

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident; that all men are created equal."

MARTIN LUTHER KING, JR. — 1929-1968.

OPINION

Baltimore Afro-American

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May we let our light so shine that it will illuminate that which is good and beautiful and magnify our Father which is in Heaven.
CARL MURPHY
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FEBRUARY 14, 1976

5 judges not enough

Let us be accused here of emphasizing the negative, let us be the first to say we join our community in applauding Governor Mandel's appointment of Milton B. Allen to sit on the Supreme Bench of Baltimore city.

There he joins four other black judges and sixteen whites who preside in City, Circuit, Superior and Criminal courts in the downtown Baltimore courthouse.

As we have said previously in this space, Mr. Allen's experience as a civil rights and criminal lawyer and state's attorney, and his reputation for objectivity and fairness equip him to serve in any court of record.

What this piece is all about, however, is the fact that with the appointment of Judge Allen, there are still only five black judges out of the total of 22 authorized.

As our reader on page opposite correctly observes this is a sad state of affairs in a city where black people comprise over 63 per cent of the population and comprise the majority who do business with the courts.

We think that every time Governor Mandel gets the opportunity to rectify this inequity he should do so. There is still another vacancy on the Supreme Bench of Baltimore.

Mr. Mandel can name a sixth black judge now.

Sometimes, in our enthusiasm over one step forward, many of us fail to see the total picture. Those who attended Judge Allen's installation should have a clearer idea of the discrimination charges lodged last summer by Judge Joseph C. Howard. He said the court house is 'a bastion of discrimination based on race and sex.'

If the Allen audience observed closely, they had to notice that Superior Court clerk Robert E. Brown, who administered the oath, was white.

There were no black clerks in the

courtroom. There were 16 jurists present to witness the ceremonies, only four blacks, Judges Howard, Harry A. Cole, John R. Hargrove, and Robert B. Watts whom Judge Allen joins. Absent were four white members of the bench.

Gov. Mandel was represented by his black administrative aide, Col. William A. (Box) Harris.

The other participants at the Allen ceremony were white except for his former law partners who helped robe him.

Baltimore Bar Association Jeffrey B. Smith gave an excellent salute to Judge Allen but this was blighted by his "end man in the mingles" remark when he alluded to placement of Judge Allen on the Criminal Court Bench was like throwing Brer Rabbit into the briar patch.

This week, Congressman Parren J. Mitchell has asked Judge Howard for a progress report on job integration at the courthouse.

Congressman Mitchell's request comes at a time when he is reviewing an earlier plea by Judge Howard for federal aid in determining the patterns of employment.

New Chief Judge Anselm Sodaro is on record as endorsing equality in courthouse employment.

When Judge Howard supplies his progress report to Congressman Mitchell, we hope meaningful steps have been taken.

But those of us who walked up and down the halls in the courthouse before and after Friday morning's swearing in of Judge Allen and who witnessed the ceremonies and the introduction of special guests, could not help but come away with the feeling that the 5 black judges on the Supreme Bench are just a drop in the bucket. And the courthouse has a long way to go if it is to become a true equal opportunity employer.

Wise words to remember

(From the writings of famed Abolitionist, Frederick Douglass, born in Easton, Md., on Feb. 14, 1817; died Feb. 20, 1895).

- If there is no struggle there is no progress. Those who propose to favor freedom and yet deprecate agitation, are men who want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean's majestic waves without the awful roar of its waters.

Probe the spy probers

The Maryland Senate special investigating committee looks so absurd and pathetic when asked to back up its unproved charges of police spying illegalities and abuses that it invites public censure for reflecting on the honesty, fairness and professionalism of the General Assembly's upper house.

Here we have the chilling civil liberties horror of a group of senators, backed by a hired staff, spending months and thousands of dollars in a probe to determine the extent of abuses committed by Baltimore's Inspectional Services Division, formally parading before the public a report tying police and others to vicious charges and claims of wrongdoing but providing no evidence.

The judicial system was extremely concerned about the Senate committee's charges that judges, especially District Court judges in Baltimore city, were lax in handling warrants for policemen.

So it asked for some facts. Police Commissioner Donald Pomerleau also has asked for some facts.

So has the telephone company, which was accused of participating in illegal buggings.

