

Chapter Two

In Memoriam: The First Bar Association of St. Mary's County, 1947

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Contributors:

Evelyn Arnold – born in 1930 and a lifelong resident of St. Mary’s County. She worked in the Circuit Court for forty years before her retirement in 2006, serving as Clerk of the Court for the last sixteen years.

John David Bailey – born in 1937, he is the nephew of Paul Bailey and a graduate of the University of Baltimore School of Law. His career has included both the State’s

Attorney's Office and the Office of the Public Defender, as well as private practice in the law firm of Bailey, Bailey and Brooms.

J. Ernest "Ernie" Bell – born in 1941 and a lifelong resident of St. Mary's County. He graduated from the Catholic University of America School of Law has been in private practice in St. Mary's County and is a former member of the Maryland House of Delegates. He is the nephew of William Sterling.

Will Brooms – born in 1937 and a 1970 graduate of the University of Baltimore School of Law, he worked with Paul Bailey in the firm of Bailey, Bailey, and Brooms; he was also an Assistant State's Attorney several times.

John Hanson Briscoe – born in 1934, John Hanson Briscoe is the subject of our story.

Jeanette Dakis – born in 1930, she started legal secretarial work in 1947, primarily in private practice in St. Mary's County.

Tom Daugherty – born in 1945, he is a lifelong resident of St. Mary's County. He graduated from the University of Baltimore School of Law in 1976 and had a private practice of law.

Norma Dawson – born in 1930, she is a lifelong resident of St. Mary's County. She started working in the St. Mary's County Circuit Court in 1962, primarily with the Office of the Register of Wills. She was appointed the Register of Wills in 1977 and continued in that position for twenty-four years.

Joseph Densford – born in 1949 and a graduate of the University of Maryland School of Law, his positions have included the State's Attorney's Office and an associate position with the law firm of Briscoe, Kenney, and Kamnetz, and private practice.

Al Gough – born in 1941, he is a lifelong resident of St. Mary's County.

"Meme" Briscoe Gillaspy – the daughter of John H.T. Briscoe.

Darlene Tucker Guyther – born in 1943, started working in the legal field in 1961 when she got her first job with Joseph Mattingly.

Priscilla Duke Wentworth Hall – born in 1929, she is a lifelong resident of St. Mary's County and grew up in the North End neighborhood near the Briscoes, Lokers, Weiners, and Dorseys.

Ruth Camalier Sterling Heinssen – born in 1957, she is the daughter of Billy Sterling and descended from Henry Camalier. She practiced law in St. Mary's County.

Marvin Kaminetz – graduate of the University of Maryland School of Law in 1968, he was a partner in the law firm of Briscoe, Kenney, and Kaminetz, served as Juvenile Master and then Circuit Court Judge for St. Mary's County.

Jim Kenney – born in 1937 and a graduate of the George Washington School of Law in 1963. He was a founding partner of the law firm of Briscoe and Kenney and is currently a retired judge on the Maryland Court of Special Appeals.

Aleck Loker, Jr. – born in 1942, he is the son of Aleck Loker and is a St. Mary's County historian.

Billie Mattingly – born in 1922, was married to Judge Joseph A. Mattingly.

Joseph Aloysius Mattingly, Jr. – born in 1948 and a graduate of the University of Baltimore School of Law in 1981, he was an assistant in the St. Mary's County State's Attorney's Office.

John Francis Mudd – born in 1944 and a 1969 graduate of the University of Maryland School of Law, he has always practiced privately in Charles County.

Franklin Bigalow Olmsted – born in 1929, he is a 1957 graduate of the University of Virginia School of Law. His private practice of law has primarily been in Charles County.

Jim Papirmeister – a graduate of the University of Maryland School of Law in 1986, he served as law clerk to John Hanson Briscoe.

C. Clarke Raley – born in 1943 and raised in St. Mary's County, he is a 1968 graduate of the University of Maryland School of Law. He practiced law in Baltimore City, then returned to St. Mary's County. He had a private practice of law, was the State's Attorney, and served as both a District Court and Circuit Court Judge.

Christine Sterling Senese – a lifelong resident of St. Mary's County, she is the middle child of Billy Sterling.

Jonh F. Slade III – born in 1943 in Valley Lee and a lifelong resident of St. Mary's County, John Slade graduated from the University of Baltimore School of Law. He clerked for the law firm of Briscoe and Kenney, working for a while with John H.T. Briscoe. In addition to his private practice, he also served in the Maryland House of Delegates and as a District Court Judge.

Henry "Bud" Virts – Dr. Virts is the adopted son of Paul Bailey.

Tom Waring – born in 1924, he has resided in St. Mary's County since 1934. He is a local businessman.

Ann Camalier Wathen – born in 1932, Ann Camalier was the daughter of Henry Camalier and the granddaughter of Judge Benjamin Harris Camalier.

George Peter Wigginton – born in 1937, he is the nephew of Robert Wigginton and Aleck Loker, Sr.

Robert Wigginton, Jr. – the son of Robert Wigginton.

Joanie Williams – born in 1949, she started in the Prince George's County District Court system in the 1970s. She came to St. Mary's County in the mid-1970s and worked in the District Court system. She became Clerk of the Circuit Court in 2006.

John Weiner – the son of Joseph Weiner, he practices law in Leonardtown.

Ted Weiner – born in Leonardtown in 1953, he has been in the St. Mary's County State's Attorney's Office for 20 years. He is the son of Judge Joseph Weiner.

Audio Interviews Obtained:

John H.T. Briscoe – John Hanson Briscoe had in his personal possession the audio tape of his father, John H.T. Briscoe, speaking before the St. Mary's County Bar Association in 1978. John H.T. Briscoe is a member of the 1st St. Mary's County Bar Association.

Paul Bailey– Dick Myers had in his personal possession the audio tape of a radio interview that he conducted with Paul Bailey in 1987. Paul Bailey is a member of the 1st St. Mary's County Bar Association.

The following tapes were obtained from the Archives at St. Mary's College of Maryland. These audio tapes are part of the College's Slackwater Project:

J. Maguire Mattingly – born in 1927, he spent his childhood living at Cedar Point, prior to the arrival of the Naval Air Station Patuxent River Navy Base.

J. Laurence Millison – born in 1932, he grew up at Cedar Point and became a successful St. Mary's County business man.

Joe A. Mattingly Sr. – born in 1916, he is a member of the 1st bar association.

Charles E. Fenwick – He lived almost his entire life in Leonardtown, Maryland, is and a local historian.

Alice Taylor – born in 1918, she served as a Trial Magistrate along with John H.T. Briscoe.

Paul Bailey – born in 1905, he is a subject of this story.

Richard Mattingly – sibling of J. Maguire Mattingly, he spent his childhood living at Cedar Point, prior to the arrival of the Navy Base.

J. Frank Raley – born in 1926 and a lifelong resident of St. Mary's County. He was a business man and a member of the Maryland Senate.

A video interview of Paul Bailey was provided by Eric Virts, his grandson. The interview is conducted by *Phillip Dorsey III*, local attorney and Judge Philip Dorsey's grandson.

In Memoriam:

The First Bar Association of St. Mary's County, 1947



1. Members of the first bar association of St. Mary's County stand in front of the old Beacon Building across the street from the county courthouse. Standing from left to right: William O.E. Sterling, Aloysius Fenwick King, Charles Henry Camalier, Philip H. Dorsey, Joseph D. Weiner, Paul J. Bailey, Robert Wigginton, Aleck M. Loker, and Joseph A. Mattingly. Seated is Albert Kingsley Love. Absent is John H.T. Briscoe.

The lawyers of the first bar association of St. Mary's County were, with one exception, native sons of St. Mary's County. All of them were born and lived in the county prior to the building of the naval air station at Patuxent River. For the most part, their legal careers changed significantly just as life in St. Mary's County changed significantly as the Navy Base grew.

Some lawyers in this association never attended law school; others never attended college. It was not uncommon for the older lawyers of this generation to have obtained their licenses to practice law simply by studying under an established lawyer for a number of years.

Early in this period, few of these lawyers had secretaries in their offices. St. Mary's County did not even have a resident judge. In fact, the appearance of visiting judges in the county for a few weeks in the spring and a few weeks in the fall was such an event that it was referred to as "Court Week."

As the population of the county exploded with the development of the Navy Base and the influx of newcomers from outside of the county, the legal system was forced to change with it. The courthouse, which had been used as something like a governmental center, had to gradually remove non-court-related offices so as to accommodate an ever-growing courthouse support staff. Lawyers took on secretaries and acquired technology to assist them with their increasing caseload.

Retired Circuit Court Judge C. Clarke Raley put it this way: "It's two separate worlds today, completely different, utterly different. From the view point, all of these lawyers from this picture knew very well every single person that was associated with their profession in that community and Leonardtown. And they knew all of their associates. And it would be likely that if you had a trial by jury, they are gonna know every single person who would be on that jury. Not like today, today of total disconnect with that way of doing things. It was just the way it was. Well they had been a part of World War II with less than 10,000 people in St. Mary's County; most of them were related by blood or by marriage. And the base, of course, changed all that. And we had no computers; some of us didn't even have type writers."

Audio 1. *C. Clarke Raley on the old way of practicing law:*



As Leonardtown attorney Ernie Bell put it, "Before the advent of Title Companies in St. Mary's County in the 1970's, local attorneys performed Title Searches at the Court House when preparing for a Real Estate Settlement. An attorney in those days handling Real Estate matters spent a considerable amount of time in the Deed Record Room at the Court House in Leonardtown. It was there that I became acquainted with John Henry Thomas Briscoe, the father of John Hanson Briscoe. I addressed John H. T. Briscoe as Judge Briscoe. He was about 80 years of age then and still active in the practice of law. He was very helpful to me, always willing to tell a story of what had been. John H. T. Briscoe at the time was the Trial Magistrate for the local Court then

handling Misdemeanor Cases. This was the period of time before the District Court came into being on July 1, 1971. The Trial Magistrate's Court was located in the basement of what is now the John Hanson Briscoe Court House. The court room was where the County's Law Library is now located. I was honored to have been a pall bearer for John H. T. Briscoe."

Audio 2. *Ernie Bell on the old legal system:*



Consider the following: of the eleven members of that first bar association, four — Paul Bailey, Joseph Mattingly, John H.T. Briscoe, and Phil Dorsey — served as elected representatives in Annapolis. Six of them — Kingsley Love, Henry Camalier, Philip Dorsey, Joe Mattingly, Joe Weiner, and John H.T. Briscoe — served as the county's State's Attorney. Joe Weiner, Phil Dorsey, Bill Sterling, and Joe Mattingly became judges. A fifth, John H.T. Briscoe, served as a magistrate, the precursor of the District Court judges, and a sixth, Paul Bailey, was a Justice of the Peace. Outside the legal profession, both Phil Dorsey and Aloysius King owned local newspapers. The youngest members of the bar, Bill Sterling, Robert Wigginton, and Joe Mattingly, were part of that "greatest generation" and interrupted their legal careers to serve their nation in the armed forces during the Second World War. Before them, Aloysius King and Paul Bailey both served in World War I.

These attorneys were practicing during John Hanson Briscoe's childhood. They set an example of the attorney as public servant for young John. In less than three decades, as he was reaching the absolute heights of statewide elective office, John Hanson would be vying with two of them to become the Circuit Court judge in St. Mary's County.

While the focus of this chapter will be on each of these individual members of the bar association, the path will follow a memorial service for Aloysius Fenwick King, who passed before all but Henry Camalier and Kingsley Love.

Samuel C.P. Baldwin, Jr.
Winter, 2014-2015

Charles Henry Camalier



2. Charles Henry Camalier

Charles Henry Camalier was the State's Attorney when the county bar association was founded. A graduate of Georgetown Law's class of 1918, Camalier came from a long-established legal line. His father, Benjamin Harris Camalier, served as the county's State's Attorney and a judge on the Circuit Court; his own father, John Alexander Camalier, had been both a clerk and judge of the Circuit Court before him.

Ann Camalier Wathen: "Dad practiced out of his house; the Camalier House across the street from the courthouse. The only action we had were the lawyers coming to the house, and then a lot of people would come to our house, especially at night, when they had problems. We had, those days, see, everybody had their doors open. Nobody locked their doors.

"And they would just come up the front steps and have to see the District Attorney if something was happening. Somebody was beating them up, half their clothes were torn off."

Ann Camalier Wathen: "I think he handled just about everything. We had, you know, robberies, people would get sent to jail and then some of the family would come and beg and say, 'Please get him out of jail.' And then he would try to do that, and then there was the husband that beat him up and put her in jail, and then the family would come, 'Please get him out of jail!'

"I'm thinking he was paid in cash. Now, I'm sure there were people who didn't have any money. So, my father was what you would call an old time gentleman. He would never, ever send anybody a bill. If he got paid, fine. If he didn't get paid, well... you know. That was just the way people were. He died poor because he wouldn't send anybody a bill."

Audio 3.

Ann Camalier Wathen on how her father's clients paid him:



Ernie Bell: “I did not know him personally. He died while I was in grade school. He and my maternal grandmother, Ruth Camalier Sterling, were brother and sister. Henry was State’s Attorney at the time of this death in the late Forties or early Fifties. Henry was well liked in the community. A good lawyer, Henry was considered by many as well qualified to be a Judge. He lived across the street from the Circuit Court House in Leonardtown in a large brick structure that we refer to now as the Camalier House. His brother, Harris, was a local dentist. His brother, Frank, was a Leonardtown physician whose residence and medical office was located in what is now the Brinsfield Funeral Home on Washington Street in Leonardtown. ”

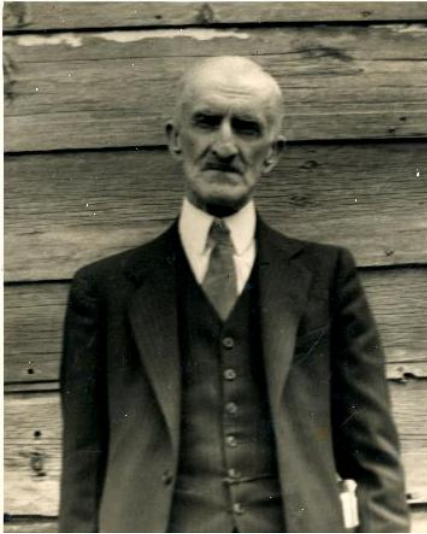
Audio 4. *Ernie Bell on Henry Camalier:*



3. The Camalier House, where Charles Henry Camalier practiced law

Henry Camalier was the first member of the first bar association to pass, dying of an unexpected massive heart attack in 1948, a year after the bar association’s start.

Albert Kingsley Love



5. A. Kingsley Love. Background: old hotel at Union-Fenwick-Lawrence.



4. The old Loveville Post Office and Love's Store, now Traditions of Loveville, where Kingsley Love served as postmaster.

According to an article published on February 13, 2013 in *The Enterprise*,

"Loveville was established in 1890, named after its first postmaster, A. Kingsley Love, who was elected as the county's state's attorney in 1916... He was active in Republican politics, and was the first president of the St. Mary's County Bar Association in 1947."

The Volume 7, Number 4 issue of *Southern Maryland: This is Living* also carried a story about Kingsley Love and the history of Loveville:

"Although Kingsley Love would serve as the area's namesake and first postmaster, he left the postal service after a short time and became an attorney, leaving the job of postmaster to his brother Bernard. The first Loveville post office was housed inside a general store, located at the corner of Pin Cushion Road and Route 5."

John Slade: "I didn't know him, I heard about him. Paul Bailey used to talk about him quite a bit. I think he and Paul used to practice together for a long time.

"Well, I've heard Paul say that their office was over top of what was the theater in town there [today's The Rex] and of course this was before air conditioning. They only had Court several times a year. Court only lasted for a couple of weeks, Criminal Court at least and it was hot, no air conditioning. They'd go over and work in Court and get all hot and sweaty and go back over to the office and take a shower. I remember that story. Mr. Love lived up in Loveville, he was a very prominent lawyer back in those days."

"He was *the* lawyer, I gather, of his time."

Love passed away in 1951, a year before Aloysius King.

Aloysius Fenwick King



6. Aloysius Fenwick King, attorney and owner/editor of the St. Mary's Beacon.

On Monday, September 21, 1953, the Circuit Court of St. Mary's County and surviving members of the local Bar Association gathered to honor the memory of Aloysius Fenwick King, a colleague who passed away on December 21, 1952. Their tribute was recorded in the Circuit Court's record:

IN THE CIRCUIT COURT FOR SAINT MARY'S COUNTY, MARYLAND.

In Memoriam

Aloysius Fenwick King

Leonardtown, Maryland

Monday, Sept. 21, 1953

"Before Chief Judge John B. Gray, Jr., Judge Charles C. Marbury, and Judge Dudley Digges."

Judge Digges: "Gentlemen of the bar, the Court has set aside, at the request of the Bar Association, this time for conducting memorial services in memory of Aloysius King."

Mr. Philip H. Dorsey, Jr.: *"May it please the Court, at this time I would like to offer the resolution which the committee has prepared on the death of our departed friend, the late Aloysius King."*

"To the Honorable Judges of the said Court:

"It is with deep regret that we formally announce to the Court the death on December 21st, 1952, of Aloysius Fenwick King, who was born on December 24th, 1885, the only son of Francis Vernon and Charlotte Fenwick King. He was educated at St. Mary's Academy in Leonardtown and Mount St. Mary's College in Emmitsburg, Maryland, from which institution he graduated 'Cum Laude.'

"He attended the University of Maryland Law School, from which he received his LLB Degree. After being admitted to the Maryland Bar, he began the practice of law in Leonardtown and served as Attorney and Clerk to the Board of County Commissioners for St. Mary's County.

"During the administration of Woodrow Wilson, he served for a number of years as an Attorney in the Department of Justice. With the outbreak of World War I, he enlisted in the Officers' Training School and was stationed at Fort Myer, Virginia. After the Armistice in World War I, he returned to St. Mary's and resumed the practice of law and the management of the St. Mary's Beacon, which had been in his family for several generations.

"He was an old fashioned gentleman, kind, considered, and of exacting honesty in all his business relations. As a husband and father, he exemplified the true Christian characteristics to a marked degree. His pleasing personality and deep interest in his fellow man reflected credit to himself and pleasure to those associated with him. His death was like his long and useful life, a dignified and peaceful ending befitting a man of his faith and splendid demeanor.

"Seldom is it found in the annals of any community that anyone has left so marked an impression as this splendid, genial gentleman who cherished and preserved the ideals and possessed the attributes which have made Southern Maryland unique among the sections of the country. In this land of sentiment and loyal friendships, his personality, his steadfast and unswerving devotion to his ideals won for him a place in the hearts and memory of his people that will ever be a cherished heritage to those who follow after.

"We now respectfully move that this Honorable Court have an appropriate minute entered upon its Record in commemoration of the distinguished lawyer, citizen, and friend, in whose memory we meet today."

PHILIP H. DORSEY, JR. CHAIRMAN,

PAUL J. BAILEY.

Committee

Aloysius King's legal career had spanned over four decades. On September 1, 1910, *The St. Mary's Beacon* reported the following:

"Aloysious [sic] F. King of Leonardtown was admitted to the practice of law in the MD. Court of Appeals on August 12 and on August 22 on motion of Robert C. Combs was admitted to the St. Mary's Bar. Mr. King has opened an office in front of the Beacon Building."

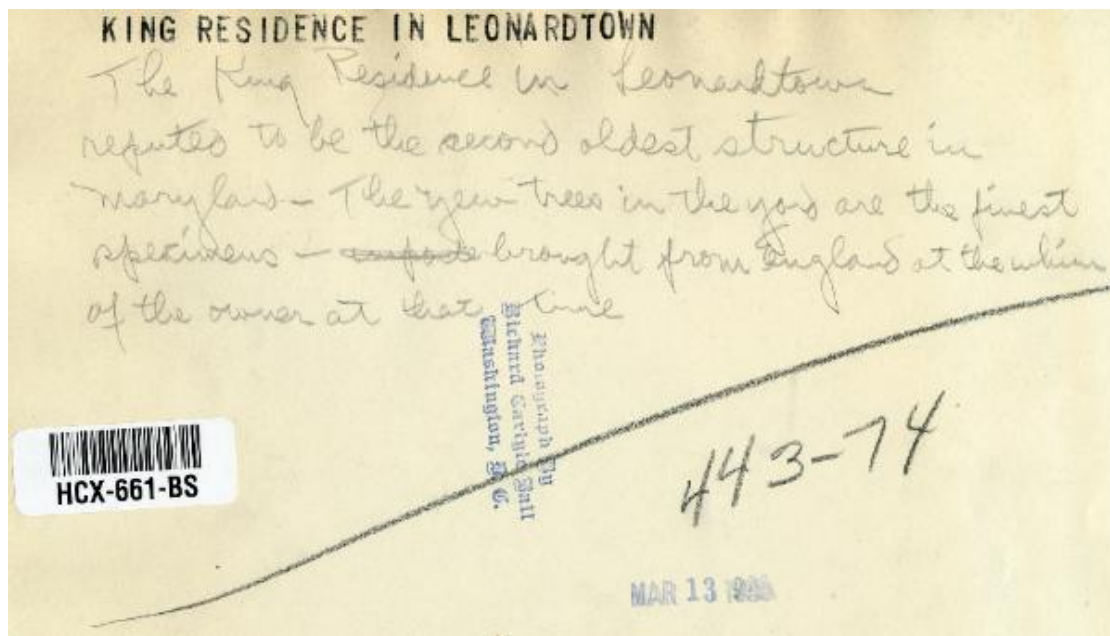
Though a member of the bar association and a licensed attorney, King was better known for his ownership and management of the St. Mary's Beacon, his family's newspaper.



7. The St. Mary's Beacon Building, formerly the Old Town Tavern, on Washington Street in Leonardtown. The porch would have been facing the vicinity of the Hotel St. Mary's and the Leonardtown square if the current Court Square Building and PNC building were not there; the chimney facing Washington Street is in the vicinity of today's Winegardner Motor Company.



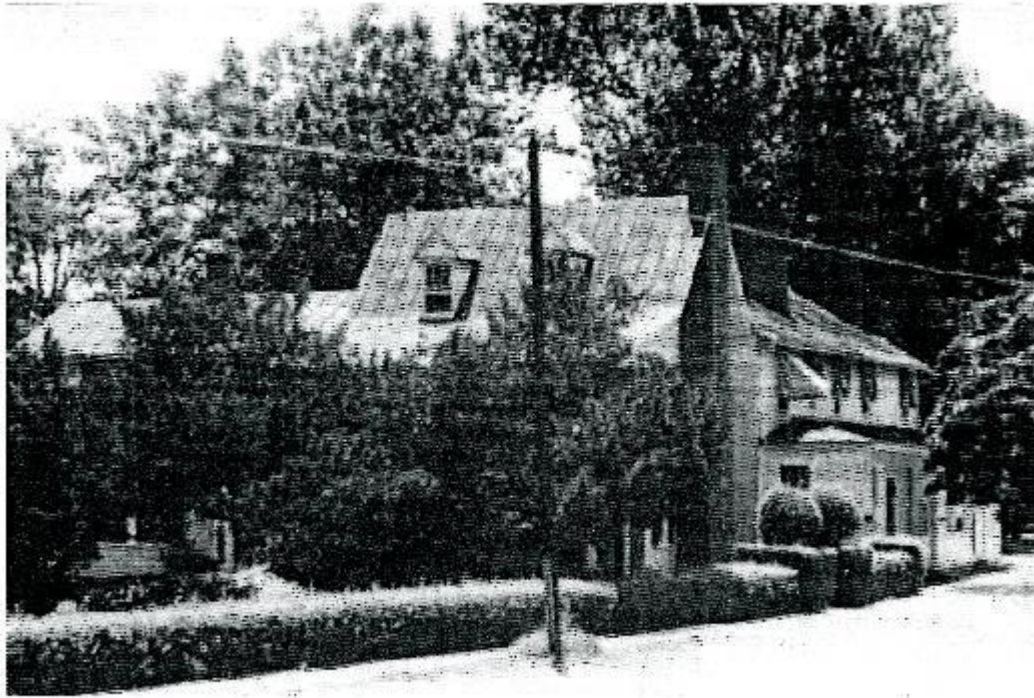
8. The St. Mary's Beacon Building



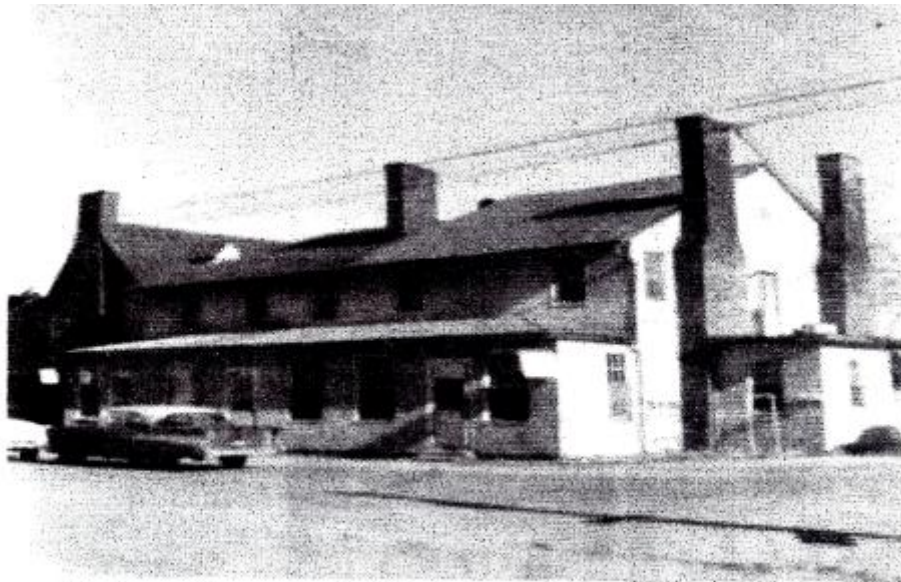
9. A card written about the King Residence. Text reads, "The King Residence in Leonardtown reputed to be the second oldest structure in Maryland – the yew trees in the yard are the finest specimens – brought from England at the whim of the owner at that time."



10. The view of the Beacon Building from Washington Street. The Circuit Courthouse is located on the far right, behind the trees.



11. The Beacon Building, also from Washington Street.



The Beacon Newspaper Building in Leonardtown. Chesapeake Publishing, the former owner of The Enterprise, bought both newspapers in 1978 and promptly shut down the historic Beacon, ending a run of over 100 years.

12. The Beacon Building, shortly before being torn down.

After beginning the earlier memorial service, Philip Dorsey continued, calling on others to pay their own respects:



13. Judge William Meverell Loker

"Philip Dorsey: "May it please the Court, at this time I would like to call upon Judge William Meverell Loker, former Chief Judge of this Court, and Dean of the St. Mary's Bar."

William Meverell Loker: "With the Court's permission, and without any previous preparation, and I say that not as offering an excuse, I rise to subscribe to every word of the very well prepared and justly praiseworthy resolution that has been offered by my brother.

"All of us, of course, ought always to be willing and ready, and consider it an honor and indeed a pleasure, although a melancholy one, to pay tribute to our brethren who have left us for the Great Beyond.

"I must confess, however, that at this date and at my age, it wears very heavily upon me. Much rather

would I sit here and commune with my thoughts and very pleasant recollections and indulge in memories of things that happened half a century or more ago. But I hesitate to refuse, notwithstanding the burden is great and the fact that it reminds me, in a most emphatic, in a positive and potent way, that I am the last leaf upon the tree, yellow and shriveled, impotent to protect myself against breezes that might blow, ready to drop and become a part of the earth of St. Mary's, that I love so much.

"Aloysius King was a friend, an intimate and good friend of mine. When he died, this county missed a man of some importance and of great help. 'And as he trod that day to God, so walked the on this earth, in simpleness, in gentleness, in honor and clean mirth.'

"He was not a distinguished lawyer in the sense that he had practiced in the court; he did not like litigation. As an office lawyer, as a consultant, he was a splendid one. Many a time I have had the opportunity to confer with him; and when it came to advice with reference to the manner, the mode, the practice, of doing a thing, his advice was very, very good. But as I said he did not like litigation, and he would not subscribe to all the plain, basic tenements of the law. To tell him that a poor man who lived in a hut, a tumble-down shack, with light only from the door by which he entered, ill-clothed, ill-fed, with his family, must be placed in the same plane, so far as judgments, decrees and sentences are concerned, as a man who lived in a castle where there was wealth, abundance, plenty; he thought that was not right, he would not subscribe to it. The law, to that extent, was not majestic, not universal; he thought there ought to be a different mode of handling different people. To tell him that the courts would take care of that, by virtue of their discretion in their actions, either in the matter of judgment or punishment did not suit him; those people,

in his mind, because of his tender thoughts, his natural mercy, his generosity, his magnanimity ought never to be disturbed unless the crime was of such magnitude that the public was imposed upon, to a certain extent, and could not take it. Those were his views about law, and they were not exactly in line with what we have been told and what we believe. He would say, 'You are right, but I am not wrong; I just will not subscribe to it,' for the reason that I have said.

"Life, to him, was a romance, a romance with the things that he saw, the way that he lived, the things of nature, and his association with his wife and child. He loved things that led on higher ideals, books, flowers, and all the things of beauty, nature's way of producing, year by year, in abundance, the beautiful things of nature; he could see, in every tree, in every flower should never be touched by the hand of man, save for encouragement to grow better and be more beautiful at its next birth in the world, when it came up the following spring. He had the highest ideals in that way.

"If you wanted to talk to him about gathering gear by every wile that is justified by honor, he would say, 'That belongs to you and not me; I don't care for that.' Money did not appeal to him, as such. I know of no man who loved to spend it as he did, give it away; if he had been worth a million dollars, the people of this county would have benefitted to a large extent to the extent that he was able to do for them, in any manner he could.

"He did not like combat; he did not like to fight; he liked peace, serenity, security, and the love and affection and esteem of his fellow man, all of which he got in a fair degree during his lifetime.

"These thoughts come back to me disconnected, as I stand here today.

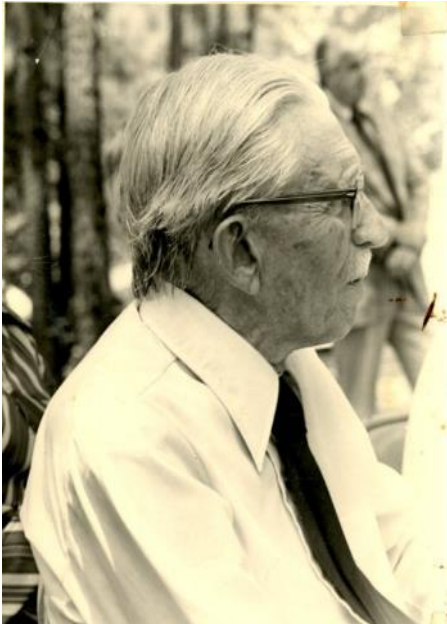
"He had the happiness to be married to a very capable woman, a very good wife, who knew how to take care of domestic affairs as well as public office, which she now fills. She was his heart and soul, his life and love, until the day of his death. His last two years were spent at home, almost as an invalid; but there was never a time when anything discouraging came from her lips, nor was there ever a time when anything she could do for him was not done with the greatest pleasure and satisfaction.

"In conclusion, you honors, I would say that Aloysius King looked upon life in a way that may be summed up in this quotation:

*'The world is a garden,
Children are the flowers,
Smiles are the sunshine,
Tears are the showers,
Frowns are the weeds
That should never find room
Covered with bloom.'*

"I thank you."

John Henry Thomas Briscoe



14. John H.T. Briscoe.

In Memoriam

Mr. Dorsey: "May it please the Court, I would like to call on Mr. John H. T. Briscoe."

First of all, your honors, I wish to thank the committee which was appointed by me, at the suggestion of the Court, representing the local Bar Association, to prepare the very fine resolution which has been offered and to which I subscribe most heartily. I concur in everything which has been said by his honor former Judge Loker. I do not want to be too lengthy, because there are a number of others, no doubt, that want to pay their tribute to Aloysius; but I feel there are a few remarks that I should make.

"I came along a little younger than Aloysius, but associated with him to a great extent as a boy and as a young man. I recall when I used to visit Leonardtown, to visit my aunt, the late Mrs. William F. Greenwell, -his first wife, -Aloysius was

what you would call a big boy, I was a little boy; I remember with great pleasure the playhouse that Aloysius had; he had, to me as a little boy the most wonderful toys, the most wonderful what you might call gadgets, they were just marvelous to me; that is one of my earliest recollections.

"Then the time came when I more or less lost touch with Aloysius for a while; he was at Mount St. Mary's College, and for several years I did not see him. I remember meeting him when I was going to school in Baltimore; I was still in college, an undergraduate, and Aloysius was in law school, finishing up his course at the University of Maryland.

"Following that, we all came home, and he and I went around quite a bit. As a young man, as Judge Loker said, Aloysius was the soul of generosity; he could not do too much for anyone. In fact, for a while I got so that I decided I could not go with Aloysius anymore, because he wanted to pay for everything, he would not let me pay for anything, and under those circumstances I did not feel that I could go with him and not bear my share of the burden.

"Then later on in the years, we were closely associated in many ways; right up to the time of his death he was a valued friend and associate.

"His first love, his abiding love, I would say, was not the legal profession; it was the press; the St. Mary's County Beacon was, in business, his heart and his soul, and remained so until the time of his death. He valued the traditions of the newspaper, which had been in his family for several generations; he valued its record as a democratic organ; he valued the fact

that it had been suppressed temporarily during the Civil War for its Southern sympathies. He retained his loyalty to his party right down to the day of his death.

"To my mind, that one word, loyalty, expresses the outstanding characteristic of Aloysius. It was a loyalty that was expressed to his family, to his father and mother, who were devoted to him, and he to them; to his wife, his charming wife to whom Judge Loker has paid such deserved tribute; and to his devoted son. He was the essence of loyalty to them; he was the essence of loyalty to his friends and to his clients, so much so that I have seen him try cases where he was so wrapped up in the cause that he was espousing, too much so, that when he had a setback, which all attorneys will have at times, he just could not take it, it was more than he could bear, the idea that his client had to lose a case that he was so much absorbed in.

"I remember one occasion when Aloysius was trying a case in this court before his honor Judge Digges, the father of our present justice, and there was some law, I forgot just which it was, that his client was charged with violating, and Aloysius did not think much of that law, and in his address before the jury he proceeded to cast some aspersions on the law, the virtue of that law, and so forth; and his honor Judge Digges naturally had to call him down, he said, 'Mr. King, whatever your ideas or opinions about this law that is concerned in this case are, it is the law and we must accept it and abide by it; the Court cannot permit you to say what you are saying.' Well, Aloysius immediately sat down; it practically took all of his interest out of the case.

"He was such an ardent advocate, he felt his client's cause so deeply, that it was almost impossible for him, in many cases to actually conduct a case as he would like to have done it. But that was the loyalty which he had to his client, and the deep feeling that his client's case was right.

"As I say, right down to the day of his death, as long as he could express himself, he kept his loyalty to his party, the party that the St. Mary's Beacon had always advocated and to which he subscribed. Sometimes I felt that maybe he carried loyalty too far, but it was there, and he must be commended for it. He was loyal to his state and to his country.

"In addition to that, Aloysius was a man who took a great interest in history, particularly the history of the State of Maryland. He was an outstanding authority on that particular phase of history. He had a wonderful library, many fine books dealing with the history of Maryland, and he took a deep and active interest in them.

