



ADVANCE SHEET – November 22, 2024

President's Letter

A Forgotten Document

There has recently been discussion of the scope of the Insurrection Act, which exempts the use of federal troops to suppress insurrections from the ban imposed by the Posse Comitatus Act on the federal use of military forces for law enforcement. There is a somewhat restrictive three-part definition of “insurrection” in the statute as amended, which dates from 1807

In 2006, without notice to the nation’s governors, the second Bush administration secured enactment of a rider to the 2007 National Defense Authorization Act which, as to federalization of the National Guard, broadened the definition of “Insurrection” to include “a serious natural or manmade disaster, accident, or catastrophe that occurs in the United States.”

This elicited an unusual letter of protest from all 50 state governors, which led in turn to repeal of the provision by the 2008 National Defense Authorization Act. This little-known action provides an important gloss on the meaning of “Insurrection” as used in the Insurrection Act, which is now sought to be interpreted to authorize use of the federal military to seize, confine, and expel unauthorized immigrants.

At one time, the Resolution was available on the National Governors’ Association site, from which it has disappeared. It continues to be available in congressional documents, from which it is reproduced here.

The letter was signed by, inter alia, Governors Janet Napolitano, Mike Huckabee, Haley Barbour, Timothy Kaine, Joe Manchin, Jeb Bush, Jennifer Granholm, Arnold Schwarzenegger, Mitt Romney, George Pataki, Robert Ehrlich, Edward Rendell, Rick Perry, and Robert Taft.

George W. Liebmann



Commercial & Residential Auctions and Asset Liquidation Sales since 1974



Headquartered in northeast Maryland, Atlantic Auctions has experience in auctioning residential and commercial properties, as well as truck, heavy equipment and other asset liquidations, in the Mid-Atlantic region and more. The basis of our success is a combination of our personalized way of doing business; our extensive knowledge of real estate, equipment, and other assets; and our marketing strategies customized for each sale. Let us provide a proposal on your next foreclosure, owner, bank ordered, and/or liquidation sale requirements and let us show you the Atlantic Auctions way of getting the job done!!



For more information, contact Atlantic Auctions today, at 410-803-4100 or AtlanticAuctionsInc@bscamerica.com



The MORTAL STORM

The Mortal Storm is a 1940 drama directed by Frank Borzage, starring Margaret Sullavan and Jimmy Stewart. The film shows the impact on Germans after Hitler becomes chancellor of Germany and gains unlimited power. The supporting cast features Robert Young, Robert Stack, Frank Morgan, Dan Dailey, Ward Bond and Maria Ouspenskaya. A year after the film's release, Stewart began serving in the United States Army Air Forces during World War II.

Bosley Crowther of *The New York Times* calls *The Mortal Storm* "magnificently directed and acted ... a passionate drama, struck out of the deepest tragedy, which is comforting at this time only in its exposition of heroic stoicism." A review in *Variety* states: "It is not the first of the anti-Nazi pictures, but it is the most effective film exposé to date of the totalitarian idea, a slugging indictment of the political and social theories advanced by Hitler. ... Performances are excellent." *Harrison's Reports* writes: "This is the most powerful anti-Nazi picture yet produced. It excels in every department—that of acting, direction, production and photography." ... Magnificently directed by Frank Borzage, pulsating with dramatic power, and played up to the hilt by a transcendingly skillful cast, it will electrify audiences wherever it is shown." John Mosher of *The New Yorker* praises the film's story for being presented "without any theatrical nonsense" and adds, "What is outstanding about Frank Borzage's direction is its restraint. The cruel story is told without any of the highlights of horror. We feel that what lies behind is worse than what we are shown."

The film holds a 100% fresh rating on Rotten Tomatoes based on 11 reviews.

WHEN: Friday, December 6, 2024 - 5:30 P.M

WHERE: The Clarence M. Mitchell, Jr. Courthouse (100 North Calvert Street)
Main Reading Room of the Baltimore Bar Library (Room 618)

COST: Free – Soft Drinks & Snacks will be served.

RESERVATIONS: May be made at the Library, by telephone or e-mail. In order to keep track of attendance, **reservations are required.** For more information telephone 410-727-0280 or e-mail us at jwbennett@barlib.org.