When Chief Judge Robert C. Murphy of the Maryland Court of Appeals sat down with some of the key Senate committee mud-slingers, Senator Edward T. Conroy, D-Prince George's, committee chairman; Senator Arthur H. Helton Jr., D-Harford; Senator

John A. Cade, R-Anne Arundel, and committee lawyer Daine Schulte, he got NO EVIDENCE at all.

Just as they had nothing in their 157-page bloated report to support any of their charges, they offered the chief judge no proof. According to the mud-slingers, they must keep secret the evidence they claim to have received from the witnesses.

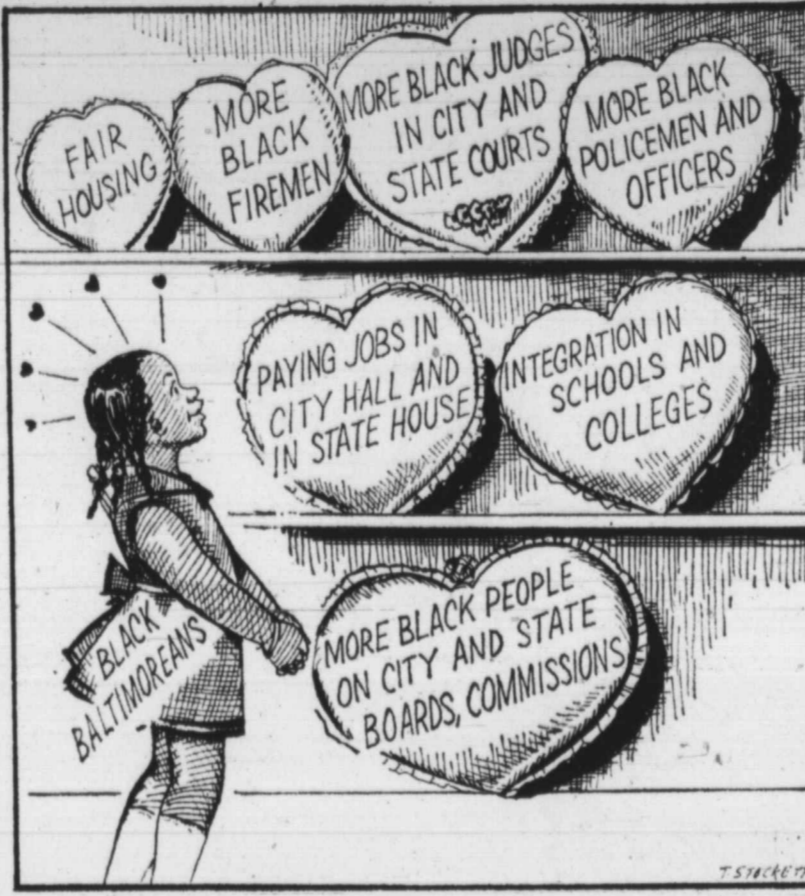
Baltimoreans, who got extremely upset over the unproved charges of illegal spying by the ISD under Pomerleau, apparently are blind to the alarming horror and threat to every Maryland citizen if elected officials of this state will stoop to the level of issuing such damaging charges against other officials of public trust without supporting evidence.

The AFRO is not going to try to cover for Pomerleau or any other official when someone puts some facts and evidence on the line to back up charges of wrongdoing. Thus far, no one, including the Senate probers, has done that.

In fact, based on the Senate probers' report, which has had so much undeserved public play in the media, the AFRO thinks a good case can be made of wrongdoing on the part of the so-called investigating committee.

The Senate president or Gov. Marvin Mandel should appoint a top notch investigator with the power to demand answers from the committee.

What we need for happy Valentine Day



Now and then by g. james fleming Is Black Caucus significant?

Some voices have been questioning recently whether the Black Legislative Caucus has any significance, any importance; whether it has any influence (power) in the State Legislature, assembled or unassembled.

This column would like to give a resounding "Yes."

In the first place, just "presence" is important. Long ago, in the 1930's, Oscar DePriest, the first black congressman elected from the North (Republican, Chicago), told this writer:

"On these committees, where the hard decisions are made, I am the only Negro, but I find that my being present makes an impact as to what others will say and what they will do against my people." Then he added:

"White folks seem to have one kind of morality when they are acting together alone and another kind when some (even one) of us are present."