"He was the soul of hospitality. If a person went to his home as a guest, he could not do too much for him to make him feel at home, to feel that he was welcome. He was a charming host.

"But without trespassing further upon the time of the Court I feel that the one characteristic by which he will be remembered, by which his memory will be kept green in St. Mary's County is his loyalty to his family, to his friends, to his party, to his clients, to his state, and to his country.

"Thank you."

Early Years and Education

John H.T. Briscoe was the son of Walter Hanson Stone and Mariah Ford Briscoe. He was a member of a prominent St. Mary's County family and was the last person born in Sotterley Mansion, the historic home of the Plater and Briscoe families in Hollywood. The Briscoe tradition of public service began in 1634 after Cecil Calvert invited Dr. John Briscoe to participate in the founding of the colony of Maryland. John H. T. Briscoe was the father of John Hanson Briscoe.

He addressed the members of the St. Mary's County Bar Association in the late 1970s:

"I was asked if I could talk on my early days of my practice and the people, places, and events. After I left college in Baltimore, I never had an idea of studying law. I was born and raised on a farm. I loved the farm. My mother and father were there and I was their only child and I felt it was my duty to be there with them. Studying law was totally accidental as far as I was concerned. I never contemplated, I never thought about it really. I thought about other things, one of those being a doctor. I've got a long line of doctors in my family. Both of my grandfathers were doctors and one of my great-grandfathers was a doctor. So I might've had some tendency to do that and I figured I might study medicine, but I was cured of that when I went down Calvert Street [in Baltimore] from Loyola College to some little medical school. I and some of my friends at the college went down and when we went into the dissecting room that settled me as far as practicing medicine was concerned. Of course, it was the most awful sight I ever saw. A whole bunch of 'stiffs' as they called them, corpses, taken from the morgue. Not only the sight, but the odor was just too much for me. I'm glad now that I gave up the idea of studying medicine because frankly the responsibility is too much. The lawyer's responsibility is bad enough, but the responsibility of a doctor that's studying today is something terrific, by golly. But anyway, it was purely an afterthought."

Audio 5. John H.T. Briscoe's address to the St. Mary's County Bar Association:



While at Loyola College, John H.T. Briscoe carried off the Senior Honors at the Senior Commencement, *The Beacon* newspaper extended "Our congratulations and best wishes so that his great collegiate success may attend him through life... John is one of the brightest boys at Loyola and is a credit to his native county".

John Hanson Briscoe: "My father when he left the farm here and went to college up in Baltimore, he stayed with one of his uncles from Sotterley, Uncle David Briscoe. My father went to Loyola in Baltimore. He graduated in 1909, with honors. And there were 11 in his class. And in those days you didn't have to go to law school to be a lawyer, you studied the law which he did faithfully in an attorney's office in Leonardtown and after three years the lawyers certify that you have studied the various aspects of the law and that you're suitable to be a lawyer. He came home and went into a law office here,

a very prominent law office, well respected law office here in St. Mary's. They hired him. They were a couple – Loker and somebody else [Robert Combs], but they let him in there and said, 'You can study law in our office'. And the rules at that time were three years. He went in there and diligently and faithfully worked in that office. Didn't represent people but you know he would do research and everything in the civil and criminal law.

Audio 6. *John Hanson Briscoe on his father's time studying law:*



Video 1. [John Hanson Briscoe on his father's time at law school](#)

John H.T. Briscoe: "I was on the farm, had nothing to do, my father was running the farm. And I loved it there and I never planned on doing anything but farming. But I thought I wasn't doing anything, I might as well study law. But my idea was that it'd be incidental work, you understand? I did it more just to be doing something. In those days of course you didn't have to go to law school. In fact at that time, very few lawyers did go to law school. No. Judge Loker is one instance, a fine judge, a fine lawyer; he never went to law school. He taught school down here as a young man and studied law on the side. Well, I rounded up some books, including 'Blackstone's Commentaries,' the main thing, and a few other books. Then I went up to the Law Offices of Combs and Loker, in Leonardtown, Mr. Robert C. Combs, and afterwards Judge Meverell Loker. I had to get a certificate from them before I submitted my name to the Board of Examiners. That was the requirement; you had to get a certificate from some attorney that you studied law under that particular lawyer's supervision. Well, they didn't do much supervising because I just came back and forth on the horse and buggy and, once in a while, I'd go in the office and sit down and listen to what was going on, just to say that I'd been there. But they didn't supervise my work at all. I did my own studying."

Audio 7. *John H.T. Briscoe on his desire to go to law school:*



John H.T. Briscoe: "Personally, at the time I was studying law, I was also working in the Treasurer's office; 1914, Mr. Phil Greenwell was elected Treasurer and I was coming back and forth into town and he knew me very well and my family. And he thought probably I had more education than some people so he was elected County Treasurer and asked me if I would take charge of the office as Deputy County Treasurer, which I did. And guess what I got for my salary? \$50 a month to run the Treasurer's Office.

Nothing else to it. The Treasurer came in every once in a while, but the Treasurer only got about \$1200 a year. I had to get a car then because of the travel; well I got a Model T Ford in 1914.”

Audio 8. *John H.T. Briscoe on his work at the Treasurer’s Office:*



John Hanson Briscoe: “They presented my father, they said, ‘Your Honors, it’s our pleasure to introduce to you John Henry Thomas Briscoe, who graduated from Loyola College, who spent three years studying civil and criminal law, in our law firm, and we carefully monitored his activities. We feel he has a very good knowledge of civil and criminal law.’ They probably asked him a few questions and after they did, they said, ‘Very well then, we’ll proclaim that you are entitled to practice law in St. Mary’s County.’ After being certified to do that, that was it.”



15. John H.T. Briscoe and his wife Hilda, at their house on St. Cuthbert’s Manor in Hollywood, Maryland.

MEMBERS OF THE BOARD
D. G. MCINTOSH
JOHN HINKLEY
STEVENSON A. WILLIAMS

MARYLAND STATE BOARD OF LAW EXAMINERS.

OFFICE OF THE SECRETARY,
215 N. CHARLES STREET, BALTIMORE, MD.

To John H. T. Briscoe, Esq.

Dear Sir :

At the Examination of Law Applicants held on
June 5th and 6th, 1916, in the City of Baltimore, the papers handed in
by you were rated by the Board at 240, and under our rules your name will accordingly
be recommended to the Court of Appeals of Maryland for admission to the Bar.

Yours respectfully,


Secretary Maryland State Board of Law Examiners.

16. John H.T. Briscoe's certificate of eligibility to practice law.



17. John H.T. Briscoe's admission to the Maryland Bar.

Legal Career

John H.T. Briscoe: “And when I took the bar exam in 1916, I fully expected to fail, to tell you the truth, because getting a law education out of books like that is pretty hard. But it’s strange to say and to my surprise, I passed and was admitted to the Bar in 1916. At that time there was a good many lawyers in the county. I won’t say a good many, but quite several, anyway, who had been admitted and hadn’t even taken an examination, just went before the judge and he asked them a few questions and they were admitted. Most of those were farmers; they didn’t do any real practicing. Once in a while, one of them would write a deed or a will. Some of them didn’t even do that, but they were entitled to practice. So that was the way it, the way it was in those days.”

Audio 9. *John H.T. Briscoe on taking the Bar exam:*



John H.T. Briscoe: “I’ll never forget the day when I was admitted. It was customary whenever a young man came to practice law he was admitted by a formal— an older member of the Bar would introduce him to the court for admission to practice in this particular court, which I did. And the idea was, you had to pay the Clerk of the Court a little fee . \$5 I think it was, which was just a little gravy.”

Audio 10. *John H.T. Briscoe on his admission to the Bar:*



George Peter Wigginton: “Prior to the necessity of taking the Bar exam, a young lawyer wishing to practice would present himself to the judge, and the attorneys from the town or community that they wished to practice in would be in the courtroom. And it was they who gave their approval or disapproval to the young man in accordance to whether or not they thought he was the sort of fella they wanted admitted into their company. The story that I heard from my granddad, who was in a position to know, he was Judge Loker. He said that Judge J. Parran Crane would ask a question and just one question, ‘What’s *habeas corpus*, boy?’ and he did not want a quick little answer. He wanted a long discourse on all the principles going all the way back to Roman law and English Common Law and brought forward with all the philosophical underpinnings of what *habeas corpus* was. And if he was pleased with your answer and if the other attorneys there approved of you by nod or quiet approbation or disapprobation, then he would say ‘The second question, young man, is can you take a drink like a young lawyer should?’ He would produce a bottle and two drinks of bourbon, I assume, or St. Mary’s County rye and say ‘Welcome to the Bar.’ And that was how it was done, at least under Judge Camalier during the 1890’s.”

Audio 11. *An alternative version of how attorneys were admitted to the Bar:*



Frank Olmsted: "The only Southern Maryland lawyer that I recall right now who never went to law school was John H. T. Briscoe. And I think all of the lawyers here [Charles County] who went to practice for the Bar had been to law school. In Virginia, you could still, if you passed the Bar and you had been working for a lawyer, had an apprenticeship in other words, you could get to be a lawyer in that way across the bridge in Virginia; not here."

John H. T. Briscoe: "I was elected to the Bar in 1916. I stayed in the Treasurer's Office. In those days, the County Treasurer only served two years. And then, while I was in there, I picked up a little job once in a while, but of course I didn't do much law practice.

"So I was admitted. I forget who made the motion, probably Loker, or one of the guys I studied under. Then later on, I came in the courtroom, much to my distress after I did it of course. At that particular time they were arraigning prisoners and assigning counsel to those who didn't have any counsel. At that time, I walked in and they were arraigning a young woman, charged with larceny or something or another like that and I walked in just at the wrong time. Judge Briscoe [my cousin John Parran Briscoe] looked down at me and said, 'Mr. Briscoe, seems to me that this Court is getting ready to assign counsel to this woman here and you're a pretty good man with the ladies, the Court will assign you to take this case.' I wished then that there was a hole I could've gone into the floor. 'Take her into the jury room and talk to her and decide what you want to do.' But I'll never forget that. I tell you, I was very much flustered, I'll put it that way."

Audio 12. *John H.T. Briscoe on his first day in court as a lawyer:*



John Hanson Briscoe: "Then he started practicing law. Then he took on a partner called Dana Hotchkis, from Washington. Then he and Dana Hotchkis started practicing law for a little bit. And they got along ok, but they finally separated, and Dana went back to Washington. So, Dad, of course, stayed here."

Meme Briscoe Gillaspy: "He always told me that when he first started practicing law that he got an old sign, weathered sign, to use, he didn't want people to think he had that much money, 'Services-Attorney at Law'."

Tom Waring: "When my father first came to this county, [in the 1930s], he couldn't get a job. He worked as a foreman on the state roads just to make a living. And then he, I think through Johnny's father, said, 'Get my real estate license and come in.' They were

friends and there was a fellow named Dick Greenwell who was a Clerk of the Court. He had a little insurance business and he couldn't maintain it and my father took that over in Leonardtown and moved in with Judge Briscoe in the Beacon building. My father and Johnny's father were very close. My father was extremely appreciative of the help he received from Johnny's father."

Audio 13. *Tom Waring explains how John H.T. Briscoe helped his father:*



Elective Office

John H.T. Briscoe: "After I got out of the Treasurer's office, I decided I was going to run for State's Attorney. My father didn't want me to do it and he was all together right, too. It was the biggest mistake I ever made in my life, and I told my son [John Hanson Briscoe], when he came along, I said 'Son, you will no doubt be approached by different people to run for office because a lawyer should be in politics, which I think I have no complaint about that, but I'll put it this way: if you decided you'd like to run for office, don't let them talk you into running for State's Attorney. That's one job you don't want.' I said, 'If you do decide that you want to run for public office, I'd advise that you go to the legislature.' which he did.

Audio 14. *John H.T. Briscoe on his decision to go into politics:*



"Anyhow, so then I started in and, of course, I served 15 years at a salary of \$800 a year for State's Attorney. And Henry Camalier succeeded me and when he died in the middle of his second term, I was appointed by the Court to take his place. At which time, the salary had been increased to the magnificent sum of \$3,000 a year, which was a lot of money in those days. Now, at that time, there were only 4 or 5 lawyers in Leonardtown: Mr. Robert C. Combs, who only practiced a few years after that, he was getting to be pretty old; Mr. Loker: a man named Mr. Ching, he was a Republican, and people in those days if you were a Democrat you went to a Democratic lawyer, if you were a Republican, you went to a Republican lawyer.

Audio 15. *John H.T. Briscoe on a lawyer's salary:*





18. John H.T. Briscoe (far right) and John Hanson Briscoe (second from right) in the State House at Annapolis in 1961, on the day John Hanson Briscoe was first sworn into the House of Delegates; other two unknown.

“He had to type his own indictments. It was quite something back then; didn’t have any Assistant State’s Attorneys. He did it all; typed the indictments, prosecuted murderers, and he was good.”

John Hanson Briscoe: “Then he decided, for politics, he was a Democrat, of course, the Democrats in St. Mary’s talked him into running for the House of Delegates. Loved the law, you know, so he— that’s what that’s all about. So he was elected with Phil Dorsey and J. Allan Cecil, who weren’t politically friendly to him. He went to Annapolis and he was a maverick, he was a *real* maverick, and one I’m proud of. So yeah I think he served only one term under Governor O’Connor, and he didn’t like Governor O’Connor because he was close to Phil Dorsey who was real political, so he just didn’t run again, but then he came back and then ran for State’s Attorney off and on for 17 years.”

Audio 16. *John Hanson Briscoe on his father’s decision to enter politics:*



Letters To The Editor

St. Mary's Beacon May 8, 1936

Dear Sir,

Permit me through the columns of your paper to express to all those who worked for me in the recent primary my sincere appreciation for their effort in my behalf and to further say that I have no feeling of ill will to those who supported my opponent, fully realizing the right which everyone has to make a free selection of his or her choice as a candidate for any position within the gift of the people. It is my further hope that my successful opponent will be a representative worthy of the traditions of the Democratic Party in St. Mary's County.

Very Truly,

John H. T. Briscoe

EDITORIAL

St. Mary's Beacon November 1938

"Mr. John H.T. Briscoe, State's Attorney for the past several years has handled that important post with credit to himself and profit to the people whom has represented. There has never been a time when any motive, other than an unswerving sense of public duty, moved him a hair's breadth from the course he honestly believed as best serving his high office. By education and environment he is probably one of the best fitted citizens of the county for the post to which he now aspires – Delegate to the General Assembly."

St. Mary's Beacon November 1938

Letters To The Editor

Editor of the St. Mary's Beacon

Dear Sir:

I desire to express through your column my deep appreciation of the splendid vote given me in the recent Election, and to say that it will be my earnest endeavor to justify the confidence reposed in me by the people of this County in electing me to serve them as one of their representatives in the General Assembly. I will also welcome any suggestions as to desirable and constructive legislation which any of our citizens may wish to offer me.

Very truly yours,

John H. T. Briscoe

Dear Sir,

I desire to express through your columns my deep appreciation of the splendid vote given me in the recent Election, and to say that it will be my earnest endeavor to justify the confidence reposed in me by the people of this County electing me to serve them as one of their representatives in the General Assembly. I will also welcome any suggestions as to desirable and constructive legislation which any of our citizens may wish to offer me.

Very Truly Yours,

John H.T. Briscoe



St. Mary's Beacon February 20, 1948

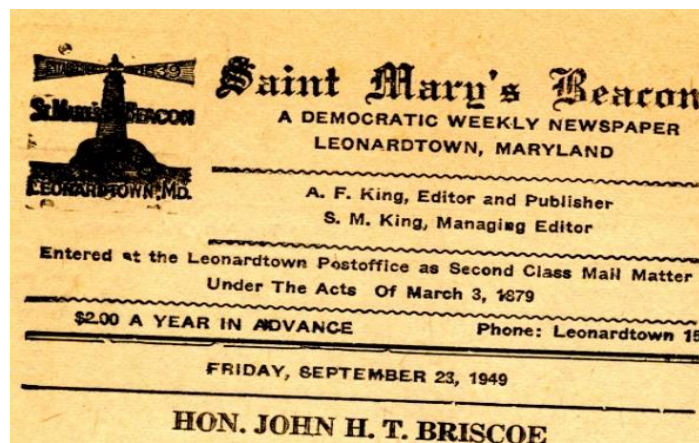
"On Thursday, February 19th, 1948, Hon. Wm. Meverell Loker, chief Judge of the 7th Judicial Circuit of Maryland, announced the appointment by the court of the Hon. John Henry Thomas Briscoe, as State's Attorney for St. Mary's County to fill the unexpired term of the late C. Henry Camalier.

"Mr. Briscoe is a former State's Attorney, with fifteen years experience in that post. He is a former representative in the House of Delegates from St. Mary's County, and well and favorably known throughout the State. He is a member of the Maryland State Bar and St. Mary's County Bar Associations. A son of the late Walter Hanson Stone Briscoe and Maria Ford Briscoe, he was born at Sotterley mansion, a beautiful colonial estate on the Patuxent River. He received his education from private tutors and the Public schools and is a graduate of Loyola College, Baltimore. He studied law in the office of the Hon. Robert C. Combs, and the present Judge Loker and was admitted to the Bar in 1916 having passed the Bar examination with a splendid rating.



19. John H.T. Briscoe.

"At present he is attorney to the Board of Commissioners of St. Mary's County and has an extensive private practice. He is not only well qualified to fill the position to which he has just been appointed, but has the full confidence of the people of the county that he will ably perform the duties of his new office. Mr. Briscoe is married and makes his home with his family in Leonardtown. He is a hard student. His major hobbies are yachting and fishing of both of which is an ardent fan."



20. The masthead of the Saint Mary's Beacon from September 23, 1949.

"John H.T. Briscoe, State's Attorney, is probably one of the best known men in Saint Mary's County.

"He was first elected as State's Attorney in January 1920 and served continually until 1939 when he returned to the private practice of law.

"In 1941 he was elected to the Maryland House of Delegates and served in the Legislature at Annapolis for four years.

"He again returned to private practice but was appointed to public office in 1948 as State's Attorney, the position he now holds.

"For many men private practice or the State's Attorney's position would be a full time job but Mr. Briscoe ably handles both.

"As State's Attorney his duties are laid down in the Constitution. In general it is his duty to represent the people of the State in the prosecution of all criminal cases arising in Saint Mary's County.

"Mr. Briscoe's duties involve the presentation of cases to the Grand Jury, the summoning of witnesses, and the preparation of indictments to be brought in by Grand Jury.

"As State's Attorney, he is also responsible for the handling of juvenile cases before the Juvenile Court, a comparatively new procedure in Maryland. Before the creation of Juvenile Courts, a juvenile or minor accused of any crime was required to be tried in the Trial Magistrate's Court or the Circuit Court just as an adult would have been.

"The handling of Juvenile Court cases has added another burden to the State's Attorney's office, since the procedure in this Court is quite different from that in the other Courts.

"When a juvenile is accused of a crime, he is brought before a Judge sitting in Juvenile Court. The Judge declares what should be done. Sometimes parole officers investigate cases and make reports. Their recommendation might be that the juvenile be paroled and disposition of the case made in this way.

"With the Court now in Session Mr. Briscoe is a very busy man. However this Session of Court finds a new system inaugurated to shorten the procedure and assist in the smooth running of the Court and the State's Attorney's office.

"After members of the Grand Jury and Petite Jury were selected, Mr. Briscoe worked with the Grand Jury without being required to try either criminal or civil cases in Court. He assisted with the examining of witnesses and prepared indictments to be brought in by the Grand Jury. He is now free to go to work on trying cases.

"In previous Sessions of the Court, the Grand Jury would be in session, while the State's Attorney was trying cases, which resulted in the Grand Jury being forced to wait for his services until he was free in the Court room. This resulted in delays which the new system should overcome by expediting the work of the Grand Jury and reducing the interruptions within the Courts.

"The State's Attorney of Saint Mary's County has yet another function. While as State's Attorney he does not have any official connection with the County Commissioners, nevertheless he has been appointed by them as their Attorney, since there is no conflict in the duties. He is not responsible for the decision that body makes; he merely advises them on legal matters as would any other private attorney.

"Today with a population in excess of 32,000 in Saint Mary's County and this exclusive of the Naval Air Station, the work in the State's Attorney's office has more than tripled that of the pre-war years.

"The public no doubt will be surprised to learn that of all the responsibilities carried by the State's Attorney of Saint Mary's County he receives a salary of \$2,000 a year. While the last Legislature increased the salary for this position to \$3,000 per year, Mr. Briscoe cannot receive this amount because of a Constitutional provision that prevents the incumbent from receiving any increase in salary during his term of office.

“By way of comparison, in Montgomery County where the population has also increased tremendously during the war years, in addition to a State’s Attorney, the position of County Attorney was created with a salary of \$9,500 per year. Provision was also made in the budget for two Assistant County Attorneys, one carrying a salary of \$5,600 to \$7,000 per annum and the other position a salary of \$4,000 to \$5,000. No experience is required of the applicant for the latter position, the only requirement being that he have a law degree.

“To be sure the County is more populous, but the question is asked, “Can the responsibility be any greater, or as great, as that carried by Mr. Briscoe?”

“Secretarial or stenographic help in the State’s Attorney’s office is urgently needed at this time. No provision has been made for this and Mr. Briscoe is forced to use for County work the stenographer he employs in his private office.

“The County is very fortunate to have Mr. Briscoe’s ability, experience, and integrity in this responsible position.

“The Briscoe name has long stood for something fine in the history of Saint Mary’s County. In the ‘Free State of Maryland’, a history of the State and its people from 1634 to 1941, it is stated that in September 1633 Cecil Calvert wrote to Mr. Briscoe’s ancestor, Dr. John Briscoe, in England, advising him of the sailing of the ‘Ark’ and the ‘Dove’ extending an invitation to him to join the colony in Maryland.

Perhaps this pioneer background is why the people of Saint Mary’s County have been privileged in having John Briscoe continue to serve the County, while many other lawyers with far less experience are receiving large fees in full time private practice.

Mr. Briscoe is not required by law to give free legal advice to the people of Saint Mary’s County, but maintains an office in Leonardtown where he conducts a private law business during the time he is engaged at the Court House.

Saint Mary’s County has had growing pains for some time. Many people believe it has ‘grown up’ and that the time has arrived when the over-worked officials who handle the business of the County should adequately recompensed.”

ST. MARY'S TODAY

TOP NEWS OF THE WEEK

Oyster Roast

on left, left to right:
Chap Thompson,
District Engineer
for State Roads
John H. T. Briscoe,
States Attorney and
future Magistrate
Cullins Hill
Phillip H. Dorsey

front right to rear:
C. Benedict Greenwell,
Clerk of the
Circuit Court;
John Hodges,
County Commissioner
Daffney Greenwell,
son of Dick,
Florence Greenwell
R. Bascom Broun,
President of
First National Bank
of St. Mary's



21. John H.T. Briscoe and other community leaders at an oyster roast, date unknown.

History in Photos



St. Mary's County Commissioner Matt Bailey and John H. T. Briscoe at
dedication of Bushwood Wharf in 1951.

22. John H.T. Briscoe with Commissioner Matt Bailey in 1951.

Magistrate Briscoe

C. Clarke Raley: “Well, I can recall this. When I first started to practice law in St. Mary’s County, the Magistrate was one Harry Lancaster. And then after Harry Lancaster, there was sort of a step up on sort of the ethics side and we got Alice Taylor. She’s a good woman. And after Alice Taylor, the first magistrate-trained lawyer was John H. T. Briscoe. And he was a good judge. He was very straightforward, honest, and typical, I think, of all his life the way he was. What you saw is what you got. And he was good judge. And that probably accounts for why John Hanson Briscoe is a good person: a fabulous mother and a really great father.”

Audio 17. *C. Clarke Raley on Magistrate Briscoe:*



Bob Wigginton Jr.: “I actually got a little charge when I was younger, in 1969. John H.T. was on the bench. And you know, there was a lot of things than that, of course, don’t happen now. I went in front of the Judge and he, the Judge questioned me. He asked me what the hell did I think I was doing. ‘What the hell did you think you were doing?’ I was represented by my father, and Judge Briscoe would’ve known that was my father. There was a conversation that went on before court, between the two of them back in Judge Briscoe’s office, with the State Trooper.”

Joe Densford: “Well, John H.T. was a man of very few words, so he didn’t give very long explanations on why he ruled one way or another. His decisions were short and quick. He was always clearing his throat and leaning back in his chair, and a couple of times I thought he was going to fall out of it. He’d get back like this, you know, and clear his throat. Sometimes you’d think, ‘Is he awake?’ Sometimes the chair would start to fall backwards and you’d think, ‘He’s gonna fall right out of the doggone thing.’”

Audio 18. *Joe Densford on Magistrate Briscoe:*



John Bailey: “When I started, I was practicing in front of Judge Taylor. Alice Taylor. Magistrate’s Court.

“And John H.T. Briscoe. Magistrate Court, in those days, you could just go in and State’s Attorney could just stand at a window. And the people would line up and they would say, “Look, I’m charged with drunk driving, if you reduce this to driving under the influence, I’ll pay the ticket and go.” It wasn’t a must appear. So they just would just mark the ticket reduced to DUI, \$250 fine, and pass it to the Treasurer, who was

collecting the money next to them, and it was only those who wanted to have trials that actually went into the courtroom. But an awful lot of the cases were negotiated, and the State's Attorney had that authority.

"I was only under the Magistrate system for about six months because, in July of that year, the Public Defender system came into effect; the District Court system came into effect. Judge Sterling was appointed as the District Court Judge. And I don't remember any, I can't tell you any cases specifically. But most of those were just fine- only cases. I mean, if there was a cutting or something like that up the alley, the standard fine for that was \$35, even under Judge Sterling, it was \$35 dollars. I mean, as long as there wasn't a death or just a little 35-40 stitches or something like that, it was just \$35."

Audio 19. *John Bailey on the Magistrate System:*



John H.T. Briscoe was not the only Trial Magistrate in St. Mary's County in those days. He served with another Magistrate, Alice Taylor. Alice Taylor was interviewed as part of the St. Mary's College of Maryland Slackwater Project by Kelly L. Jenkins (KLJ). Excerpts from her interviews are provided as a way of shedding light on what she, and John H.T. Briscoe, would do as Trial Magistrates.

KLJ: *"In 1965 you were appointed as the magistrate. Tell me about the circumstances leading up to give you experience to be appointed to that position."*

Alice Taylor: *"Ah, I had worked quite a bit with some of the politicians, one particularly, Mr. Bean. And I used to go and work around the polls with him at election time, and finally I got to know Johnny Briscoe. John is now the judge you were talking about. Shortly after that, I believe it was, Mr. Bean came and asked if I would accept the appointment as trial magistrate. And I said, 'Well I had never done anything like that,' I didn't even, never been in the courtroom, I didn't know that much about it. And he said, 'Well neither has anyone else that's ever done it,' it's more or less a common sense to make decisions. It was a political appointment; it was something that you were being given because you worked hard for the party. So I took it, I accepted. I went in . . . I made up my mind first, that I wasn't going to take it unless I could learn and work; I didn't feel it was right to just take something like that and not earn it."*

"Two members from the central committee came in and asked me if I would take . . . the substitute trial magistrate job, they wanted someone from the first district, and would I consider taking it? And I thought it was a big joke, but they talked on and on. We got fifty dollars a month, six hundred dollars a year was the salary at the time, and they told me I probably would never sit, but this was more or less, an honorary appointment, and most of the time if the judge was sick or something they'd postpone the cases and very seldom did the substitute ever sit. So after quite a bit of discussion I said, 'Alright, I'd try.' And then I kind a worried over that,

suppose . . . now here you had a job, getting money and I wasn't doing anything that bothered me. So, I decided I'd go to Leonardtown and find out what it was all about.

"I went in court to sit and find out something about the court system and how it worked. I walked in and I was told to just have a chair that they'd get to me later. Finally I got so tired, I got up and went to one of the clerks and said, 'Now I'm the new substitute trial magistrate and I'd like to see the judge.' Well, everything opened up, so I went in and talked to Judge Briscoe, and from then on I went two days a week, every day the court was open. I sat beside him on the bench. In the mean time I had attended seminars in Baltimore with newly appointed judges. I was the only women with twenty-eight men, and sometimes it got a little – upsetting. I had a particular time, I'll never forget, it was the first meeting I had ever attended, and we broke for lunch, so when I got in the dining room, it was a long table all set for all twenty eight people. And all the men were standing, so I stood too. I thought, well probably they were gonna say a grace, say a prayer, or something ahead of time, and I stood with my head bowed, waiting, and all of a sudden, Mr. Evanizi was going like this to me, to go down, [waving hand in downward motion] and the minute I sat down, everybody sat down. The old judge sitting next to me, oh he was so cute, he said, 'Thank God, I didn't think you were gonna make it.'

Audio 20. *Alice Taylor on training to become a magistrate:*



"I kept going until I had the basics of what I needed for the courts. I was too busy. I was learning law myself from the State of Maryland, I had learned quite a bit at that time. So, I think it was in June, after my appointment, and then in June, I walked in the court, went in one day with the judge and sat on the bench. And it was so funny that particular day, every sheriff, I think every state trooper, the place was full. Judge Briscoe hears a case, then he turned, he hadn't told me ahead of time, he said, 'I'm gonna turn the court over to you now,' and if he had told me ahead of time, I don't think I would have made it. But I didn't have time to think, I just took over from then on that was it.

Audio 21. *Alice Taylor on John H.T. Briscoe:*



"He was fantastic. He taught me so much. He stopped to explain things, and he took his time. He never hurried, and he was very patient, and I did I learn a lot.

"I had one case I remember. The man . . . I sentenced him to three years, I was trying to think what it was for, and when I came out of the courtroom, he and his attorney were sitting. And evidently, his attorney was getting him to appeal, try to appeal the case. And he said no, he wasn't going to appeal the case. He said it was the first time in his life that he'd ever had a fair trial, evidently the man had a record, and it was the first, and he felt that I had given him a fair trial, I had given him a fair sentence, and he was, it was the first time in his life that he'd ever

been sentenced by a good looking woman. And I never forgot that because I thought well at least I was doing something right. At least he thought I was. But you know, back then we didn't have a whole lot of sentences that ran into years. Most of the things were small things; the larger things went to, upstairs to the Circuit Court. But that particular one.

Audio 22. *Alice Taylor on the man who said hers was the only fair sentence he received:*



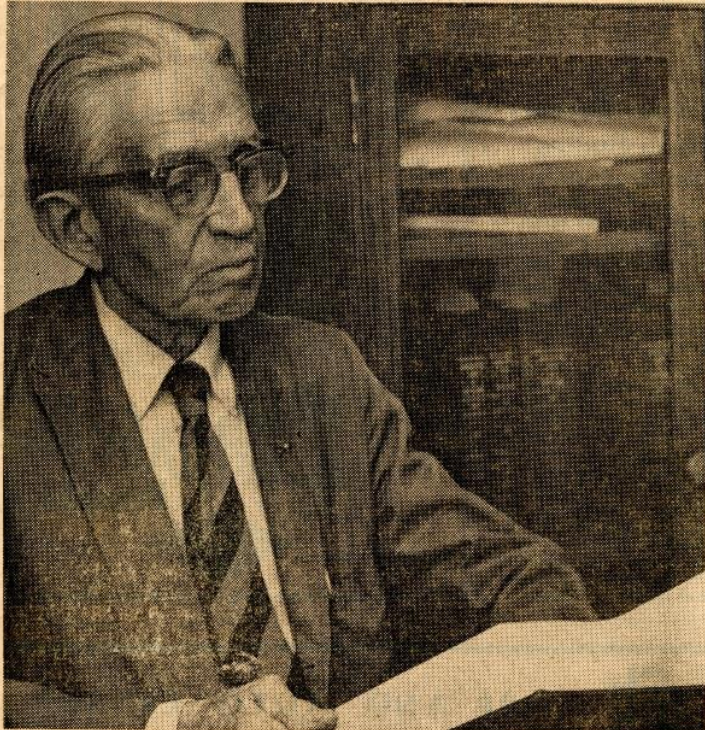
"Then one time we started a night court, because so many of the troopers were having problems making day court. And they'd be off at night, and so we set it up for night court.

"Well, see I was the first one to take advantage of this. I mean fifty dollars a month, most men couldn't take off a day and really do anything, as I say it was just a political plum, is what it was. And I always felt that I did really, make something out of it, because when I left, they had increased my salary to five thousand a year, from twelve hundred, and that was in a matter of years. I worked two days a week. And back then, that was pretty good. And I felt that I had worked to really learn and do what should be done. There were so many things that needed changing, and of course I learned those things going with the other judges. Like when the judge walked into the bench in the courtroom, people should stand up, and the men should take their hats off, out of respect, it was a court of law, it should be done. Well down here, nobody ever made, that didn't happen. So I remember one morning, I asked Judge Briscoe when we went on the bench, if I could please say something. And I did. I told them that I thought that this was a court of law, and that Judge Briscoe was the Judge and out of respect for this court, I felt that when the Judge enters the courtroom, they should stand up, that they should remove their hats, and he should be treated, it should be treated as a court of law. And I can't remember the exact words, but I remember doing that. And I tried to get more respect for the court, have people realize that we were there. We could help them, and also of course, there were a lot of criminals really, that you had to do something about. But there were a lot of people you really could help. And I helped a lot of people that way. I mean I helped, well, I got enough, got to know different things that were available."

Audio 23. *Alice Taylor on her time as Magistrate:*



Joseph A. Mattingly Jr.: *"The Trial Magistrate system replaced the Justice of the Peace. Paul Bailey was a Justice of the Peace over in the 7th District. I don't know when the legislature changed that and switched over to the Trial Magistrate. When it went to the trial magistrate, there was only one trial magistrate for St. Mary's County. And as you say, John H.T. was it. Then, when they created the District Court system, they did away with the Trial Magistrate."*



John H. T. Briscoe, 80, retiring chief trial magistrate, pursues point of law.

Md. Magistrates: Day in Court Ends

By Robert Kraftowitz
Washington Post Staff Writer

LEONARDTOWN, Md.— Yesterday, she and several hundred other trial magistrates scattered throughout Maryland made way for progress as the state's new District Court system came into being.

Under a constitutional amendment approved by voters last November, the collection of magistrate's courts and People's Courts—many run by part-time judges with little or no legal training—is being replaced by a uniform statewide lower

After thinking for a few seconds, Alice Taylor looked up from her desk.

"You've told me time and time again you were going to stop drinking, and you would pay your wife money every week. I'm out of patience. I've worked for you too long. Everyone here knows that."

Most of the 13 people standing or sitting in the cramped room knew it, for they had seen the man

John Hanson Briscoe: "And finally he ended his legal career, and J. Millard Tawes, his good friend was Governor, appointed him as Trial Magistrate, probably in the late '60s, and then the legislature passed a law and they created the District Court and said you must retire at the age of 70. He was 80! Governor Tawes said, 'You know, my good friend, I'm going to have to ask you to resign because you're ten years older than you should be.' True story, he was a great Magistrate; he just had a good feel for people, and compassion, black or white, it didn't make any difference, he just didn't suffer fools very greatly; he had very little patience for people who would not do what they were capable of doing."

Audio 24.

John Hanson Briscoe on his father as Magistrate:



The Washington Post, January 11,
1981

John H.T. Briscoe: [John H.T. Briscoe talking about the creation of District Court.] "The Magistrate Courts have been courts of the people. Now we're getting away from the idea of the people's court— we'll have new rules,

23. The Washington Post's article on the end of the Magistrates' system in Maryland

new procedures— a dignity which will be above the heads of the people who have to use the court."

