

Editorial Section

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EDITOR'S NOTE

The current controversy over the routing of a portion of Proposed System 3-A through Leakin Park in Baltimore City is a vivid local example of the recurrent tension between highway needs and parkland preservation. Section 4(f) of the Department of Transportation Act, which provides for the protection of parkland against destruction by highways, was the legislative response to such competing interests. Any plan which involves the use of Leakin Park for the contemplated highway will have to meet the standards of section 4(f). In this issue of the *Review*, Professor Oscar S. Gray examines section 4(f) and

the legislative history, judicial interpretation and administrative practice which accompany it.

This issue of the *Review* also features a review of *Who Runs Congress?*, another in the series of Nader-sponsored studies, by one who is well acquainted with the subject matter of the book — Clarence D. Long, Congressman from the Second District of Maryland. Congressman Long finds the authors' charges of congressional ineptitude and misdirection of congressional energies to be misguided and inaccurate.

Women's rights advocates are calling for change on all levels of society. One small facet of this demand is reflected in *Stuart v. Board of Supervisors of Elections*, which found that the Maryland elections supervisors had no power to require a married woman to register to vote under her husband's surname. A student note analyzes the issues in *Stuart*, and the issue of married women's surnames in general, and finds that the decision is supported by the American and English common law.

Two student works deal with workmen's compensation statutes. The first examines a decision of the Maryland Court of Appeals which denied an insurer "recovery back" of payments made to an employee under an award which was subsequently reversed on the grounds that the employee did not meet the requirements of the statute. The note finds this result to be both anomalous and likely to lead to actions on the part of the insurer which are inconsistent with the objectives of the statute. The second student work raises the question of construing the section of the Longshoremen's and Harbor Workers' Compensation Act which limits review of awards made under the Act. The interpretation placed upon this section by the United States Court of Appeals for the Fifth Circuit is found by this note to be one which is out of touch with the policy of the Act and which will discourage informal settlement of claims.