It was while DePriest was the only black member of Congress that he was able to force into many a depression work relief law provision that said law would be administered without regard to race, color, etc.

"Presence" counts and even one man or woman often can make an important difference, for better or worse.

Many people, in varied interpersonal and group relationships, are not so much hateful and prejudiced as they are ignorant of, or inexperienced in, the matter at hand.

Or, they might have been sold a bill of goods that some certain stand will be "good politics."

These kinds of people have to unlearn. They need new contacts, new experiences. They must be helped, or be forced, to see what is "good politics" in a new light.

The 19 black members of the Maryland General Assembly, (five in the Senate), can be instrumental to all these ends. They can help to wipe out or dilute ignorance. They can promote a new bill of goods, they can show that race-baiting or anti-black postures are no longer good politics.

It was this kind of influence, by a relatively few blacks, that transformed Texan Lyndon Baines Johnson, from a supporter of all anti-civil rights legislation, up to 1957, into a stalwart advocate for civil rights ("We shall overcome," he once shouted to a nationwide TV audience).

It was this kind of exposure to a few that made plutocrat Franklin D. Roosevelt into a champion of the poor, and converted Harry Truman into an unexpected instrument of change.

The stories are endless of how this same process, with the aid of law, is creating a new South.

But, it is not change of heart alone, or law, that gets the credit for change in the political arena.

Responsible, importantly, is the fact that men and women have been helped to formulate a new definition of what is "good politics."

In the rough and tumble of legislative politics, 14 Maryland delegates (presently the number of blacks in the lower house), seeing eye to eye on major issues, can have substantial influence. They

young beat by larry young Loch Raven purchase a wasteful move

(The writer of this column, Larry Young is a member of the House of Delegates from Baltimore city's 38th District which encompasses the inner city. At 25, he is the youngest member of the Md. Legislature now in session in Annapolis.)

Some critics say that money is being spent properly on recreational opportunities. I disagree. Case in point:

Public acquisition is not always necessary to prevent the conversion of land from a "lower" to a "higher" degree of development, as state and local governments may apply land use controls without costly public expenditures.

A number of states, particularly California, Oregon, Vermont, and Hawaii, have chosen this course to protect valuable open spaces.

But this use of state police power has proven to be politically unpalatable in many parts of the country, as recent debates over federal laws designed to encourage such practices show.

In order to mollify substantial opposition, some jurisdictions are exploring other tools for open space protection, such as the purchase of development rights and the establishment of tax incentives or disincentives.

In the absence of sound land use controls, public funds are used to purchase land of little public use simply to keep it from being subdivided, and thus to protect it as open space.

The availability of federal money through the Fund for such purchases, encouraged by its genesis as a land banking fund, reduces the incentive of state and local governments to take on the politically sensitive issues of open space protection without acquisition.

A good example of how the Fund encourages wasteful land purchase is the recent acquisition of 507 acres of land by the state of Maryland at Loch Raven Reservoir, north of Baltimore City, for future use as a passive natural resource and passive recreation area.

This property is on the northern side of a large and beautiful reservoir just outside of the Beltway around Baltimore.

Much of the land around the reservoir is already in public hands, and receives heavy recreational use.

Most of the 507 acres had been farmed until the parcel was purchased by a developer, who planned to construct a large new subdivision.

The acreage is not of prime recreational value, particularly in comparison with most of the other land around the reservoir. It is only about 30 per cent wooded, and a large power line cuts through the middle of its open area.

It is close to a road, and on the opposite side of the reservoir from the populous Baltimore area to the south.

A close reading of the documents submitted to Bureau of Outdoor Recreation (Department of Interior), with the application for a \$750,000 fund grant for this purchase reveals that the primary concern of state officials in making this purchase was to protect the reservoir from the threatened subdivision.

Officials feared that run-off during construction would add to an already serious siltation problem in the reservoir. They were also concerned about how the sewage would be treated.

The developer wanted an interceptor extended to the land, which might well have led to even more development on the reservoir's watershed.

As an alternative to such a line, he proposed to put in septic tanks. Land use controls to protect a water supply are a legitimate use of the police power to protect public health and safety.

The availability of federal matching funds for this acquisition, however, encouraged officials to choose the politically easier method of purchase.

Continued agricultural use of the land with proper precautions would have protected the reservoir and kept the property on the county tax role.

