Mandel's judge scheme

FROM PAGE 1

doubt, more than any other entity has pressed for the eradication of the right of the people to elect judges, has unnecessarily praised the Governor and pushed his legislative package.

Between July, 1968 and January, 1969, there were literally dozens of articles and editorials in the Sun Papers on the whys and wherefores of judicial reform, but not a word from Mandel.

• • •

At some points prior to and immediately following the November election, the prodding and pressures put on the Bar Association and others by the papers reached a feverish pitch and showed significant signs of paranoia.

Yet, not a word from Attorney Mandel.

In January, just before and after Mandel assumed the office of Governor, the press he was receiving was not particularly impressive, but in February when he began to throw his weight behind the Judgeship Bill, he suddenly became a Promethean personality.

Then in March when he resurrected the bill from death on the floor of the Legislature in 72 hours, one would have thought from what appeared in the press, that he was the Prince of Peace.

So the performance of this bilateral contract has been completed and the cohabiting parties have satisfied each other to date. Governor Mandel is well on the way to satisfying his need for a Lt. Governor to run with him in 1970, and the Sun Papers and its puppets have been put in a good position to push their Judgeship Bill into law.

The only thing that stands in their way is the people . . . but the people can, if they will, be a powerful impediment.

• • •

Now turning to the second purpose regarding the restriction of black people in the judicial arena.

Here we must first recognize that there are two essential prerequisites to keeping a people politically powerless:

(1) Keeping them from knowing that they have power and, if that fails,

(2) taking the necessary steps to keep them from exerting it.

To understand this is to further understand the configuration of events that have been taking place with respect to the judiciary within the past ten years.

• • •

A cursory examination of the history of this city reveals that black people did not constitute a political threat until the late 1950's or early 1960's. In 1920 we made up approximately 14 percent of the city's population.

By 1940 that figure had grown to around 25 percent, but between 1950 and 1960, with the exodus of 113,000 whites to the suburbs and the corresponding influx of an equal number of blacks, we suddenly became a significant threat at the polls and in the field of politics.

People then occupying positions of power recognized this; but most of us did not.

• • •

It is interesting to note that it was at this point in time that Judge Niles introduced the idea of taking the election of judges away from the electorate.

Further, at that time certain judges, Bar Association officers and lawyers began to travel to Annapolis to lobby for this kind of change in the law. Bills calling for a change in the judicial selection system were offered from time to time between 1961 and 1967, but on each occasion each failed.

• • •

In 1967, as you will recall, similar legislation was secreted in the proposed constitution for the State of Maryland, but it too was defeated.

In the meantime, in the mid 1960's, black people began to feel that they had some political strength, and in 1966 James W. McAllister filed for the position of associate judge of the Supreme Bench, Baltimore City.

Most of us can recall what happened. At the last minute Mr. McAllister withdrew from the race with the understanding, among other things, that George L. Russell was to be appointed.

• • •

Thus, Maryland got its first black judge on the Supreme Bench, but black people were denied the chance to test their power at the polls.

Of equal importance, the establishment was able to appoint a judge acceptable to it and the black community was denied the opportunity to elect one representative of it.

The importance of not permitting black people to perceive their own power at the polls or select their own representatives was again borne out in the early part of my campaign.

I was made various handsome offers, which included both cash and a future judgeship on one of the lower courts, if I would only withdraw. I did not withdraw, and the power of blacks was tested at the polls.

• • •

It should be apparent then that my election was a severe shock to the system not because a particular personality was elevated to the bench, but because for the first time in the history of this state

(1) Black people realized that they possessed potent political power;

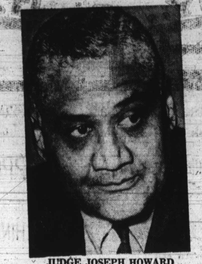
(2) We recognized the extent of that power; and

(3) We learned how to effectively use that power.

Now that both the broad and the black communities are aware of this potent political power and that we have learned how to play the game of politics, the politicos have decided it is time to change the rules. It is just as simple as that.

• • •

What does all this mean in names and numbers? It means that if the Governor's floating innocuous piece of legislation is passed there will never be another Joe Howard or election as we won in 19 8.



JUDGE JOSEPH HOWARD

I say should because we must understand here and now that the powers that be have no intentions of permitting this phenomenon to come to pass.