His Later Years



24. John H.T. Briscoe.

Evelyn Arnold: “He was another one that would do his own title work. He’d let you know he was there, he’d come in the morning and he could hardly see over the counter because he was short. But we got along fine. He was a perfect gentleman. One of the old gentlemen like Billy Sterling and Paul Bailey. That group, I’m not saying anything that the young lawyers don’t have the same qualities but it was just Southern gentlemen-type people.”

Jeannette Dakis: “Oliver Guyther used to call him a banty rooster. He didn’t really interact with everybody very well. He really didn’t, I don’t think he interacted with anybody very much. He was very nice, I never had any complaints about him, but I can’t say that I really remember a lot about him because he really didn’t mix with most of the attorney’s.”

Priscilla Duke Wentworth Hall: “We lived in the same town, went to the same church; back then you had your name on a pew and their pew was somewhere near ours. Mr. Briscoe, as I’m sure you’ve heard, had a habit of going [clears throat loudly]. It’s funny, in church you would always know who it was that was coughing. Mr. Briscoe was the town attorney and he ran the elections. You only had to register to vote once. He would be very formal, ask you for your name and your age, etc. Then he’d hand you your paper ballot, then you go behind a little screen and you’d drop it in the little glass box.”

Audio 25. *Priscilla Duke Wentworth Hall reflects on John H.T. Briscoe:*



Frank Olmsted: “Well mainly I guess I knew him because when I was District Public Defender, he was on the advisory board for the District and the public defender organization and I had contact with him that way. Indeed, I remember the first meeting they had of the board I had at my house and they came and John H.T. was one of them. Fine ol’ fella.”

George Peter Wigginton: “I just remember Johnny’s daddy, Mr. Briscoe, was the nicest man. Old man John Briscoe. He was a Loyola graduate too, and we’d talk about that. Talk about beautiful minds, that man had a beautiful legal mind. My mother said she thought he had the most beautiful legal mind in St. Mary’s County at that time. I heard him argue a case once down in the base and it was like watching Raphael paint. It was

something to see. He was wonderful. I imagine Johnny inherited his daddy's acumen because Johnny was nobody's fool either, as you know. But I liked him."

Ruth Sterling Heinssen: "Oh, you're talking about Old Man Briscoe, as dad would call him. Oh my God, he was a hoot. He was such a nice man. By the time I knew him, he was ancient. But he was in the record room, again, every day. He knew everything about everybody. Just like that font of information type thing. He was very elderly,

when I was working. And I was working for Ernie by the time I was 15 years old, because I ran titles when I was in high school. But it was just that record room crowd."

Jim Kenney: "In some ways, his practice was fairly concentrated. I mean when I got here he was a Trial Magistrate. That is similar to District Court. His private practice was primarily a real estate practice. He had an almost encyclopedic knowledge of land titles, and if you couldn't find something, he was one of the people to whom you could say, 'How did this get from here to here?' and he'd tell you there's a will

somewhere. A lot of the titles he just knew from family connections. I'm sure he also did wills, but I remember him mostly doing real estate work. When he was Of Counsel to

the firm, we would turn to him for history and to look over an issue if there was a boundary concern: 'Is

there something missing that you ever saw that would help us answer this?'"

Tom Daugherty: "He did give me my character committee interview and that was when he finished up with, you know, his spittoon that he always had there and when we'd finished, he says, 'Well, I guess the apple doesn't fall far from the tree' and I went home and I said, 'Well Dad, does H.T. Briscoe like or dislike you?' and he says 'Oh no, he likes me.' I said, 'Okay, that's good!' That was a funny interview with him.

Audio 26. *Tom Daugherty reflects on John H.T. Briscoe:*



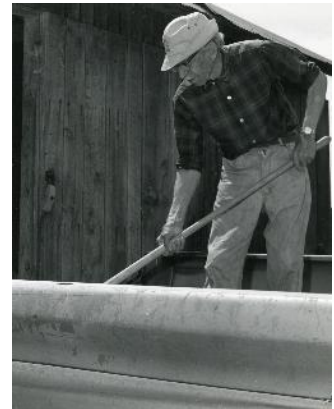
Al Gough: "When I applied for the bar, he had to give the ok. I remember going to talk to him and he had to say it was ok. I never had any dealings with him regarding the

law, but he was just a very nice person. Of course, older and very well respected. He was the last living member of the St. Mary's County Reading Room and Debating Society. It was an organization founded in the 1830's in Leonardtown. The purpose was to establish a library and they would meet weekly and discuss topics of the day and debate them and they had formal rules and regulations. And you have all walks and classes of life, but it was the who's who of St. Mary's County at that time. I mean, you had every sheriff, judge, doctor, lawyer, and merchants that were members of that."

Henry "Bud" Virts: "John H.T. I knew the old gentleman when I used to go to the farm. All the broken down barns, and uprooted fences. I used to give him hell, young John that is."

C. Clarke Raley: "Just a funny story. There came a time when I guess the Briscoe family decided that John H.T. should no longer drive his automobile. The next thing you know, here comes John H.T. Briscoe into Leonardtown on his John Deere tractor, visited a bank. I guess they got the tractor keys away from him—tough little guy!"

Jim Kenney: "Mr. Briscoe was dean of the St. Mary's County Bar and one of the best known and respected men in St. Mary's County."



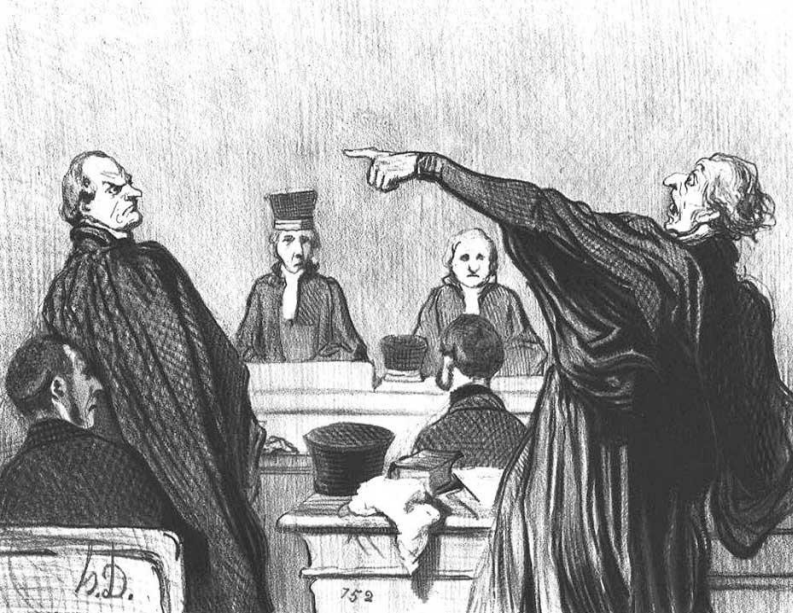
26. John H.T. on the farm



27. From left to right: Sylvia Briscoe, John Hanson Briscoe, Hilda Maddox Briscoe, John H.T. Briscoe

Court Week

Judges



28. Honoré Daumier, "Robert Macaire Avacal"

John H.T. Briscoe: "And at that time, another thing that's hard to believe, it was only three judges in this whole circuit. And the Chief Judge in the circuit served on the Court of Appeals and he was a cousin of mine, Judge John Parran Briscoe of Calvert County, and Judge Camalier and Judge Bell were the three judges. At that time the judges in the Court of Appeals also held court in the counties whenever they had the time. And all three judges used to come down here to court in March and September and we'd only have court about a week. But it's hard to imagine now, of course Prince George's always had one judge because it was the

biggest county in the circuit, but the three other counties only had two other judges, one county was out of luck. Charles County was sometimes out of a judge, a judge from down here would go up and help or Calvert County."

Audio 27. *John H.T. Briscoe on the old Circuit Court system:*



John Mudd: "Charles, Calvert, and St. Mary's counties didn't have a singular judge, to my knowledge, and these judges rode the circuit. They had court on Saturdays in St. Mary's County because I used to go down with my father. He put me in a barber's chair to get my hair cut and I'd go over and watch court whenever my father was having court when there was a judge there on Saturdays presiding."

Ted Weiner recalled that all the judges would sit on the bench at the same time. "You know they just weren't as busy as they are now. I think it's sort of the best of both worlds. You have more experience, you have three people, three heads are better than one. If you think how much a judge has to do during the course of a jury trial it might be a good idea to have a couple, at least two, and you know? I think it was just a slower time, you had more time. These are serious things. You are trying serious crimes.

That's where you get 'riding the circuit;' it's not from the attorneys riding the circuit, it's from the judge riding the circuit."

J. Frank Raley: "At that time, we also had slot machines. Slot machines were in operation without any legality. The people here never really liked regulations and slot machines were illegal but nobody enforced the law. They used to do one thing, I can remember, because my father had slot machines at his place. They recognized when the court was in session that maybe they ought to do something that would indicate that they were complying with the law so they would, if you went in any of the places, they'd turned all the slot machines around for that week the court was in session. Your court would be two times of the year, spring and fall, and it would be in Leonardtown and that's where they would have their trials and take care of all the business of the county. There wasn't much crime. As I was growing up, the worst thing that I ever heard of was the stealing of chickens."

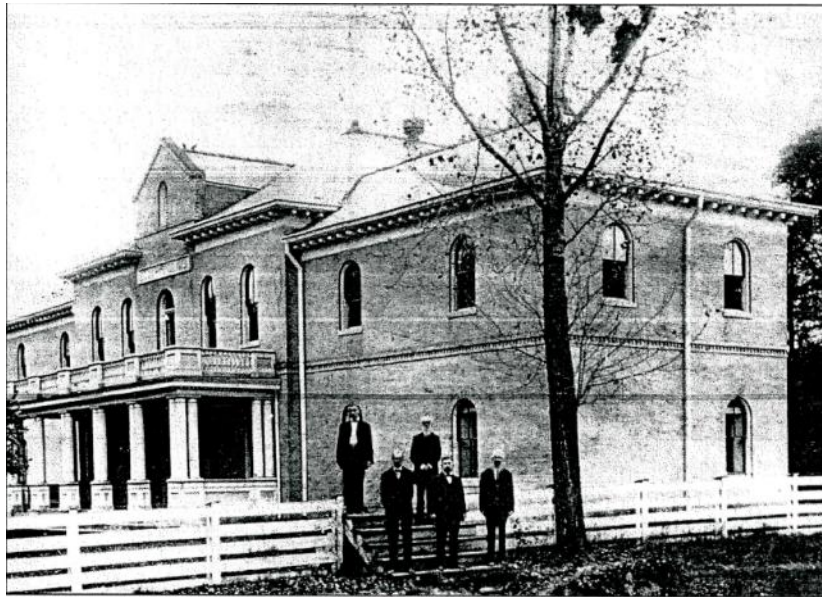
J. Maguire Mattingly: "During the March court, for example, they'd [his parents] usually have a dinner party for some of the lawyers and judges. There were three judges that used to come down and sit. One night during that time, there was more or less a standing invitation for dinner. My grandfather was Clerk of the Court. Sometimes they'd have a nice dinner, cocktails, and they loved to relax and play a good old hot game of poker; the men would. The wives would play bridge or just sit around and chat in the living room. They were segregated for the most part, but Mother would always see that the table that was there after dinner had snacks or food, and maybe more to drink.

"For instance Dicky, Tommy, and me would don white coats and serve. We thought it was an honor to serve these guests. We were always introduced when people came no matter who it was. We were never excluded from anything. But as far as the dinner was concerned, we were fed earlier. Mother had very good taste in the way of proper serving. We used to have a colored man in the kitchen. We'd dress him up. He thought he was the King of England. And we thought the world of him, too."

Audio 28. *J. Maguire Mattingly on wining and dining judges:*



Courthouses



29. The courthouse built in 1901, in a picture taken about 1910. The three men in the front row are Enoch Booth Abell, Clerk of the Circuit Court (center), and Asa B. Lawrence (right); the man on the left is unknown. In the back row are Judges Benjamin Harris Camalier (left) and J. Parran Crane (right)



30. The St. Mary's County Courthouse of 1831. Built after the fire of 1831, this courthouse was torn down in 1899 and replaced by the present courthouse in 1901.

The St. Mary's Beacon, Oct. 17, 1901

"Judge Crane charged the Grand Jury, saying in part: "This county and the jury are to be congratulated upon the exceedingly small number offences that have been handed to the Court by the State's Attorney. There are so few cases and the few are of such minor importance that the jury will be likely to complete its work within two or three days and all be at home attending to their private business before the expiration of the week. There are also so few civil cases on the docket that this term of the court ought to be one of the shortest on record.

"The order of the County Commissioners forbidding the use of the Court House for political meetings meets with the cordial approval of the Court. The court room ought to be kept neat and in good condition. In fact a court room should be respected next to a church. The first man brought before the Court for spitting on the floor or writing on the walls will be severely punished, and I now direct the bailiffs to bring before me anyone they detect in such offenses.

"I am pleased to know that the old custom of fining the 'colts' on the juries a dollar to be used for treating purposes has been discontinued. It was a disgrace and shame to see the jurors of St. Mary's County marching in a body to bar-rooms to take a drink, and I am pleased to think that during my incumbency of the bench I have been means of breaking up such a disreputable practice."

The St. Mary's Beacon, "First Sessions of Court in New Courthouse"
Oct. 17, 1901

"The postponed September Term of Court met in the new Court House Monday last with Associate Judge J. Parran Crane on the bench. It was the first session of Court in the new Court House.

"Bailiff Connolly met the people at the door of the Court room and directed the colored ones to take seats in the Western tier, thus separating the whites from the blacks."

The St. Mary's Beacon, March 22, 1946

**GRAND JURY REPORT
MARCH TERM, 1946**

The Honorable Judges of the Circuit Court for Saint Mary's County:

"We the Grand Jurors of the State of Maryland for that body of Saint Mary's county, for the March term of 1946, wish to report on our duties, as we see them.

"... Our respective body recommends that a central heating plant be installed, sufficient to accommodate the Court House and old jail building along with the new jail.

"We further recommend that the County Commissioners purchase approximately 35 yards east of the Court House property from the Key Estate to be used as a public parking lot that such purchase shall run along the boundary North to South of the existing property line. We also recommend that in conjunction with the aforementioned purchase, the Commissioners shall secure right-of-way thru the Key entrance for the aforementioned depth of 35 yards in order that a circuitous drive way may be used around the properties that the said entrance shall be paved and thereafter maintained by the county."



Around the Court House

"A heavy pipe rail fence has been erected to prevent parking on the Court House lawn. A parking area is being planned in this vicinity.

The Law Library has been completely renovated. A partition between the two small rooms having been removed, the walls painted light buff, fluorescent lights installed, and floor covered with inlaid linoleum, the room presents an inviting aspect of quiet and cheer; a delightful place to read the law."

The St. Mary's Beacon, September, 1947

Circuit Court For St. Mary's Convenes For September Term

Judge John B. Gray Charged Grand Jury, Mr. George R. Quirk Selected As Foreman

"September, 1947, Term of the Circuit court convened in Leonardtown Monday last, chief Judge William M. Loker and Associate Judge John B. Gray Jr., on the bench and all court officials in attendance."

Judge Gray Delivers Charge To Jury

"Judge Gray delivered the charge to grand jurors. He said that the people of St. Mary's county want their laws respected; their county kept safe and decent and in accord with its great traditions. The way to accomplish this is to fully investigate the alleged forms of gambling. He advised there were but two courses for the jurors to take; one – investigate conditions and return indictments where sufficient evidence was found; the other – investigate the county's public officials to determine whether they are indulging law violations; whether their attitude is due to fear of their political skins or some even more sinister motive."

Jurors Reminded Of Instructions To March Jury

"Judge Gray reminded the jurors of instructions given to the grand jury at the March Term of Court when their attention was called to "one law" allegedly openly and flagrantly being violated. That body declined to act, and though their report of work completed was accepted by Chief Judge Loker, he refused to discharge them; but allowed them a recess of three months and they were recalled in June to perform their unfulfilled duties. In June they returned 24 indictments against 23 persons, connected with the alleged use of slot machines. Trials of these cases and several murder charges, are in the course of being heard at this session."

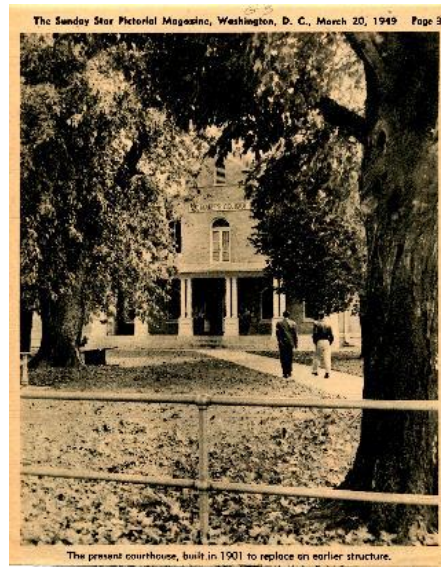
Without Law Enforcement Undesirable People Come In

Judge Gray appealed to the people for their love of the county; he further said with the phenomenal growth in both wealth and population an influx of people who had not the county's wellbeing at heart had naturally drifted in. If they were allowed to feel that the county was lax with the enforcement of laws all manners of racketeers would invade the land and drive out the law respecting people."

The St. Mary's Beacon, March 19, 1948

Unsightly Stoves Removed

"With the Stars and Stripes unfurled in the center of the curtained window, the court room presented a very attractive appearance. The two large, unsightly stoves which for many years had been the means of heating had been removed. This year, the central heating system which is being installed, has been completed as far as the court room and several adjacent rooms. It was an impressive sight to see judges in their official robes enter and seat themselves at the bar of justice."



29. Front view of the courthouse built in 1901.



30. Rear view of the courthouse after the renovations of 1957. The county jail, in use at the time of the picture, is on the far left.

The Washington Evening Star, April 23, 1948

Judge Loker's Method of Selecting Jurors Upheld in Maryland

"Judge Wm. M. Loker's 'Diogenes' method of selecting a jury panel in St. Mary's County was upheld yesterday by the Maryland Court of Appeals."

Inquiries About Men

"During preliminary arguments of the case in St. Mary's County Court, the judge said his habit was to 'make inquiry about men in the county' before drawing up jury panels."

"He said he tried to determine whether men under consideration were taxpayers or voters, 'and most important, their character, how they stand in the community, their reputation.'"

"After that the judge said, he customarily checked the names against county records to be certain they were eligible for jury service."

"Of course, the better practice is to check the jury panel with both the tax list and with the poll books. One or the other of these lists must be checked."



31. The modern façade of the St. Mary's County Circuit Courthouse, renamed the John Hanson Briscoe Courthouse in 2014.

Festivities during Court Week

John H.T. Briscoe: "Now law courts always have these jury trials in March and September for about a week; very seldom the court ever had to go over into another week to try picking up all the cases that needed to be tried. And they had the non-jury trials in June and November. And another little thing that some of you may have never heard of, but some of you have heard, it used to be, especially Tuesday in March Court, everybody would come into town because after a long, cold winter and in those days people couldn't get around, didn't have any automobiles and didn't have any roads to speak of. And they'd turn out on Tuesday Court in March to come and visit and see their friends and relatives that maybe they hadn't seen in a year. And another thing, people raised their own horses, you know. Many people used to have stallions and they used to bring them up to town and exhibit them. It came to be known, Tuesday March court came to be known as 'Stud Horse Day'. Some of you may have heard that. And it was a great day and people came to the court and the courtroom was full. People listened to the court. It was entertainment for them. They don't go now for entertainment to the court, but in those days you didn't have much entertainment."

Audio 29. *John H.T. Briscoe on Court Week being entertainment:*



NEXT WEEK IS COURT WEEK

Everybody is coming to Leonardtown to meet their friends, see the sights and to transact business. The following establishments extend to you a cordial invitation to visit their places of business where you will find them fully prepared to satisfy your needs in their respective lines.

SPEND YOUR MONEY IN SAINT MARY'S COUNTY

J. G. NUTHALL—General Merchandise FOR COURT WEEK ONLY Office 9c lb. Davis 12-oz. Baking Powder 10c can Mary's Co. packed standard Tomatoes 5c can Fat Back 10c lb. 2 lb. box Crackers 15c 2 lb. Assorted Cakes 35c	CLARKS RESTAURANT & BAR Extra Special—During Court Week Only Ice Cream—Three Flavors 15c a Pint	FIRST NATIONAL BANK Leonardtown, Maryland
Lunch At Duke's DURING COURT WEEK Quick Service—Reasonable Prices See Our Display of Easter Candies	BELL MOTOR COMPANY Chevrolet & Oldsmobile Guaranteed Used Cars Priced Right Pearson—Leonardtown	WISE BAR—DUKE BUILDING THREE FEATHERS WHISKEY Reduced from \$1.50 to \$1.00 a Pint BONNIE BRIAR SCOTCH Reduced from \$3.00 to \$2.00 a Fifth These Prices Prevail March 18th to Close of Business March 21st

32. An advertisement for Court Week.

Paul Bailey: "It was so different from today. People in those days considered the court and had a great deal of respect for it, but they considered it a very, very entertaining process and that courtroom would be packed every day. For instance, now if something

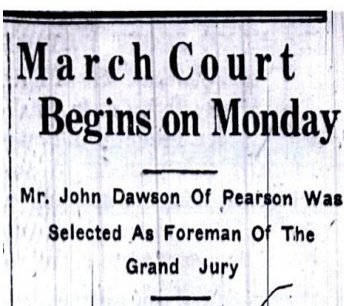
very unusual is happening in the Circuit Court there are very many people there. In those days the courtroom would be packed. There would be stud horses from out of town and there would be market things for sale. A lot of fish, crabs, and oysters. All right in the square. And everyone would be coming to the court and meet the friends and relatives during these incidents. And of course, horse and buggy's were still in use and some people came in on horseback, but the courtroom would be packed. Usually you would have three judges, a local judge, and then two judges from Prince George's County and Charles County. And all the jury cases would be handled which had been pending for months preceding on the third Monday of March or the third Monday of September. And they would finish all of those cases in about two weeks so everyone would come and watch case after case and there were some very important cases, some very serious cases tried. And of course the lawyers had been working for months, working with the witnesses. And many of the cases were very fast. And as you said, it was a carnival atmosphere prevailing and there were oyster scalds and they were selling stud horses in town. And I don't remember ever a disorder in the town. The town was always a very peaceful place. There maybe would be an occasional person get a little out of hand. Usually there was only one or two deputies in the county, but one high sheriff as we called it but they kept perfect order. It was a fascinating time on the third Monday of March when spring was about to start and then the third Monday of September when the weather was cooling up."

Priscilla Duke Wentworth Hall: "When court was in session, anybody that had any interest in just about anything, cars or people or politics. Court Week was when everybody came to town and bought cars, stayed at the hotel. The town would be full of people. I think, if I remember, car dealers were visibly trying to sell their cars. Slot machines were everywhere, drugstores, Duke's, the hotel; so the owner of the Duke's bar or whoever turned the slot machines backwards, they were still on, just backwards and during Court Week, couldn't be played.

Audio 30. Priscilla Duke Wentworth Hall on the festivities when court was in session:



The St. Mary's Beacon, March, 1938



"...The attendance at court this year has been the largest observed for a number of years and the down town section presented all the appearance of a county fair. The display of farm implements was most impressive and the showing of horse, especially the Percheron type of work horse was an event to please farmers and horse lovers.

COURT NEWS

The second day of Court drew the usual large crowd of spectators.

Among the exhibits were many fine horses. Mr. Roy Bell of Pearson was on hand with his beautiful black Belgian stallion; Mr. Matt Trimble of Pearson brought up a handsome gray percheron; Mr. George Weschler of Pearson had on display a white stallion, while Mr. Willard Long drew equal attention with two bay Belgian stallions—all in excellent condition.

There were interesting exhibits of farm machinery. Mr. Wm. D. Mattingly representing Massey Harris Co. had the largest variety.

The Bell Motor Co. had a large McCormick - Deering cultivator; Guy Bros. of Clements demonstrated an "Olivia" Tractor while Bowling and Mudd of Bryantown came to town with an Allis-Chalmers harvester and two tractors.

"How are you." "Glad to see you." "You're looking fine" all these and more were the greetings here and there as friends met, perhaps for the first time since last Court, perhaps for the last time before the Great Court—who knows?

The local merchants displayed their various wares in as attractive manner as possible, and the crowd appeared to be supplied with the wherewithal to purchase what they wanted.

All in all it was a big time in the old town and even the weather man was on hand with that sort of a day that made you glad just to be alive.

Court time is a big time and the county seat is a great little town.

"Ideal weather has been enjoyed so far, in fact Tuesday last was a spring day all day long with the temperature above 80 degrees.

"Many out of town visitors were present and besides the old timers many new faces were observed."

From the St. Mary's Beacon, March 1st, 1940:

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"...Court time is a big time and the county seat is a great little town."

The St. Mary's Beacon, March 19, 1943



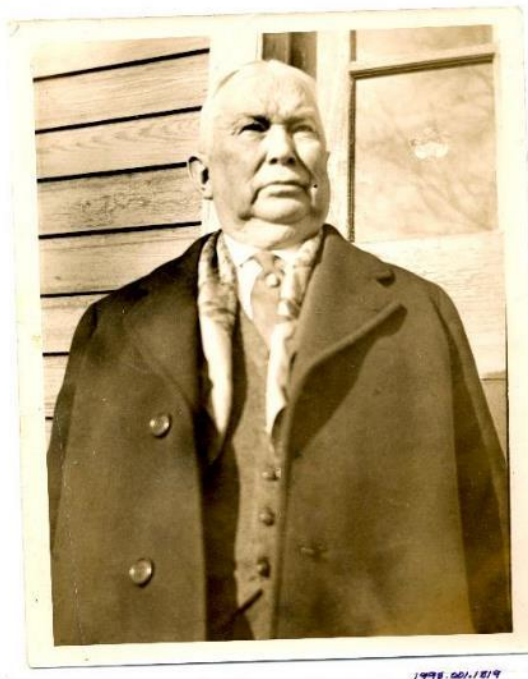
"March Court Tuesday was definitely a different day from similar gala opportunities of the past years. There was little activity on the green and the farm implements usually displayed were few and far between and were not for sale, just museum pieces on display to be admired. No horses were paraded and there were many absentees because of the shortage of gasoline and tires, the draft, and toil exacted by Father Time.

"All in all March Court Tuesday, 1943 grimly impressed the fact that Democracy is engaged in a gigantic struggle that disrupts the even tenor of our way.

"On the streets and among the crowd the necessity for either renovation of the present jail or the erection of a new one was frequently heard. Farmers were bitterly complaining about the scarcity of labor and the lack of equipment for increased production and a few agreed with the writer that the scarcity of coffee and sugar is too bad.

"The banks seemingly were doing a thriving business but the general merchant stores were not crowded.

"March Court Tuesday without horses – who ever heard of such a condition."



33. Claude Lloyd. A St. Mary's Countian who attended every first Tuesday March Court for over 50 years.

The St. Mary's Beacon, March 18, 1949

Convenes Monday, March 21st.
With Judge John B. Gray On The Bench
W. S. Donaldson Selected Foreman Of Grand Jury,

"...On Tuesday the lower square of town was occupied by a splendid display of farm and dairy equipment. Many interested inspectors viewed this fine array which is the best since the beginning of World War II.

"The usual crowd was in town for the 'big day' the merchants were busy and old friends were happy to renew acquaintances. Alas, many of the 'older folk' now happily at rest, were missed by the few remaining older generation. New faces take their place, new interfaces take their place, new interests grow – and time marches on."

Stud Horse Day

Richard Mattingly: "Used to have a day called Stud Horse Tuesday, too. First Tuesday

in March Court. Everybody used to bring their stud horses into town for them to look 'em over...It was a birthday at March Court and of course at that time we had semester break. We had some hard going that's what we had."

Al Gough: "'Stud horse Tuesday' or 'Stud Horse Day'; I remember coming across the Stud horse docket, and I think it has been shipped off to Annapolis. The court did call it the 'stud horse docket,' that was the title that was on it. 'Stud horse Tuesday' was held in conjunction with March Court. March Court was a big deal, a big celebration. In later years the bootleggers from Charles County would come down, and they would have big poker games at Hotel St. Mary's during March Court. But out of respect for the Court, they would turn the slot machines to the wall."

HANNIS BEDWORTH.



Hannis Bedworth, chestnut stallion standing 15¹/₂ hands high, 7 years old and weighs 1200 pounds.

His breeding is the very best that has yet been attained in the harness horse.

Hannis Bedworth is by Cooper's Hannis, so well known in the Northern Neck of Virginia. Cooper's Hannis is by Garrison (6591) he by Orange Blossom (238) he by Middletown (152) he by Hambleronian (10) First dam of Hannis is Lady Mason by Hannis (821) he by Mambrino Pilot (29) he by Mambrino Chief (11) Hannis Bedworth's dam is Miss Marie by Bedworth (20904) out of a Young Druid mare. Bedworth (20904) by Wildnut [13472] he by Woodnut [5334] he by Nutwood [600] he by Belmont [64].

Hannis Bedworth is a half brother to Hannis Boy, record 2:12 and of Alice M., who won the Free for All so handily at the Leonardtown track. He will make the season in St. Mary's County, Md. for the year of 1912, at \$10. This is a great chance to breed to a blooded horse.

Season money payable July 1, 1914

Note his breeding when considering speed. He comes of a line that has reduced records ranging from 2.30 to 2.06.

In this stallion, are combined the finest strains of breeding that this country has ever produced. He shows from his actions, his carriage and general appearance.

For further information, address,
HENRY A. BISCOE,
Valley Lee, Md.



35. Stud Horse Tuesday.

34. An advertisement for "Hannis Bedworth," a chestnut stallion that would be displayed at Stud Horse Day.



36. A horse in Leonardtown on Stud Horse Day.

RECORD COPY OF MATERIAL FROM THE CHARLES E. FENWICK COLLECTION

State of Maryland, St. Mary's County, to wit.
 I hereby file claims against the following parties
 for services of my Stallion "Teere" to the Mares
 March 1909. of the several parties named below, Season 1909

	1	James Adams,	1 Grey Mare.	\$ 5.50
" 24 th "	2	Galvrit Raley,	1 Black "	" 5.50
" 26"	3	Saml. Smoot,	1 Bay "	" 5.50
Apr. 10"	4	Ed. Adams,	1 Sorrel "	" 5.00
May 1"	5	Peter Cameron,	1 " "	" 5.00
" 15"	6	Fred. Hyer,	1 Bay "	" 5.00
" 27"	7	Robt. Garner,	1 " "	" 5.00
" 29"	8	Ed. Adams,	1 " "	" 5.00
" "	9	Thomas Dean,	1 " "	" 5.00
" 31"	10	G. R. Watts,	1 Sorrel "	" 5.00
Aug. 20	11	Sam. Kaud	1 Bay "	" 5.00

List of Owners of Mares
 served by E. F. Watts
 Horse "Teere" Season
 1909, Leno-in name.

37. A lien for stud services.

THE CIRCUIT COURT For Saint Mary's County, Maryland

Hon. Walter J. Mitchell, Chief Judge
LaPlata
Hon. Joseph C. Mattingly, Associate Judge
Upper Marlboro
Hon. William M. Loker, Associate Judge
Leonardtown

C. BENEDICT GREENWELL, Clerk
TELEPHONE: LEONARDTOWN 43
Leonardtown, Maryland

TERMS OF COURT
Third Monday in March - Jury
First Monday in June
Third Monday in September - Jury
First Monday in December

May 27, 1939

Stallions and Jackass Statement

Name: PRINCE
Age: 8 years old
Pedigree: Unknown
Description: Gray, weight about 1880 lbs.
Terms: \$10.00 open chance, \$15.00 insured.

Witness
Henry Tanalier

Wm. Hayden Morgan
his
mark Owner.

Filed May 27, 1939.

RECORD COPY OF MATERIAL FROM THE CHARLES E. FENWICK COLLECTION

38. An example of an agreement filed at the courthouse on Stud Horse Day.

George Peter Wigginton: "I guess you know about the March and September convening of the grand jury and that was a huge deal in Leonardtown. Stud Horse Tuesday. People brought their horses to town, their stud horses and paraded them around and they also brought farm equipment. Set it out in the town square to show people what was for sale. You could make a presentation, a sales pitch. And that went on until I was well into my teens."

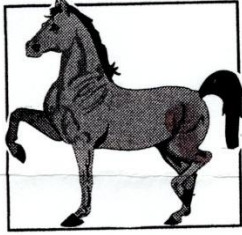
Charles Fenwick: "Of course the Bell's, Ernest and Webster Bell, born and raised there [on Cedar Point]; their father had a farm there and we called him 'stud horse man.' He

had a stud horse and would bring it to the first Tuesday in court which we called 'Stud Horse Day.' All the farmers would come in and they would make their appointments with Mister Bell to bring that horse to their farm on a certain day. It was a tradition that everybody came to town on the first Tuesday in court and that was the day that the farmers and people put their plows out in the center part in town on display, their tractors when they started having them, and their appointments. And you couldn't find a parking place in Leonardtown. Everyone had a horse tied up or something and a buggy and then later cars were the same thing. This happened just once a year, once a year. And all they had was the first Tuesday in March Court and the first Tuesday in September Court, but March court was the big one because the farmers were getting ready to plant their crops. September Court, right few would come, right many, more than just coming to court, but not the big crowd you'd have on the first Tuesday of March Court."

Audio 31. *Charles Fenwick on Stud Horse Week:*



39. Not a horse, but a picture from Stud Horse Day nevertheless.



Stud-Horse Day in Leonardtown

Editorial, Enterprise, March 18, 1954

40. An article remembering Stud Horse Day.

Article Courtesy of St. Mary's Chronicles

"The first Tuesday after the third Monday, used to be 'The Day' for St. Mary's County. It was locally known as 'Stud-Horse Day'. It marked the time when the big cases were tried in the Circuit Court at Leonardtown, for the March Term of Court.

"Actually the trials were incidental. People came to Leonardtown from all over the County. Drummers, agents, gamblers, traders of every description flocked to the County Seat for a chance to turn a fast dollar.

"Beribboned stallions pranced through the streets drawing road carts, and admiring or envious eyes of the onlooking throngs. In the town square it was difficult for even pedestrians to pass through the crowds. Hundreds of buggies, carriages, sulkies, wagons, carts, and nondescript vehicles overflowed the town. Yokes of oxen placidly chewed their cud as they waited patiently on vacant lots and back streets. Enterprising local folk served oysters, roast fresh pork, roast lamb, fried chicken, and some famous Maryland dishes to the milling thousands. The strain of the demands of healthy appetites was more than the local restaurants could satisfy.

"Above the clangor, of hammers and the roar of forges at Mattinglys' the cries of friends greeting after a year apart swelled the chorus of voices and awakened the echoes of the past in the historic city of Maryland's Parent County.

"Old Leonardtown really buzzed on that Day. The old Hotel overflowed, and old friends renewed acquaintances and made new ones. Maryland is a state of traders and everyone tried to outdo his neighbor. Farm machinery was displayed, methods and prices discussed. Watermen told the same tall tales. It was a day to remember.

"Today there a few vestiges are left. Old-timers say the glamour is gone, and with it the fun and a County tradition. On this past Tuesday the Circuit Court was in session, a large display of modern farm machinery graced the park. A trickle of visitors, by comparison to the old days, was in town. Queries, opinions and jokes about the coming elections and Fulton Lewis were the theme of most conversations."

