



ADVANCE SHEET – ISSUE 92

FINAL ARRANGEMENTS

As my fifty-ninth birthday rapidly approaches (I am writing this on February 13 and my birthday is March 1), it seems that every time I watch television I see a commercial about how seniors cannot bring themselves to make “final arrangement plans.” In my mind, it was only a week or two ago that the final arrangements this senior was making had to do with his prom. WOW! What happened?

Over the years, the Bar Library has benefitted from the generosity of individuals who made provision for it as part of their “final arrangement plans.” One of these individuals was Orville Horwitz, a member of the Bar Library’s Board of Directors from 1873 to 1878. The following is from *America’s Successful Men of Affairs*, edited by Henry Hall, volume II, page 408 (New York Tribune, 1896):

“**Orville Horwitz**, lawyer, born in Baltimore, Md., in December 1817, the oldest son of Dr. J. Horwitz, a distinguished physician and scholar, who graduated at the University of Pennsylvania in 1813, and for many years practiced his profession in the city of Baltimore, died July 30, 1887, greatly lamented. Orville was educated at St. Mary’s college in Baltimore, graduating therefrom at the age of sixteen. With that independence of character which marked his whole career, he at once assumed the responsibilities of life, and began teaching school on Maryland and Virginia, continuing thus for two or three years, and then studied law in Baltimore. Shortly after admission to the bar, Mr. Horwitz travelled extensively in Europe. Returning in 1841 with a well informed mind, he began the practice of his profession, soon taking high rank. He was a finished classical scholar, a forcible and elegant speaker, and for several years prior to his death leader of the Maryland bar. In 1861, Miss Maria Gross, the accomplished daughter of the surgeon, Professor Gross of Philadelphia, became his wife. By the practice of his profession and judicious investments, Mr. Horwitz accumulated a very large fortune.”

Mr. Horwitz died on July 30, 1887 and is buried in Green Mount Cemetery. The Horwitz Criminal Law Room which contains histories and biographies purchased over the years with the money that Mr. Horwitz bestowed upon the Library, is named after this most generous benefactor.

The tradition of giving continues today. Recent gifts include the largest ever bestowed upon the Library, that of Mr. Franklin Freeman. Ms. Kai-Yun Chiu, who served as Head Librarian here from 1976 to 2003, similarly remembered the Library in her will.

I suppose I might be a little like Ms. Chiu (I hope so anyway), and my viewpoint might be somewhat slanted, but I kind of like this place and respect what it stands for and what it does. Let me share just a few of the reasons why I think the Library merits your consideration.

- 1) For the many young law clerks and students who have come here, and still do, to study for the bar. Perhaps you were one of them.
- 2) For the young lawyers who need access to a collection, a database, a place to meet a client other than in their apartment or a basement office. The Library provides all three and a lot more with our new admittee rate, which is about as close to free as you can get. The Board of the Library remember what it was like to be young and starting out and how sometime you just need someone to give you a break.
- 3) For leveling the playing field by providing a place for small firms and sole practitioners to have access to material they otherwise would not have access to. Americans love the little guy and over the years few places have done more for those with less.
- 4) For the “big guys.” No firm, no matter how large, wants, or is able, to buy or have access to everything there is. As long as there is a Bar Library, they will never have to try.
- 5) For shrinking libraries everywhere. I had an individual from one of the counties take out a membership the other day because the law library in his county had shrank to a point of irrelevancy. It seems to be happening more and more. Be the bulwark against it happening here.
- 6) For those that try to help themselves. A few years ago the Library opened the Honorable Harry A. Cole Self-Help Center. A fine Center named after a great man in a Library that tries to be all it can for those that need it.
- 7) For a history of equality. When Everett Waring the first African-American to practice law in Maryland and Etta Haynie Maddox, the first woman to practice, had door after door slammed in their faces the Bar Library said “Come on in, what can we do for you.”