Mike Huckabee
Governor of Arkansas
Chairman

Janet Napolitano
Governor of Arizona
Vice Chair

Raymond C. Schapiro
Executive Director

August 6, 2006

The Honorable Bill Frist
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Harry Reid
Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable J. Dennis Hastert
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Senator Frist, Senator Reid, Speaker Hastert and Representative Pelosi:

The nation's governors strongly oppose legislation to allow the President to federalize the National Guard in a state without the consent of the governor. The House-passed version of the National Defense Authorization Act (H.R. 5122) would authorize the President to take control of the Guard in case of "a serious natural or manmade disaster, accident, or catastrophe that occurs in the United States, its territories and possessions, or Puerto Rico." This provision was drafted without consultation or input from governors and represents an unprecedented shift in authority from governors as Commanders and Chief of the Guard to the federal government.

We take very seriously our constitutional duty to protect our citizens and lead our Guard. We are responsible for the safety and welfare of our citizens and are in the best position to coordinate all resources to prepare for, respond to and recover from disasters. The current process by which we use our National Guard in emergencies and request federal assistance when necessary works well and should not be changed.

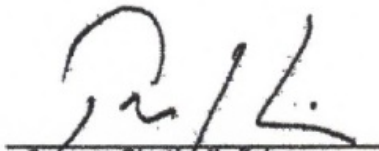
We urge you to drop provisions that would usurp governor's authority over the National Guard during emergencies from the conference agreement on the National Defense Authorization Act.

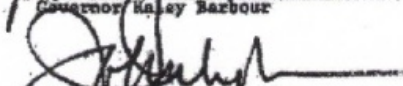
Sincerely,

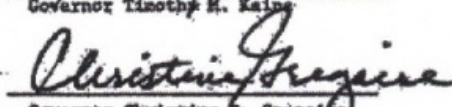
Governor Mike Huckabee

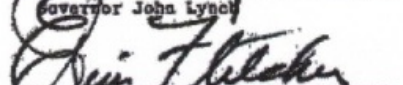
Governor Janet Napolitano

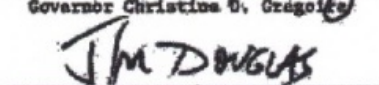

Governor Kasey Barbour


Governor Timothy H. Kaine

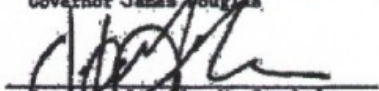

Governor John Lynch

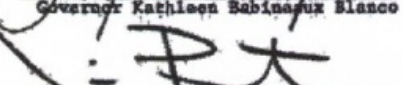

Governor Christina O. Gragolia

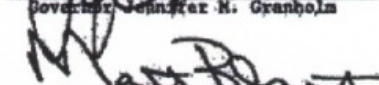

Governor Elio Fletcher

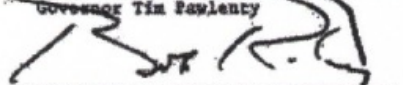

Governor James Douglas


Governor Kathleen Sabinaux Blanco

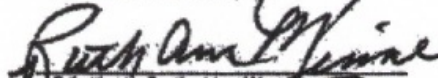

Governor Jennifer M. Granholm


Governor Tim Pawlenty


Governor Matt Blunt

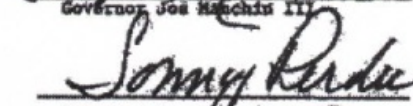

Governor Bob Riley

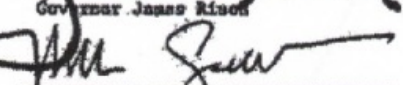

Governor Charles W. Turnbull



Governor Ruth Ann Minner

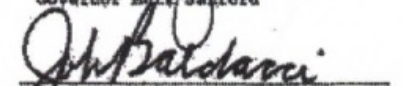

Governor Joe Machin III

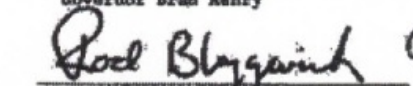

Governor James Risson


Governor Sonny Perdue

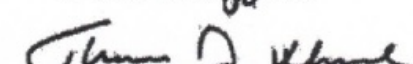

Governor Mark Sanford


Governor Brad Henry


Governor John Baldacci


Governor Rod Blagojevich


Governor Dave Heineman


Governor Thomas D. Villaack

Arnold Schwarzenegger

Governor Arnold Schwarzenegger

Bill Richardson

Governor Bill Richardson

M. Jodi Rell

Governor M. Jodi Rell

Jon S. Corzine

Governor Jon S. Corzine

Jeff Blane

Governor Jeff Blane

George E. Pataki

Governor George E. Pataki

Mitt Romney

Governor Mitt Romney

Theodore R. Kulongoski

Governor Theodore R. Kulongoski

Robert L. Ehrlich Jr.

