

Editorial Section

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Maryland Law Review

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CONCERNING THE REVIEW

With this issue, which is Volume Nine, Number One, the MARYLAND LAW REVIEW announces resumption of normal publication after the delay, caused by the late war and post-war troubles, in bringing out and completing the overdue Volume Eight, which was completed during the fall of 1947. It is planned to publish hereafter on the regular four times a year basis that had formerly prevailed.

A change has been made in the nominal publication dates of the REVIEW, which will hereafter appear with all four issues of the current volume dated as of the same calendar year. The respective four issues will be called Winter, Spring, Summer and Fall, instead of the previous dating of issues as of certain calendar months of the year. The idea is that while a given Student Editorial Board for an academic year will be responsible for the publication of a single volume, the latter will actually be published as of the beginning of the ensuing calendar year, and all four issues will be dated in the same year.

Changes have been made in the subscription rates for the REVIEW. Hereafter the subscription rate for a current volume of four issues to other subscribers than members of the supporting Bar Associations (who will continue to receive the REVIEW free) will be Three Dollars per year, for the four issues of a given yearly volume. The charge for individual issues, whether current or back number will be One Dollar each, and it will be impossible to supply back numbers of Volumes One through Eight, inclusive, other than in complete sets, or to persons who have otherwise incomplete sets and who wish to complete their sets, preferably for binding. The REVIEW regrets its inability otherwise to supply individual issues of such back numbers, but has decided to reserve its diminishing supply of such back issues for the purpose of affording complete sets for those subscribers and purchasers who may wish to have complete sets.

The REVIEW carries at the masthead of the current issue a list of the members of the current Student Editorial Board of the REVIEW, which consists of those students who are eligible by high scholarship and who have qualified for full membership on the Board by completing material acceptable for publication by the REVIEW in due course. Further additions to this Board will be announced as soon as other students who are eligible and now participating on a probationary basis similarly complete acceptable work and thus become entitled to election to full membership on the Board. This new plan of electing members to the Board, and announcing their names in the REVIEW, has been decided upon among other details of post-war changes.

Through Volume Eight the names carried as the Student Editorial Board were those whose election had been announced as of the beginning of that Volume. Certain other students, now graduated from the School, also participated in the work of the REVIEW during the long period during which Volume Eight appeared, by submitting material for publication. In view of their participation, it is desired to announce that the names listed following this paragraph are those who are entitled to be recognized as also having participated on the Student Editorial Board of the REVIEW

in that interim period between the inception of Volume Eight and the present beginning of Volume Nine:

Edgar P. Boyko

Stedman Prescott, Jr.

Clifford C. Bruck

Charles H. Reed, Jr.

Clayton A. Dietrich

Wilson R. Toula

Constance Kellner Putzel

Walter M. Woodward

The REVIEW announces the appointment of Mrs. Louise Brockman Steinberg as Editorial Secretary to the REVIEW. Mrs. Steinberg is a graduate of the Law School in the class of 1940, and, while a law student, served both as student secretary to the REVIEW, and as a member of the Student Editorial Board. In her present position, Mrs. Steinberg will assist in the research work incidental to publishing the REVIEW and in supervision of student activities of members of the Student Editorial Board. Mrs. Steinberg has succeeded Mrs. Dorothy Holden Thompson, now of the Talbot County Bar, who served in a similar capacity during the school year 1946-1947, and who, in that capacity, assisted in the reorganization of the REVIEW, Mrs. Thompson, a graduate of the Law School in the class of 1943, had also served as the student secretary to the REVIEW during her student days, was also a member of the Student Editorial Board, and was, in her senior year, Chairman of that Board.

NEWS OF THE LAW SCHOOL

The enrollment in the Law School for the Fall of 1947 is 399 of whom 222 are in the Day School and 177 in the Evening School. Of these, 89 are in the entering Day class and 73 are in the entering Evening class. The enrollment for the current year is the highest in the recent history of the Law School, and it parallels the similar phenomenon of the maximum total enrollment for law students in the whole country. Some 88 colleges and universities are represented in the pre-legal training of the present student body.

The full time faculty continues as it was constituted in the previous year, consisting of Dean Howell, Professors Ruge, Strahorn, Arnold, Reno and Jones, and Associate Professors Invernizzi and Farinholt.