I know that many of you share a fondness for this amazing place and the role that it undoubtedly played at one point or another in your careers. I ask for your help by not just remembering us in your thoughts and memories, but in a way that will help the Library stay “amazing” for generations to come. For the reasons set forth above, and so many others, please think about us when it comes time to make those arrangements.

Joe Bennett

MEMBER GENEROSITY

The foundation for my belief that there are many among you that harbor thoughts/sentiments about remembering the Library in your “final arrangements” is based in large measure on how generous so many of you are to the Library on a daily basis, giving your time and money to make this institution, our Library, what it is. As librarian, I would like to express my thanks to all those who have been so generous.

Thank you.

Joe Bennett

Contributions to the Bar Library for 2017 (In Cash Or In Kind)

\$5,000 And Above

George W. Liebmann, Esquire

\$1,000 - \$4,999

Honorable James F. Schneider

Howard J. Schulman, Esquire

\$500 - \$999

John J. Connolly, Esquire

Antonio Gioia, Esquire

Henry R. Lord, Esquire

Honorable Charles E. Moylan, Jr.

Christopher R. West, Esquire

\$250 - \$499

James B. Astrachan, Esquire

Rob Ross Hendrickson, Esquire

\$100 - \$249

Jack L. B. Gohn, Esquire

Honorable Ellen Lipton Hollander

Mark Anthony Kozlowski, Esquire

Elva E. Tillman, Esquire

Bowen P. Weisheit, Jr., Esquire

\$50 - \$99

Senator Julian L. Lapidés

Thomas J. Minton, Esquire

Ian Valkenet, Esquire

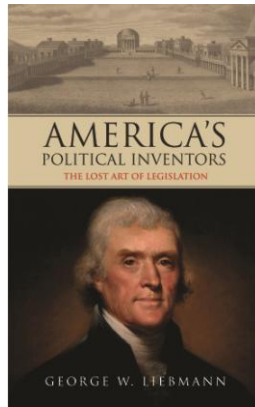
Thomas C. Valkenet, Esquire

\$25

James K. Archibald, Esquire; Thomas A. Baker, Esquire; Henry Belsky, Esquire; Kimberly E. Beyer, Esquire; Eric M. Bielitz, Esquire; Forrest F. Bramble, Jr., Esquire; William R. Buie III, Esquire; Richard C. Burch, Esquire; Herbert Burgunder III, Esquire; David A. Carter, Esquire; Robert G. Cassilly, Esquire; David W. Cohen, Esquire; Richard D. Cole, Jr., Esquire; Francis J. Collins, Esquire; Timothy A. Dachille, Esquire; Robert N. Daniels, Esquire; Celia A. Davis, Esq.; Marc S. Dorman, Esquire; John H. Doud III, Esquire; Kevin M. Finson, Esquire; Christopher S. Flohr, Esquire; Cristina I. Flores, Esquire; Sally B. Gold, Esquire; Kim Gordon, Esquire; Bryant S. Green, Esquire; Benjamin H. Groff, Esquire; James J. Hanks, Jr., Esquire; S. Geoffrey Haynes, Esquire; Honorable John A. Henderson, Jr.; Hurst R. Hessey, Esquire; William S. Heyman, Esquire; Charles S. Hirsch, Esquire; E. David Hoskins, Esquire; Robin M. Hough, Esquire; Katherine K. Howard, Esquire; Peter J. Huang, Esquire; Timothy J. Hynes III, Esquire; Marie J. Ignozzi, Esquire; Steven B. Isbister, Esquire; Kamil Ismail, Esquire; Kelly H. Iverson, Esquire; Michele R. Kendus, Esquire; Charles M. Kerr, Esquire; John T. Kieley, Esquire; Sharon R. Laxton, Esquire; David M. Layton, Esquire; Emanuel M. Levin, Esquire; Lois Macht, Esquire; Harvey K. Maizels, Esquire; Kathleen M. McDonald, Esquire; Thomas J. Minton, Esquire; Bradford C. Peabody, Esquire; Stephen J. Reichert, Esquire; Joel C. Richmond, Esquire; Phillip Robinson, Esquire; Ms. Katherine Rodriguez; Craig D. Roswell, Esquire; Stephen H. Sachs, Esquire; Orbie R. Shively, Esquire; John P. Stabile, Esquire; H. Mark Stichel, Esquire; Allen Tietzer, Esquire; Damon A. Trazzi, Esquire; Gregory L. Van Geison, Esquire; Ms. Thea C. Warner; Thomas A. Werthman, Esquire; David Gray Wright, Esquire