Governor Robert L. Ehrlich Jr.

Kathleen Sebelius

Governor Kathleen Sebelius

Edward G. Rendell

Governor Edward G. Rendell

Anibal Acevedo Vila

Governor Anibal Acevedo Vila

Jim Doyle

Governor Jim Doyle

Frank W. Murphy

Governor Frank W. Murphy

Phil Bredesen

Governor Phil Bredesen

Michael F. Easley

Governor Michael F. Easley

John Hooven

Governor John Hooven

Jon Huntsman Jr.

Governor Jon Huntsman Jr.

M. Michael Rounds

Governor M. Michael Rounds

Kenny Guinn

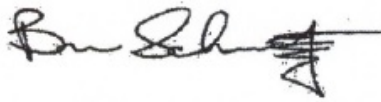
Governor Kenny Guinn

Mitch Daniels

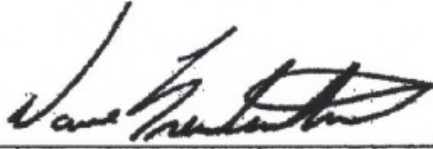
Governor Mitch Daniels

Bob Taft

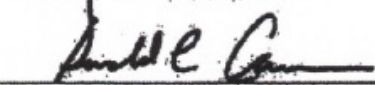
Governor Bob Taft



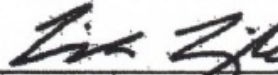
Governor Brian Schweitzer



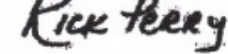
Governor Dave Freudenthal



Governor Ronald L. Garcia



Governor Linda Little



Governor Rick Perry

Goodbye & Hello

This morning while I was dropping my daughter off at work the car in front of us pulled up to the entrance and before the young woman got out, she turned to the driver, maybe her husband, perhaps her boyfriend, and gave him a kiss. I have always thought that somewhere in every goodbye kiss there is a hidden, "Just in case, you know, remember I love you." My wife will tell you that I have a tendency to over think things. Still, the two universal constants of our marriage have been grocery shopping on Saturday morning and that whenever I leave to go someplace, even if it is to the corner for a candy bar, my wife has bestowed upon me a goodbye kiss. Perhaps it is a statement of what she thinks of my driving. Nevertheless it has served as my inspiration over the years to get out of the house as frequently as I could. Another benefit is that I have gotten to eat a lot of candy bars, so in the end, we are talking about a win - win.

Now, talking about something sweet, one of the nicest, tear producing hellos I have ever witnessed was between the legendary Mr. Melvin Sykes and his wife Judy. Mr. Sykes was as nice as he was brilliant, which is quite something because he was as smart as anyone you are likely to ever meet. One day, I was walking down the hall with Mr. Sykes to the front door of his home when he took out a key. After a few seconds he put it back in his pocket. He gave me a sideways glance and said something along the lines of "I still get a kick when I knock on the door and Judy answers." They must have been married sixty years at the time and he still got a rush seeing her standing there. I hope today, and every day, you have a chance for a goodbye and a hello, and that the joy that is felt is for the latter and not the former.

Now while you are away you have to be somewhere right? I just had a maddeningly brilliant idea – why not the Bar Library. With expansive databases and treatises at the Library, you are going to find what you need to solve whatever legal issues you are being confronted with. We have it and utilizing the Library you are going to save substantial amounts of money getting it. More for less: tell me how that does not make all kinds of sense. Find it here, find it fast, and find it for less than you are going to find it any other way or place. With the time and money that you save why not take your heart's delight out to dinner?

I look forward to seeing you soon.

Joe Bennett

TIS THE SEASON - ALMOST

It is hard to believe that Thanksgiving is less than a week away. With the holiday season just about here, this year, in addition to calls and e-mails, why not send your friends and family an old fashioned card. I would recommend to you Bar Library note cards. A number of years ago the Bar Library commissioned local artist Martha Dougherty to render works of the Bar Library and Mitchell Courthouse. They were so well received that additional images of the Museum of Baltimore Legal History, Ceremonial Courtroom 400 and the Supreme Bench Courtroom (Courtroom 600), were completed. In turn, these images were used to create Bar Library greeting cards. These marvelous representations evoke a dignity and sophistication that make them ideal for just about any occasion. The cards are blank inside (a brief description of what is portrayed is set forth on the back), allowing you to put whatever you might want, such as a particular holiday message or greeting. They sell for \$1.50 each or \$14.00 for a box of ten, which, as anyone who has recently purchased a card can tell you, is quite a bargain. In addition to the cards, prints of each of the scenes are available at a cost of \$75.00 to \$175.00 each, depending upon the size. They make a wonderful gift for anyone associated with the legal profession. This is especially so for that senior Baltimore lawyer who

undoubtedly spent a large part of their early career doing research in the Bar Library or coming to the Mitchell Courthouse for trials and various ceremonies. To purchase, just stop by the Library, phone us at 410-727-0280 or send an e-mail to jwbennett@barlib.org. Curbside pick-up is available.