Some changes have been made in the courses offered by the part time faculty. Messrs. Reuben Oppenheimer and John H. Lewin of the Baltimore City Bar have been added to the part time faculty, and are giving the respective Day and Evening sections of the course in Administrative Law. The course in Taxation is being given respectively in the Day Division and Evening Division by Messrs. George Gump and Richard W. Case of the part time faculty and of the Baltimore City Bar. These last named instructors have heretofore taught this and other courses in the Law School. Joseph O. Kaiser, Esq., of the Baltimore City Bar, who had been a member of the part time faculty several years ago, has re-joined it and is currently teaching the Evening Division class in Pleading.

Mr. Kaiser is Assistant Reporter to the Standing Committee on Rules of Practice and Procedure of the Court of Appeals of Maryland. Associate Professor Frederick W. Invernizzi continues to serve as Reporter to the Committee.

Two new courses have been added to the curriculum, in Labor Law and Federal Jurisdiction, and both are being taught by Associate Professor L. Whiting Farinholt, Jr., of the full time faculty. Mr. Farinholt received the Master of Laws degree from the Harvard University Law School at the close of the Summer Term of 1947, when he completed his residence and other requirements for the degree.

Dean Roger Howell has been appointed one of the Commissioners on Uniform State Laws from Maryland; and he also is serving as a member of the Baltimore City Bar Association's Committee on Legal Publications and the Re-Statements.

Professor Bridgewater M. Arnold continues to serve as Chairman of the Maryland State Bar Association's Committee on Legal Education.

Professor John S. Strahorn, Jr., is currently serving as Chairman of the Baltimore City Bar Association's Committee on Amendment of the Law; and also is a member of the Committee on Bar Admissions of the Association of American Law Schools for the year 1948.

The Alumni Association of the University of Maryland Law School has been reactivated. It is planned that the Alumni Association will hold a dinner meeting on May 20, 1948, at The Lord Baltimore Hotel, to which all alumni are invited, for the purpose of completing the reorganization.

During the summer of 1947 three members of the full time faculty taught in the summer sessions of other law schools. Professor Laurence M. Jones taught Insurance, Personal Property and Suretyship at the University of Kentucky Law School, Lexington, Kentucky. Associate Professor Frederick W. Invernizzi taught Bills and Notes at the George Washington University Law School, Washington, D. C. Professor John S. Strahorn, Jr., taught Criminal Law and Evidence at the University of Wisconsin Law School, Madison, Wisconsin.

RECENT CHANGES IN THE JUDICIARY OF THE STATE*

Since the last treatment of the matter in the REVIEW, the principal changes in the personnel of the Judiciary of Maryland have come about through the going into effect in January, 1945, of the so called Bond Plan for the reorganization of the Court of Appeals of Maryland.

Prior to the Bond Plan, the Court of Appeals of Maryland had consisted of the Chief Judges of the seven county trial circuits and one member from Baltimore City, only the last named of whom gave his full time to the position. Under the Bond Plan the Court now regularly consists of five full time members, two from Baltimore City, and one

* See (1939) 3 Md. L. Rev. 151; and (1943) 7 Md. L. Rev. 140 for previous editorials under the same title. Unless otherwise indicated herein, all the judges mentioned have been elected for full terms.

each from the three Appellate Judicial Circuits into which the remaining counties of the state are divided.

Upon the going into effect of the Bond Plan, Chief Judge Ogle Marbury, then from the Seventh Judicial Circuit, was chosen by the governor to become the incoming Court of Appeals member from the Second Appellate Judicial Circuit, comprising the Central and Southern Maryland counties. The remaining two elected members of the Court in that area, Hon. C. Gus Grason of Towson, and Hon. Ridgely P. Melvin of Annapolis, were also appointed as additional members of the Court, under the provisions of the Bond Plan. Since that time Judge Melvin has died, so that Judge Grason is now the only additional member of the Court, which, so long as he holds office, will consist of six members.

In the First Appellate Judicial Circuit, comprising the Eastern Shore counties, Hon. Stephen R. Collins automatically became the incoming member from that Circuit, and Hon. L. Claude Bailey, serving only by appointment, ceased to be a member of the Court, but he was immediately appointed to the trial bench of the First Judicial Circuit, and subsequently elected.