Paul Bailey



41. John Hanson Briscoe and Paul J. Bailey at the St. Mary's County courthouse.

In Memoriam

Mr. Dorsey: "May it please the Court, at this time I would like to call on Senator Paul Bailey."

Mr. Paul J Bailey: "May it please the Court: All of us will have a word, as those have gone before, in support of the resolution before your honors."

"There are thousands of things that all of us could tell, thousands of thoughts that all of us could express, with regard to our dear departed brother, Aloysius King; but in all of our minds there is no doubt some little incident, some, one quality that stands out, just as my brother John Briscoe has described as to his loyalty, and the beautiful résumé that Judge Loker gave. I shall mention but one, and therefore I trust not to interfere or overlap my thoughts of the others who will speak after me."

"That one characteristic that to me was the most important was his charity. Aloysius King typified the true Southern Maryland gentleman. St. Mary's County, of course, as the mother county is the leading Southern Maryland County. Aloysius King, above all men I have ever met in Southern Maryland, typified that charity that really is the root, the real reason for speaking to everyone, and speaking no evil of any one. When you would be talking with Aloysius King on the street, and he was there daily, in the course of attending to his work, each person that went by, in either direction, received a pleasant and genuinely friendly greeting from him. There is nothing in life that is more delightful than to be spoken to by a person who may not even know you; and Aloysius did not have to know the passer-by, and thereby his greeting was more charitable and the more beautiful, the more typical of St. Mary's County and of Southern Maryland."

"This is one of the few spots in the world where, even today, everybody speaks to everybody, that tribute we pay to a fellow human when he is walking by, to recognize him as a fellow human, to say, 'good morning, how are you this morning.' I know of no place on earth where that feeling has lasted into these so-called modern times as thoroughly as it has here. Aloysius was typical of that. That was his charity, friendliness towards all."

"That, no doubt, was the root and reason why he did not care for litigation; none of us lawyers really care for litigation; it often is bitter, it often is wildly unsettled, and seldom satisfying. Aloysius chose the best part, the charitable part, the friendly and loving part; for all he knew, for all with whom he was connected, he was charitable."

"We are all going to miss Aloysius. May the Almighty give us many more men just like Aloysius King."

Early Years and Education

Paul Bailey: "We were living in northeast Washington. My father was a fireman at Number 10 Engine Company on Maryland Avenue.

"In most summers, we kids were spending with our parents and family, our summers down here in Clements on the farm known as Aunt Mary's. It belonged to my mother's sister which I still own right today, which we still own, and then I bought another farm next to it."

Video 2. [Paul Bailey on his childhood in Washington and his early start with playing music](#)

Henry "Bud" Virts: "They would always come down here because I know that one story is at Hurry's store in Clements. The old Hurry store and Mr. Hurry had gotten one of the first outboards that had ever existed in St. Mary's County. The kind you wound up, and he let Paul and three of his buddies take that out through the marsh. That's when it's still navigable at Clements you know. And they got about ,oh, a hundred yards off shore and the damn thing caught on fire. All the boys jumped overboard. So they, thereafter they called it the overboard motor instead of the outboard."

Audio 32. *Bud Virts describes Paul Bailey's leisure time:*



Joseph A. Mattingly, Jr.: "He was a great lawyer and he was a hell of a guy, too. He graduated from American University, went to American University because it was the only place that would let him in for law school because he could not make an 8 o'clock in the morning class because he was working and sometimes, these embassy parties and stuff, they didn't get finished until 2 and 3 o'clock in the morning. He went to law school when it was predominately a girl's school. He graduated in 1933 and was handed his diploma by Eleanor Roosevelt. And at that point, he wanted to return to St. Mary's County, and fortunately at that point, Kingsley Love, who was a Republican, had a place for him. So he came down and started practicing with Kingsley Love and that's how he became a Republican. At least that's what he told me."

Henry "Bud" Virts: "He was born in Morganza... in 1905. He went to the Washington College of Law which is American University now. They allowed him to take courses when he needed to as it was convenient to him. He was a full time musician. He was living in D.C. back and forth."

"He was always proud that Eleanor Roosevelt gave him his law diploma, at Washington College of Law. I think he went right to law school. You didn't need to go to college first. They were smart enough. Once he got his law degree he would intermittently play with the band before he established a law practice in Leonardtown."

Video 3. *Paul Bailey on enrolling in law school*

Paul Bailey: “I had a wonderful career as a musician. I was a clarinet player and I played saxophone too. I started when I was about 6, and I had been in the United States Navy band and I had been a private musician for the Meyer Davis organization. I started with Meyer Davis when I was 14 and when I was in the Navy Band, my health had begun to fail. I had number of nervous problems, and I was worried about my future. I then had a little bit of property in Saint Mary’s. Now it is my home, my birthplace and I wanted to come back to live a healthy outdoor life. I love the outdoors as you know that. And I wanted to come home because of that reason. I had talked to my physician, Dr. John Horton; I discussed it with him and I mentioned that I wanted to live in the country. I wanted to go back to college; I wanted to study and to have a good future down here in my home in Saint Mary’s. And Dr. Horton said, ‘for one, you’re too nervous to be more than a musician or’ and this was a surprise ‘a lawyer.’ He said you don’t have to take law seriously; you may have peoples’ lives in your hands, but not in the same way a doctor does. John said ‘I suggest the law’. It was Dr. John Horton who lived down on North Capital Street in Washington D.C. who suggested to me that I study law.

“Well, you could become a lawyer in two ways in those days. You could study with a lawyer and learn the law as we called it with him as a solemn apprentice and then take the Bar examination and before I had never seen it done but I understood by Judge Loker that you could become a member of the Bar by having a stand-up examination in the open court in Leonardtown. But anyway, in the days when I tried and started in and was successful in passing the Bar, I inquired in inner Washington D.C., where I was still in the Navy band at that time. I was going to get out; if I could go back to college and I could find no law school or college, morning and evening as I would have to give professions up. I was doing radio work at the time. So finally I heard about the Washington College of Law which was a women’s college. They had started a college of their own, because they had been so discriminated against in getting in law and into medical school. And they said, ‘Oh yeah, you can come to our college. You can come night or day. Whatever suits your programs.’ And they said, ‘We will help you with the professor’s notes, so that you can come to our college.’ So Helen Spencer, then the dean of the Washington College of Law, which is now a part of American University, started me out in college by giving me a chance to, let’s say, compete against many fine women. They had eleven men who went to that class that I entered and about 35-40 women. And I enjoyed it very much because they were trying to overcome the discrimination at that point against women, and I was trying to overcome the discrimination against sick people.”

Early Music Career



42. Paul J. Bailey, in uniform, as part of the United States Navy Band.

Paul Bailey served in the U.S. Navy, playing in the Navy Band as clarinet and saxophone soloist. He was also a saxophonist with the Meyer Davis Orchestra from 1919 to 1946.

Paul Bailey: "In 1924 when, I was actually playing in the musical business and profession with Meyer Davis, one of my first beautiful out of town jobs was at the Jefferson Hotel. I was about eighteen or nineteen years old. And I'll never forget when I got off, I never drove a car. Went there on a train from Washington, and when I got out of the, off the train, caught a cab up to the Jefferson Hotel."

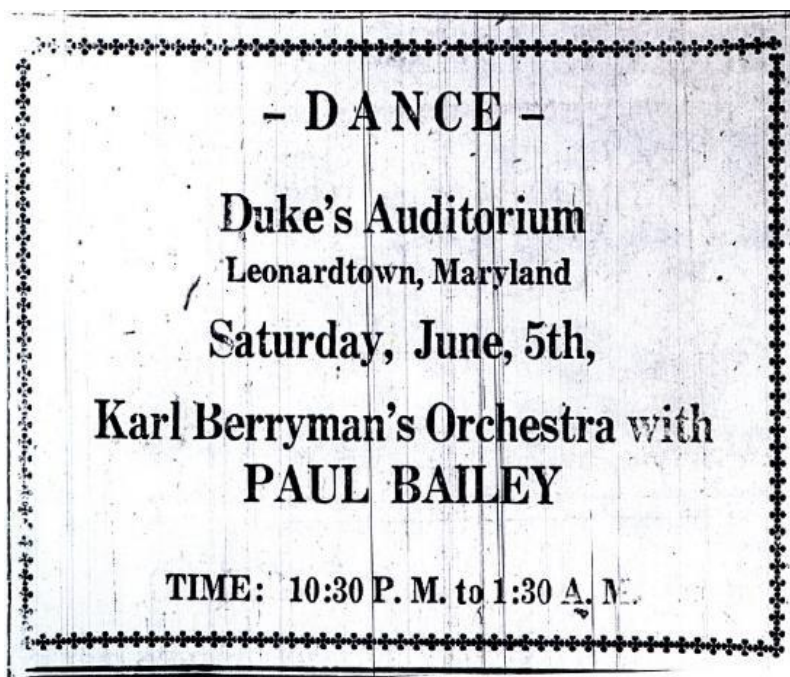
Henry "Bud" Virts: "He was in the Navy also; he was in the U.S. Navy Band in World War I. He was the saxophone soloist in the U.S. Navy Band. That was the big band. In 1927, he would've been 26 in this photo."

Paul Bailey: "I had been called to the draft, didn't pass because I was weak from typhoid. I had been called up, though; we went to Baltimore to be examined."

Henry "Bud" Virts: "I was telling you about my natural dad, Henry Alan Virts, Sr. and Paul Bailey. They both, in the twenties, they both played for Myer Davis Orchestras. The society band of the East Coast, Philadelphia to Atlanta, and they both played the Sax and the clarinet, my natural father and Paul. They were great friends until my dad's death in 1938.

"The land of the fiddle and the flask. That's what he, Bailey, always called it. The land of the fiddle and the flask. The fiddle, music, happiness. And the flask; drink, right. The land of the fiddle and the flask. Well, he was an exceptionally fine man. He was a clarinetist. He loved to do it. He did it all his life."

Music Career during His Early Legal Career



44. Paul Bailey Performing at Duke's, June 5th, 1937.



43. Paul Bailey Performing June 26th, 1937.

Paul Bailey: "But I continued always with my music, say seven or eight years after I came home to practice law in the thirties, because I had been sick. I owed a lot of money to our present Judge Briscoe's mother, who sat with me for close to four months and saved my life. She gave me bullion cubes and strained orange juice, because when you have typhoid you starve to death or die of hemorrhaging. Fortunately, I didn't have any of the hemorrhaging because I had these repeated shots in the Navy for typhoid fever. So the Navy and our present Judge Briscoe's mother and constant attention saved my life at Saint Mary's Hospital. But, make a long story short, I loved the music. I made much more money out of that than I did out of the practice of law, writing deeds for five dollars apiece, more just for less than that sometimes. And anyway, the practice was not very lucrative, but I had a beautiful garden at all times. I caught oysters and fished and to feed my family and so on, which was small, my mother was with me a lot and my then first wife was with me a lot, of course all the time. And so, between the music, playing locally and in the embassies and traveling with the Meyer Davis Orchestra, and the practice of law, I was well able to survive and bought my first farm mostly with money made playing the clarinet. Well, my nights playing music, my days practicing law. And if I had been playing music all night, the night before in Washington or Baltimore or

Richmond, I'd get a little sleep and go to my law office, and I didn't have much work, of course, I'd get there about ten or eleven the next day and continue with my practice. Now all my days practically were spent in the law office and many and sometimes all of my nights playing music. And it was kind of hard riding up and down the road, but plenty of people do that today in their various professions. So I made out alright.

Audio 33. *Paul Bailey on practicing his music:*



"After I came back to practice law, I'd been playing with Meyer Davis for years before that. But when I came back after finishing my education and passing the Bars, you speak of the thirties, of course, I came back home here to practice law, I passed the District Bar in 1933 and the Maryland State Bar in 1935. I still continued with my music because I only made, I have no hesitation to tell you, somewhere between seven hundred, eight hundred to a couple thousand a year in the law profession. But I was paid very substantially for playing with the union orchestra in and around Washington, in the theaters, in the embassies, and I continued to play with some local musicians."

Audio 34. *Paul Bailey on getting on practicing law and playing music:*



Video 4. [*Paul Bailey and his early legal career*](#)

Justice of Peace Bailey

Paul Bailey was also a Justice of the Peace.

C. Clarke Raley: "Yeah they dealt with some kind of, I guess, neighborhood disputes and stuff like that. We had, I remember a guy down at Ridge, they called him Judge Curley but they said he conducted court in his house, and I guess that's what he was, a Justice of the Peace."

St. Mary's Countian, "Former Senator Paul Bailey." April 11, 1990

"Phil Dorsey and I were dear friends right from the start when I first came home to the county," Mr. Bailey explained. Mr. Dorsey, a practicing lawyer himself then, talked Mr. Bailey into taking the Maryland Bar. He took a mail course and passed the first time. That brought to three the number of defense attorneys in the county: Mr. Bailey, Mr. Dorsey, and C. Henry Camalier. John H. T. Briscoe was prosecutor.

"So Mr. Bailey settled down to the life of a county lawyer. He also acted as a local Justice of the Peace in the Seventh District, hearing cases in such places as Hurry's Store and Old Gum Tavern. Then, "In 1946, Dorsey and I were in contact every day, because of our

friendship, you understand; it had nothing to do with law. He was never my partner. I never handled a case with him. We were just great friends. One of the reasons for that friendship was that my partner, A. Kingsley Love, had gone to and graduated from Charlotte Hall Military Academy and so had Dorsey. So those two were often in my office. You see, you didn't have much work. All you did was sit around and talk every day. There was nothing going on."

The Enterprise, "Holding Court at Crab Feasts, Bailey Dispensed Justice to Keep Peace", February 22, 1991



"I passed the Maryland Bar, but during that period I had a lot of experience as an old time justice of the peace, and I made fees out of that. You tried cases in the local stores.

"People around [St. Mary's Seventh District] knew me, that I was a lawyer in Washington. I oystered, I fished and worked my garden and worked on some of the farms. They were all either related to me or they were my neighbors.

"And our present Judge [John Hanson] Briscoe's father was then the state's attorney all during that era, and he could move his cases around the county. Lots of cases he had from other districts, he'd move them over to my house and we'd try'em right there at home. People would come, and we had a great time.

"I probably made \$400 or \$500 a year for being justice of the peace. The fees were usually a dollar and a quarter for each case, and you could sit for hours. There was no law that said where you'd sit. I often had [court sessions] at my house, and if it was hot, out on the lawn, and you'd have crabs to eat, of course, and you'd have fish dinners. When you were at the stores, the stores would make and sell a great many meals.

"Most of my cases were assault and battery, now and then a theft case. People would come to us with their domestic troubles,...usually on account of too much drinking. I could never find any documented power of it in any of the codes, but we had the power to swear a person off of alcohol. The husband would make an oath in your presence that he would stop drinking, and you made him sign a place in your little docket.

"Of course, divorces around here were practically unknown in those days. I think there would be one or two granted a year."

Paul Bailey: "Yes, I was one of them. They called us Justices of the Peace and those who wanted to make fun of us called us 'Pieces of Justice.' I was the Justice of the Peace for the Seventh District. Originally the Seventh District that was marked on the map was Medley's Neck Road. Seventh District always had the reputation for being a little bit rough, but that was not so at all. I was the justice of the peace over there for years and I found the people there are very loving and very concerned about the welfare of their families. And were deeply religious people. Lead good and interesting

lives, very industrious, all watermen and farmers, of course. I enjoyed my four years over there very much. And at that time, John Briscoe, of course, was our fine States Attorney. And we used to have trials at our houses, had trials right in my front yard down there in Seventh District. And Judge Briscoe would move cases over that way because he liked a very fine meal of steamed crabs or fried fish. So we would have our cases there and he would remove cases from other districts as we called them, and we had a great time, and I would sit there sometimes, and if the lawyers weren't happy with what I did during a case they'd say, 'Paul, we hope sometime you will try cases over here bringing your music instead of your law book.' We had a lot of fun trying cases all over the county under the old Justice of the Peace system. They had many liberties and we did all that we pleased. As the late Judge Briscoe said, he found in one of our old Justice of the Peace practice books a statement often quoted in trying cases: 'The Justice of the Peace should try cases according to the equity and the right of the matter.' That is actually in existence in some of the old cases, and the Justice of the Peace could ignore the law, he could ignore the facts, to bring about a correct result."

Video 5. [Paul Bailey on his service as a Trial Magistrate](#)

Taking Land for the Naval Air Station

Paul Bailey: "The United States and the military of this country had been interested way back in Civil War days in establishing some sort of a military establishment at Cedar Point on the Patuxent River because of its tremendous harbor facilities, which really none of us in St. Mary's before the taking of the place where the air station now stands, none of us really knew that. We knew it was a beautiful harbor, and we knew that the Patuxent River was over a hundred feet deep there, and we knew that it was inland and that the river was narrow at that point, and that it was perfect, a perfect location for a harbor near the base and all. But we just never knew of its situation as compared to other harbors in the world. We didn't know that.

"Now, Phil Dorsey, Congressman Sasscer, and I, and all of the people who felt about the preservation of some of the beautiful things of this county, we sat down in the absence of the landowners and discussed it in depth. This was before I was taken so sick. And we knew then that perhaps this was the best solution to what we might have had if we hadn't had a military base there. Which later came up, in later years, when I was in the Senate, about making a deep water port there, which would have competed with the harbor at Baltimore City, which is still one of the finest in the world and which we favored as Marylanders, because the harbor was already there.

“But I love to talk about this because it's one, it is the major land change and, let's say, living change in St. Mary's, when the government took thousands of acres and established that air station. We all then, that is those of us who were what you might call local leaders if you wish, we were lawyers and so on, we decided that certainly it would be better to see a great military base here in this county than having a deep water port. So, we went along and helped in every way we could. There was a lieutenant sent down here, a naval lieutenant, a lawyer of course, who was in charge of the condemnations. And Phil Dorsey and I worked closely with him in trying to get as many voluntary sales as we could to the government. But there was some of course, who would not agree to that. The big owners from New York, I think one of them is from Chicago, and from Washington, DC, owned the big tracts of land connected and together and being in the area of proximity and called Cedar Point. They wouldn't go along. They all insisted on being condemned. Of course, I'm sure you realize, I didn't represent any of them. They had big lawyers, not small lawyers like Phil Dorsey and Paul Bailey.

Audio 35. *Paul Bailey on changes in St. Mary's County:*



“The condemnations started at Cedar Point. I represented at least three or four prominent landowners there, not the biggest, but they were prominent. And I filed appearances in our Circuit Court to answer the condemnation cases, which were all filed together and are still in our courthouse as a mass filing of condemnation cases of the largest piece of that type of farm land. Now, I hadn't run for the Senate yet. I didn't run until 1946, but I was regarded as a sort of upper of everyone, and Phil Dorsey and I were very heavily and constantly consulted by our Congressman, who was hoping that the friction would be light and the disappointment would be light, to most of our people as to it. Well, of course, I was taken sick with typhoid fever in '42. I'm telling you about the situation was before forty-two. The people, when they heard of it, were very, very saddened. Those who owned big tracts of land, by telling them, 'Well, look who owns most of that land. It is—they're foreigners. They're people from New York, Washington, even one or two, I think, Chicago.' We went in sort of a caravan of automobiles up to see Sasscer, the Congressman. And see if there was any way they could stop it. Well, of course, Mr. Dorsey and I, though we knew you couldn't stop it, we went as being the closest people to Congressman Sasscer. And I guess we were.”

“Only once it became established and so many people were feeling the benefits of it, and it wasn't doing any real harm here to any of us, you see, you must remember that the vast acreage down there was owned by farmers, let us say. So, we could care less you know what I mean. I bet I'm the only person that lived and worked in

Leonardtown who ever fished on those farms and in those creeks, and I never saw any other than Judge [John H.T.] Briscoe, who took me down there to go fishing in those creeks, walk around that beautiful land, when I was only there doing that. I don't recall ever seeing any other of our Navy people around. It was an area, let's say more or less foreclosed back in those days to most of our native people who wouldn't hesitate to visit me on my farm, and I've always lived on the water. In other words, you know, there is a big difference between a New York millionaire who owns a thousand acres or so at Cedar Point, than there is between Paul Bailey who lives on a relatively small farm somewhere away from that area. Big difference.

“And then, later on, to show you that what we felt like turned out to be completely true, there was a very serious effort to build a deep water harbor at... let me call it Myrtle Point, near, not far from the air station. And that would have polluted and ruined that whole area, in my opinion. But the air station was there, and they objected to that deep water port. Well, anyway, let's put it this way, that later there was a serious effort, which, which really had some momentum, to put a deep water port in the Patuxent, just above the air station. Of course, the air station was absolutely opposed to that. They didn't want anything like the Baltimore harbor, which I'm sorry to say is a filthy area. They didn't want anything like that in the Patuxent River. And certainly our people who were enjoying the wonderful fishing in the Patuxent, and the wonderful area that it was and is. They didn't want anything like that here. So, the establishment of the air station at Patuxent River removed thousands of acres of our finest land and estates from our local owning and from many people who owned property who lived abroad. It has turned out to be, in my humble opinion, a blessing. So the air station, in brief, has been a beautiful matter of preservation of the beauty and cleanliness of the Patuxent River and of this county. They helped us to beat the potential deep water harbor near them.

Audio 36. *Paul Bailey on the effects of the base on St. Mary's County:*



Practicing with Joseph Weiner and Kingsley Love

Henry “Bud” Virts: “He set his practice up in Leonardtown. It was the old hotel I believe, practiced with Kingsley Love, not as a partner but as an associate; I don’t know how it was arranged. Kingsley Love was a wonderful gentleman, and he practiced law there for many, many years. Kingsley Love was from the county, Loveville.

“They practiced general law, whatever walked in the door. And that was really before he got into his criminal law reputation. Paul started by doing anything that came in the door and continued that until he died. [When asked what Paul Bailey was paid for

his cases, Bud Virts says] 'I just know that after he and my mother were married', she said 'Paul, you've got to have people pay you.' People would come in and if they couldn't pay him he didn't care. Exceptionally good lawyer."

John Mudd: "Paul Bailey and Joe Weiner were some kind of business associates."

Ted Weiner: "Paul was great. Paul would be sitting around and kind of wondering. Dad would be all prep, got to go do this, got to interview this, you know. Dad would throw Paul in the car, and he would listen to all of it, and Dad would be repeating it over and over, getting everyone ready. But Paul would sit there and just have a beautiful articulation of words. He'd find a few things to hone in on and he'd pick three or four things out of the course of a case and he'd weld them all together. He'd had such a beautiful voice to hear. The way he worded things, it wasn't talking down to people but very flowing and articulate. He had just a beautiful voice.

"They always have been described to work cases together or sharing an office space. But to be honest with you, Paul couldn't keep 10 cents together. He was never organized. Dad was a business man and an attorney. And honestly, Paul worked for dad, truth be told. I mean, Paul when dad is doing business, Paul is gardening or fishing and playing the clarinet. These would all be fruitless pursuits to my dad."

Paul Bailey: "My first case, I would like to say it was a jury case. Cause the Jury only met twice a year in Saint Mary's. And that was the third Monday of March and the third Monday of September. In those days, we called them 'filiality' cases, now they're called paternity cases. A much higher founded name, of course. And the late John H.T. Briscoe was then the States Attorney and he tried the case for the State and I defended the young man who was charged with being the legit father of this child. I shall never forget the case because John Henry Thomas Briscoe, he was the father, of course, of our present Circuit Court judge. Mr. Briscoe tried the case very actively, cross examined the witnesses of course. Both of us, we got along fine during the case. And Mr. Briscoe got up and argued before the jury for two minutes and said, 'What does Paul Bailey know about who might be the father of this child? Paul Bailey has no children, we all know that. He has no natural children, and so I am sure he doesn't know much about this case. And I think the defendant is guilty and should be found guilty.' Well I got up and said the best I could with it, but the jury found the man guilty. And you know, I've never won a paternity case in my life. I'll never forget that case, because John Briscoe by the way he made \$800 as he is being States Attorney for many years. And he was very prominent and active and a successful lawyer. And he gave me a good shilling."

When Not in the Courtroom

The Enterprise

“Jean Buckler worked with Bailey as his legal secretary for the last 28 years of his 62-year practice. ‘He always has a story for whatever particular kind of case we were working on,’ Buckler said. ‘He always had to interrupt dictations to tell you a story’.”

Norma Dawson: “Paul Bailey. How could we forget Paul Bailey? Mr. Bailey was a character, as we know. He was congenial. He stopped by the office to talk. If he had some business, he would transact that, but he would always stay a little while and chat. He had this little jingle he used to sing; I have it recorded on tape somewhere. But he would sing ‘The Consumpter’s Song’ or something. I think it was the ‘Consumpter’ because they referred to tuberculosis as consumption. And it was this little ditty that he had about a guy who had consumption. It was the funniest thing and to hear him sing it. At the end of every line he would make this noise. It was so funny! I’ll never forget Paul Bailey. He loved talking about the days before. He played professionally at one time. Of course, at Christmas time, he would always bring his clarinet over. These were the early days when we had the old Christmas party; he’d always be with his clarinet. He was easy to do work with. But I remember once, I had to go over to his office for something, take something or ask him something, I don’t remember. But I’d never been in his office. So you go up a couple steps to his office and that typewriter he had must have been from the 1800s, I mean it was antique. It was just... I thought. And he types, he pecks on that thing all the time. He carried it with him; he carried that stupid typewriter with him if he was going to go to someone’s house, he’d take the typewriter to type. He was something else. And, of course, as many people know, his voice. I mean many people said he should have been a preacher. In the courtroom, because I’ve heard him on cases, you might have too, he was very persuasive. I mean he would have you thinking, ‘Well of course, how can we think anything else?’ Naturally, his voice just had this way about him. He was something else. So I do remember him.”

Audio 37. *Norma Dawson on Paul Bailey’s skills as an orator:*



John Mudd: “I think he had a little Tom Thumb typewriter and kept notes on a teeny piece of paper, never had any file notes, but he could charm the snakes out of Ireland in terms of his oratory. I think he was representing this Jewish fellow this one time, and I

think he said 'My client is a diminutive son of Israel.' That's how he referred to him. He always could make a silk purse out of a sow's ear. He was good before the jury."

Deborah Arnold: "I worked in the law firm, Bailey, Bailey, and Broms. Paul, John, and then Will Broms. That would've been 1974, I think I was there about 5 years. In the meantime, the firm dissolved, and I stayed with Will Broms for a couple of years, then I went with juvenile services. But Senator Bailey, he never fussed at any of us girls, never. He saw everybody that came in; even if he was busy, he made a little time to see everybody that came to see him. He would come in the door, you would hear him on the street and he would come in, "It's only me! I'm here! I'm here!" and check in with Jean, his secretary. [Jean] Buckler, was his secretary. And check in with her and he was always available if any of us had a question. But he was very special. He was an entertainment, he really was. Yes, he told a lot of stories on himself and there were days when he wouldn't be around, he would be in Annapolis. We always knew when he came in the morning; well, he always dressed nice, but he was a little spiffier than usual and we would know he was going up the road that day.

"People would come in to see Mr. Bailey and they would have some little picky issue over some little issue with them, that was important to them, and nobody else I know would fool with them. They would just send them on their way. But he would take time and listen to them, sit down, give them a little thing, and then have them...he didn't just brush them off. He listened to them; if there was something he could do for them, he would do it; but if he couldn't, he at least gave them the courtesy of listening to them."

Q: How did he manage a law office while being in the legislature?

"Well, it was a firm. His nephew, John, was there. His nephew mostly did the settlement work, the title work, and they just worked it out. They all worked together and they all got along good and we just managed. I think, John, he depended on John a lot to help.

"Oh, Bailey did that [typed up the sides of paper], I worked in his office and he had a little teeny, ancient typewriter. It wasn't very big. He also could type his own pleading and he would not waste any paper. He would go right up the side, up over the top, and down the other side. It was intriguing. It was so cool. And it worked. He filed it."

Audio 38. *Deborah Arnold on Paul Bailey:*



Frank Olmsted: “Paul Bailey use to do all his typing himself. You could look at a paper across the room and tell that it was a Paul Bailey paper. He had a battered old type writer that just didn’t work real well, whether you... finished product was not all that great and you could tell it. Right away that’s a Paul Bailey letter document. But Paul was a great lawyer. Paul Bailey was a wonderful lawyer.”

Audio 39. *Frank Olmsted on Paul Bailey and office technology:*



Ruth Sterling Heinssen: “Oh my God, Senator Bailey. God love him. He was right above us, and you knew when he got back, because he had to go up the stairs. He was just a hoot. Senator Bailey was so full of stuff, he was funny.

“He would do his court work in the morning, you know; he was always in court. Then he would do his real estate settlements in the afternoon. And I just remember him walking up the stairs one day and he said, ‘Jean, open up the windows. Stoltzfus boys are coming.’ Because when you had the Amish come in, God love ‘em, but they came in straight from work, and if it was on a hot day, you know, they would be pretty aromatic when they came in with their real estate settlements. He would always laugh about that. But he was very nice, very nice to me. And all of them were when I started practicing. All were very welcoming, and they were all gentlemen, is how I put it.”

Audio 40. *Ruth Sterling Heinssen on Paul Bailey’s demeanor:*



Oratory Skills

John Mudd: “He was a sort of like my father always said my grandfather was, who had a pretty big practice, represented a lot of bootleggers and was good in front of a jury, but hadn’t cracked a law book in the last ten years of his life. I don’t think Paul Bailey had cracked many law books, but he could get by on his oratory and his, you know, the chances were, he knew two thirds of the jury members or half of them. He just had a wonderful manner with the jury. He was no dummy.

“He had an old Buick and he would come by to my old office, and I’d get to the office at 7:15 and Paul would be waiting. He wanted to pick my brain, my alleged brain I should say, but anyhow, Paul would come by, because he knew that, just because he was in the legislature and he knew a lot of the laws, he hadn’t applied them, and would ask ‘what’s the rule on this now’ and ‘what’s the rule on that’ before he was going to go to court. Nice guy.”

Al Gough: "Paul Bailey. Paul was quite a character, quite a nice man, quite an orator. I remember seeing him on three or four occasions in a Circuit courtroom on some issue and one was slot machines, I remember. He would call a public meeting and the courtroom would fill up.

"I've seen him on three or four occasions, and there's a picture in the back of one of the courtrooms, I don't know if it's still there or not, of the settler's landing on St. Clements Island. And I've seen him on three occasions point to that picture and talk about our ancestors coming over and whatever point he was trying to get across, that's the reason they came over here."

Audio 41. *Al Gough on Paul Bailey:*



Frank Olmsted: "Paul Bailey I knew quite well, yes. Everybody knew him. Oh, Paul could charm an Eskimo into buying an ice box."

John Weiner: "Paul Bailey was the last practitioner that was from the old school, really would get up and make a speech. He could make any defendant look like a great guy, he really could. He was a great orator. He really was."

Marvin Kaminetz: "Paul, let me tell you about Paul Bailey as an attorney. Again, I love the man. Paul Bailey, he was unlike any other. He had the ability to talk to jurors, not about the law, but about what they should do and they would listen. He was a great orator. The other thing about Paul, I mean you couldn't find a better lawyer to talk to a local, St. Mary's County juror back in the '50s, '60s, and even into the early '70s. Paul was exceptional. Paul, later in '74 when I became the Juvenile Master, Paul did a lot of juvenile cases in front of me. Always, always, now you've got to understand how many years his junior I was. You've got to understand, this is the gentleman that talked to me about going to law school; he treated me and that job, being the Master, the Juvenile Master, he treated me with so much respect that it was unbelievable. And he was all about getting his clients to do right, his client kids in juvenile court. Because you know, it wasn't just drug-related cases we had; there was a little bit of marijuana maybe, but not a lot. A lot of alcohol cases, some theft, some destruction of property. That kind of stuff. We didn't have the kind of violence back in those days. In a busy year, I might do 700 juvenile cases. In a normal year, it'd be about 300 or 400, but Paul did a tremendous amount of defense work, criminal defense work in juvenile court. He didn't charge a whole lot. That's one of the reasons people went to him. You could get Paul Bailey to do a criminal case in District Court or juvenile court for \$25. And at a time that other attorneys were charging much more. Yeah. No question. Paul was one of the

ultimate gentlemen. But Paul and John Hanson, different factions politically. Cordiality, respect, mutual respect, hunting together, mutual friends, they got along great.”

Audio 42. *Marvin Kaminetz on Paul Bailey:*



45. Paul Bailey in 1966, during Spiro Agnew's campaign for Governor.

Henry “Bud” Virts: “Paul Bailey would take cases no one else would take. Like Rose’s (the strip club on Great Mills Road). He defended Rose’s numerous times. One time he took her to Baltimore for the, I guess, well, I mean, not the Federal Court, but the higher court. And he took with him in his pocket pasties. You know that they wear? And so he pulls those out, you know, ‘Your honor, this is what she had on. It’s totally adequate.’ Or something like that. The courtroom went wild. And, but he would take these cases. There was an old bootlegger up our way, that... Mathew. Nicest old man you’ve seen in your life. And he took him to Baltimore, and he was telling Mathew, ‘You might have to spend a little time in Federal prison. He was a runner for one of the others, and he was the still man. He didn’t finance it or anything. So he got in before the judge, and

he told him what a wonderful man he was and all this other business. He truly was, but that’s all he knew was helping them to make whisky. And

the judge made a deal with him. ‘Mr. Bailey, if you would take Mr. Matthew home and let him work for you, then I’m not going to keep him in Baltimore.’ And Mathew stayed with us for thirty years.”

Audio 43. *Bud Virts on Paul Bailey’s clients:*



Jim Papirmeister: “I remember Senator Paul Bailey. I always, I was so struck by the way he would come in the courtroom, and I used to joke because Bailey used to come in and say ‘Good morning, Your Honor, it’s a beautiful day for fishing!’”

Henry “Bud” Virts: “In Court, Paul, he always wanted to be last; judges wanted to defer to his age and let him go first. However, he wanted his client to get the full blast of what was happening to the others consequences before he took them up there. He always told me that. He treated his clients as gentlemen.

“He was known also, I don’t know if you heard this or not, but he’s known as ‘Mr. Paul, the murder lawyer,’ because he would defend murderers. He had some pretty memorable murder trials.”

John Slade: “Well, as I said, Paul was the premier orator; he was the greatest of his day. He could convince a jury of anything, and I’ve seen him write speeches. He would get an old envelope, a letter-sized envelope, and write speeches on it. He never wasted any money on paper; he just used scrap envelopes and scrap paper. He’d write a speech and he could speak for 15-minutes and just, you know, he inspired you and just real warm and fuzzy. No substance, but it sounded good and with the jury, you know, he could just bring tears to the jury’s eyes. He humanized people and brought them down to the level that ordinary folks understand. He was just a great orator, a great trial lawyer. Even in his senior years, his last years, he did quite a bit of District Court work. He would represent people who didn’t have two nickels to rub together. He was like the public defender before the public defender system was established.”

Audio 44. *John Slade on Paul Bailey’s oratory ability:*



John Weiner: “Paul was the best. He was known throughout the State, really. When he was in Annapolis, if he got up to make a speech, everybody came to listen to the speech. He was known throughout the State as a great orator.”