In fact, they are quietly and legally now making the changes necessary to prevent this possibility.

It is not an accident that we are moving toward metropolitan government.

It is not an accident that the Mayor has created a commission to review the City Charter; and I suggest very strongly, it is not an accident that the Governor is trying to take the election of judges from the electorate in 1969.

These are all indications that those in whom control is centered are looking out for themselves not only for tomorrow, but they are looking ahead for years to come.

The question for us is whether we will be simple enough to look at ourselves as Baltimoreans first and support them, or look at ourselves as Black first and "sock it to 'em."

• • •

The next to the last suggestion of the Governor is that his system of selecting judges "will give ... fair representation from all segments of the community."

To test the credibility of this statement, we need first to look at the judge-community ratio in our city; second, look at what must be done to give fair representation; and third, look at the Governor's statement and ask ourselves whether we believe him or not.

With respect to the present state of affairs:

Of the 14 Municipal Court Judges in Baltimore — six are white (Protestant or Catholic), seven are Jewish, and one is black.

Of the five People's Court Judges — three are white, two are Jewish and none are black.

Of the two judges on the Orphan's Court — one is white, one is Jewish and none black.

Of the 21 members of the Supreme Bench — 14 are white, five are Jewish and three are black.

In terms of the numerical breakdown of the city, these are roughly 210,000 non-Jewish white, 65,000 of the Jewish faith and 155,000 blacks.

Therefore, if the Governor really intends to have a fair representation from all segments of the community and as soon as possible, his next six appointments in Municipal Court; his next two appointments in People's Court, his next appointment in Orphan's Court and his next seven appointments on the Supreme Bench will be black.

Finally, based upon these rough facts, do you believe that the Governor really intends to give fair representation to all segments of the community?

• • •

Finally, the Governor's last flight into fantasy suggests that through his Judgeship Bill the "public will be able to raise objections thru their senators . . . Now they have no say at all about whom a governor wants to name as judge."

This portion of the Governor's bill is so potently preposterous and so pathetically political it is difficult to determine where to begin.

Perhaps it would be provocative to proceed by asking certain questions: How does the requirement of having judicial appointees sanctioned by the Senate lend to take the judiciary out of politics?

Isn't it true that passing out patronage is one of the principal ways Senators maintain their power and prestige?

What rationale do you use to give the Senate any say over judicial appointments?

What probability would a senator from the Eastern Shore or one from Hagerstown or from any distant locale for that matter have of knowing the qualifications, record and fitness of a judge sitting in Baltimore?

Wouldn't any judge who needed the confirmation of the Senate to continue in office be forced to give a senator (or senators) special consideration if requested; favors, if he (they) desired; or even money if demanded to have his (or their) blessing?

What happens to a lawyer who has terminated his practice to take a judicial appointment, but is not confirmed and cannot take it to the electorate?

What could a judge do in the event he has served well for 15 years, is reappointed by the Governor, but is not confirmed by the Senate and cannot run for re-election?

What impact or power would two black senators have, except to wheel and deal, when there are 43 in the Senate?

What could one predict would happen to a judicial candidate who had rigorously resisted racism when it came time for senatorial confirmation?

Finally, it is felt that we, the members of the black community, who have had great confidence in, and great expectations of the Governor, are entitled to answers to these questions and explanations for these inconsistencies . . . not by way of glowing generalities, but by way of specifics with some substance.