In the Third Appellate Judicial Circuit, comprising the Western Maryland counties, Hon. Edward S. Delaplaine of Frederick was automatically entitled to membership as the incoming member of the Court, and was so designated to serve. Hon. Walter C. Capper of Cumberland, formerly an appointed member of the Court, ceased to be a member, but was thereupon appointed to the trial bench of the Fourth Judicial Circuit.

From Baltimore City, the Fourth Appellate Judicial Circuit, Hon. William L. Henderson, already serving as the only Baltimore member of the Court, as successor to Hon. Rowland K. Adams, was reappointed, and Hon. Charles Markell was appointed to the second position thereby created. Both were subsequently elected.

In the First Judicial Circuit (Worcester, Somerset, Dorchester, and Wicomico Counties) Judges Benjamin A. Johnson of Salisbury and James M. Crockett of Pocomoke

City have been succeeded by Judges Edmond H. Johnson of Snow Hill, and L. Claude Bailey of Salisbury. Hon. W. Laird Henry of Cambridge continues to serve.

In the Second Judicial Circuit (Caroline, Talbot, Queen Anne's, Kent and Cecil counties) Hon. Floyd J. Kintner of Elkton has been appointed to succeed Hon. Albert Constable, deceased, of Elkton. Hon. J. Owen Knotts of Denton and Hon. William R. Horney of Centreville continue to serve.

In the Third Judicial Circuit (Baltimore and Harford counties) Hon. John B. Gontrum of Towson has succeeded Hon. William H. Lawrence of Towson. Chief Judge C. Gus Grason of Towson continues to serve as both trial judge and as an additional member of the Court of Appeals under the provisions of the Bond Plan. Hon. Frederick Lee Cobourn of Belair and Hon. J. Howard Murray of Towson continue to serve.

In the Fourth Judicial Circuit (Allegany, Washington, and Garrett counties) Hon. George Henderson of Cumberland has succeeded Hon. Walter C. Capper of Cumberland, who had been reappointed as a trial judge upon the going into effect of the Bond Plan, as mentioned above. Hon. William A. Huster of Cumberland and Hon. Joseph D. Mish of Hagerstown, continue to serve.

In the Fifth Judicial Circuit (Anne Arundel, Carroll, and Howard counties) Hon. William J. McWilliams was appointed to succeed Hon. Ridgely P. Melvin, deceased, both of Annapolis. Judge McWilliams has recently announced his resignation. Governor Lane has appointed Hon. Marvin I. Anderson, formerly the State's Attorney for Anne Arundel County, to succeed Judge McWilliams. Judge Anderson will serve by appointment until the proper time for the election for a full term. Hon. James E. Boylan, Jr. of Westminster and Hon. James Clark of Ellicott City continue to serve.

In the Sixth Judicial Circuit (Frederick and Montgomery counties) Hon. Charles W. Woodward of Rockville, Hon. Stedman Prescott of Rockville, and Hon. Patrick M. Schnauffer of Frederick continue to serve.

In the Seventh Judicial Circuit (Prince George's, Charles, Calvert and St. Mary's counties) Hon. William Meverell Loker of Leonardtown, Hon. Charles C. Marbury of Upper Marlboro, and Hon. John B. Gray, Jr., of Prince Frederick continue to serve.

In the Eighth Judicial Circuit (Baltimore City) Hon. W. Conwell Smith was appointed and elected Chief Judge of the Supreme Bench to succeed Hon. Samuel K. Dennis, retired. Six new associate judges have been both appointed and elected. These are Judges John T. Tucker, Charles E. Moylan, Joseph Sherbow, Herman M. Moser, E. Paul Mason, and Michael J. Manley. They succeed variously to the vacancies created by the promotion to the Court of Appeals of Hon. William L. Henderson, the death of Hon. Joseph N. Ulman, and the retirement of Judges George A. Solter, Eli Frank, Samuel K. Dennis, and Eugene O'Dunne.

Hon. J. Craig McLanahan has died and Hon. Robert France is now serving by appointment until the 1948 election, to succeed him as Associate Judge. The three remaining Associate Judges continue to serve as heretofore. These are Hon. Edwin T. Dickerson, Hon. J. Abner Sayler, and Hon. Emory H. Niles.