John Bailey: “Well I mentioned a little about him, [Paul Bailey]. I mean he loved to talk, he loved people, he loved to get out and to be with people and he loved ice cream. He used to sit outside of Jimmy Hurry’s store, in Clements, and eat a quart of ice cream. He used to sit on the steps and talk to everybody that came in and out and he’d sit there and eat his ice cream. Ah, I remember that my father would tell me, my brother, Paul, is up on long bar oystering. He said, ‘If you listen you can hear him practicing his opening and closing remarks’ and I guarantee you that just about everyone in the Seventh District knew exactly what the opening and closing remarks in case were gonna be and what the closing argument was going to be before the case ever went to the jury. Now see back in those days, to a certain extent, they didn’t have the jury procedure that they have now. You have more or less a selected group of people from the community that were upstanding, even tempered people that would come in and hear the cases.”



Paul Bailey: “Everyday I’ve enjoyed very much all through the beautiful half century that I have had the privilege, and it is a privilege, of course, to be a member of the Bar and to participate in court events. It is a fascinating profession, and I have enjoyed every day of it. Especially the contacts with people whom I have always enjoyed being with. Always loved people. Those who are in trouble or those who have difficulties or those who find it necessary to go to court are the most fascinating of all.”

Elective Office

Paul Bailey served in the Maryland State Senate for 16 years, from 1947 to 1954 and again from 1964 to 1972, and was the first Senator representing Charles and St. Mary’s counties. He was a member of the Maryland State Roads Commission from 1959 to 1964.

Paul Bailey: “So in 1946, when the Democrat primary was over, Phil Dorsey – he owned *The Enterprise*, you know – he was sitting over here on the steps the morning after the election. He looked very gloomy, very unhappy. He beckoned to me and said, ‘I want to talk to you.’ That conversation revolved around the win of J. Alan Cecil in the Democratic primary for Senate. He said, ‘I want you to run for State Senate. I said, ‘Phil, I’m not interested in politics. Why are you telling me this? Who wants me to run?’ He said, ‘Well, it really should be we. We have a real problem in the Democratic Party’.”

St. Mary’s Countian, “Former Senator Paul Bailey”, April 11, 1990

“Judge [John H.T.] Briscoe was the first person who ever talked to me about running for the state Senate. ‘All of us were happy. There were only 13,000 people in the county. Judge Briscoe said, ‘Paul you are a good talker; you ought to run for the state Senate.’

“I told him, ‘No, I am not interested whatsoever in politics...”

The Enterprise, February 27, 1991

Bailey Pushed to Legalize Slot Machines

“I’ve been a Republican since I first registered to vote, for two reasons. I had been a musician all these years [and] my health was not real good, so I didn’t want the worry of fooling with local politics. I was told by excellent lawyers, ‘Paul, we know you really want to practice law, we feel you’re going to make a good lawyer and stay out of politics. The best way to stay out of politics in St. Mary’s County is to register as a Republican.’

"The first time I ever voted was in 1932 and I voted for [Franklin] Roosevelt. I realized the country was broke, and I heard some of his programs down at Hurry's store on the radio in the evening. He had the fireside chat, and he said, 'I'm going to reopen the poor man's country club,' which was the barroom. 'I'm going to bring back legal beer. I am against Prohibition.'

"Everybody around here, a great many people including many of my own family, were making whiskey, but they all wanted to get rid of the Volsted Act, which was the Prohibition law, and they were all going to vote for Roosevelt."



46. From left-to-right: Comptroller Louis L. Goldstein, Governor Marvin Mandel, and State Senator Paul Bailey.

The Enterprise, "Bailey Fought in St. Mary's County's Old-Style Political Wars",

March 1, 1991

"I re-entered politics [in 1966] with the request of many Democrats and I'd say all the Republicans to please seek that seat. Of course, the leader of the leaders was Mr. [Philip] Dorsey, and the [Lexington] Park people were also my friends. The ordinary man, the business people, all were my friends because they knew what they accomplished, that this county went [from scrip payments to] a cash basis the first year we had slot machines, the first years that I was in Senate. And they didn't forget it.

"Mr. [J. Frank] Raley Jr. was very popular. He served a term in the Senate while I was on the state roads commission [and] was a great Democrat leader and a dear friend of mine because we shared very personally our environmental feelings and feelings about keeping this

county clean. He was beaten in the primary by Walter Dorsey, and I wound end up running against him.

"That's when Paul Bailey was in trouble. Here was a very embarrassing situation. In anticipation that Raley would win that primary, many dear friends of mine, including Phil Dorsey, had asked me to be sure to get into the [general election] race. I said, 'Well, the worst worry I have is suppose Walter [also runs and] wins that primary? Walter Dorsey [is a] son of the greatest friend I ever had, and Walter and I have always been friends and we still are. I'd be in a rough spot.'



47. "Trying to light a fire under the Governor" – signed, Marvin Mandel.

"I said, 'I am not going to file unless I know Walter does not file.' Walter's father assured me that Walter would not run.

"At the last minute, when I was on my way home after I had filed and became a full-fledged candidate as a Republican, I stopped in Annapolis and found out that Walter had filed at the last minute.

"Walter won the Democratic primary. There was a call and a lot of request from some of my dearest friends, including Judge Dorsey, asking me to get out, get off the ticket. I wasn't going to withdraw because I had gotten on there in good faith and there were many [supporting] people. I had taken great pains to try to make friends everywhere. There were two great aims that I had when I started practicing law—to do as good a job as I could in the courtroom and not to make people angry. It would have been a disappointment for many friends that I had, for me to withdraw.

"Phil Dorsey said to me, 'Well, Paul, I feel terribly about this situation. We can't be close friends right now, and I will call you when and if that situation changes.'

"I said, 'Phil, I don't blame you. This isn't of your making. If you'd have thought anything was going to happen like this, you would never have asked me to file, so I join with you in your feelings. It'll be a clean fight. There will be no mudslinging between your son and me, and when you feel differently, please call me up, and I'll be at your side immediately.'

"Phil and I saw nothing of each other, except one time by accident right close to Election Day, we ran into each other and we had to talk for a few minutes. He said, 'Paul, it looks like you will win,' and I said, 'Well, don't repeat that. Keep it to yourself. I don't know what's going to happen.'

"And I did win, and Phil called me and said, 'Paul I want to see you.' And I was at his side in a few minutes, and we stayed friends."

"The opinion that I have as to my elections, all four of them, is whoever has the most friends, wins. I had more friends and I got 'em by doing every favor that I could for good people, bad people or indifferent people. I don't care if they were ex-convicts, I would help them. One of my worst enemies in politics wanted to be a notary public, I'm not going to name him, [asked], 'Will you help me,' and I said, 'You've got it.'"

"I believe that overpopulation is the cause of most of our [environmental] worries. [When a voter] said, 'We want it to stay like it is,' I said, 'Well, I'm your man.' Anybody who wants something to stay like it is can always count on Paul Bailey."

"Further than that, I had known for some time that this county didn't pay for transportation of black children to their schools. The county supported the white transportation, but the blacks had none. They [the black students' parents] conducted a campaign during the year of different events, envelope collections and so on. That was rectified likewise. We put the county back in its proper perspective and position of giving the blacks their due."

"I got some school board appointments for blacks, and some election board [positions] for blacks. The Jim Crow law had never officially been repealed in Maryland, but I was one of the cosponsors of that when I first went to the Senate. It was [concerned with ensuring] equal accommodations, but it was more of a tribute to the black race to have that law off the books."

"Life, liberty and the pursuit of happiness. You're never going to get it. It's pursuit...it's the effort that makes you happy. Nobody's ever going to be completely happy. You're not supposed to be."

"I was just as much on edge of going away from here 50, 60, or 70 years ago as I am today. We should think about life and do the best we can. I've had a beautiful life, and still have a beautiful life."

Republican

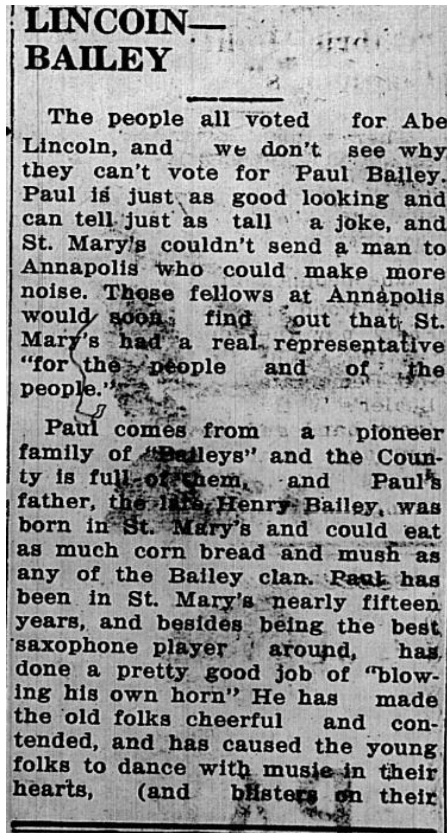
C. Clarke Raley: "He was always a Republican. He was always a Republican. But to the people, they didn't care if he was a communist Russian. It didn't make any difference. He could be Mao Zedong's henchman, they still loved him. It didn't make any difference."

Audio 46. C. Clark Raley on Paul Bailey's politics:



"Paul Bailey was a very unique and different person. Very smart fellow and charismatic. I mean every jury loved Paul Bailey. You know, they just loved Paul Bailey. He was, they say, so old fashion this, that, and the other. You know, he also

very, very good. You know, he didn't lose many. And he had obviously a great gift with juries. And that helped him as a politician, too. He was just a gift of gab. I mean, who wasn't a friend of Paul Bailey? You know, at one point, of course, he was, you've heard this story. I am sure someone has told you this story. But he was put up by the Dorseys to run against J. Frank. And he did. And he was successful. But then Phil [Dorsey] said you know Paul it's time for you to step aside. Paul said no."



Henry "Bud" Virts: "He was in favor of slot machines at that time, because the County was on the scrip. Which meant no money, no cash; I mean it was the scrip. The economy was so poor that slot machines were a way of creating some revenue. Here he was elected State Senator for four terms, just briefly; he was a Magistrate in his early days before, I guess, while he was practicing law and was living in Clements and he was on the State Roads Commission, between Senate terms, he was on a lot of things. They tapped him for a lot."

"He ran against Walter Dorsey, he ran against J. Frank. He was very good friends with both of them, behind the door. You know, those were the days when they could be friends, maybe not totally in public, but they were."

St. Mary's Beacon, "Lincoln- Bailey", 1946

"The people all voted for Abe Lincoln, and we don't see why they can't vote for Paul Bailey. Paul is just as good looking and can tell just as tall a joke, and St. Mary's couldn't send a man to Annapolis who could make more noise. These fellows at Annapolis would soon find out that St. Mary's had a real representative 'for the people and of the people'.

"Paul comes from a pioneer family of 'Baileys' and the County is full of them, and Paul's father, the late Henry Bailey, was born in St. Mary's and could eat as much corn bread and mush as any of the Bailey clan. Paul has been in St. Mary's nearly fifteen years, and besides being the best saxophone player around, has done a pretty good job of 'blowing his own horn'. He has made the old folks cheerful and contented, and has caused the young folks to dance with music in their hearts, [and blisters on their feet]."

Ernie Bell: “One of a kind! Paul Bailey and I were in the same office building for a quarter century. His office was upstairs. I was on the ground level. We were across the street from the Court House. Paul was as much a people person as anyone I have known. In a County then nearly 5 to 1 Democratic Registration, Paul was elected four times as the County’s Republican State Senator. He served first for eight years, in the late ‘40s and early ‘50s, and after a voluntary absence of 12 years he returned to Annapolis as our State Senator in 1966 for two more four year terms. He was an orator in every sense of the word. When notice spread through Annapolis that Paul was about to take the floor of the Senate to speak on an issue merchants would close their shops, and walk up the hill to the State House to listen. Paul was both entertaining and thought provoking, especially during a Filibuster. Jurors were often spell bound during his Closing Arguments”

“An article in the *The Baltimore Sun* a few years ago lamented that oratory left the General Assembly when Paul Bailey gave up his State Senate seat voluntarily and returned home to practice law, which he did daily well into his eighties.”

Audio 47. *Ernie Bell on Paul Bailey as a Republican:*



Paul Bailey: “There were a lot of people around here who wouldn’t eat a possum...Fred Malkus [a current Senator and friend of Mr. Bailey’s] would say ‘I got a name for you...Possum Paul! You’ve told me how good they are to eat, and they’ve got to be all liars – a possum can’t be good to eat! Nobody but the lowest people could eat a possum.’

“Baileys always ate possums – we love them! They were absolutely delicious. We ate them for every holiday and lots of times for Sunday dinner. So, he named me ‘Possum Paul’. When I first hit the senate [Senator Malkus] told everybody around, ‘That’s ‘Possum Paul over there from Morganza’.”

John Mudd: “When they closed down the legislature, Paul Bailey would playing his clarinet every year to close down the Legislature. He was an amazing guy.”



48. Paul Bailey in the State Senate

Ernie Bell: "Paul's bumper sticker way back then simply read, Save Our Rivers. He also had one that read, Eat Possum and Live Longer....Eat Oysters and Love Longer."

"Paul used the same typewriter in his last day practicing law that he had brought to Leonardtown when he began the practice of law in the Nineteen Thirties. He often typed the Wills and Deeds that he had drafted for a client. Paul was a professional musician. He had early on been a member of the Navy Band. A tea totler, Paul often referred to his beloved St. Mary's as, 'The land of the fiddle and the flask.' He was never too busy to stop and talk and was full of stories, jokes and good humor. He was well ahead of his time on environmental issues."

Audio 48. *Ernie Bell reflects on Paul Bailey:*



Henry "Bud" Virts: "He was highly regarded. He was great, he was an orator, he truly was an orator. The whole House of Delegates used to, when they heard, when he was up introducing a bill in the Senate, the whole gallery would fill up for an enjoyable evening."

Joanie Williams: "Paul Bailey. He was the storyteller. I could just sit and listen to him for hours. All of his stories."

Retirement from Politics

In Senate Salute

Tearful goodbye to Bailey

"A resolution was introduced in the House expressing the respect and affection of the General Assembly for Sen. Paul Bailey upon his announced intention to retire from legislative service.

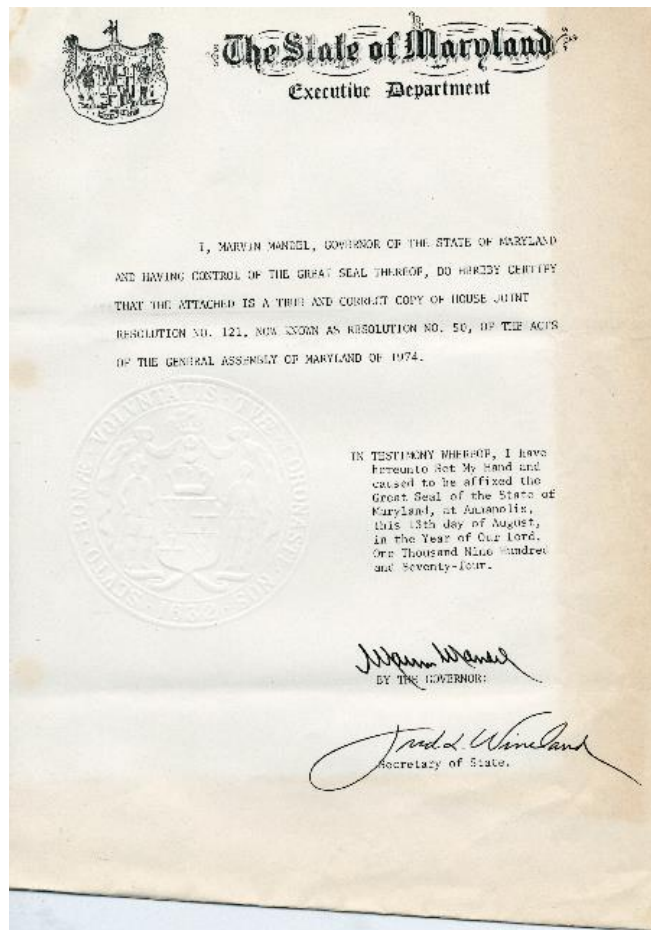
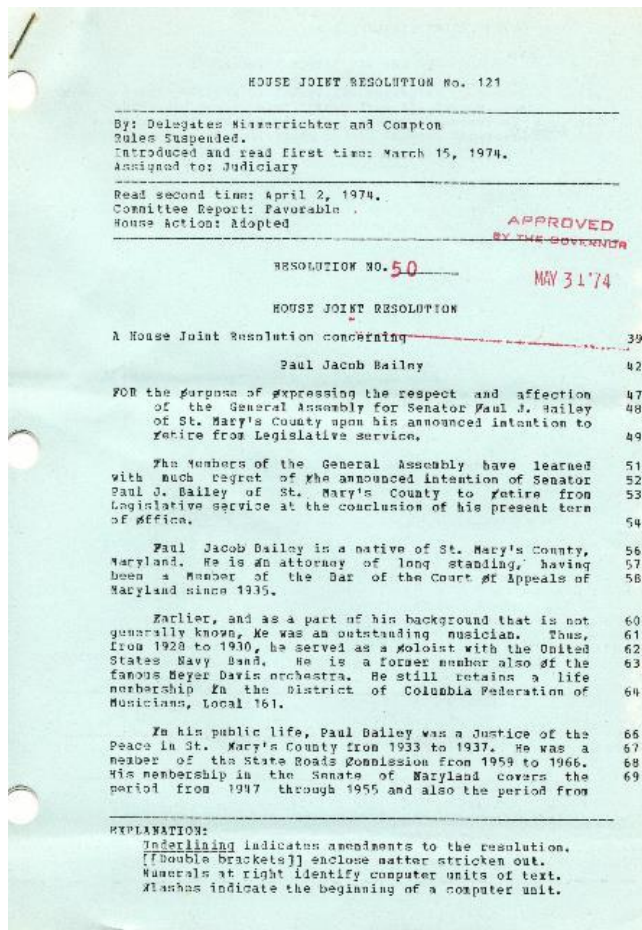
"In a ringing speech by close colleague Sen. Ed Hall [Calvert County], who said, 'We are losing a great public servant,' Sen. Bailey was recognized as the greatest orator in the General Assembly.

"Sen. Bailey told the Senate that he regarded the verdict of that body as being grateful for it and described the Senate as 'the greatest jury of the world.' He said he will be 70 years old in 1975 and it is time to leave 'before the witnesses start coming in.'

"As Bailey spoke, several senators wept and aging Sen. Bertorelli [Baltimore City], who will also retire this year, shook with sobs.

"The resolution describes Bailey as 'an unrivaled and unequaled character...a raconteur and spinner of marvelous yarns, blessed with an infectious and rollicking sense of humor. Paul Bailey has always the ready quip and delightfully barbed rejoinder.' The resolution also described him "a learned and brilliant legislator...he has been a skilled debater and worthy opponent in the rough and tumble of the legislative controversy.'

"On many occasions during the years, the galleries of the Senate would become filled with spectators after word had been spread that Sen. Bailey would speak."



49. A resolution by the Maryland Senate commemorating Paul Bailey's retirement and the Governor's approval thereof.

His Later Years



50. Paul Bailey with clarinet

John Hanson Briscoe: “This was taken, this photograph was taken at a party that he had for the Bar Association at his home. And whenever he had friends, he would always, they’d all demand that he’d play the clarinet. That would have been about 1986. I had just become a judge. He was a sweet guy and he loved to play music. Music was, you know he liked the law and loved politics, but music he loved and fishing and his farm there, Trent Hall was his passion. He loved it. And he was loved by the Bar Association. There wasn’t anybody that didn’t like him. He was such a nice man. And I really enjoyed having him in my courtroom. He was always so polite. He’d get up and he says ‘Your Honor, it’s a pleasure to be here before you. My client is in no hurry. You go ahead and take care of business, and I want him to hear how you operate.’ He’d do that, he’d sit in the back of the courtroom, then he’d come up. I loved the guy. And I

served with him for 4 years in the legislature. He was a conservative, moderate, Republican. And he and I got on; we never had a cross word between us for 4 years. We did legislation together. We liked the environment. And we did things for St. Mary’s County; he wasn’t radical at all. Some of these people in St. Mary’s County, you know, couldn’t get him to do things or just knew that I wouldn’t go for. And he was a wonderful friend and I hunted with him for many years. And had some wonderful duck hunting up at Trent Hall with Bud Virts. He’d rather talk politics and fishing and hunting than shoot anything. He loved the duck blinds and he loved his dogs and everything. Good friend and I really will never forget my time with him. Memorable times. Great fella.”

Audio 49. *John Hanson Briscoe reflects on Paul Bailey:*



Henry “Bud” Virts: “He loved that clarinet. I remember we used to go out on a canoe at night on the river and he play the clarinet, music wafting over the Patuxent. Mosquitoes biting the hell out of us.”

Jeannette Dakis: “To me he was the nicest person in the world. Like I said I don’t care where he saw you or anything, he would stop and speak to you and I always liked him.”

Evelyn Arnold: "Dick [Arnold] would go down to his farm. He'd duck hunt and stuff like that and he'd have a bunch of lawyers and a bunch of them down there for stuff like that."

Henry "Bud" Virts: "But John Hanson loved to come up to the farm. He really was... and we loved to have him. He was a good man. So with all the politics back and forth, Republicans versus Democrats and all that, it didn't mean that much, believe me. Not under the counter you might say. Those were good days."

Will Broms: "Oh, Paul loved to hunt. He particularly loved to go goose hunting. He was always looking for someone to go goose hunting with him on Christmas morning. And I went with him one Christmas morning and that's when I shot my first Canadian goose. But he would get excited when a duck or something would come up the river; he'd be jumping up and down hollering, 'Shoot Willard, shoot Willard!'"

Henry "Bud" Virts: "Bailey was quite the gardener, loved the farm, just loved the farm, fishing and hunting wild fowl."

Ted Weiner: "Paul was just a sweet guy. He took John and I fishing, did John tell you that? We caught a couple rockfish. We went off at Trent Hall Farm, there was a lot of grass there in the Patuxent. And we had a row boat and he rowed it. He trolled for rockfish with rowing a boat. And we both caught two. They weren't monsters but they were a nice size; they were really good. So I caught my first fish with Paul Bailey."

The Enterprise

"Maryland Comptroller Louis Goldstein, 'He could hold an audience right in the palm of his hand.' 'He was just like a brother to me,' the comptroller said. 'He's the greatest off-the-cuff speaker that I've ever run into in 45 years,' [Oliver] Guyther said, also noting Bailey's charitable view towards legal clients. 'He was probably the most conservative lawyer in Southern Maryland, as far as charging people. They don't make them like that anymore.' Former Gov. Marvin Mandel said of Bailey, 'His passing is like the passing of a generation, because Paul was part of history itself during the years that I have known him,' Mandel added, 'His love of the land and where he lived were predominant in everything he did.'"

George Peter Wigginton: "Paul was a likable character. He was an old timey kind of fellow."

"I always liked him. He was a character. We had many, many fine conversations and we talked about everything in the world except politics: hunting, and geese, and ducks, and old time doings, and steamboats, and neat stuff. I liked him. I really liked him."

Ernie Bell: "In his later years Paul shared office space with his nephew, John, and friend, Will Broms. Their sign read 'Bailey, Bailey and Broms.' When I went to the legislature in 1983 as a State Delegate representing Calvert and St. Mary's Paul's advice to me was to 'Look out for the little guy as the big guy can take care of himself.'"

Paul truly was a man of the people. Seldom did he turn away someone seeking his representation. When in Court one would often find Paul sitting in the rear of the Court room patiently waiting for his Case to be called. He was not one to seek special treatment or priority in the scheduling of Cases. He loved the Law and had a true reverence for the Legislative Process. He is among one of the most unique individuals I have had the privilege to know.”

Paul Bailey: “Well, having always been living all these years, I think it is a little bit defensive of myself, because I have often seen in everyone I have ever met some element of myself whether it be a strength or a weakness or a talent or a lack of talent. I believe that all of us can see, if we look at others carefully, something of ourselves. And when we once see that, we would always have a certainly somewhat positive atmosphere with reference to dealing with that person.

“I’d say my life has been a wonderful one, especially being able to live in such a wonderful place and being among such interesting original people as we had here and continue to come here. It’s very odd how so much of the personality and the aims, and the achievements, and the beliefs of the people who started this colony or county as they call it now, seems to be; those who come here are very similar in many ways to those who are already here.”



51. Paul Bailey (right) with Jack Rue

them along the way if it was just a little bit or a long deal. I would like them to always remember me as one who always wanted to help.”

From a Radio Interview with Dick Myers

Dick Meyers: “I’m sure you have many accomplishments left to accomplish you know in the future. I would be interested in what you would like people to remember you by if 50 years from now someone comes along and says, ‘Paul Bailey I remember him as...’ what would you like to be remembered as?”

Paul Bailey: “There is only one word that would really suit, I think, every occasion.

Remember me as one that has helped

Video 6. [Paul Bailey playing the clarinet](#)



Philip Dorsey

In Memoriam

Mr. Philip H. Dorsey, Jr.: "May it please the Court, I would like to add just a few words to what has already been said so eloquently by the other members of the bar.

"It was on Christmas Eve 1885, as Christmas carols sounded through the winter's air, that Aloysius Fenwick King was born. Just as Christmas seems to bring forth the best in mankind, so it was that Al King seemed to embody all of the qualities of love, charity, friendship and goodwill for which the season of his birth is known.

"It would be but repetition to summarize his life, other than to say, that as a student in college and law school he was outstanding, graduating with the highest honors. As a lawyer and in the field of journalism he

exhibited the same brilliance that characterized him in his youth. And as a neighbor and a friend he was always willing to help those less fortunate in his community. His career as a lawyer, as an editor and in public life, revealed those high qualities of honor, courage and loyalty which characterized him as a man and left a lasting impression upon those with whom he came in contact.

"It was not alone in his profession that Al King excelled. To those who were privileged to come within his home, it was here that the softer, gentler shade of his nature was revealed. Here, in the happy companionship of his loving wife and son, he spent many tranquil hours. It was here that, as a husband and father, he displayed the qualities of a deeply religious Christian gentleman and lavished upon his family all of the sweetness of his disposition.

"It is little wonder, your honors, that the life of such a man should have left such an indelible imprint upon this community, and that his passing should cause a cloud of sorrow to settle over those who knew him best and loved him most.

"Great in life, he was surpassingly great in death. While he was stricken with a lingering illness from which he knew he could not recover, he never complained, nor did he lose interest in his family, his friends or his community.

"Last December, with the approach of the Christmas season, there was wafted over his wasted brow "the breath of the Eternal Morning." And Christmas Eve, with carols sounding

52. Philip H. Dorsey

through the winter's air, - carols of peace on earth, goodwill toward men, which seemed so symbolic of the life that he led, - he was laid to rest in the bosom of the land he loved so well.

"And as we stand with bowed head today, let us not say "Farewell" to our departed friend, for –

*'His virtues he has bequeathed us, that we yet
May meet him in a lovelier land than this,
Where darkness is unknown, sun never sets,
And sorrow never comes, but all is bliss.'*

Early Years and Education

Philip Dorsey was born in Leonardtown, July 15, 1901. His long career in law and politics began after his graduation in 1925 from the University of Maryland Law School, where he received Bachelors of Laws and *Juris Doctorate* degrees. He had previously attended St. John's College in Annapolis for two years.

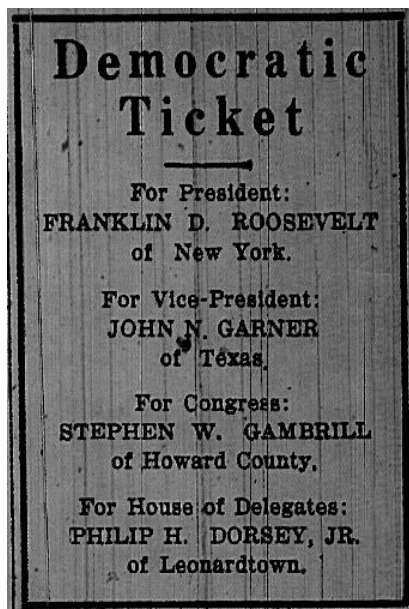
Legal Career

John Hanson Briscoe: "Phil Dorsey practiced law and ran a paper. That's how it was in those days. Phil liked journalism. They were real politicians. The best. My father did not agree with Phil Dorsey's philosophy on politics, he was too conservative, but he respected him. Phil and Dad to both their deaths were good friends. They respected each other because they didn't have a nasty edge between Republicans and Democrats. That's true. That's the way it was."

Al Gough: "Phil, he bought *The Enterprise* in the twenties. At the time *St. Mary's Beacon* was a Democratic paper, *The Enterprise*; it was the *St. Mary's Enterprise*, was a Republican paper. Phil Dorsey bought *The Enterprise* for purposes of forwarding his political ambitions, and it obviously wasn't a Republican paper any longer. And you speak of going back a step, you know the Lexington Park - Leonardtown thing, *The Enterprise* was one of the things, I guess Fahnstock bought it, he got it out of Leonardtown to Lexington Park. Then all of a sudden it became a Lexington Park paper, not a Republican paper, not a Democrat paper but a Lexington Park paper."

"'The newspaper was a much smaller operation then,' Judge Dorsey once recalled. 'And we had our problems. It was hard to get a printer to stay sober long enough to publish the paper.'"

Elective Office



Philip H. Dorsey's first appointment to public office was in 1926 when he was named State's Attorney for the County, a position he held until 1930. After serving as State's Attorney, Phil Dorsey decided to throw his hat into the political ring and won election to the Maryland House of Delegates, where he served from 1930–38.

53. An advertisement for the Democratic Party from the 1936 election

St. Mary's Beacon, January 26, 1973



Dear Sir:

"Four years ago I introduced in the Maryland Legislature the first bill in this State that brought relief to Parochial Schools in the matter of transportation. This bill did not appropriate any money but left to the discretion of the County Commissioners the amount that they chose to expend. Acting under the broad provision of the bill the County Commissioners of this county expended the sum of \$8000.00 annually in aiding the transportation of the parochial school children. Two years later Senator Coad repealed this law. Later in the Session after a storm of protest had risen in the County he introduced a bill which was enacted into law which authorized the County Commissioners to expend \$7000.00 annually from the liquor license fund-should be the same amount to that much-in the transportation of children to schools not receiving State aid.

"I am informed that the present law is entirely unsatisfactory to the Parochial Schools. That they resent the fact that the amount of aid which they receive shall be based upon the amount of liquor consumed in the County and that while they are willing to accept a stipulated sum they much prefer that the same should come from a general appropriation rather than the fund dedicated in the present law.

Very Truly Yours,
Philip H. Dorsey Jr.

St. Mary's Beacon, March 31, 1937



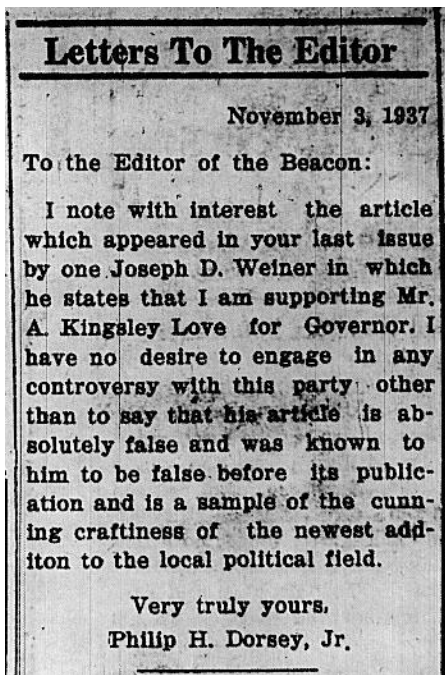
Dear Sir:

"My attention had been called to an article appearing in one of the Washington papers in reference to the defeat of House Bill No. 23, introduced by Mr. Dorsey in the House of Delegates. In this article Mr. Dorsey is quoted several times as having stated that I had brought about the defeat of his Bill by intimidating Members of the House of Delegates.

"I merely want to say at this time that this statement on Mr. Dorsey's part is on par, so far as the inaccuracy and downright untruth are concerned, with most of the statements that have been credited to him in regard to his particular piece of legislation.

"Had more time been taken in the matter of preparing this particular piece of legislation and had there been more willingness on the part of Mr. Dorsey to cooperate with those who are sincerely interested in matters affecting St. Mary's County, I have no doubt but what some relief in some other way could have been found and would have been found which would have been entirely adequate."

Very Truly Yours
J. Allan Coad



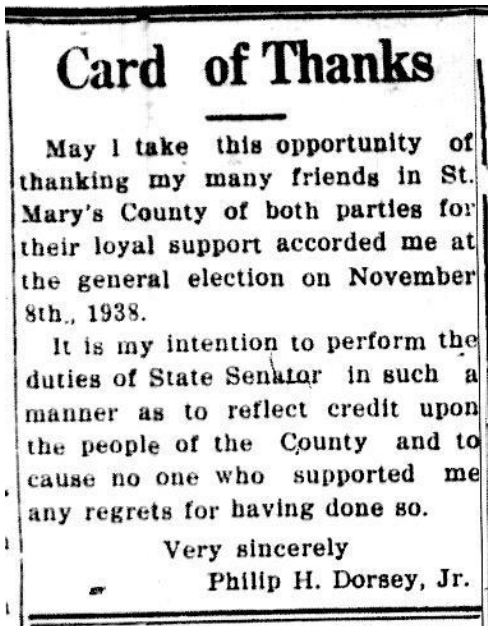
St. Mary's Beacon, November 3, 1937

Letter to the Editor

To the Editor of the Beacon:

"I note with interest the article which appeared in your last issue by one Joseph D. Weiner in which he states that I am supporting Mr. A. Kingsley Love for Governor. I have no desire to engage in any controversy with this party other than to say that his article is absolutely false and was known to him to be false before its publication and is a sample of the cunning craftiness of the newest addition to the local political field."

Very truly yours,
Philip H. Dorsey, Jr.



St. Mary's Beacon, November 38, 1938

"May I take this opportunity of thanking my many friends in St. Mary's County of both parties for their loyal support accorded to me at the general election on November 8th, 1938.

"It is my intention to perform the duties of State Senator in such a manner as to reflect credit upon the people of the County and to cause no one who supported me any regrets for having done so."

*Very sincerely,
Philip H. Dorsey, Jr.*

Joseph A. Mattingly Jr.: "Well, one of the things I always thought was pretty good, of course, my grandfather was a good Roman Catholic and Judge Dorsey, of course, was not a catholic. In 1938, my grandfather, who, I think, had been I think, 24 years in as Clerk of the Circuit Court, decided he was going to run for the Senate and he ran against Phil Dorsey. The big issue in the campaign was whether the state of Maryland was going to pay for non-public school transportation. My grandfather said separation of church and state, state's got no business paying for transportation. He was opposed to the State supporting Catholic school busing, yet Judge Dorsey, he was in favor of it. Of course, majority of St. Mary's County was Catholic but that was one of the big issues in the campaign and it's the only election my grandfather lost.

St. Mary's Beacon, June 9, 1976

"Perhaps his two greatest political victories however came after his retirement from public life. He battled hard behind the scenes to help defeat charter government in 1972 and the Steuart oil refinery in 1974."

"Dorsey also ran for the office of Attorney General for Maryland only to lose pursuant to what later would be proven an unconstitutional law. Dorsey won the popular vote by more than 10,000 votes but lost the election because he failed to win enough individual counties. The Maryland unit rule required a successful candidate to carry a majority of the counties across the state, regardless of the popular vote margin. The rule was struck down as a result of the United States Supreme Court one-man, one-vote decision."