The Bar Library has had, for what is now over a decade, a contract with the Maryland Motor Vehicle Administration that allows it to search M.V.A. records for driver and vehicle registration information. Over the course of the years the Library has conducted innumerable searches to determine matters such as: 1) Addresses for and physical descriptions of licensed drivers; 2) Driving records of licensed drivers; 3) Tag checks to determine the registered owner of a vehicle as well as the insurer and insurance policy number of the vehicle; and 4) Vehicles registered to a particular individual. If you want fast, reliable and affordable driver or vehicle information, I would suggest that you try the Bar Library's M.V.A. Search Service. Requests may be phoned to 410-727-0280; faxed to 410-685-4791; or e-mailed to jwbennett@barlib.org.



The President of the Bar Library Board of Directors, George W. Liebmann, Esquire, has recently published *America's Political Inventors: The Lost Art of Legislation*. He is an historian and lawyer specializing in American and international history. This work, as well as *Diplomacy Between the Wars: Five Diplomats and the Shaping of the Modern World*; *The Last American Diplomat: John D. Negroponte and the Changing Face of U.S. Diplomacy* and *The Fall of the House of Speyer: The Story of a Banking Dynasty* are published by I.B. Tauris and are available at www.ibtauris or at amazon.com.

Recent American political developments, including the election of Donald Trump, reveal profound disquiet with the highly centralized political regime based on discretionary allocation of funds and powers to interest groups that has developed since the creation of emergency institutions after America's entry into World War I.

This book demonstrates the effectiveness in American history of measures conceived in a different spirit, addressing the population at large, rather than particular interest groups, relying on citizen and local initiative, and founded not on the distribution of frequently unearned benefits and powers but on reciprocal contributions and obligations. Mr. Liebmann discusses John Winthrop and his foundation of New England towns; John Locke and the creation of Southern plantations; Thomas Jefferson and his scheme for the organization of Northwestern townships and American territories and states; Joseph Pulitzer and the origins of municipal home rule; John Wesley Powell and the creation of reclamation districts; Hugh Hammond Bennett and the fostering of soil conservation districts; and Byron Hanke and the development of residential community associations.

The book concludes with a number of public policy proposals relating to housing, urban renewal, care of the elderly, immigration and youth unemployment conceived in the same spirit. Mr. Liebmann brings to light little-known facts concerning the growth of practices and institutions that Americans take for granted. His book will be of interest to students of biography, history and government.

“Liebmann’ s expertise in American government and its history is evident throughout. He makes the historical development of institutions come alive by putting faces and personalities on those who promoted them···Liebmann’ s look back at these entrepreneurs of the public sector enriches our understanding of our system and···will inspire others to try more innovative solutions to ongoing problems.” – William A. Fischel, Professor of Economics and Hardy Professor of Legal Studies, Dartmouth College

THE MOST IMPORTANT CARD YOU’ LL CARRY

Remember the old American Express commercials where they would tell you that their card was the most important one that you would carry? With the current state of television I mostly watch sports, which means the only product I can tell you about with any degree of certainty is beer. Ironic since I do not drink it.

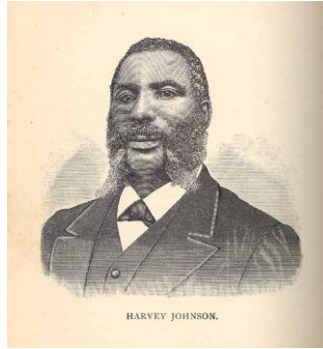
Well, with all due respect to AmEx, I would propose that the most important card that you do, have, or will carry, is your membership card to the Library Company of the Baltimore Bar. Their card allows you to buy stuff, ours does, well let me tell you what ours does.