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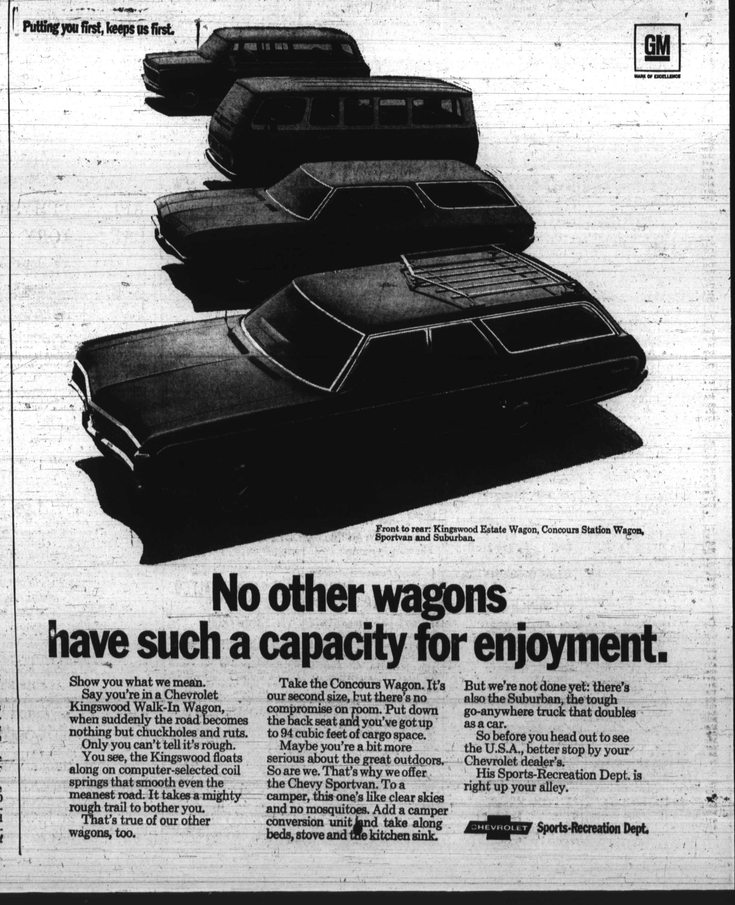

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In Memoriam

BROWN — In memory of my dear husband, REV. THOMAS H. BROWN, who passed away March 5, 1968.

Your memory is still with us,
Though your smiles are gone forever.
But you will, always
Live in our hearts.
From Your Loving
Wife
and Children:
MRS. ANNA BROWN

BURSTON — A tribute of love and remembrance to my mother, HATTIE BURSTON, who passed away April 8, 1964:

Five years have passed, dear Mother,
Since God saved down for you.
Yes, through the most of these long years
Your face comes smiling through.
Each lonely hour that I have spent
Is woven through and through
With golden threads of memories of you, Dear Mother, just you.
Lovingly, Your Daughter,
ESTHER

CARSAN — In loving memory of my dear husband, ROBERT H. CARSAN, who passed away April 8, 1966:

You were the sun-light of our home,
All who knew you,
To know you, was to love you,
But God needed Jesus call.
Though gone you're not forgotten
For my loss is Heaven's gain.
Your life was lived, I ever pray,
To join you again.
Wife — EDITH CARSAN

CARSAN — In loving memory of our dear Son, ROBERT H. CARSAN, who passed away April 8, 1966:

Broken is the family circle,
Our dear one has passed away;
Passed from earth and earthly darkness
Into bright and perfect day;
But we know it will cease to languish
Our's will have him we love,
Strive to be prepared to meet him,
In the better world above.
DAUGHTERS, SONS and GRANDCHILDREN

In memory of JOAN DARLENE COLEMAN, who passed away, March 30, 1968:

We do not forget you, nor do we intend;
We think of you often, and will to the end;
Gone and forgotten by some you may be,
But dear to our memory you ever will be.
DRESSEN —, In loving memory of our brother and son, JOSEPH DREDDEN:

Do not ask us if we miss him.
There is a vacant place. Often we think we hear his footsteps and see his smiling face. Days of sadness still come o'er us. Tears in silent often flow. Memory keeps him ever near us You be left us last year during the time of Easter.
Love — MOTHER, SISTERS BROTHERS

JACOBS — In loving memory of our son, REGINALD EARLING, who passed away on Good Friday, April 16, 1965:

Do not ask us if we miss him;
There's such a vacant place,
Oft we think we hear his footsteps
And see his smiling face.
Days of sadness still come o'er us.
Tears in silence often flow;
Memory keeps him ever near us,
Though he left us five years ago.
LEROY JACOBS and FAMILY

JUSTICES — In loving memory of my dear husband JAMES who passed away April 7, 1967:

I love you so, I miss you.
In my memory you are dear.
Loved, remembered, longed for always
Though of you ever near.
LOVING WIFE and FAMILY

MATTHEWS — In loving memory of my dear son and my father, HAROLD MATTHEWS, who passed away April 4, 1968:

He is not dead, he is just away.
Loving Mother — DOROTHY LITTLE
Son — HAROLD, JR.