Ernie Bell: "Philip H. Dorsey was the County's first elected Circuit Court Judge. I believe it was year 1954. Before then the Judges in Southern Maryland rode the Circuit Charles, St. Mary's, Calvert and Prince George's. Though, in grade school, at the time in 1954, I do remember his election to be judge. It was quite contested. The candidates were Attorneys Phil Dorsey, John H. T. Briscoe and William Aleck Loker, all of whom lived in Leonardtown at the time. Each was a customer of my brothers on the *Washington Evening Star* paper route."

"Phil Dorsey loved politics. He successfully represented local Catholic Schools in a Case that challenged the constitutional authority of the St. Mary's County Commissioners to provide transportation for students attending Parochial Schools. He and his associate, William O. E. Sterling, successfully argued their Case before Maryland's Court of Appeals in a matter referred to as *Adams V. St. Mary's*. 25 MD.1, which was cited by the Supreme Court of the United States in 1948 in a landmark decision upholding the constitutionality of providing school bus transportation for Parochial School Students. That case is known as *Everson V. Illinois*. More than any other, his successful representation of the churches in this Case helped Phil Dorsey in his later endeavors."

"In the early Fifties, Phil Dorsey was a candidate for Maryland's Attorney General. He won the Primary Majority Vote State wide but lost in a Kent County voter recount under what was then referred to as the Unit Rule, a procedure later thrown out by the Supreme Court of the United States as in violation of the one man, one vote requirement. Prior to being elected to the judiciary, Phil Dorsey was counsel to Maryland's Public Service Commission. He served a 15 year term as Circuit Court Judge, retiring at age 70 on June 30, 1971."

"Maryland convened a Constitutional Convention in the mid Sixties. Phil Dorsey and J. Frank Raley, Jr. were the elected representatives of St. Mary's County at the Convention. Dissatisfied with the final product, Phil Dorsey went State wide speaking in opposition to the proposed constitutional changes. The voters of Maryland followed his lead and defeated the proposal in a State wide election in 1968. In somewhat similar fashion he successfully led an effort to defeat a proposed Charter form of government for St. Mary's County in 1972. I had chaired the local Charter Writing Board and had the opportunity to engage him in public debate several times before the election. He was a skilled debater but always fair and considerate."

Marvin Kaminetz: "Before he became a judge he was Senator. And he was a Delegate to the Maryland Constitutional Convention. I guess that would've been in '56. I think also, he might've run for Attorney General one time. And didn't win. But I think he was a candidate for Attorney General. He was a statewide recognized person for Southern Maryland, certainly St. Mary's County for the Democratic Party."



54. From left-to-right: Father Knight, Governor Herbert O'Connor, United States Senator Millard Tydings, and Philip H. Dorsey.

Dorsey Machine

Evelyn Arnold: "I know we used to go, because we were personal friends with him and Dick was very fond of Walter and we would go to political functions. I had great

admiration for him for his capabilities. I know if you said something about somebody, he'd said, 'Oh well.' He didn't want to hear it. He didn't want to hear it. And you knew to back off. I just thought he was kind-hearted to the lesser affluent people and all so.

"Judge Dorsey helped a lot of people. And if you could steer them to a job with the State roads or some other outfit, you know? That was the name of the game. There wasn't a lot of...until the base got going, there wasn't a lot of employment in the county."

Deborah Arnold: "He spoke to everyone. From the cleaning lady to the top. He spoke to everyone.

"He never high-hatted anybody. He was a people person. He spoke to everyone no matter your station in life."

Billie Mattingly: "He was a good politician because he stayed a politician."

Priscilla Duke Wentworth Hall: "Joe Weiner was a Republican and Phil Dorsey was Mr. Democrat but they were buddies all the time or some of the time. Which always seemed strange, because they were both very pro what they were.

"My father was very political, especially with Phil Dorsey; they were great pals. My father called him judge and Phil Dorsey called my father Judge because he had been like a Justice of the Peace."

Larry Millison: "When I grew up, there were two factions in St. Mary's County. And the person that you would recognize as being from that political faction is Phil Dorsey, who was a Senator and later became Circuit Court Judge. Phil Dorsey was my dear friend, got me involved in politics. He was approximately thirty years older than me. I used to talk to him every night. He was a boyfriend ... He was never an old man; he was always a young man. He was the most honest man I've ever known in my life. He was impeccably honest. He was a great political leader in St. Mary's County ... I learned from Phil Dorsey this: no one owns the voters. You have to go out and persuade the voters that your side is the right side, or your opinion is the correct opinion, or you can

be trusted. Long before we had open meetings law in St. Mary's County, which I initiated, Phil Dorsey was a great proponent of open meetings. He used to say, 'You must take the public in your confidence. You cannot function government-wise and keep secrets from the public. It sets the public crazy.' The other political faction in St. Mary's County was Senator Coad's group. Senator Coad was a very elegant speaker. He had married Mrs. Carter, who had married the man who made Carter's Little Liver Pills. Very, very wealthy people. Those two men fought for many years as I grew up ... And after Coad stepped down, it became known as the Mattingly faction...But Dorsey was a helluva leader. He was truly a Jeffersonian Democrat. I loved him. I loved his political views. Very, very liberal socially. Very conservative fiscally...Politics has always been very hard-fought in St. Mary's County..."

Audio 50. *Larry Millison on Philip Dorsey's political leadership:*



Al Gough: "Ah, well you know, I guess, as far as what they call the Dorsey Machine, it was, I guess, it had its origins, when Phil Dorsey beat Alan Coad. Alan Coad was State Senator. And that would have been, and the big issue in that race between Alan Coad and Phil Dorsey was school buses. Whether school buses should be provided for parochial school transportation? It was a Court of Appeals case called *Adams v St. Mary's County*. And Billy Sterling wrote the brief, Billy was in the service, but they brought him back from one of the bases in North Carolina. He wrote the brief, Alan Coad who was Catholic (Phil Dorsey was not). Alan Coad opposed the parochial school buses, although Phil Dorsey did not. And at any rate the case went to the Court of Appeals in *Adams v St. Mary's County*, St. Mary's County was taking the side of providing parochial school buses transportation, and Court of Appeals ruled in favor of St. Mary's County. Phil Dorsey won that argument.

"Phil Dorsey, I believe, was a member of the State Road Commission back in the twenties, a member of the public service commission but back when he was on the State Road Commission, you know people wanted a job, and Phil looked out for a lot of people. He was a people person, and so he built up a lot of followers and supporters that way, and then he took a popular cause, which was the school bus issue, and so he had a lot of support. He was appointed judge. It really wasn't a Democrat/Republican Party in St. Mary's County in those days; it was a Democratic Party, then you had clan wars within the Democratic Party. There were definitely factions.

"Well, my father was not a Dorsey fan, and he was a Democrat. He had been a real fan of Alan Coad. Walter came up to my brother and I one day when we were much younger and said, 'A Gough has never voted for a Dorsey.' so I went home and told my father that and my father said that's not true. He said, 'I voted for Phil Dorsey when he ran for Congress.' He said, 'I thought it would be a good idea to get him out of

the county.’ And I told Walter Dorsey that story later on in life. He got a big kick out of that.”

George Peter Wigginton: “Phil Dorsey lived out the road a little ways; he was an expansive, happy man, who was physically strong and athletic and powerful. Beautiful, brilliant legal mind. I thought he was one of the smartest people I knew. He was a populist, meaning that he wasn’t an aristocrat. He was a man of the people. I guess that’d be it. In his political life, he had the ability to elicit votes from everybody through superb oratory. The Dorsey Machine was a solid block of loyal voters who would vote for Phil Dorsey under any circumstances, anywhere, because he was one who they could stand up with and give speeches and had a warm, personable way about him and could enter in and be your friend in 15 seconds. He was a quintessential perfect, Southern politician. You know, Pappy O’Daniel.

“I don’t hold much animosity towards Mr. Dorsey; he believed what he believed, and I don’t think he was mean. His political ideology and his underlying legal influences, and philosophical beliefs were different. But he had admirable abilities. Phil, and his son Walter; very, very keen men.”

C. Clarke Raley: “Well, Phil Dorsey, I knew a little bit more about him as a politician than I knew about him as a lawyer because Phil Dorsey, one of his greatest friends in his whole life, was a fella from Scotland called Jimmy Roach. Jimmy Roach was the brother of Celeste Clarke. Celeste Clarke was the mother of Roach Clarke. Roach Clarke and my father were the closest of friends, going back to when they were teenagers driving a Model-A Ford with booze that was made by Celeste up to her brother’s speakeasy on Light Street in Baltimore. But Jimmy Roach, I don’t know quite how to explain Jimmy, except Judge Dorsey could not have a more loyal, zealot supporter than Jimmy Roach; whatever it was, he did. And they would often have long trips like down through the districts, they’d call it, and they’d probably stay at a person’s house two or three days. Visit all the neighbors, talk to all the people and so forth. That’s how it became so-called ‘Dorsey Machine,’ or whatever they want to call it, was simply because Phil Dorsey knew how to make those relationships and he did. Nobody was going to beat Phil Dorsey in any election. He was a politician’s politician.”

Audio 51. *C. Clarke Raley on Phil Dorsey:*



St. Mary's Beacon, October 28, 1942



"It has come to my attention that it has been rumored that I am supporting some Republican candidates. I wish to say that if such a rumor is abroad it is without the slightest foundation.

"Not only am I supporting Senator Dorsey for re-election but I am supporting wholeheartedly the whole Democratic ticket and I intend to do all in my power for its success next Tuesday."

Very Truly Yours,
W.H. Mattingly

From the *St. Mary's Beacon*, June 9, 1976

"Long called the leader of the Dorsey machine, which succeeded the old Peverly machine of the 1903s. Paul Bailey, however, said the judge never had a machine, unless one's friends can be called a machine".

Judge Philip Dorsey

From the *St. Mary's Countian*, April 11, 1990

"Back in St. Mary's County, Judge William Loker retired. Gov. McKelden pressed Paul Bailey to accept the appointment. Mr. Bailey said, 'Nope, I don't want it. I've never wanted to be judge. I am very happy.' But he pressed for appointment of Mr. Dorsey. Gov. McKelden refused. Sen. Bailey then added St. Mary's County to a bill which precluded the governor from making local appointments. Neither senator nor governor would budge on their positions. The bill passed.

Judge J. Dudley Digges from Charles County came to St. Mary's County for two years and sat here because of the unfilled vacancy. Then in the election for circuit court judge, Mr. Dorsey, Judge Loker's son William Aleck Loker and John H. T. Briscoe faced off, with Mr. Dorsey easily winning."

In 1956, Dorsey became the first elected Circuit Court Judge for St. Mary's County, as he defeated William Aleck Loker, Sr. and John H.T. Briscoe.

John Hanson Briscoe: "And my father said, to tell you the truth, when he ran for judge, Aleck Loker, he and Aleck Loker, and Phil, and he told somebody, Aleck Loker was my godfather, and we know Aleck Loker always wanted a... 'higher level.' You got it. He wouldn't go for anything smaller than Circuit Judge; big job. He's capable. And Phil Dorsey wanted it. They weren't politically friends, and my father said to someone, maybe he said it at home, 'You know I'd really like to be judge; but if I can't get it, I'd like

Phil Dorsey to get it.' Now that's interesting because, you know, they differed in many things but they just...that's a true story."

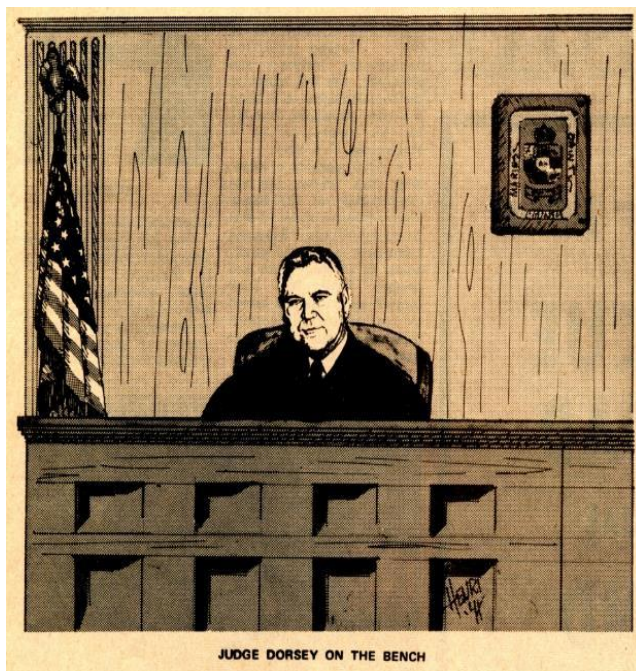
Audio 52. *John Hanson Briscoe on the race between Loker, Dorsey, and his father for judge:*



Phil Dorsey was the last "country patronage judge."

C. Clarke Raley: "It means that they got their position, their judgeship, because of their political power in communities. The numbers of people that they were related to, people that were dependant on them for jobs, for positions, for recommendations, and they had the statewide connections to pull those things off. And there were no judicial selection commissions. Judicial selection commissions, I guess, came along as sort of a good government idea to ameliorate the abuses allegedly caused by these powerful country politicians."

John Mudd: "Phil Dorsey, the only time I dealt with him was when he was a judge. My first jury trial, Judge Dorsey was the judge and he had his poodle with him. I still remember that. He had it in his chambers but he brought it with him certainly. My belief is, there was a time where the damn thing was on the bench with him, but it might've been when the jury was out or when the trial was over and he brought the puppy in."



55. "Judge Dorsey on the bench"

Darlene Guyther: "Ginger was his poodle. He would have that, while he was sitting on the bench of a trial, Ginger would be sitting on the bench...He liked her. It was a little poodle. And I think it was what you call an 'apricot poodle,' and I think that's where the dog got the name 'Ginger' because it had gingery kind of looking ears and muzzle, and I think there was some on the feet too. But yes, the Honorable Philip H. Dorsey Jr. had his pet dog in court during court with him a lot."

C. Clarke Raley: "I knew that, I saw that. The dog's name was Ginger and Ginger was a little poodle, sort of a champagne color, and the dog

was with him in court many, many, many, many days and Judge Dorsey really loved that dog and that's why Judge and Mrs. Dorsey loved to take French vacations because they'd go to Paris, and

Ginger could go with them and the three of them could sit in a fine restaurant at the dining table. That's true! I do believe that is true."

Ted Weiner: "Oh the dog you'd see at the dinner table. Ginger. You'd see it at the dinner table. He'd have a cocktail, him and Ginger, was just unbelievable... Oh yeah. I'm not joking. Like in a martini kind of glass cocktail."

Evelyn Arnold: "I know when he came in the morning, you knew he was in the building because Mary Agnes Buckler was the receptionist at the switchboard in the center of the hall, and when he walked in the front door and you could hear him say good morning and you knew he was there but you could hear him come in. He was very fond of Mary Agnes and, in fact, she would keep Ginger when they went on vacation sometimes."

"They had parking lots for the judges. When he came down he'd go in and see a car parked in his parking place, it didn't matter. He'd go down and park downtown and then walk back... And not say anything. When we had a PG County Judge, called Larry Williams, who was Sheriff and he says 'Get the car moved, that's my parking place.' And I thought, that's the difference. And I'm sure Judge [John Hanson] Briscoe probably would've done the same thing, parked someplace else."

Frank Olmsted: "Judge Dorsey could always make you feel good, even if you lost your case. I went down there, I think it was an equity case; it had something to do with boundaries, I think, and I lost it. And Judge Dorsey was able to make me feel just as good as if I had won it. Almost. Nice guy. I liked Judge Dorsey very much."

Will Broms: "My only recollection of Judge Dorsey was that he always liked me for some reason. I don't know why. I was working for his son, Walter, then. And anytime we'd be at some social he always had his arm around me and be telling everyone, "This is Walter's boy, this is Walter's boy."

Marvin Kaminetz: "Judge Dorsey, now you've got to understand...picture this. One political faction, John H.T. Briscoe, John Hanson Briscoe, J. Frank Raley total opposite of the Dorsey faction. So here I am totally tied into the Briscoe faction, working at Briscoe and Kenney in those days. Long story short, he treated me fantastic as a young lawyer. He didn't ever try to embarrass me. You know, young lawyers make mistakes. He was always very good to me."

Ernie Bell: "Philip H. Dorsey. I was a pallbearer for Dorsey. I knew him as a kid growing up in Leonardtown. We delivered newspapers to his home and when I came back here, well, when I was going to law school, I went to night school, and we're talking over fifty years ago, so my access to a library was the library across the street in the courthouse, and Judge Dorsey use to let me use that library on weekends. He said

it was okay for me to go in there, most of my Saturday and Sunday evenings spending in that law library. It was common for the courthouse to be locked up on weekends. You'd enter through the rear, the Bucklers had the jail, and they knew me, and they let me in. I'd spent a lot of time up there, and you know, once I can remember occasions on Sunday evenings, Judge Dorsey would come down, maybe check his mail, and he'd come in at the courthouse, and the law librarian and he would recount stories. They were very pleasurable."

One legend has Walter Dorsey arguing a motion in front of his father in court. And, as he's realizing the judge is about to rule against him, Walter says 'but Judge,' and then again, 'but Judge.' And then the third time it's 'but Daddy.'

Ted Weiner: "Yeah, they had a unique relationship. It was like a couple of giants. They were both big and loud. Walter was kind of like the image of his dad, he really was; too much alike. And I would think Walter would do poorly in front of his father. He would just... His dad would just 'anti' you. By the same token, if you want to get something out of Phil Dorsey, you send Joe Weiner over.

"Dad and Paul Bailey were close. And Dad and Walter Dorsey were close, too. My dad was the only person in control and in charge of things always, everything. Except for Phil Dorsey. Around Phil, he was like his son, or at least my 'favorite uncle' kind of thing. He'd call my dad up and be like, 'Joe Weiner, we are going to Nigeria for the Peace of the World Conference. I got the brochure. I'm coming over!' Next thing you know, Dad and Mom would be heading off to Nigeria with Phil and Dorothy; they went all over the place. It took something to get my dad to take off for a week or a chunk. But Phil Dorsey spoke. Which is kind of interesting; that's the only side of that I ever saw."

"A judge should realize and never forget the weakness that other human beings possess," Judge Dorsey said earnestly to a local reporter in that southern drawl that is unmistakably his.

Jim Kenney: "Phil was on the bench when I got here. I thought he was fair and had great common sense, a great equity judge. The cases where there was a lot of judicial discretion, he could frequently carve the right solution out of things."

John Bailey: "Judge Dorsey was a very learned man, a very kind man. In those days, the Circuit Court Judges had a lot more power than they do now. If a man appeared before him and, let's say, it was for a non-support case or some type of support case or something like that and the fellow said, 'Your Honor, I know I have a responsibility to pay support. I have been everywhere to look for a job and I can't find a job any place.' Judge Dorsey would get on the phone, call the State Road Commission, say, 'I'm sending you a man. Put would him to work, put him on the payroll so he can pay his support.' And that's the last he would ever see the man in court."

Audio 53. *John Bailey on Judge Dorsey:*

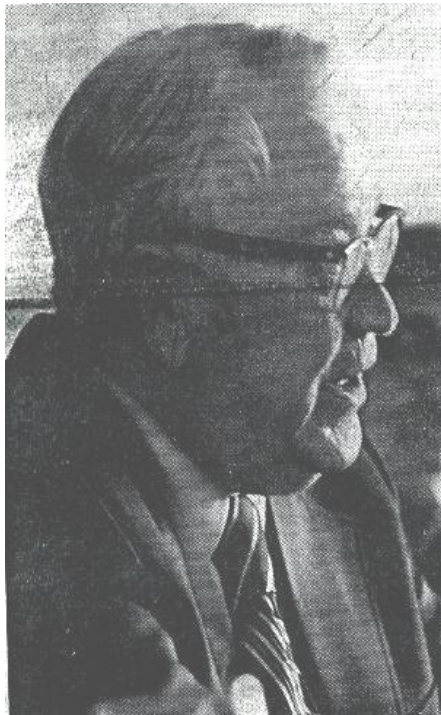


His Later Years

John Mudd: "He had a presence, there's no doubt about that."

John Bailey: "He was great. I mean he was just a loveable person."

Eleanor Duke Storck: "He did a lot for the county. Phil was brilliant. He did his homework and he knew the law. Our family always admired his intelligence and fairness. He was very democratic in many ways."



56. Judge Philip Dorsey

Ernie Bell: "Then when he retired on June 30, 1971, the very next day is when the District Court started, and Judge Dorsey made it a habit, he used to come over here to my office, he liked to come in on the evenings, and we just talked about things. But he was just, at least once a week it seems like, he was in here, and it was like a lot of times Saturday mornings, I'd be here, and just talk about things in general. I found him a very entertaining person. And Judge Dorsey, he liked young people. Alfred Gough and I, you know, just delighted being in his company whenever we could, and he was a great story teller. And so, Judge Dorsey, he was a good man. I can't help but smile when I think about him

because he was just, kind of just how I use to look forward to him coming in here, and I remember him telling me, we didn't have the death penalty at the time, he didn't think he

could give the death sentence. But he was a very good man, very decent man, and he was a good listener.”

Audio 54. Ernie Bell on Phil Dorsey:



St. Mary's Countian, April 11, 1990

“Mr. Paul Bailey interjected some comments about his friend Phil Dorsey. ‘He was a great lawyer. As a judge, he was a very wise, independent fellow. Loved everybody. Dorsey was one of the kindest men I have ever met. He didn’t want anything ever. The only thing he wanted to be was a judge.’

“Mr. Bailey then added, ‘I would say that Phil Dorsey and Father Johnson, over at St. Joseph’s Church and St. John’s, were the two most popular men in the county.’ Some of Mr. Dorsey’s popularity related to his support of parochial school bus transportation. Mr. Dorsey was not Catholic. He never did anything but good for anybody. Really, that is the answer. He went to funerals, weddings and everything. There wasn’t a priest in this county that didn’t like him.’

“Of Mr. Dorsey’s popularity, Mr. Bailey added, ‘His following did practically worship him. He was so good. You didn’t have to have a damn nickel. There was no public defender in this county. If you were broke, Phil Dorsey would go to court and raise hell for you without even talking about a fee. In a county where a lot of people didn’t get into trouble, can’t you see how he built up this tremendous following? That’s all it was. He never took a nickel from anybody. He never stole. He never fooled with graft. And nobody else did. This was a county filled with very wonderful people. He was the top man, highly educated.’”

The Enterprise

“Judge Philip H. Dorsey was a man of firm convictions who had several true loves. One was his native St. Mary’s County and another was politics. He’d go to any lengths in his amiable, kindly manner to obtain what he believed was right and just for either. Dr. J. Renwick Jackson, president of St. Mary’s College of Maryland where Judge Dorsey was chairman of the board of trustees, said of the judge, ‘Judge Dorsey was a strong, wise, reliable and kind colleague and a great friend of St. Mary’s College. He always did everything within his power to serve the best interests of the College, and during his championship [of the board of trustees], the College made substantial progress toward becoming an excellent liberal arts institution. It was during Judge Dorsey’s leadership the College received its full accreditation as a four-year liberal arts college, had its master plan approved by the Maryland Council of Higher Education, and steadily improved the quality of its academic programs. As to his capacity as a judge on

the bench, he was known as 'a judge who listens.' Judge Dorsey had a good friend and retired government lawyer, the late Arch Brown. It was Arch who would sit in the judge's chambers with Judge Dorsey, as they discussed some difficult case which had come before the court. They'd exchange knowledge and ideas on the laws, and it was not unusual for Judge Dorsey to remark, 'Arch, this is really a bucket of worms.' His political life was involved for many years in the Democratic Party. A staunch friend of Herbert O'Connor and of George Mahoney, he stumped the State whenever they ran for offices. For years he was a controlling power in St. Mary's politics. Together with Capt. Sam Bailey, his lifelong friend and political ally, many decisions were made for St. Mary's political aspirants and policies.

"He was at one time the owner of the Enterprise. With the present publisher of this newspaper, he carried a great deal of influence. We were often on opposite sides, but we valued his opinions greatly. Judge Dorsey's influence on St. Mary's County will be remembered for decades to come because he always cared for the County. The welfare of the people of his beloved native County was the foremost thought in his mind. We were indeed fortunate to have Judge Dorsey with us as our State's attorney, delegate, senator, and our Circuit Court judge because it was those 50 years of public service that were most important. Those were the years he made the strong commitment to serve us, the people of the County. We didn't always agree with Judge Dorsey, but we must add we respected him for his thinking and his influence. That influence was apparently built on a strong foundation of respect the people of this community had for him. His word was very much his bond. And he was a gentleman."

St. Mary's Beacon, June 9, 1976

"Senator Bailey said the county had lost its first citizen Sunday morning."



MARYLAND DAY 1974 -- Judge Dorsey addresses a mock assembly of the legislature during Maryland Day ceremonies in 1974 in the reconstructed State House at St. Mary's City. (Staff Photo by Richard E. Polk)

57. In the front row, from left-to-right: Paul Bailey, Philip Dorsey (standing), J. Frank Raley

THE ENTERPRISE, Lex. Pk., Md., Thursday, June 10, 1976, Page A-9



HIS LAST MEETING -- This photograph taken last week by Enterprise staffer Rick Boyd shows Judge Dorsey after he addressed the Taxpayers Association on demanding a public hearing concerning the County's plans for Charlotte Hall School.

58. Judge Dorsey in his later years

Aleck Loker, Sr.



59. Young Aleck Loker, Sr.

In Memoriam

Mr. Dorsey: "May it please the Court, I would like to call on Mr. William Aleck Loker.

"Mr. William Aleck Loker: If the Court please: I am very happy that I knew Aloysius King, and certainly voice approval of everything that has been read of him and said of him so far today.

"Along with this charitable disposition that had been spoken of, and along with his love of poetry, not only poetry in the sense of the written or spoken word but that poetry of motion that also appealed to Mr. King's esthetic nature, he possessed another attribute, which, to me, as I think back the years that I knew him, becomes more charming as time goes on; and my

earliest recollections of Mr. King date back to my childhood. He at the time was an adult, but I can recall, growing up in the same town with him, that he was never too busy to encourage and offer any help that he could to the children in the community that he lived in.

"I can recall that he was one, along with Judge Camalier, who used to promote races around the park down there, with children contesting in such games, and he would offer prizes. He always contributed generously to any movement that had as its goal the entertainment and better education of the youth of the community that he lived in. I think he will long be remembered for that particular attribute, as well as the others that today have been spoken of.

"One other thing that impressed me about Mr. King was the fact that I found in him a man who derived an extreme pleasure out of the successes of others. He never gave, as far as I was aware of, the slightest indication that in him was any envy. No matter what anyone else accomplished, Mr. King seemed to derive a great deal of pleasure out of it, especially when it was accomplished by someone that he counted as a close friend.

"So I believe that as a descendant of one of the very earliest settlers of this State, he having descended from Cuthbert Fenwick, he lived and exemplified the traditions of Maryland that were brought here by his ancestor and those companions of his who braved the elements and the sea to make this settlement here. He was a sentimental man with a very sensitive nature, and I think that he will be remembered because of these beautiful qualities that he possessed, generosity and loyalty and devotion towards his country, his State, his county, and his immediate associates."

Family

Aleck Loker, Sr. was born on July 26, 1909, in Leonardtown. His son, Aleck Loker, Jr., remembered of his father's family, that, "his father was an attorney and a judge. His grandfather on his mother's side was Judge Robert Ford. Robert Ford's son, J. Frank Ford was Clerk of the Court."

On November 18, 1934, Loker married Margaret Belle Wigginton, the sister of his future law partner, Robert Wigginton.

Education and Early Academic Success

As a teenager, Aleck Loker, Sr. attended Leonard Hall School, where he distinguished himself nationally.



Aleck with his debating coaches, Brothers Ambros and Walter at Leonard Hall. Brother Ambros is seated. Brother Walter was born James J. Dolan in Richmond, Virginia in 1874. He was admitted to the Xaverian Brothers on July 3, 1896. He came to Leonard Hall in 1911 and participated to a great extent in setting up that institution while he was superior there. There were several other assignments before coming back to Leonard Hall in 1920 where he served as headmaster for 12 years. In 1966, at age 92, he celebrated his 70th anniversary as an Xaverian Brother. In an interview that year, Brother Walter recounted with great fondness coaching young Aleck Loker to the national oratorical championship. As a result of Loker winning, Brother Walter also was given a trip to Europe.

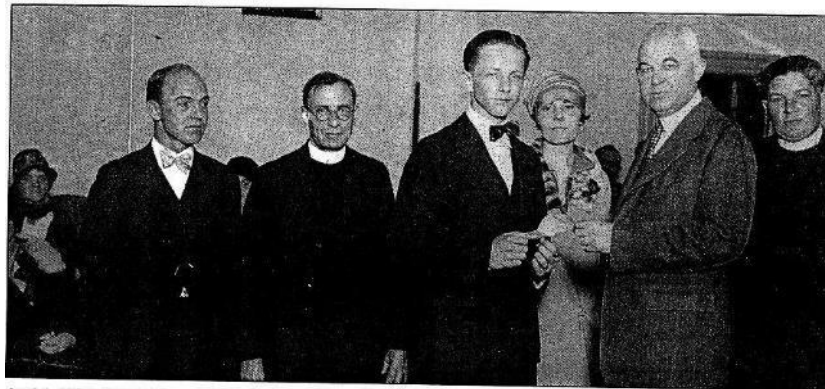
60. Aleck Loker with his debating coaches from Leonard Hall

Aleck Loker, Jr.: "Billy Sterling was very good friends with Dad. Dad was friends with all the Sterlings; they had grown up together. Mary Catherine [Sterling Bell], Ernie's mother, was one. Interesting story about the Sterlings. Dad was at Leonard Hall, and there was an oratorical contest, and all around the country, high school students were entering into these oratorical contests, and it was a several rounds process. If you won in your county, then you competed in your region and ultimately in your state, and so Mary Catherine Sterling was one of the few women who competed in the oratorical contest and Dad defeated her in the local contest. I don't know who else may have been in the contest; I know he and Mary Catherine were in it.

But Dad won at the local level, he won at the tri-county level, but ultimately he represented the Washington Star newspaper and they were responsible for Maryland, Virginia, and Delaware, I think. And so, he was one of the finalists, and there were about eight finalists from all around the country, and the final competition was to speak before the Supreme Court Justices.

“My dad was at Leonard Hall. He was eighteen years old and all of them were at that same age. So they went up to Washington and I think it was at Constitution Hall, where they had the final competition. Here were about eight of them, as I say, all men except one woman. And the woman defeated all the guys. One of the other finalists was Carl Albert of Oklahoma. He went on to be Speaker of the House.

“Dad, you know, came from a legal lineage. And when he was in the competition for the oratorical contest, he was interviewed by the Star and one of the things he told them was a very candid comment. They asked him, you know, ‘What is your life goal?’ and he said, ‘I want to be a member of the Supreme Court’.”



April 4, 1927: Presentation of \$200 check to William Aleck Loker by Mr. Neubold of the Evening Star upon winning the Southern Maryland District Oratorical Contest at the St. Mary's County Courthouse: left to right Mrs. Kenneth B. Duke (sitting); Mayor Roland B. Duke; Brother Walter CFX, Leonard Hall School; William Aleck Loker; Miss Proctor; Mr. Neubold of The Evening Star; and Brother Ambros CFX.

Aleck Loker: Champion Orator

A Brief History of a Local Hero

61. The St. Mary's Chronicles' tribute to Aleck Loker, Sr.'s victory

The story is also recounted in a story from Washington's *The Evening Star*, dated April 5, 1927, and written about in the Chronicles of St. Mary's. The Chronicles' story is as follows:

“Speaking on ‘The Constitution,’ young William A. Loker, 17 year-old senior of Leonard Hall, stood on the judicial bench occupied during the court’s sessions by his father, William M. Loker of the seventh judicial circuit, and beneath the watchful gaze of a portrait of Robert Ford, his great grandfather, who was also a judge of the same circuit.

“Aloysius F. King, editor of the St. Mary’s Beacon, presided as chairman of the contest, which took place in the courthouse.

"Loker told of his future ambitions. 'To be frank with you, my heart's ambition is to become Chief Justice of the Supreme Court,' he confided. 'That is a mighty high mark, I realize, but you know, we must aim at high levels or we would never reach the higher reaches of success. We might fall a little short of the highest mark but by shooting at the stars we will get higher than we might have had we not striven for the greatest things. Isn't that so?'"

"You see I want to follow in the footsteps of my Dad, first with the law as a practicing attorney, and then later- well, I told you my ambition."



April 1927:
Leonard Hall
brothers and
students in front
of the
Washington
Star Building in
Washington,
DC. Aleck
Loker is
standing next to
Brother Walter,
the Headmaster
of Leonard
Hall.

62. Loker, his teachers, and classmates on a tour of the Washington Star Building



The contest finalist with the Captain of the USS Sylph on their way to Europe. Seated in the center is the contest winner, Dorothy Carlson of Salt Lake City. On her right with glasses is Jefferson Meager of Binghamton, N.Y. On her far left is the future speaker of the House of Representatives, Carl Albert of McAlester, Oklahoma. Standing with bow tie is Aleck Loker. Also in the picture but not identified is the second place winner, James Tunnel of Georgetown, Delaware. The names of the remaining two finalists are unknown.

Carl Bert Albert as of this writing is the only remaining living finalist. According to Aleck Loker, Jr., he kept in touch with all the finalists throughout their lives. Albert was born in 1908 and upon graduation from the University of Oklahoma studied at Oxford on a Rhodes scholarship. He began his first term in the House in 1947. He was majority whip from 1955-62, majority leader from 1962-1971 and he served as Speaker of the House from 1971 until his retirement in 1977. Albert played an important role in the passage of President Lyndon Johnson's domestic program in the mid-1960's.

63. An excerpt from *The Evening Star's* article. Aleck Loker is at the top right; future Speaker of the House of Representatives, Carl Albert, is at the bottom right

After graduating from Leonard Hall in 1927, Loker went on to Georgetown University and eventually earned his *juris doctor* from the University of Maryland School of Law. During his studies there, he found he had time and talent for more than academics. As his obituary recalled, “While a law student in Baltimore, he earned money singing on the radio.”

Legal Career

Aleck Loker began his practice of law in Leonardtown in 1932 and later was joined in practice by his brother-in-law, Robert E. Wigginton, Jr.

Darlene Guyther: “When I started in 1961, he was like the old man; he had been around for a long time, he had a great reputation. He was like John Hanson Briscoe, he was a gentleman.”

Ruth Sterling Heinssen: “You know, Mr. Loker, I would see him in the Record Room. And such a gentleman. And, you know, I never had a case against him or with him, but we’d speak every day in the Record Room. And I learned a lot of things from him. I’d ask a question or I would come across something in a title, and they just knew so much, they knew everybody. That Record Room was something of a little clique. He was a lovely man.”

Evelyn Arnold: “He was a gentleman. He was reserved. We indexed a lot of foreclosures for him. He was quiet and reserved. He was a perfect gentleman.”

Henry “Bud” Virts: “Aleck Loker was a very good friend of Paul Bailey’s.”

C. Clarke Raley: “Yes. Aleck Loker was a fine lawyer and a truly fine man. Everyone would refer to him as a gentleman. It was just the way it was. The way he carried himself, the way he conducted his life that was his reputation in the community. I went to school with his son, Aleck, four years at Ryken. And I just had the greatest fondness for Aleck Loker. No question, there was never a question about his ethics, his truthfulness, or anything like that. He was one of the lawyers I really used to think was a fine, great man.”

