

Editorial Section

Follow this and additional works at: <http://digitalcommons.law.umaryland.edu/mlr>

Recommended Citation

Editorial Section, 17 Md. L. Rev. 324 (1957)

Available at: <http://digitalcommons.law.umaryland.edu/mlr/vol17/iss4/4>

This Editorial Section is brought to you for free and open access by the Academic Journals at DigitalCommons@UM Carey Law. It has been accepted for inclusion in Maryland Law Review by an authorized administrator of DigitalCommons@UM Carey Law. For more information, please contact smccarty@law.umaryland.edu.

Maryland Law Review

Published Winter, Spring, Summer, and Fall by Maryland Law Review, Inc.
Copyright, 1957, by Maryland Law Review, Inc.
\$3.00 Per Current Volume \$1.00 Per Number
Member, National Conference of Law Reviews

STUDENT EDITORIAL BOARD

SAMUEL LYLES FREELAND, *Editor*
ROBERT F. HOCHWARTH, *Casenote Editor*
MARTIN B. GREENFELD, *Recent Decisions Editor*
J. M. ROULHAC, *Ass't. Casenote Editor*

P. McEVoy CROMWELL
ROY DRAGONE
DAVID H. GILBERT
LEROY HANDWERGER
RICHARD E. LOVELL

DENE L. LUSBY
J. PAUL ROGERS
WILLIAM J. PITTLER
RICHARD R. SIGMON
DAVID R. STAMBAUGH

G. KENNETH REIBLICH } *Faculty Advisors*
LEWIS D. ASPER }
EDWIN W. LOWE, *Editorial Secretary*

THE EDITOR'S PAGE

Those of you who attended the School of Law in recent years undoubtedly remember with fondness Professor Russell R. Reno, who, without exception, made each class a stimulating, as well as instructive, session. This effect, apart from sheer academic ability, is the result of an almost limitless enthusiasm for the subject matter, coupled with an enviable capacity to organize its presentation to the fledgling law student. His lead article "The Maryland Order of Abatement of Legacies and Devises", demonstrates the aforementioned qualities as an aid to the attorney who finds himself charged with the administration of an estate, the assets of which are insufficient to accomplish in full the testator's directions. After tracing the historically inferior position of the legatee of personalty as contrasted to the devisee of realty, the author succinctly presents and intricately analyzes the current revised order of abatement in this State. This is followed by an exhaustive discussion of the difficulties arising upon renunciation of a will by the

surviving spouse and an election to take as a statutory heir, together with the means by which the courts seek to preserve the testamentary scheme so often marred by such election. Professor Reno obtained both his A.B. (1931) and LL.B. (1927) at the University of Illinois, and an LL.M. from Columbia University in 1940. He is currently teaching courses in Real Property I, Real Property II (Conveyances), Testamentary Law and Restitution.

The REVIEW is particularly pleased when it is able to present a lead article by one of the more recent graduates of the School. Mr. Herbert B. Mutter's "Probation in the Criminal Court of Baltimore City" affords an interesting and informative glimpse into a department, the operations and purposes of which are perhaps little known by many Maryland attorneys. For the offenders who are investigated and supervised by the department, however, the relationship may have profound consequences. Criminological theories of the ethics of punishment have evolved from the vengeance, through the deterrence and into the recidivistic. The Probation Department is by its very nature interwoven into the last of these theories, its purpose being neither to punish for punishment's sake nor to deter others from pursuing the same course of criminal conduct, but to deal with the offender as an *individual*, evaluating his potentialities for future social good, or damage. The author, in a clear and interesting article, tells us how this is accomplished. A political science and sociology major at the University of Maryland, Mr. Mutter was a June, 1957, graduate of the School of Law. During 1952 and 1953, he was employed by the National Training School for Boys in Washington, D.C., and the District of Columbia House of Correction. Since 1953 he has been associated with the Probation Department of the Supreme Bench of Baltimore City, where he is a probation officer, making investigations for the Criminal Court, as well as supervising released offenders. Mr. Mutter was appointed by Governor McKeldin as a member of the Maryland Commission for the Prevention and Treatment of Juvenile Delinquency, and presently serves in that capacity.

The REVIEW enters the school year 1957-58 with the following student editors: Editor, Samuel Lyles Freeland; Casenote Editor, Robert F. Hochwarth; Recent Decisions Editor, Martin B. Greenfeld; and Assistant Casenote Editor, J. M. Roulhac. The last named post is newly created with the intent that it be filled, as currently, by a fourth year evening student with the primary responsibility of super-

vising at student level those evening students participating in Law Review activities. The editors wish to thank their predecessors for winding up their year with publication on schedule and with a good start on the material for the current issue.

The REVIEW announces the appointment of a second faculty advisor, Professor Lewis D. Asper. The advisability of having two faculty advisors has been under consideration since the current organization of the REVIEW was first announced in the Summer issue of 1956, and action was stimulated late this summer at Professor Reiblich's request after his appointment by Governor McKeldin to the newly established "Self-Survey Commission of the Maryland State Government" and his subsequent selection to be its Executive Secretary. Professor Reiblich felt that these new duties, added to those as a member of the Advisory Board of the Patuxent Institution, might preclude his giving the REVIEW the time required for its continuing successful operation, and further that the faculty had available in Professor Asper a younger man, with experience at the Bar as well as wide teaching experience, who could render the necessary assistance. Professor Asper, a member of the New York Bar, came to Maryland in 1954 and is currently teaching the courses in Contracts, Negotiable Instruments, Trade Regulation and a Seminar in Selected Legal Problems. In addition to these fields, he has previously taught International Law, Comparative Law, Conflict of Laws, and Insurance. He has his A.B. degree from the University of Minnesota, 1943, and his LL.B. from Columbia University, 1951, having served with the United States Marine Corps during 1943-1945. He taught at the University of Puerto Rico, 1951-52, and practiced law in New York City, 1952-1954, with the firm of Kissam & Halpin. The REVIEW is gratified that he is willing to assist with its work.

NEWS OF THE LAW SCHOOL

There are 433 students enrolled in the Law School for the school year 1957-58. Of these 167 are in the Day School, with 72 in the entering class; 266 are in the Evening School, with 97 in the entering class. There are 116 colleges and universities represented in the pre-legal training of the student body.