MORGAN — In loving memory of my dear husband CHARLES, who passed away April 3, 1963:

You fought the pain so bravely,
Your head, you did not bend.
I kept the watch with you, dear husband,
You, even to the end.
I watched and waited long in vain,
God grant some day we'll meet again.
Wife — AGNES MORGAN

THOMPSON — In memory of our loved one, CLEVIE E. THOMPSON, who passed April 7, 1961:

Eight years have passed since that sad day
When the one we loved, God called away
He took him home, it was His will
But in our hearts he liveth still.
Wife — GLADYS and FAMILY

Card of Thanks

GREEN — The family of the late WILLIAM (HOGGIE) GREEN, wishes to thank its many friends for the use of their cars and other kind expressions of sympathy shown during its hours of bereavement. We also wish to thank The Rev. Lewis Conway, pastor of The First Mt. Pleasant Baptist Church, the Rev. John W. Robinson, all choirs, officers, missionaries and members of the First Abyssinia Baptist Church; The Shell Extent; Mrs. Mary Shell and family and the mortician, Mr. William C. March for such kind and courteous service which he and his staff rendered. May God's richest blessings be upon each of you.
REV. DANIEL L. GREEN and THE GREEN FAMILY

EMMA J. HAMPTON — Our heartfelt thanks to all who extended comforting sympathy and help in our recent sorrow. For the beautiful service, floral offerings and color kindness, we are deeply grateful.
DORSIE A. HAMPTON and FAMILY

Card of Thanks

JOHNSON — The family of the late FLORENCE JOHNSON wishes to thank all the friends, co-workers, school-mates, church members and neighbors for every act of kindness and sympathy extended in the hours of our bereavement. Words can not adequately express our sincere appreciation to you.
GRATEFULLY
THE FAMILY.

ELMER LESTER LAMBSON — We wish to thank our many friends and neighbors for the kindness and sympathy shown to us during the illness and death of our dear father and husband. We want to thank our many friends for the beautiful floral offerings, also for the use of their cars. We especially thank Rev. Father Brian Cox of Saint Pius Church and Mr. Wade of the Kelson Funeral Home.
Beloved Wife — EVELYN LAMBSON
CHILDREN, GRANDCHILDREN and
Daughter — MRS. DOLORIS DUCKETT

WALTER MACK — The Mack family wishes to extend its sincere thanks to all those who remembered us with cards, recent bereavement, phone calls and all who gave their assistance.

We wish to thank all of our relatives, friends and neighbors for their kind expressions of sympathy, beautiful flowers and condolence during our recent bereavement in the death of our son and daughter.
Husband, THOMAS
Mother, MRS. JONES and FAMILY

PATTERSON — We wish to express our deep appreciation to neighbors, friends, and Rev. Ernest P. Clark for their condolences and acts of love during the passing of our dear sister DOROTHY H. PATTERSON. Special thanks to Joseph L. Russ Funeral Home for its service.
Mother — AMNA p. BROOKS and FAMILY

RICE — The family of the late SADIE P. RICE wishes to express heartfelt thanks for the many kind and sympathetic acts rendered us during our recent bereavement. Your condolences and encouraging words, floral tributes, telegrams, prayers, etc. almost helped to sustain us through this period of sorrow. May God's blessings be with each of you.
MRS. LILA M. FRAZIER
MRS. MARIELLA GIBSON
MR. SAMUEL RICE
MR. CLARENCE RICE
MR. CHARLES RICE
MR. RUSSELL RICE

SAMUEL ASA SUTTON — We wish to thank our many friends and neighbors for the kindness and sympathy shown to us during the illness and death of our dear one. We want to thank our many friends for the beautiful floral offerings, also for the use of their cars. We especially thank Rev. Perry Tilghman and members of Trinity AME Church and Rev. Hildenbrand, pastor of Bethel AME. Also the Foster Funeral Home. May God's blessings be with each and every one of you.
MRS. EDNA SUTTON and FAMILY

RONALD TULL — We wish to extend sincere thanks and appreciation to our friends, neighbors, relatives and Fountain Avenue Baptist Church, Pastor A. L. Davis, president, Mrs. Elena Leonard and members for their kindness, courtesy of love and understanding, during each, telegrams and beautiful floral offerings received during the sudden death of our son and grandson. Also for the use of the Paige of Faith Baptist Church for the inspiring service and the Wilson Funeral Home.
THE TULL FAMILY

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