Audio 55. *C. Clarke Raley on Aleck Loker, Sr.’s character:*



His Later Years



64. Left-to-right: John Hanson's godmother, Leila Hodges; John Hanson Briscoe; and John Hanson's godfather, William Aleck Loker, Sr.

Norma Dawson: "At one point when he was cleaning out his office, he had all these law books that he wanted to get rid of and he asked if I would take them. I said yes and we put them out on the shelves, the older books, but now and then we'd look up a case, you know. It was interesting, it was good to have them, really. And he was very nice to work with. Mr. Loker was a great guy. You know, he used to sing, I've never heard him but he used to sing at weddings, so I'm told. He was quite a singer. But he was a very nice person. He was easy to work with, very appreciative of everything that you'd done for him. He was a very nice person, he really was."

Audio 56. *Norma Dawson on Aleck*

Loker, Sr.:



In addition to his law practice, Mr. Loker was active in the support of the St. Mary's College, helping forge it into a four-year, coeducational institution.

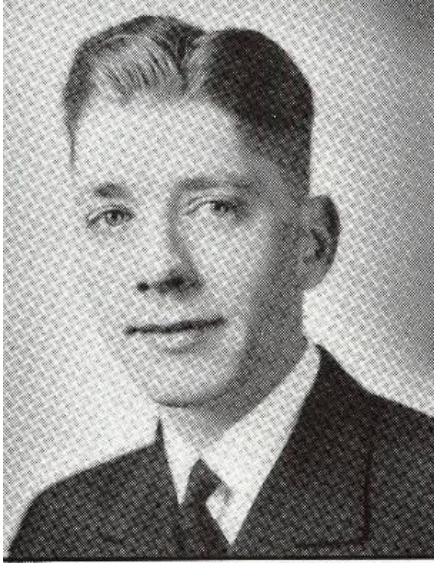
George Peter Wigginton: "Of course, Uncle Aleck was cool, quiet, dignified, had a low-key sense of humor. He was a, almost like a 19th century man. Uncle Aleck. He was quiet and laid back, very distinguished. Low key and moved quietly and slowly. He was just a nice old-fashioned kind of man and I liked him."

Aleck Loker, Sr. passed on July 26, 1992 – one day shy of his 83rd birthday.



65. Aleck Loker, Sr. in 1974

Robert Elmer Wigginton



Lt. Cmdr. Robert E. Wigginton

66. Robert Wigginton

In Memoriam

"Mr. Dorsey: May it please the Court, I now would like to call on Mr. Robert E. Wigginton.

Mr. Robert E. Wigginton: "If your honors please, I wish to add my few words to what has already been said.

"Our old friend, Al King, was a true friend to all of us. We knew him for what he was, a brilliant man and true scholar. He had the potentials of being one of the greatest lawyers that this county ever produced, but instead, his efforts led him along the path that was established originally by his grandfather and used by his father, that of editor and publisher of the St. Mary's Beacon, at which he was so successful.

"Suffice it to say, and I believe all of us will agree, that the passing of our dear friend left vacant a place in St. Mary's County which can never be filled by anyone living, but I like to think that, that place will always be filled by our fond memories of Al King."

Early Years and Education

Robert Elmer Wigginton, Sr. was born August 23, 1911. How his family came down to St. Mary's County in the first place is something of a story.

Aleck Loker, Jr.: "My grandfather, George Wigginton, was an investor, and they lived, in the time I'm talking about, they started out in Pittsburgh but they moved east, to Kalamazoo, Michigan, and ultimately they lived in Westchester County, New York. And he had a yacht, as many of them did, and he was looking for a place to have a summer home where his family could go. He would stay in New York but the family would come to the summer home and he picked the spot on the Potomac, below White Point, and named the farm Belvedere. And they had, it was apparently a pretty large old farm house there that they lived in."

George Peter Wigginton: "My granddad was born up in Pennsylvania. And he went up to Michigan and he also lived in New York, and my dad told me, he came back to

St. Mary's County and bought up a farm called Belvedere and Dad was around 16 years old when he came back down here.

"So Granddad buys the farm, my father and my uncle, Robert [Bob] Wigginton, the attorney, both stayed in the county as well as Aunt Margaret, of course, because she married Uncle Aleck [Loker].

"My mother's father had two daughters, my mother being one of them. She was the younger daughter. There was Lucille, her older sister. George Wigginton ended up in Leonardtown with an insurance agency, Nationwide Insurance. And they would come to Belvedere for the summer. Spend the whole summer there. Grandpa Wigginton would then come down, you know, a week or two a summer and spend some time with them."

Bob Wigginton, Jr.: "My grandfather bought a farm in Medley's Neck, bought Belvedere Farm. My grandfather bought it and, at that time, the Belvedere farm consisted of Belvedere; Bloomsberry, which runs sorta next to it heading toward White Point Road; and at Riverside, which is on the way to White Point. Farms, you know, grains, corn, wheat, you know, some livestock. I don't think it was more than a gentleman's farm. I think they came during the summer and they spent summers down here. They probably came here from Michigan, they probably ended up in Michigan or Pellam, New York, and came down here for summer, which is a little strange. My father went to what's called a normal school in Michigan and Ohio. Like I said, they kinda jockeyed around a whole lot for the times. They got around a lot. He may have gone to military school for a little stint out in Indiana, Culver Military Academy. He started college at Georgetown. During his time in Georgetown, his father died, which was 1929, and after that, he got his law degree from the University of Maryland."

Belvedere Farm and Family

Bob Wigginton, Jr.: "He really fell in love with St. Mary's. At that time, my Uncle George Wigginton and my Uncle Aleck Loker were managing the farm. Aleck and my father were partners. Aleck married my father's sister. Aleck Loker's wife is my aunt. She was my Aunt Margaret.

"When Dad came down here, Aleck Loker was practicing law. He was a couple years older. He was at least two years older than my dad. I think, because the farm was here and my father loved the farm and he loved, you know, the river, the Potomac River. He just liked it down here. He wasn't interested in his father's business."

Naval Career

Bob Wigginton, Jr.: “He left his law practice. He went and joined the Navy. But my father got married during the War in Australia. Married an Australian woman and, of course, brought her home and left her here and went back to the War until it ended. So he did not come back until late 1945.”

George Peter Wigginton: “Uncle Bob joined the Navy in 1939, earned a direct commission, and served in the Pacific, fighting in the Pacific. First, he went to Australia as a liaison. He was a lawyer practicing in Leonardtown and he told me he knew war was coming, and he went to Washington and worked at Naval Intelligence. In those days, they were all in mufti. They would all wear civilian clothes to work for intelligence. They didn’t want spies to know.”

Aleck Loker, Jr.: “The war broke out and he was in school. He was in the Officer’s Candidate school and he became a lieutenant or a junior graduate lieutenant and went into the Navy just at the outbreak of the war. And he was the navigator on the flagship that went into Iwo Jima. When he finished his service, he came back, finished law school, and went into practice with my father. So it was Loker and Wigginton.”

Legal Career

Bob Wigginton was admitted to the Maryland Bar in 1935. During his career, he practiced law as a partner at Loker and Wigginton; he also served, at various points, as the attorney for the St. Mary’s County’s Board of County Commissioners and as general counsel for the Southern Maryland Electric Cooperative.

Bob Wigginton, Jr.: “My dad lived on a farm, a big farm and did title work. This was going back to the ‘30s. I think there was a fair amount of title work. There was foreclosures, you know, it was the ‘30s, a depression era. If it was a foreclosure and he was going to make five dollars or something. He had an office in the old Beacon Building.

“He would take a real estate sale from contract to closing. He did the whole schmear. Right now, we, as a real estate agent, we write an offer, we end up with a contract. Well, we turn it over to a title company to go to closing. The title company orders an abstract from an abstractor. That’s all they do, they search titles. They research deeds. My father would research his own deeds. The seller would probably already have a buyer through word of mouth. They want to sell something and there is somebody, you know, it’s just people talk. So if the owner of a farm wanted to sell or the owner died and the widow wanted to sell, they would go to the lawyer, my dad maybe. He would draw up the contract.



"Now when Dad did the title work, he didn't have copy machines. He went to the Record Room. Of course, there was the record books which were huge. They had these tall desks with tall chairs, and I remember seeing my father sitting at one of those desks, and he's got one of these books open, and he's reading through it, and he's got a legal pad and he's copying notes. No copy machine. It wasn't until probably early '60s, he got one in his office, and it was actually a photocopier because it took photos of the document and it probably took you five minutes to make a copy of one page.

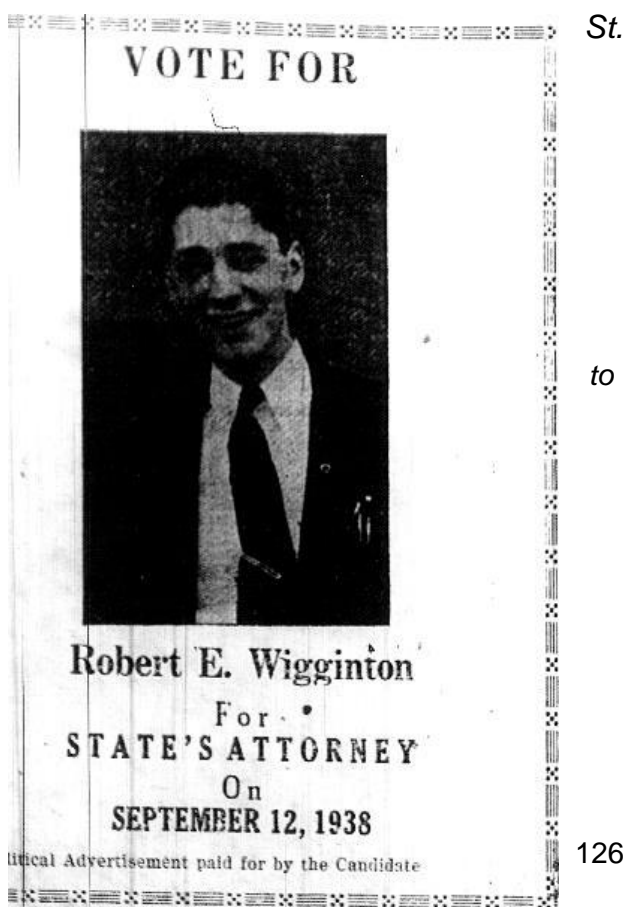
"Dad liked to practice law. He loved it. I think he liked the research. He liked looking back at these old deeds and seeing who had it, what they did. You know, it's a story."

Ernie Bell: "Robert, he was a good man. His practice was a lot like mine, lot of civil, lot of real estate, and he also represented the electric company. A decent guy. He was a good man, and he served in the Navy and, of course, his partner was Aleck Loker."

Evelyn Arnold described Bob Wigginton as similar to his law partner Aleck Loker, "quiet and reserved."

In a race for State's Attorney, *The Mary's Beacon* endorsed Robert Wigginton:

"Mr. Robert E. Wigginton, with his three years experience at the Bar, and because of his education and training and the impressive manner in which he has established the fact that if elected as State's Attorney he will render prompt, industrious and honest service the people of his adopted service."



St. Mary's Beacon, April 14th, 1939



Dear Sir:

"I have received information from the Maryland Farm Bureau that plans have been completed whereby the members as well as nonmembers of the St. Mary's County Farm Bureau may visit the New York World Fair for the amount of \$20.00. This amount pays for the following:

"Railroad fare, transportation from station to Hotel, three nights in the hotel, three admissions to the Fair, a sight-seeing tour of New York City by land or water and a choice of a Radio City Tour, television or a broadcast.

"If anyone is interested in taking this trip to The New York World's Fair he can contact the under signed at his office or see J. Julius Johnson, County Agent, and we hope within the next few days to have more information on this."

*Very truly yours,
By Robert E. Wigginton, Secretary
St. Mary's County Farm Bureau*

Al Gough: "Bob Wigginton was a very good friend of mine. He got me my job at the SMECO. He was the attorney to the board of SMECO at the time, and they were looking for somebody, and he recommended me, and I've always appreciated that very much. Bob was a fine, fine person. A good lawyer and a very conscientious lawyer. They dealt a lot with real estate matters and things like that."

Henry "Bud" Virts: "Bob Wigginton and Paul Bailey. Very good friends. He always spoke well of Bob Wigginton."

His Later Years

Bob Wigginton, Jr.: "The arrival of the Navy Base changed things down in the County. There was some more people, you know, buying houses. There was definitely more business. My father was good friends with Mervell Dean, and my father tells the story that the dumbest thing he ever did was not throwing in with Mervell Dean for Town Creek, when Mervell developed Town Creek. But my father said he just couldn't understand why people would want to live on half-acre lots when they had all this land that they could live on. But, you know, Mervell was right. I think Town Creek was the first development in St. Mary's County. New concept; a subdivision. My father would

have tied in with Mervell Dean on that. Probably doing title work, you know, doing deeds for the lots. I think Dad did some of them, you know, I think Mervell spread his business around. I don't think he was exclusive to anybody. My father said he had things that he would come to Dad for, my father. If he didn't like my father's advice, you know, he had somebody else he would go to."



68. St. Mary's County Advisory Board, Maryland National Bank on December 18, 1973. Front row: Francis Hewitt, Louie Aldridge, John R. Drury, Jr.. Middle row: Robert Wigginton, J. Frank Abell, Charles Fenwick, F. Elliot Burch, Paul Collona. Back row: Kenneth L. Dyson, Frederick Gass, Herbert J.D. Wise.

Joe Densford: "Bob Wigginton I knew a little bit. He died sort-of early in his career. But again, highly respected. People really liked Bob Wigginton and he just enjoyed an excellent reputation."

Norma Dawson: "Bob Wigginton was a nice fella. I really liked Mr. Wigginton. He was a nice person. He was very congenial. It was so tragic that he had to die at such a young age; I thought it was a young age, it wasn't that old. But he was a great guy and I enjoyed working with him anytime that he would come over. He was just a nice fella, that's about all I can say. Nothing but good things about Bob Wigginton."

Bob Wigginton passed away on Christmas Day, 1978.

The Law Firm of Loker and Wigginton

Billie Mattingly: "Loker and Wigginton. They were very fine, upstanding gentlemen. Neither of them were very aloof with the public. They were the classy people in town."

Jeannette Dakis: "They [Bob and Aleck Loker] both were workers and kept largely to themselves; I don't think that they were a group type of attorney really. I believe that they were more choosy about who they would represent, I really do."

Evelyn Arnold: "They were more into the real estate section and not family matters."

Joe Densford: "I mean, they were very smart guys and just had a lot of friends and stuff. But they didn't have, really, that political connection that John Hanson Briscoe had. Loker and Wigginton had a lot, though, on Maryland National Bank, which was here before the Bank of America moved in. And they did a lot of work with Maryland National."

Ted Weiner: "Wigginton and Loker were just another one of this row. And one of them represented First National Bank and the other represented Maryland National Bank. They're the first group that had a settlement business. I think that's one of the reasons dad helped out forming Maryland Bank and Trust, so he could get some of that bank business. You had two attorneys representing competing banks, in effect, and had all the bank business."

"I remember when Bob Wigginton died and they had a memorial for him. Loker spoke and he described their partnership as two people in a row boat, each one with an oar, and there was never a single doubt that both of them was pulling the oar."

John Slade: "They were the premier real estate lawyers. I think Aleck was on the board of trustees of the First National Bank. Bob Wigginton was on the board of the Maryland National Bank. But they were outstanding real estate attorneys. They did a lot of transactional work. You rarely saw them at court."

Priscilla Duke Wentworth Hall: "Aleck and Bob were wonderful, they were gentlemen, had lovely wives. Behaved and did all the right things."

Tom Waring: "They were very, very good lawyers. The Wigginton-Loker partnership was considered the top and when money people came into the county, people referred them to Bob and Aleck. They carried themselves differently, quite honestly. They were very nice, very honorable people. That was their reputation. That's what got them the elite people."

Audio 58. *Tom Waring on the Wigginton-Loker reputation:*



Marvin Kaminetz: “Robert Wigginton. I knew Bob very well. Pipe-smoker, gentle guy. He was SMECO’s house counsel. I got to know Aleck Loker and Bob Wigginton very well. Ms. Jager was his secretary. Jean Jager. Who, eventually you know, John Hanson Briscoe kept later on. And that’s how she, Joe [Mattingly] had her first and then she just stayed on and John kept her. But see, they were Record Room guys, Aleck and Bob. They did a lot of real estate work. And I was mainly in Leonardtown because of, not only doing some trial magistrate, but later some District Court trials and later some Circuit Court trials. I was doing the Record Room work. I was in the Record Room with these guys five days a week. They were there most of the day. I would’ve been there part of everyday. I got to know them. They weren’t political. Honorable. Wonderful friendly people. Great storytellers. World War II hero, Bob Wigginton. Just a marvelous guy. And I felt the same way about Aleck, got very close with both those two.”

Audio 59. *Marvin Kaminetz on the Loker-Wigginton firm:*



Darlene Guyther: “I think all of theirs [Loker and Wigginton] was civil, contracts, settlements, and I think he did do divorce. As far as the nitty-gritty as the type of work they did, it was just a general law practice. That was what all of them did back in those days.”

Tom Daugherty: “But you know, in here, the two lawyers that were really helpful to young attorneys coming up that I can speak to are Bob Wigginton and Aleck Loker.

“Wigginton and Loker was the Briscoe, Kenney, Kaminetz law firm of its day. That was the law firm of prestige in St. Mary’s County was Wigginton and Loker.

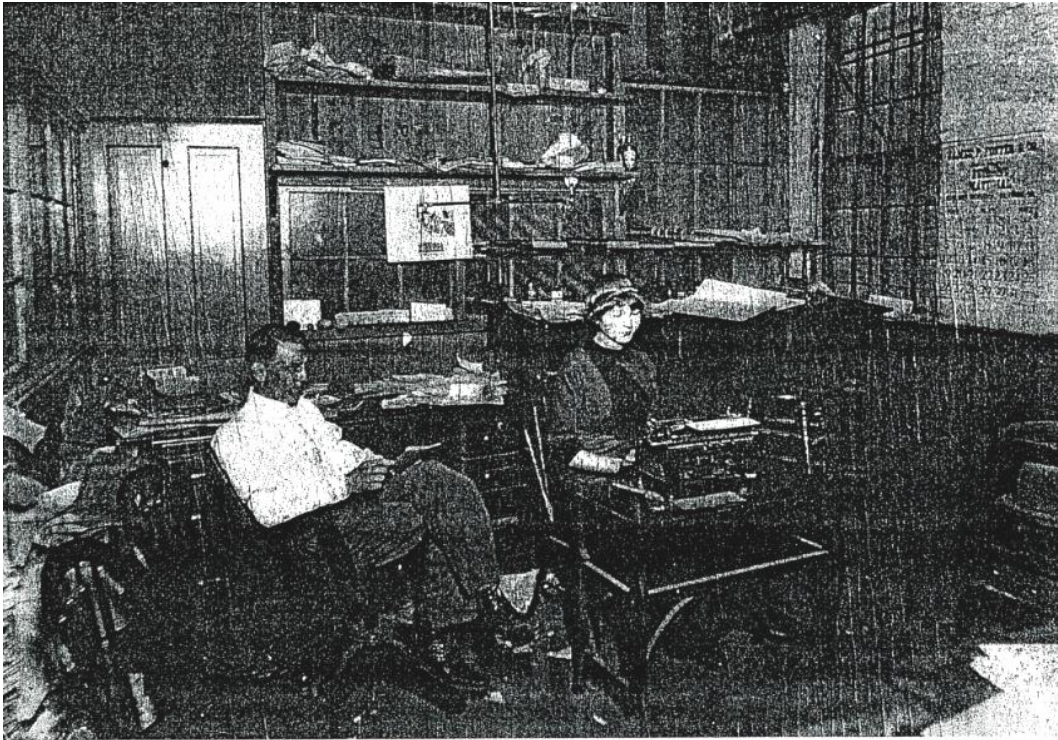
“I think they had a reputation for honesty, for hard work, for giving their client value, and results. You know, they were well prepared. I don’t think they did a lot of criminal work—I know they did a lot of estate work and they did a lot of land use work that was there. And I can remember being in the Record Room—of course, Jan’s grandfather John H. T. was in there bumping books down—but if I had a question about something, if I couldn’t find something in the Register of Wills, 9 times out of 10, if I go over and ask Bob Wigginton or Aleck Loker. ‘Oh, look here,’ and this is what they had, ‘Oh you want to know about that property line? This is how that went. you know, and I did that and

they were so open to sharing with the young attorneys. There wasn't any...they really shepherded us when we came up. And, in fact, the whole Bar Association was different then. If an attorney gave his word, 'This was okay,' you weren't gonna get blindsided by some spurious filing down the road. So much was done by gentleman handshake. It has changed now. That's too bad."

Audio 60. *Tom Daugherty on Loker and Wigginton:*



Secretaries, Court Staff, and Technology



69. Then-State's Attorney William Meverell Loker with his secretary in 1912

Technology Changes

Joseph A. Mattingly, Jr.: "Initially, none of them had secretaries. I mean John H.T., Dad, Paul Bailey, they all typed their own stuff on typewriters, with carbon paper. And John H.T. did it up until he quit practicing. Mrs. Bussler, she was retained to go to work so Johnny [John Hanson Briscoe] would have somebody."

"Joe Weiner would type stuff. In his office, he had a little manual typewriter. And you would hear him in there pluck, pluck, plucking right away. He did his own, I always wanted that typewriter but I don't know what happened to it."

Evelyn Arnold: "Let me tell you some of the attorneys, to save paper, would go up the sides. It was to start with and a lot of it was hand-written. The big docket books, it was a synopsis of the case, you know? Of course, it was captions and fees and costs and stuff, but that eventually graduated to being able to take that sheet out of the big docket book to type it and then put it back in. The books were bound. You couldn't take the pages out. We started out with the manual and then the electric typewriters. It wasn't very long until the electric typewriters came in, and we used to have the old adding machine where you pulled the handle, and then we went to the electric calculators."

Jeanette Dakis: “Well, I went to the clerk’s office right from high school. I went to Margaret Brent and I had taken a secretarial course, with shorthand, typing, and that kind of thing. And at that time we were typing older deeds, mortgages, and wills into big books. They didn’t have the microfilm. We’d take the pages out of the books. We had typewriters that had carriages like that long [two feet long]. To take those pages out, you’d take the book apart, take the pages out, and you had to type exactly as they were. If there were mistakes in the spelling, grammar, anything, you had to do it that way.”

Frank Olmsted: “It made everything, I suppose, go at a slower pace than it does now somewhat. I don’t think the new communications media has made that much difference to the practice of law. Except, of course, you could write a letter and the guy could get it the same day.”

John Mudd: “Emails, when somebody wanted a response, you knew it would take 2-3 days for them to get it in the mail and then you’d get a response in 2-3 days. You didn’t have this immediate, ‘It’s faxed to me, it’s emailed to me, what’s your input, I need a response immediately.’ I used to see Paul Bailey on that little Tom Thumb, and I guess he did it, but I could not exist without a secretary.”

Darlene Guyther: “Office computers were not in existence. In fact, when I first started with Joe Mattingly, we had a manual typewriter and there was no copy machine, everybody used carbon paper. You would type all three copies all at once. You’d have to put in three pieces of paper and two pieces of carbon paper. You had your original which was your original bond paper for the court, and you had your onion skin, which was your carbons. And if you made a mistake, believe me, it was a pain in the butt to have to go through and individually correct each of those carbons. So technology was just vastly different.”

Joe Densford: “Well, technology has changed. It’s gone from carbon paper to sophisticated computer systems. When I first started out, the electric typewriter was an extravagance. And you didn’t have a copier, you used carbon paper. So, things have changed tremendously in that 40 years. The highest piece of technology would have been a dictating set-up, which is basically a tape recorder. And your secretary, if you were lucky enough to have one, which I didn’t, would sit there and transcribe what you’d dictated into it.”

Frank Olmsted: “When I started practicing in the late ‘50s, we didn’t have cell phones. When you were out of the law office, you were out of touch with the office unless you stopped to make a phone call. I remember one time when, as a matter of fact, when I first came to Mudd and Mudd, I was with them for two years; when I first came to them, we got a case down in St. Mary’s County, and I went down there and interviewed some witnesses. The case had languished somewhat and was finally about to come to trial

as I was getting ready to leave Mudd and Mudd. And I think the last thing I did for them was visit the scene for them down in St. Mary's County, approached the house where the witnesses lived, and found that it was posted up. The latch was on the screen door, and nobody wanted to see me, and I realized, at that point, that the other side had gotten to those people, and on the way back to La Plata, I made the first public telephone I came to. I stopped and called deSales Mudd and told him he better settle that case, because we no longer had a case. And he did the next day."

Audio 61. *Frank Olmsted on some of the difficulties communicating with other lawyers:*



John Mudd: "I'm still without a cell phone, never had a cell phone, don't want a cell phone, don't think that anybody needs to be that immediately available. Although, the judges will say 'Give me Mr. Mudd's cell phone,' and they say, 'He doesn't have one,' 'I don't believe that, give me his cellphone.' I don't have one."

Will Broms: "It was not unusual for me to start out with a case in Upper Marlboro, Prince George's, go from there to Prince Fredrick in Calvert County and be back in St. Mary's for court at 1 o'clock. . . [How did you keep in touch with the different court staffs or attorneys to let them know where you are and when you would arrive?] . . . Well, we didn't have cell phones then. I think sometimes the clerks were very gracious; I would go to the clerk's office and have them call someone for me. Yeah, but no, it wasn't unusual to just go from court to court."

Norma Dawson: "Of course, we went to computers while I was there and all the forms and processing was done. We were scanning documents, which we didn't originally because we were doing everything by hand in the books. Well, not everything, that's incorrect, because we were already microfilming the records, some of them. But, of course, that all changed, everything is scanned, and it's now on line. It's much more mechanized and computerized, which speeds it up. And that's a big change with everything but especially financially. When I first started, you had to record every receipt by hand; we had a big receipt book that, at the end of the month, you had to balance. It was just like keeping a checkbook. But every receipt and everybody had their individual receipt book."

Frank Olmsted: "We had an early copy machine, Thermo-Fax, but they made copies on the median that weren't permanent; I didn't like it very well. It was a thin film of plastic material that just didn't last. It was not as nice as making a copy on paper. I think Xerox was just coming in. We didn't have it at Mudd and Mudd when I was there, and I was too poor to have it for a while after that."

Jeanette Dakis: "There was no complete record of conveyances. You really had to go back and look through what was done. That was the only way you could do it until they got that microfilm in. You know they [the lawyers] had to drag those books out, put them out on that type thing that we had there to go through them. That was the only way they could tell what had been recorded and what hadn't. One book might cover several years of conveyances. When I took testimony for lawyers, I took it on a typewriter. People would ask a question, I would type the question, and then I would type the answer. We used carbon paper, everything was on carbon paper, and I hated it, but that's what we used. Whatever you typed, you put an extra sheet of carbon paper in there, and those were your copies; that's all you had.

"I think it took me, I think I worked 10 years before I had a memory typewriter. And you know everything was manual because that was all we had. There were buttons you could push and when you typed something in there, it would make a copy and you could hit the button again when you got finished with the original and the copy would come out, so it made an exact copy of what you typed. Once you ran it off, that first copy; that was it. You could only get it one time and that's all."

Will Brooms: "I have never had any reason to have a computer. People, salesmen, used to come in the office wanting to sell me one. I would tell them that I got along without one all those years, I don't need one. I had a secretary that could read and write."

Audio 62. *Will Brooms explains why he never had a computer:*



John Slade: "It's been a climate change. When I first started practicing, people used manual typewriters and carbon paper. It made terrible copy, because when you made a mistake, you got to rub it out and, of course, you never could remove all the print from the carbon copy. And today, law offices are computerized. My son has an electronic office. He does everything electronically, he stores everything electronically, he does all of his work electronically. There's a complete electronic operation. You don't need secretaries or accountants or anything. One person can pretty much run an office."

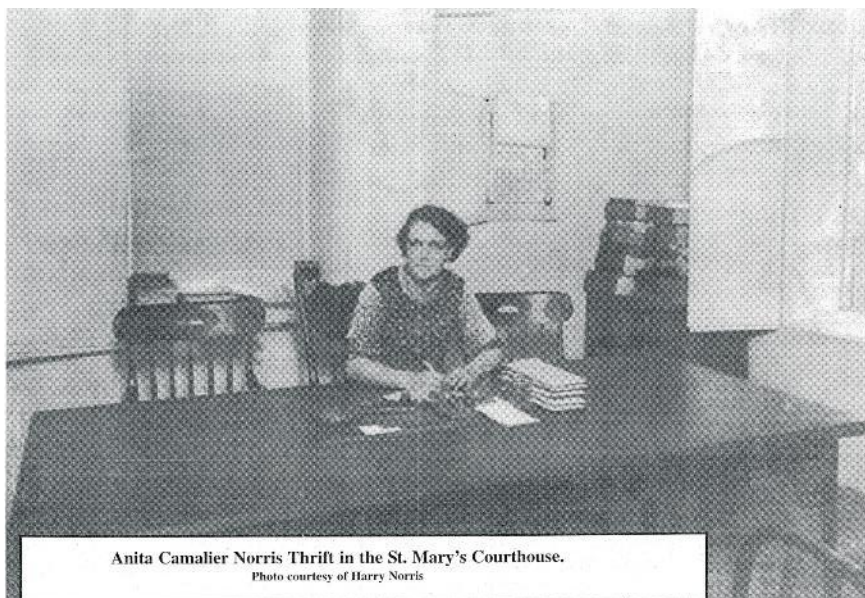
Tom Daugherty: "Well, it [the lack of technology] gave me a lot of the fudge factor. You said, 'Oh, I mailed that the other day, you haven't gotten it yet?'" Then it was emails and you know, they wanted it five seconds after you finished the settlement. Oh God, you know we can't fudge this one anymore."

Staff in Private Office

Jeanette Dakis: “When I went to go work for Oliver Guyther, we were all up in the New Theater building (today The Rex) or what I called the New Theater building at that time. When we went up the steps, Bill Loker and Judge were on one side, and we were on the other side, Oliver and myself. And Aleck and Bob Wigginton were in the front office. So we were all there in the one building.”

Darlene Guyther: “The only attorney practicing in Leonardtown at the time that did his own typing was John H. T. Briscoe. Joe Mattingly did not know how to type. Joe Mattingly’s office was in the Court Square Building. The hallway went down and Joe Mattingly was on one side and John H.T. Briscoe was on the other. John H.T. Briscoe did not have a secretary. All the time that I worked for Joe Mattingly and he shared the office space with John H.T. Briscoe, I don’t recall ever doing any typing or anything for John H.T. [Briscoe]. One funny thing, the legal secretaries at that time were Jeanette Dakis with Oliver; Jean Jager, she was mostly Bob Wigginton’s secretary; myself; and June Bussler, who worked for Briscoe and Kenney. We started getting together and playing poker, which is really funny because we had to have a crib sheet. Nobody knew what they were doing. Joe Weiner got so upset. He thought we were getting ready to unionize...“The secretaries are going to unionize!” and all we were doing was getting out from under our husbands and having a drink and a card game.”

Court Staff



70. Scene from the St. Mary's Courthouse

Evelyn Arnold: “I applied in 1966. Judge Philip Dorsey was sitting. I applied for Deputy Clerk under the Court Clerk, Mary R. Fowler. At the time, there were about eight clerks

divided into three sections: Land Records, Licensing, and Legal Section, and they were separate sections, but not as much as it is now.”

Norma Dawson: “And to put things in perspective, there were quite a few county offices in that courthouse back then. The Assessor’s Office; the Treasurer’s Office, of course; the Clerk’s Office; the State’s Attorney Office was upstairs; and the Register of Wills. The county commissioners met there. The jail was located in the back of the courthouse, attached by little steps and a platform that went the jail and the old house; the jail house where the jailer lived with his family and fed the jail birds. In the early days - not being disrespectful of the Judges of the Orphans Court - but they were lay people who just relied on ‘commonsense.’ They did not know much about the law; some learned a little bit more. But they relied on the Register of Wills to guide them and say, according to this, you can’t do this or that, or another thing. And we got along fine but they really relied on the Register. It wasn’t just St. Mary’s County; many other counties had lay people serving on the courts. So they would need a lot of guidance, they would have a lot of meetings and they still do, the Judges of the Orphans Court.

“Basically it was just a matter of reading the statute, reading the section which applied. We also have the Attorney General Opinions if you had a particular issue. I had a section of them in my office, and they were very helpful. We would refer to them to see if there was an opinion on that and zip one out and I’d read that. But between those things, we had meetings every so often with the Register of Wills for the State, all the counties. Sometimes, we would have individual workshops within the seminars, if there was a particular thing that we were concerned about. And we would have the Attorney General or our particular assistant come and speak with us. But, generally, it was a matter of me, as a Register, looking things up, figuring it out, getting an attorney’s opinion and maybe calling some other Register or two to see if that’s what they would do or if it made sense.”

Dealing with the Public

Darlene Guyther: “I did interact with the clients. I was doing deeds and I would make sure we had the names correct. Joe Mattingly would say, ‘We need to do a deed for Bill and Bootsie Bailey,’ and he would have the description of the property and all, and I would have to go get a copy of the most recent deed from the courthouse. I would ask, ‘You know, we can’t do a deed to ‘Bootsie’ Bailey, what’s her real name?’ And he didn’t know. I mean, known the woman for all her life and didn’t know what her name was. So I’d have to call up and find out, you know, ‘What’s your real name?’”

Audio 63. *Darlene Guyther on dealing with clients:*



Evelyn Arnold: “We used to issue a lot of the oyster licenses and stuff like that, passports. We did passports. And then when I learned, when I became clerk and I learned that it was not a duty that we had to do and we were going to the base a lot of times, on our own, going down to process; which, you know, we didn’t mind doing it, but it was taking from the office. One time, a gentleman got very upset with me, because I wouldn’t file some papers and security was there to take care of it; took care of it, and took him out of there.

“I had some gentleman that...he pestered everybody in Leonardtown, but he came to me one time. He would file frivolous suits, and Judge John Hanson Briscoe would say, ‘Take it, Evelyn, take it as long as he pays that filing fee.’ So I’d take it and Judge says, ‘Well, send him to me.’ One time, he came in, and he was filing a suit against Santa Claus, and he wanted a jury trial! I said, ‘I can’t file this,’ and he said ‘He brought me a wagon with three wheels.’ This poor pitiful soul. So Judge says, ‘Send him to me,’ and Judge Briscoe would take care of him every time. But other than that, I just felt the man had a problem and the deputies would just let him come in. And he told me one time, he wanted a jury trial and I said ‘I can’t get you a jury trial.’ And he said ‘Well, what good are you?’ and I said, ‘I don’t know,’ and he said ‘Well, you had a real nice husband, he wouldn’t treat me like this.’ And I thought, ‘Judge Briscoe, I’m sending him up to you,’ and he’d say, ‘Alright, send him up, Evelyn.’”

Audio 64. *Evelyn Arnold remembers a man who wanted to sue Santa Clause:*



Evelyn Arnold remembers performing a wedding on top of the courthouse, the roof of the grand jury room, for a Deputy Sheriff: “You had to go up in the attic. I took another Deputy Clerk with me, and you had to climb over the air conditioning ducts and all that stuff to get out the door. And I thought, ‘hmmph’. And we got out on the roof, and he said, ‘I want to go over to the edge,’ and I said, ‘You go on over to the edge. I’m not going over to no edge. I’ll marry you from up here by the wall.’ And I did. We had some lu-lu weddings. I’ve done it in boats. I did a wedding at the courthouse where they came out of the courthouse on the lawn. I was like the pied piper. He was playing music behind me. They were all walking behind me playing music.”

