursak, Otto V., 2408 Mayfield avenue.

VACATION ASSIGNMENT

SUMMER - 1950

WEEKS	CRIMINAL COURT	EQUITY COURTS
July 3 - July 8	: Judge Saylor	: Judge Moser
July 10 - July 15	: Moser	: Saylor
July 17 - July 22	: Warnken	: Smith
July 24 - July 29	: Smith	: Warnken
July 31 - August 5	: Tucker	: Hiles
August 7 - August 12	: Hiles	: Tucker
August 14 - August 19	: Sherbow	: Mason
August 21 - August 26	: Mason	: Sherbow
August 28 - September 2	: France	: Manley
September 5 - September 9	: Manley	: France

M I N U T E S

A luncheon meeting of the Supreme Bench was held on Thursday, September 21st, 1950, at 12:30 P. M. All judges being present except Judge Mason and Judge Sherbow, and the Chief Judge presided.

The Chief Judge distributed copies of the Saturday assignment of judges to the end of the September Term.

There being no further business, the meeting adjourned.



Secretary.