An easement could have been sought if public access for hiking was desired. The \$750,000 grant would then have been available for high-need projects, such as playgrounds in the over-crowded residential districts of Baltimore's inner city.

AFRO credo

A newspaper succeeds because its management believes in itself, in God and in the present generation. It must always ask itself—

- Whether it has kept faith with the common people;
- Whether it has no other goal except to see that their liberties are preserved and their future assured;
- Whether it is fighting to get rid of slums, to provide jobs for everybody;
- Whether it stays out of politics except to expose corruption and condemn injustice, race prejudice and the cowardice of compromise.

DECEMBER 24, 1920. (From the Papers of John H. Murphy Sr., who founded the AFRO-AMERICAN, Aug. 13, 1892).

Smile

If it is true that the meek shall inherit the earth, then a good part of the globe will one day belong to Liberia.

A little about a lot by madeline murphy Brains not brawn

The great Horatio Alger story about rugged individualism and bootstrap mobility is epitomized around this time of year because of the inspiring story of Abraham Lincoln.

In addition, because "BUYCENTENNIAL SELLebrations" will be in great abundance — most of them tacky and tasteless — history is the 'in' subject this year more than ever.

And although some of us may feel like Edward Gibbon that "history is ... little more than the register of crimes, follies and misfortunes of mankind," history at the time of Lincoln tells us something much more inspiring about our ancestors.

Countless slaves were forging their way through underground railroads, oftentimes run by freed black men and women. No doubt a goodly number were ushered, cajoled and bullied North to Canada by Harriet Tubman, while Sojourner Truth trumpeted our cause, seeking money from the North.

We must never forget that our forefathers made untold sacrifices, contributions in every imaginable trade and profession, in order to make our lives more liveable.

They left us a legacy that we, in many ways, have defiled. For the message is still loud and clear, that if they could do it, under such grave and dangerous circumstances; if they could survive and prevail under the overpowering handicap of deprivation, we can do it too!

With all the hulahalo about quality education, young people in high schools today must become equally independent self-starters;

be curious; be aggressive in finding a niche.

For however inspiring Abraham Lincoln's story is, ours is the more remarkable.

And though Lincoln, as a rail splitter could have earned a decent livelihood in the mid 19th Century, today, with very few exceptions, rail splitters are obsolete.

Just a cursory glance at the classified section of the daily paper indicates the need for skills, for paper qualifications — high school diplomas, graduate degrees; diversity of training; programmers; sales representative; managers, draftsmen with engineering capabilities; scientific background for the health professions; legal training to challenge unfair laws and discrimination.

Nowhere are black doctors, dentists, pharmacists, RN's, LPN's filling the overwhelming need. Nowhere are there enough black lawyers, and judges.

Moreover, in all the promises of short-term employment on an 8-mile subway, (re-read Del. Walter Dean's definitive article in Friday, Feb. 6 AFRO), full employment in the long run can be possible only with government subsidies and jobs bills that will give semi-skilled and unskilled workers an opportunity to make a decent livelihood for the rest of their lives.

In addition, as in other industrial nations, there should be family income supplements across the board for everyone as a matter of course, the precept on which this country was founded — guaranteeing life, liberty and the pursuit of happiness.

Even so, it is mere sophistry to contend that even brains alone will get black people a fair shake in this country, racism being what it is.

But to strive for the good life is still the ambition for most who have bought the American dream, and the possibility of getting in on the goodies of that dream become more realistic when:

We prepare for it adequately.

We challenge school guidance counselors to open new doors to opportunity and encourage young people to get a broad view of varied job opportunities.

College and university minority recruitment officers, deans and others vigorously shake the scholarship money trees.

Students prepare early for Scholastic Aptitude Tests and cut out the courses that merely mean a higher grade point average, but offer no building blocks for a career in wide open fields.

Proficiency in the English language becomes the passport that transports them into a better world.

Our forefathers fought so that we would progress by excellence.

Let us be foresighted enough in the coming century to value brain power, because, really, nobody's buying muscle anymore.

Abe Lincoln said, "Every man (has) his peculiar ambition . . . I have no other so great as that of being truly esteemed by my fellow men . . . rendering myself worthy of their esteem."

Perhaps this is the most noble acknowledgement we can give to the struggles of our forebearers.