Free unlimited Westlaw access to an amazing collection of databases from a Library computer or your own laptop by way of a wi-fi connection – circulating collections – the right to request the Library purchase treatises or collections (a right almost always complied with) – telephone and e-mail reference – speaker series – educational programs – MVA searches – e-mail and faxing of material – scanning services – online catalog – interlibrary loan (we usually have it, but if we do not, we will get it for you) – weekend and evening hours – use of Library rooms from client meetings to the taking of depositions.

If you wanted to buy all that you have access to here at the Library, be you a firm or an individual, you better have a super duper platinum plus card, because it is going to cost you a whole lot of money. And once you have purchased the material, just wait for the updates to come rolling in. They are going to make your initial purchase seem like a pittance. If any of you have children, and you make an initial outlay for a game system, and then realize that all the games are a “whole lot of money,” well, it is sort of like that.

Most important card you’ ll carry? Take that American Express.

Joe Bennett



The Brotherhood of Liberty

On **Tuesday, March 6, 2018**, **Professor Dennis Halpin** of Virginia Tech University will speak on the famed civil rights organization “The Brotherhood of Liberty.”

On June 22, 1885, Rev. Dr. Harvey Johnson called five of his closest Baptist colleagues to his home to discuss the erosion of Reconstruction Era progress and what could be done about it. The result of this meeting was the formation of a civil rights organization, the Mutual United Brotherhood of Liberty of the United States of America (MUBL). The MUBL pledged themselves, "to use all legal means within our power to procure and maintain our rights as citizens of this our common country." In mid-October 1885, the MUBL held a three-day conference on the status of black civil rights. Frederick Douglass addressed the conference. Immediately prior to the convening of the conference the MUBL successfully engineered the admittance of Everett J. Waring to the Maryland Bar. With the bar door opened, Johnson, the MUBL, and the small but growing coterie of African-American lawyers began an attack on inequalities. African-American exclusion from jury boxes, the absence of African-American teachers from the city's public schools, the deteriorated condition of African-American public schools, and the infamous bastardy codes affecting African-American women, were the more visible of the fights taken on by the MUBL legal team.

Professor Dennis Halpin's research examines how race, class, and gender shaped the 19th and 20th century urban experience in the United States. His latest work focuses on how African- Americans, workers, and women shaped the Progressive Era in Baltimore, Maryland.

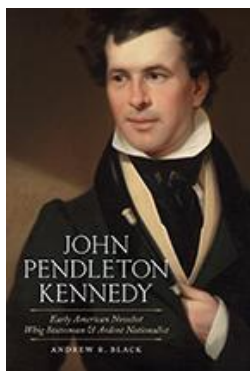
Place: Mitchell Courthouse – 100 North Calvert Street – Main Reading Room of the Bar Library (Room 618, Mitchell Courthouse).

Time: 5:00 p.m., Tuesday, March 6, 2018.

Reception: Catering by DiPasquale's featuring their famous prosciutto, cod fish, fruits and cheeses.

Invitees: All are welcome to this **free event**.

R.S.V.P.: If you would like to attend telephone the Library at 410-727-0280 or reply by e-mail to jwbennett@barlib.org.



The Bar Library recently received a most generous gift, of a most handsome portrait, from the Honorable James F. Schneider, United States Bankruptcy Court for the District of Maryland, retired. The portrait which is on your left as you enter the Main Reading Room of the Library is of John Pendleton Kennedy. The following brief biography of Kennedy hangs beneath his portrait, so, I suggest that rather than read it here, you come to the Library where you can also see our new portrait, do a little research, and stop in and say hello. It will be good to see you.

“John Pendleton Kennedy (October 25, 1795 – August 18, 1870) served as United States Secretary of the Navy from July 26, 1852 to March 4, 1853, during the administration of President Millard Fillmore, and as a United States Representative from Maryland's 4th Congressional District. He was the brother of United States Senator Anthony Kennedy. In addition to service at the federal level, Kennedy was the Speaker of the Maryland State Assembly and served several different terms in the Assembly.