Joe Bennett

Books – The Perfect Present

As part of a literacy campaign we were all told that “Reading is Fundamental.” We found out during the pandemic, that it really is not a bad way to spend time. Many of the speakers who have appeared as part of the Bar Library Lecture series have done so in promotion of a book they had recently published. The Library obtained numerous copies for sale at the lectures and retained those that were not sold so that those who could not attend might have the chance to purchase them at a later time. Thus was born the Bar Library bookstore. The following are available for purchase. For yourself or for someone who is interested in the law or history, stop by and visit our store. If you already know what you would like, just let us know and we will get it to you – including that favorite modern day favorite – curbside pick-up. Just call 410-727-0280 or e-mail us at jwbennett@barlib.org.

Abraham Lincoln & Treason In The Civil War (Hardcover) (Signed By Author) \$35.00

Abraham Lincoln & Treason In The Civil War (Softcover) (Signed By Author) \$20.00

American Constitutional History: A Brief Introduction \$30.00

Ancient Law \$75.00

Art Of Cross-Examination \$95.00

Baltimore Lives \$30.00

Birthright Citizens \$20.00

Blackstone’s Commentaries On The Laws Of England (4 Volume Set) \$500.00

Brady v. Maryland: A Fiftieth Anniversary Commemoration \$20.00

Daggers Drawn: 35 Years Of KAL Cartoons In The Economist \$35.00

The Death Penalty As Torture \$20.00

Democratic Justice: Felix Frankfurter, the Supreme Court, and the Making of the Liberal Establishment (Signed By Author) \$25.00

Emancipation – The Union Army . . . (Signed By Author) \$35.00

Ex Parte Merryman: Two Commemorations \$15.00

Failure To Flourish \$30.00

The Fall Of The House Of Speyer \$35.00

51 Imperfect Solutions \$20.00

The Ghosts Of Johns Hopkins (Signed By Author) \$20.00

Great American Law Reviews (3 Volume Set) \$300.00

Holding Fast To Dreams \$25.00

I’m Not Really Guilty \$25.00

Lincoln On Law, Leadership, And Life (Signed By Author) \$12.50
The Lost Indictment Of Robert E. Lee (Signed By Author) \$20.00
Louis D. Brandeis: American Prophet \$20.00
The Making Of Africa America \$25.00
Mencken: The Days Trilogy \$30.00
Mencken's Prejudices Debunked \$20.00
Military Law And Precedents \$75.00
Odessa: Architecture – Monuments \$35.00
The Order Of The Coif \$95.00
Our Little Monitor: The Greatest Invention Of The Civil War (Signed By Author)
\$25.00
Prohibition In Maryland: A Collection Of Documents \$15.00
The Promise And The Dream \$30.00
Reason And Imagination: The Selected Correspondence of Learned Hand
\$35.00
*Republican Press At A Democratic Convention: Reports Of the 1867 Maryland
Constitutional Convention By The Baltimore American And Commercial
Advertiser* with Annotations and Commentary \$50 The Secret Life
Of Lady Liberty \$20.00
The Spirit Of The Common Law And Other Writings \$150.00
Telemachus \$20.00



SAPPERSTEIN & ASSOCIATES, LLC

Real Estate Appraisers • Consultants • Due Diligence and Valuation Specialists

301-654-0214 | appraisal@sapperstein.net | Established 1982

Gary L Sapperstein, MAI, SRPA, MRICS
7920 Norfolk Ave, Ste, 220, Bethesda, MD 20814

**Serving all of Maryland, including Baltimore,
Washington, D.C. and Northern Virginia**

Appraisal Services

- For Lending Purposes
- Real estate portfolios
- Gifting & estate tax planning and reporting purposes
- Corporate realty assets
- Fair annual rental studies
- Valuation of underlying assets for partnership purposes
- Litigation Support
- Date of Death Valuations

Library Company of the Baltimore Bar | 100 North Calvert Street Room 618, Mitchell
Courthouse | Baltimore, MD 21202 US

[Unsubscribe](#) | [Update Profile](#) | [Constant Contact Data Notice](#)



Try email marketing for free today!