Kennedy helped to lead the effort to end slavery in Maryland, which, as a non-confederate state, was not affected by the Emancipation Proclamation and required a state law to free slaves within its borders and to outlaw the furtherance of the practice.

Kennedy was an advocate of religious tolerance and of memorializing and furthering the study of Maryland history.

Kennedy is credited with playing seminal roles in the founding of several historical, cultural and educational institutions in Maryland; including (the now called) Historic St. Mary's City (site of the colonial founding of Maryland and the birthplace of religious freedom in America), St. Mary's College of Maryland (then St. Mary's Female Seminary), the Peabody Library (now a part of Johns Hopkins University) and the Peabody Conservatory of Music (also now a part of Johns Hopkins).”

For more on John Pendleton Kennedy, I recommend *John Pendleton Kennedy: Early American Novelist, Whig Statesman, And Ardent Nationalist*, by Andrew R. Black. It is available through Amazon, or better, stop by and borrow our copy. See – another reason to visit the Bar Library.

Joe Bennett

NEW ACQUISITIONS

Books Donated by George W. Liebmann, Esquire

American Law Institute.

Uniform Commercial Code, Proposed Amendments to Revised Article 9. Secured Transactions: Tentative Draft (April 15, 2010)
KF879.525.A2T 2010

Babcock, Richard F. and Wendy U. Larsen.

Special districts: the ultimate in neighborhood zoning. (1990)
HORWITZ 352.9 B33S

Bredin, Jean-Denis.

The affair: the case of Alfred Dreyfus ; translated from the French by Jeffrey Mehlman. (1986) HORWITZ 944.081 D74B

Erskine, Thomas Erskine, Baron, 1750-1823.

Speeches of Lord Erskine, while at the bar, Volumes III and IV, Edited by James L. High. (1984)
HORWITZ 347.04 E73SP

Ferling, John E.

Adams vs. Jefferson: the tumultuous election of 1800. (2004)
HORWITZ 324.973 F47A

Foxton, David.

The life of Thomas E. Scrutton. (2013)
HORWITZ 340.092 S37F

Greve, Michael S.

The upside-down Constitution. (2012)
HORWITZ 342.73 G74U

Lee, Mike.

Our lost Constitution: the willful subversion of America's founding document. (2015)
HORWITZ 342.73 L36O

Lewis, David L.

Prisoners of honor: the Dreyfus affair. (1973)
HORWITZ 944.081 D74L

Matthews, Arthur R.

Mental disability and the criminal law: a field study. (1970)
HORWITZ CRIM.LAW KF9242 .Z9 M37

McGee, Jim and Brian Duffy.

Main justice: the men and women who enforce the nation's criminal laws and guard its liberties. (1996)

HORWITZ 363.2 M44M

Sunstein, Cass R.

The partial Constitution. (1993)

HORWITZ 342.73 S86P

Walker, David Bradstreet.

The rebirth of Federalism: slouching toward Washington. (2000)

HORWITZ 320.473 W16R

Wright, Charles Alan and Mary Kay Kane.

Law of federal courts, 6th ed. (Hornbook series)

KF8840.W7 2002

Book Donated by Henry R. Lord, Esquire

Alexander, Michelle.

The New Jim Crow. (2012)

Mitchell 364.993 A43N

Book Donated by H. Mark Stichel, Esquire

Smith, Kathryn.

The gatekeeper: Missy LeHand, FDR, and the untold story of the partnership that defined a presidency. (2016)

JOSEPH 973.917 L56S

Purchased Titles

Horwitz Collection

Crenson, Matthew A.

Baltimore: a political history. (2017)

HORWITZ 975.26 C74B

Domestic violence cases: handling them effectively in Maryland district and circuit courts. (The House of Ruth Maryland Domestic Violence Legal Clinic & The M.S.B.A. Family and Juvenile Law Section.)

HORWITZ CRIM. LAW KFMD 1767.F35 D6 2017

Hell is a very small place: voices from solitary confinement, edited by Jean Casella, James Ridgeway, and Sarah Shourd. (2016)

HORWITZ 365 H45

Presser, Stephen B.
Law professors: three centuries of shaping American law. (2017)
HORWITZ 344.73 P74L

Walsh, Michael T.
Baltimore Prohibition: wet and dry in the Free State. (2017)
HORWITZ 363.4 W35B

Joseph Collection

Greenya, John.
Gorsuch: the judge who speaks for himself. (2018)
JOSEPH 347.7326 G67G

Scalia, Antonin.
Scalia speaks: reflections on law, faith, and life well lived, edited by Christopher J. Scalia and Edward Whelan; foreword by Ruth Bader Ginsburg. (2017)
JOSEPH 348.7326 S321

Maryland Books

Cornblatt, Theodore B.
Workers' compensation manual, 18th ed. (M.S.B.A.)
KFMD 1542 .W67 2017

The Maryland state constitution at 150: a symposium and appraisal; John J. Connelly, editor.
KFMD 1601 1867 .A6 L53 2017

Mitchell Collection

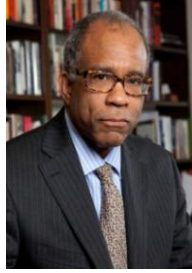
Rothstein, Richard.
The color of law: a forgotten history of how our government segregated America. (2017)
MITCHELL 305.8 R81C

Reserve Books

National Fire Protection Association.
NFPA 101: Life safety code, 2018.
RESERVE KF3975.A16 L43 2018

Treatises

Sheldon, Jonathan and Carolyn L. Carter.
Collection actions: defending consumers and their assets, 4th ed.
KF1024 .S54 2017



Bell v. Maryland & The Sit-In Movement

On **Tuesday, April 10, 2018**, **Professor Randall Kennedy** of Harvard Law School will speak on Bell v. Maryland and the sit-in movement.

“Petitioners, 12 Negro students, were convicted in a Maryland state court as a result of their participation in a ‘sit-in’ demonstration at Hooper’s restaurant in the City of Baltimore in 1960. The convictions were based on a record showing in summary that a group of 15 to 20 Negro students, including petitioners, went to Hooper’s restaurant to engage in what their counsel describes as a ‘sit-in protest’ because the restaurant would not serve Negroes. The ‘hostess,’ on orders of Mr. Hooper, the president of the corporation owning the restaurant, told them, ‘solely on the basis of their color,’ that they would not be served. Petitioners did not leave when requested to by the hostess and the manager; instead they went to tables, took seats, and refused to leave, insisting that they be served. On orders of Mr. Hooper the police were called, but they advised that a warrant would be necessary before they could arrest petitioners. Mr. Hooper then went to the police station and swore out warrants, and petitioners were accordingly arrested.” Robert Mack Bell v. State of Maryland, 378 U.S. 226, 227-228 (1964)

Professor Randall Kennedy is the Michael R. Klein Professor at Harvard Law School. He served as a law clerk for Judge J. Skelly Wright of the United States Court of Appeals and for Justice Thurgood Marshall of the United States Supreme Court. Awarded the 1998 Robert F. Kennedy Book Award for Race, Crime, and the Law, Professor Kennedy writes for a wide range of scholarly and general interest publications. A member of the American Law Institute, the American Academy of Arts and Sciences, and the American Philosophical Association, Professor Kennedy is also a Charter Trustee of Princeton University.

Place: Mitchell Courthouse – 100 North Calvert Street – Main Reading Room of the Bar Library (Room 618, Mitchell Courthouse).

Time: 5:00 p.m., Tuesday, April 10, 2018.

Reception: Catering by DiPasquale’s featuring their famous prosciutto, cod fish, fruits and cheeses.

Invitees: All are welcome to this **free event**.

R.S.V.P.: If you would like to attend telephone the Library at 410-727-0280 or reply by e-mail to jwbennett@barlib.org.