What They Liked about Their Jobs

Evelyn Arnold: "I tell you the truth, I loved the job. I really did. My favorite part of the job was, I guess, serving the people. I loved, I really loved the job. There was not a day that I did not go to work."

Norma Dawson: "I loved the job, I really did, and I was talking about it last night. I enjoyed meeting the people, interaction with the people and different attorneys, and I liked the legal work, I liked estate work. The administration of estates always appealed to me. Actually, when Mary Bell first came into the job, she got permission from the comptroller's office, for her and I to go to Baltimore for the Mount Vernon School of Law, and we took the course on intestacy law. I think it was 16 weeks, and we drove to Baltimore one day a week and took that class, which was very helpful. But I loved, I enjoyed the whole thing. I really liked the work. There were a lot of estates that were interesting, I'll say. You know, it was not unusual to have a family come in, and they don't all agree on what's going to happen. And you would have people coming, maybe a family, one telling me that they really should be the favorite, because they did everything for mom or dad. Then you had someone else saying 'I'm the one!' You had controversies before it got to the stage to file the official petition with the court. They would come in, and I would try to explain, and we would work out a lot of the things before it got to that point. So we had a lot of that. Most of the things were settled within the court or within my office. I had a good group of girls that worked for me. I always had good people working and everybody got along. I liked the work and I liked everybody in the courthouse, we got along. I can't think of anything. I never got up and thought, 'I hate going to work.' I never had that feeling. I always liked it."

Darlene Guyther: "I liked working in a law office; it was never dull. It was always different. I mean, you could handle 14 divorces in a row but they'd all be different. There'd be some little quirk in each one."

Jeanette Dakis: "What I liked most about my years as a secretary? I guess I liked to meet the people, and I've had people call me the last five years or so, going, 'Can you change my will for me?' And different people, 'Can you handle a sale, you know a deed, mortgage thing?' And I'd say, 'No, I cannot do that,' but there were a couple people that I did do a will for, people that I knew personally, that was no problem. I really did enjoy it, though, and I remember doing a lot of work for the Amish people, when they would be giving a parcel of land to a son or something like that. We had a good following with them and like I said, he [Oliver Guyther] did a lot of State road work, State was going to take someone's property and that type of thing but I enjoyed it. Like I said, I met a lot of nice people. I can't say that there was really anything that I didn't enjoy with dealing with different types of people, and you never knew when you met somebody what type of person they were going to be, and I met a lot of people when

Oliver was selling property, subdivisions and things like that ,and some very nice people. I really can't think of anything I didn't like."

Joanie Williams: "Actually, I've liked the constant change. It's challenging, it keeps you on your toes, it's never dull, never dull. Like I said, it's ever challenging; it really keeps your interest."

Evelyn Arnold: "My least favorite part of the job? Watching couples, I saw the couples that separated, and little children were involved, and I saw a little child just crying its heart out, because the father was not going to go home with them that evening, and he kept kneeling down and explaining to the child, 'I'll call you on the telephone. I'll call you on the telephone every day.' But when the little child says, 'Why can't you go home with us, Daddy?' that broke my heart. That broke my heart. Now those kind of cases were sad. A lot times, I'd see a juvenile, you'd see a kid that really needed help, and you'd want to take the parents and knock their heads together. So there was a lot of sad stuff. I'd see parents, they would be divorced and have other children and somehow or another, the first batch of children didn't get the support they needed. There were a lot of sad things happening and there still are a lot of sad things happening at the courthouse. There really is."

Looking Back

Frank Olmsted: "We communicated with other lawyers and our clients either by word of mouth, or by telephone, or by snail mail."

John Mudd: "When I was in college, I took a course in cost accounting, and one of my little projects was to determine the cost of using a Dictaphone as opposed to a legal secretary taking live dictation. And I did that and at that time, my father had not used a Dictaphone, and I showed him what my little project showed and when I started practicing law, I had a secretary that took dictation, and I also started using a Dictaphone, and everybody in the office was using a Dictaphone, and the only copy machine we had in the office was called a Thermo-Fax, which was a heat-laden thing; before that you just had carbons, you didn't have any Xerox or copy machines. Didn't have a fax machine, didn't have cell phones, didn't have car phones and that stuff. You could call back and tell them you were on your way. That's the only thing, if I had a commitment in Charles County and one in St. Mary's County, I'd go down to St. Mary's and when I finished, I'd call and say that I'm on my way back, and they'd alert the Court that I was on my way back. That's just kind of how you did it. Today, it's just sort of streamlined; you just call your secretary and they call the Court."

Audio 65. *John Mudd looks back on the old tools of lawyering:*



“Today, the new associate we hired, he does all his own typing. He really doesn’t need a secretary, but to me, even doing your own typing, you’d be better off using the Dictaphone, and when you’re in court, there’s plenty of stuff for the secretary to do that you can’t do while you’re in court. I think it’s, I mean, it certainly lowers our overhead, but whether or not the attorney is more efficient. I mean, you’ve got someone who’s getting paid \$175 an hour doing his own typing when you could have a secretary making \$14 an hour doing that typing. I’m not sure it’s smart. These new attorneys are very self-sufficient. You don’t have to hire an attorney and a secretary when the attorney is growing his practice.”

Jeanette Dakis: “There’s no comparison today to how things were when I started. Like I said, there was no technology, nothing, and everything had to be done by hand. It’s just different things that you think about, and you got to meet a lot of nice people and some that weren’t so nice.

“Kids today don’t realize how lucky they are.”

William O.E. Sterling

Co-authored by his great-nephew John Sterling Houser



71. Billy Sterling at his desk

In Memoriam

Mr. Dorsey: "May it please the Court, I now would like to call on Mr. William O. E. Sterling."

Mr. William O.E. Sterling: "With the Court's permission: I have known Aloysius King since I was a child. I can very well remember how I, as a child, looked upon him. His very demeanor called for the utmost respect; and as I grew older, my way of looking upon the man was the same, because he never changed."

"I heartily subscribe to the resolution that has been introduced at this memorial exercise. Mr. King deserved that type of resolution. He deserved that the minutes of this Court record the fine remarks that have been made here today about him."

"For me to continue to extol the virtues of that man would be repetitious. He shall always be in my memory, and I know in the years to come he will be in the memory of the people of St. Mary's County."

"Thank you."

Family

William Oscar Enoch "Billy" Sterling was born in 1916 to Lynwood Joseph Sterling and Ruth Elizabeth Camalier Sterling. His father had moved to the county from Virginia's Eastern Shore and worked at the First National Bank. His mother, Ruth, was the daughter of Judge Benjamin Harris Camalier, granddaughter of Judge John Alexander Camalier, and sister of Henry Camalier. Sterling had sixteen siblings.

George Peter Wigginton: "He was born here in this house on the 'Front Porch' [the Sterling House in Leonardtown]. My granddaddy moved out and went up there to the North End and the Sterlings moved in here. The Front Porch was the Loker house. My granddaddy Loker rented it from Dr. Greenwell and, apparently, Dr. Greenwell must've sold it to the Sterlings when Grandpop moved out, about that time."

After serving in World War Two, Sterling would return to St. Mary's County and marry Marion May Dunbar. Together, they had four children: a son, William O.E., Jr., and three daughters, Ruth, Christine, and Lucy.

Education

Ruth Sterling Heinssen: "He went to St. Mary's Academy. So he went to high school there. Back then, you went directly to whatever school you were going to go to. And Uncle Johnny said, 'Listen, I've got a place for you to live, and I think you can get into law school up here.' I just think he was a smart guy and showed some interest in it, so he came up and lived with my uncle up here, and went to Columbus School of Law, which is now Catholic [University]. Don't ask me where it was at that time, whether it was on that campus, but that's really what it was. My uncle really, I think my dad worked a side job, but he went to night school, and that's what he did.

"I think he was a smart guy, but I think mostly it was my Uncle Johnny. He was up in Washington and was a commercial real estate, not developer, but manager, in commercial real estate management. And he called him up, because Dad, I guess, again, they had so many kids, but when you went to law school back then, you went right out of high school."

Christine Sterling Senese: "I think my dad got into law because his grandfather was a judge basically, and I think he always had an interest in it. He was pretty smart in school, and I think he was encouraged to pursue his education after he got out of high school. Of course, they had 17 kids in that family so, it was almost like, as soon as they got old enough to get out of the house, they got out of the house, and what Dad told me happened with him was that my Uncle Johnny, who was Dad's older brother, had gotten married and had moved up to Washington, DC, and he called Dad one day after he got out of high school and said, 'Bill, I have a spot for you at Catholic University Law School, and you're gonna come up here and live with us; you can babysit for my kids in exchange for your room and board, and I want you to go to law school.' Did the same thing for my Uncle Harris, who was Dad's younger brother, got him into accounting school. But anyway, that's how the family kind of took care of each other. So Dad went to Catholic University. I have his yearbook at home from there, and you know pretty much from there he got out of Catholic and then the war was going on, so he enlisted and went down to Officer's Candidate School in New Orleans and went over to France and was a claim's officer during the war. He came back to St. Mary's County and he had been corresponding with my mother this whole time now. They were not married; they had just been out on a few dates."

Military Service

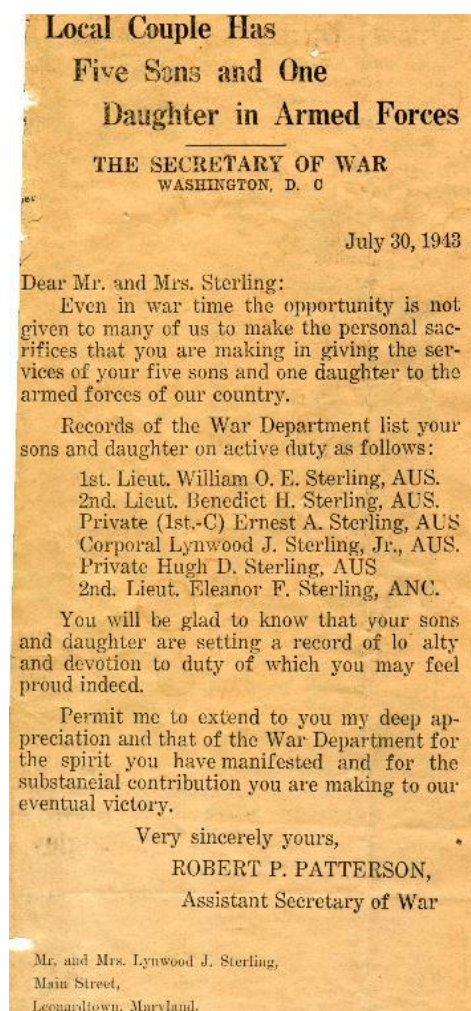
Like many others of his generation, Billy Sterling served in World War Two, as did six of his brothers and sisters.

Ruth Sterling Heinssen: "I can't say what year he graduated from law school. But when he went into the service, I think he had probably just started practicing, and then he was drafted. He was actually drafted into the infantry, and my mother said he would have been cannon fodder, but what saved him was he had a law degree. And so, they put him in the, they made him a captain and kept him out of harm's way. He got information out of people. They sent him to France and he was the one with the chocolate bars and the silk stockings, and that was his job. So he pretty much stayed out of the fray."

Ernie Bell: "He, along with his brothers and sisters, seven in all, were overseas at one time during the Second World War. He was an attorney at the time. And Billy Sterling was overseas in Germany, I think, for two years during the Second World War."

Law Practice

Ernie Bell: "Well, Billy Sterling's initiation into law was in a landmark decision later decided by the Supreme Court, which of course was Adams v. St. Mary's. That's reported at twenty-six, Maryland Court of Appeals, page one. It's a good case to read because it brings in an interesting history of this county. Adams v. St. Mary's County became, if not the first, one of the earlier counties to provide public transportation for parochial school students. And Billy Sterling was in the Army as I remember, and the archdiocese had contacted Philip H. Dorsey, later to become our first Circuit Court Judge, to handle the case. Billy Sterling had worked under Judge Dorsey and wrote the brief. Billy Sterling was in the service when all this came back, and he argued the case is what I was told. I guess he got leave from the service to do that. And that case was decided in the favor of the county. It catapulted Judge, well not then a Judge, Dorsey to prominence, particularly in this county, which was probably about eighty percent Catholic at that time.



72. A letter from the War Department recognizing Billy Sterling's parents for their children's wartime service

“That case was later cited by the Supreme Court, in that 1947 decision of Everson v. Illinois, when the Supreme Court of the United States said that was not a First Amendment violation, to provide transportation, you weren’t per se aiding a religion. But I remember Adams v. St. Mary’s decided, then Philip Dorsey becomes our first Circuit Court Judge in the early 1950s, in the election against John Briscoe’s father and Aleck Loker, and so Billy Sterling went on into private practice by himself, remained until 1970.”



73. Former and then-active members of the St. Mary’s County judiciary; kneeling in the front row are Philip Dorsey (l) and Billy Sterling (r)

Ruth Sterling Heinssen: “Billy Sterling practiced in a big ol’ framed building located where the ARC building is now. Billy Sterling was in there by himself.”

Christine Sterling Senese: “He comes back to St. Mary’s County. He’s been corresponding with my mother this whole time, and I have every letter he wrote her from Europe, and someday, I’m going to sit down and read them all. But, anyway, he came back and he told her that he could not get married until he was established and could provide her with the sort of living not to which she was really accustomed, because her family was not well to do. But anyway, so she was a nurse at the hospital making, I think she told me, 1200 dollars a year, and she got a job and she said, ‘Okay fine, you let me know. I’m not staying here, though, because I’m not making any money,’ and she got a job with Federal Government at the Veterans Hospital in Martinsburg, West

Virginia. Well, I think Dad figured out pretty quick that he was going to blow this if he didn't act pretty soon, so that's when he went into practice with Phil Dorsey.

"They shared space. And that must have been before, obviously it was before Phil became a judge. It was in town in the, I think it was on, the lot it's on is called the Enterprise Lot now. It was a building, right now the Sterling Building that mom built is sitting right on top of that property.

"He, I guess, practiced with Phil until Phil became a judge and they were always, they stayed very close. Mom and dad went on some trips with the Dorseys and he was part of that 'Dorsey Machine.' I guess and I can't remember the exact happenings but he ended up, Walter practiced with Dad for a while, too, I guess, when he got out of law school."

Ruth Sterling Heinssen: "He did a little bit of everything, because back then you needed to. I mean it's almost like it is now. You know, he did a lot of real estate settlements, but he did all sorts of things. He did criminal work, he did everything. The only thing he didn't like were the domestic cases, but he did those, too, just because you had to. Those would kind of upset him. But he liked to argue cases, he liked to think through things. He was just a thoughtful kind of guy. And he enjoyed it, he enjoyed it."

C. Clarke Raley: "Billy Sterling, before he became a judge, was a really good lawyer. He was a good lawyer, you know, and he was at one time partners with Judge Dorsey. They were in the law practice together."

Ted Weiner: "Well Billy Sterling practiced law with Judge Dorsey; and then practiced law with Walter [Dorsey]. And the funniest thing is, to me, is Billy was the most organized, almost like an accountant, really bright, a hard worker, very meticulous, and very precise. And he used to room with Walter Dorsey, you know that practicing law is like rooming with somebody. Walter would just throw stuff everywhere. He would be rolling in at 10 or 12 and Billy would have been there since 7:30 or whatever. We had a lot of early starters in old days; we would run on farm time. And Billy Sterling was a low-key guy, one of the smartest guys, and one of the best lawyers I know."

Audio 66. *Ted Weiner on Billy Sterling as a lawyer:*



Jeanette Dakis: "Very nice, very personable person. Just got along with everybody. He wasn't in any of the political cliques or anything like that. He was just a really nice person, he really was. Real estate was just about his biggest business, as far as I was concerned."

Marvin Kaminetz: “*Big* real estate practice, did First National Bank of St. Mary’s. And other big real estate.”

Christine Sterling Senese: “It was mostly real estate work. He did a few criminal things but not, you know, I remember he represented a guy who was, I think, accused of murdering his wife, and back then, and this, I’m trying to remember if whether he represented this guy or if this was when he was State’s Attorney, but clients called him inevitably at dinner time, it never failed, [laughter] and I just remember Dad stomping to the phone, cursing and then answering the phone, “Hello,” and we would joke because we’d say, “Does he think they can’t hear him coming to the phone?” but he handled divorces, he didn’t do any real high, I’m trying to think of the word, any real famous cases or anything like that. He did a lot of estate work. John Hanson used to joke with me about how long Dad could keep an estate open. I don’t know anything about the particulars of that. But he was very sensitive to people and family relationships and I think a lot of that had to do with the way he was raised, and whenever there was any kind of controversy, I’m sure, in an estate, he tried to wait it out until it could be worked out on some kind of amicable grounds.”

Evelyn Arnold: “From when I came, the attorneys did all their own title work. They didn’t have the title companies. I remember Judge John H.T. Briscoe, William Sterling, they were all doing their own title work, and it was a pleasure to work with them. They would come in and pick out those big docket books and hum or whatever, and they were looking through all those big indexes or whatever. It was quite entertaining. Sometimes Billy Sterling would pretend he was having a stroke or something, and he would moan and groan and we would jump to see what was going on... They were all very courteous and nice to work with. No complaints with them.

“I loved Billy Sterling. Like I said, I saw him do his own title work, and he was a good family man. He would come in like on a Monday and he would say...which one’s Lucy? Lucy’s the little one that was crippled. And he’d almost cry, he’d say, “Storm came up and Lucy was afraid, but I hugged Lucy and told her, ‘You’re ok, you’re with Daddy.’ And he told stories like that and you were endeared to him. You know? You couldn’t help but, he was a great family man. And a caring man.

“I don’t think he had too much domestic. I’d have to go back and look at some of the old cases. I mean, he did some of the title work, and I just recall him checking those books, those heavy books, and pretending he was really hurt by them. And he would say ‘How did you lift this book, Evelyn?’ I just did what I had to do.”

George Peter Wigginton: “I don’t know much about his practice, but I knew him, and he’d always speak to me and I’d speak to him. I liked him. He was a man who did not

look down upon teenagers and young men as being nugatory and useless to him. He was always courteous and polite.”

Christine Sterling Senese: “He was always busy. I think, being from the county, he knew a lot of people. He used to work Saturday mornings, I remember that, because he used to try to be available for people when they were available to see him, and a lot of them worked. And I remember, living down in Compton, was that he did a lot of, kind-of, not necessarily *pro bono* work, although he did do a lot of that when people couldn’t pay, but income tax work to beef up his income in tax season. And he went up and took a course in tax preparation and he would do taxes during tax season. Well, a lot of the farmers and plumbers and local folks in Compton would get him to do his taxes. And a lot of times that’s how, like when it snowed, Mr. Pilkerton would come and plow the driveway and that was his way of paying for having his tax return done. And that’s how a lot of people, in that respect, especially local folks around Compton, came to depend on Dad. You know he was their lawyer. And they moved over to Compton, I think, in 1952. And he always thought he was a gentleman farmer.”

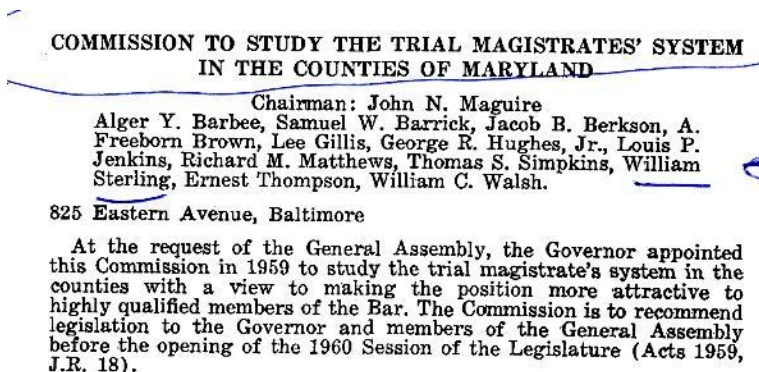
Audio 67. *Christine Sterling Senese on her father’s work ethic:*



State’s Attorney

Marvin Kaminetz: “He was also the Assistant State’s Attorney under Joe Weiner. Billy knew what was coming and he knew that would help him. Everybody was sort of surprised that Billy took that job.”

Christine Sterling Senese: “At one point, dad ran for State’s Attorney and lost. And of course he came in with the whole... he was part of the Dorsey machine that was swept out of office by the Raley machine. There was never much talk of that at home, I’ll say that.”



74. An excerpt from the 1959-1960 *Maryland Manual*, showing Billy Sterling’s appointment to a commission to study Maryland’s Trial Magistrates. A few years later, Sterling would become St. Mary’s County’s first District Judge, replacing the previous Trial Magistrates.

Judgeship

Ruth Sterling Heinssen: “Judge Camalier was his grandfather, and I think, when you live down there, you know when you’re a lawyer, your greatest aspiration is to be on the bench some day. And to him, I think, it was a way his retirement was secure, you know what I’m saying? It really, it got you in the State system, the insurance benefits, those things. And he was getting, he was in his late 50s when he got that judgeship, and he was looking towards, ‘You know, this is a way for me to finish my career, at the height of my career,’ for him to finish with security for my mother, for us.”

Christine Sterling Senese: “I think he wanted to be a judge because it was kind of like the next step, kind of like the ultimate honor for a lawyer to be, you know, promoted.”

Ernie Bell: “It was my understanding since both [District and Circuit Court] were open that the difference, Governor Mandel, as I understood it, was prepared to appoint him to either position which he may have been interested. We all thought he was the most qualified, and he certainly had the backing of Philip Dorsey with him; he had been associated with for many years.”

Marvin Kaminetz: “Here’s what happened. The District Court gets formed; Billy Sterling is at that top of the list. Because there was already these judicial nominating commissions, by the time, that recommended lawyers to Governor. And he’s on that list. And I don’t know if it was by the judicial nominating commission or if it was by the Bar Association, recommended people. I don’t remember exactly. I know there was an appellate nominating commission in ’72 because I was on it. I’m assuming that there was also the other ones, but I can’t remember that exactly. There were two vacancies before the Governor made the appointment.

“I can tell you what happened when Billy had his interview with Governor Mandel, because Billy told me. I was in the Record Room with Billy when he told me this. He goes up and has his interview, at this point the Governor is still sitting on the Circuit Court appointment. He had not made an appointment yet, because he had difficulty thinking about John Hanson. And thinking about Joe Weiner. So there’s a vacancy in Circuit Court and then comes the District Court and the Governor tells Billy that he’s going to appoint him to the District Court and Billy says something to the Governor about, ‘Well, you know Governor, I wouldn’t mind that Circuit Court opening, either. You know, there’s a vacancy there, and I certainly would consider that job.’ He would’ve taken over for Judge Phil Dorsey.

“But you’ve got to understand, Billy Sterling was in that Dorsey camp. So the Governor says to Billy, now this is Billy telling me this, he says to Billy, ‘Billy, a bird in the hand. I’m going to appoint you or I’m almost positive going to appoint you to the District Court. My hope is that you would accept that.’ So Billy came back from that interview with

Governor Mandel, knowing he was going to get the District Court. He told me that story the afternoon of the interview.”

Audio 68. *Marvin Kaminetz on Billy Sterling’s interview:*



C. Clarke Raley: “There is a great deal of credence to Marvin Kaminetz’s view... and what Governor Mandel would have said, ‘A bird in the hand,’ because, at that time, Marvin [Mandel] was seeing Jeanne. Joe Weiner was taking care of all of Jean’s financial needs, including paying her bills at the dress shop, so ‘A bird in the hand’ was probably the correct comment.”

Christine Sterling Senese: “What he told me, and I don’t know whether this is published or not, but Governor Mandel looked at him and said, ‘I don’t know you.’ And it wasn’t in the sense that he didn’t know Dad but that Dad had not necessarily given the political support to Mandel that he thought, maybe, should have been given. I mean Dad never had much luck with politics.”

Ruth Sterling Heinssen: “I don’t think he was offered a Circuit Court judgeship, and you know I think it was good for him, because with the Circuit Court judgeship, you had to run, and the one thing my father was not good at was being a politician. So I think, for him, he looked at that District Court spot as, ‘You know, this is where I can stay and not have the pressure of having to run an election.’ It just wasn’t something he enjoyed doing, was good at, and the wonderful thing about that spot was he didn’t have to. So the politics were out of it. Plus it was new, and I think it was interesting when he met with those guys who were the first run of District Court judges, because it’s interesting, when I run into people all the time whose fathers were one of the first from their county, and there was a great camaraderie there. I think, once he got the position, he was totally satisfied with it. It really suited him, Sam, for the type of person he was, and I think he was happy with it.”

Christine Sterling Senese: “Although it was interesting, the day he was, he did tell us, I was in high school when he was appointed, but he did come home to tell us. The day Dorothy Kutcher swore him in, he never said word, and my mother was furious. She said she’d have liked to have been there, his family would have liked to be there.”

Audio 69. *Christine Sterling Senese on her father’s swearing in:*



Ted Weiner: “He was the first District Court judge. And part of the reason my dad ran was because Billy chose District Court. Billy actually wanted District Court, he didn’t particularly want Circuit Court. That was really a sort of agreement between dad and Billy.”

C. Clarke Raley: “He was my forbearer, Billy was. He was the first judge appointed by the Governor to the District Court. Billy Sterling was a great judge. I know he would have probably have liked to be the Circuit Court judge, and I’m sure that he would have made a heck of a good one. I think that he believed that you would take the District Court spot because the opportunity may come along, depending on how the stars align, to get to Circuit Court. But he didn’t regard himself, I’m certain of it, as a politician type of person. I don’t think he ever really felt comfortable in that mode. He was terrific as a District Court judge.”

John Mudd: “My first exposure to Billy Sterling, he was on the District Court...he was a very thorough guy. He was painstaking in his inquiry when somebody was pleading guilty and, as a consequence, we started doing agreed statement of facts instead of pleading guilty, because he was so longwinded about it. And all of our State’s Attorneys, when he would come up here, would do an agreed statement of facts; it would be ten minutes shorter than the plea. But he was a very nice guy on the bench, easy-going guy.”

John Mudd remembers he was not always easy-going, though. “I remember I had a trial with him one time. The police raided a party and my two clients were playing chess, weren’t smoking marijuana, didn’t have marijuana. Everybody there was arrested. The odor of marijuana was there, and Judge Sterling found them both guilty of possession of marijuana. Both of them had security clearances. They were both college students that were over at the Naval Air Station, lost their clearances and he wouldn’t give them probation before judgment. Just found them guilty of possession of marijuana. He said, ‘You are your brother’s keeper,’ basically being tough back then. That was 1969–1970 timeframe.”

Al Gough: “As I grew older, I worked in the State’s Attorney’s for some time as an investigator and had some dealings with then-Judge Sterling. He was a good, fair man. He was a good attorney; he was a good judge. He was not judgmental. I always said when he met his maker, if he were to be judged like he judged everybody else, he would go right in. He was just a nice person.”

Tom Daugherty: “Billy Sterling was the first District Court Judge here in St. Mary’s County, once they established that position. He was a very kind and considerate guy who, with young attorneys, let you mess up and he would tell you nicely that you had messed up. I remember I had a case before him with Rick Fritz. It was a landlord-

tenant case, or something like that, and he wrote out in longhand his opinion. He died young, you know; it was probably my second or third year of practicing law he passed away. But fond memories of him; he was really a real gentleman.”

Joe Densford: “Judge Sterling. I only knew him, really, from his time when he became a District Judge. I appeared before him a number of times. Not a lot, 5 or 10 times, maybe. Wonderful person, very nice to young lawyers who were just learning the ropes, very patient. You could learn a lot from him; he was just the most cordial person you were ever gonna meet. And all of the lawyers at the time were very fond of him.”

Audio 70. *Joe Densford on Judge Sterling:*



Norma Dawson: “District Court Judge. Yeah, he was down there in the basement courtroom then. He was always the one, I’ll always remember Billy. He would come out of the office—he was a great joker—he would come out and say, ‘You know it’s going to snow today?’ He was a character. But he was alright. We enjoyed working with him. And he was estates, but he didn’t do that many estates with us because he was a District Court Judge and had other things to do. But I well remember him.”

John F. Slade III: “First District Court Judge in St. Mary’s County. Wonderful man, brilliant man, thorough, very conscientious. He did everything in longhand. He’d write a memorandum of opinion in longhand and you could read it. And there are still a lot of them in the archives now. You can get a file back from his era. He wrote everything on the cover, the docket sheet was the cover of the file and it’s all legible and readable. He was a very brilliant guy. He did a wonderful job. I learned a lot. I sat in that courtroom day in and day out and listened to him. Well, you know that’s where I picked up my litany, listening to Judge Sterling. I didn’t have to read any books, just listen to him. Great teacher.”

Ernie Bell: “A great story teller, fun guy to be around; as a judge he was the salt of the earth.”

Joanie Williams: “He was a judge in the District Court when I started in District Court. A very, very classy gentleman, very laid back, very thoughtful when he was on the bench, you know. Just a very nice man.”

Ruth Sterling Heinssen: “He didn’t talk about his cases much; he did what he was supposed to do; he kept that stuff to himself. The women would tell me that, when he would have a dog case, it was the worst day in the world, because my father, anything between an animal, my father would throw the book at you. But I think they had a dog

case, and the people you'd have to ask are one of his clerks at the time, it was the dog case in which the kennel that was on St. Andrew's, I think it was the one on St. Andrew's, when it was under the old management, mixed up the dogs that were there to be kenneled and the dogs that were there to be euthanized, because they were strays. And there wasn't a dry eye. I remember him being upset for days, because people would be coming because their dogs had been euthanized by mistake. And I don't remember which kennel it was, it was one of the kennels down in St. Mary's County, but it was always the dog cases that did him in. He also had the one, you know, the woman who directed traffic, he had to arraign her, too. That was a good story. You know the picture, the famous picture in the Enterprise with the woman who looked like she was topless with the purse and the high boots. And my father had to arraign her. That was a pretty good story. My father was such a, my father was a very... he was so embarrassed by it. They had to put the deputy's shirt on her to bring her in, because she didn't have any clothes when they picked her up. But he got those kind of cases which were, you know, he always had the Rose's (strip club) girls, after there had been a fight at Rose's place. And it was funny because my dad was such a straight-laced guy, and for him to have to do those types of cases, he was red in the face the whole time. You know you kind of had to see everything at District Court, and it never got old. That was the great thing about it. There was always something after you'd think you'd seen it all, something else would happen. He had the guy one time that got the traffic ticket because he had to go to the bathroom really badly. And he got pulled over and said, 'I've really got to the bathroom, I'm really sorry,' and went off. Well Dad let him off. You know, he looked at the guy and said, 'I've had that same problem, and it's a really bad feeling.' I think he had the perfect defense there. And it sounds really trivial, but that was just, of course. But he did enjoy it. He enjoyed it every day, and they were really the pioneers back then for that court system. And I think they really enjoyed it, you know they brought that whole system in."

John Bailey: "Billy Sterling was kind, sympathetic. We were trying a traffic case one time. And as the case wore on, he asked this young lady, 'Now, where did this accident happen?' She said, 'It was on the road from Compton down to St. Francis Church'. And now he said, 'Ma'am, could you be a little more specific as to where it happened?' And she narrowed it down a little more, and he came back and said, 'Well, that's not sufficient. I need you to tell me exactly where it happened'. She turned around and said, 'Damn it, Judge! You know exactly where it happened; it happened right at the end of your driveway, because you passed by and drove into your driveway!' And the Judge just sat there and laughed."

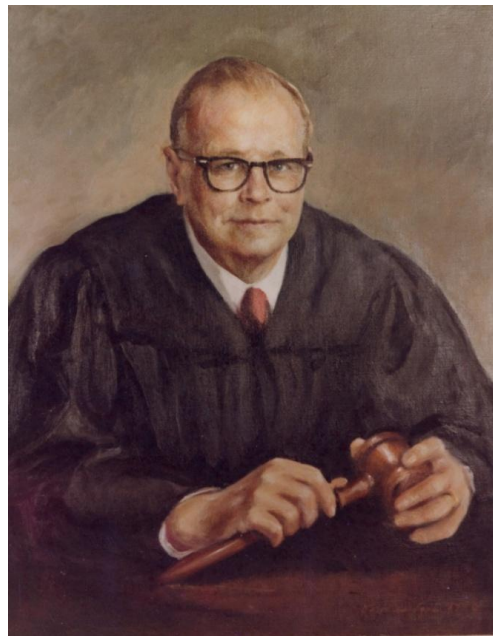
Will Broms: "They had a young girl they had picked up; I think she had escaped from Crownsville Hospital. We were sitting on the bench and Judge Sterling came in, of course, he had his robe on. And she yells out, 'Hey man, what theater are you playing

in?' He says, 'Oh, I beg your pardon.' And she says, 'What theater are you playing in? You look like a penguin. You look like you're wearing a penguin suit.' He says, 'I beg your pardon, young lady, I am the District Court Judge.' And she says, 'Well you can't prove that to me, you look like a penguin to me.' Yeah, I do remember that!"

Audio 71. *Will Broms and the penguin suit story:*



Christine Sterling Senese: "You know, I think he liked, you know, being a lawyer, he was a great writer. I used to type a lot of his opinions when he became a judge, because he didn't really have a lot of clerical support. Doris Jones was his chief clerk and he had a nice group of folks that worked with him, and commissioners. You know, the hardest cases for him were the dog cases. And those were the ones where the people would be fighting over the dogs. Like a hunting dog would have run away and someone would adopt it, and then the other guy would come back and say, 'I want it back,' and then they would say 'No, I've had it for a year,' and honest to God, those were the things that tugged at his heart. You know, he had a lot of traffic. He could tell some pretty funny stories, but some of them I can't repeat, because they're pretty embarrassing. I think he tried to be thoughtful, tried to be fair in the way he treated people. It was hard for him, being a judge, in a way, because he was a great talker and he used to stop by Pennie's on the way home and jaw with the people there. And he'd stop by the country store in Compton and jaw, and then come home. Well, all of that had to stop when he got the judgeship. I really do think he missed that element."



75. William Sterling's official portrait as District Court Judge

Joseph D. Weiner



76. Joseph D. Weiner

In Memoriam

Mr. Dorsey: "May it please the Court, I would like at this time to call on Mr. Joseph D. Weiner."

Mr. Joseph D. Weiner: "May it please the Court, before coming here today, I had prepared a very short seconding address, which of course must be repetitious, in view of the very fine things that been said about Mr. King; and of course nothing but good could be said about him."

"It is a very sad occasion to meet in memory of our beloved brother Aloysius F. King. All who knew him will recall his love and affection for his family and his friends. They will recall his ready wit, his infectious laugh, his helpful advice, his charm and genuine warmth, his candor, sincerity and his intellect. He was a great and good man who would have excelled in any field. We deeply mourn his passing."

"Although he regarded the law as a great profession, he also regarded journalism as an equal to law. I first met Mr. King sixteen years ago, at which time, in addition to my law practice, I too was publishing a newspaper; mine was a Republican and in direct competition with Mr. King who published the St. Mary's Beacon for so many years. I will never forget, on our first publication our press broke down, and Mr. King, passing by the office, noticed the lights and came in. We were inexperienced and unable to get the press to work. Mr. King rolled up his sleeves and got under the press, and after three hours got the press to work. I said to Mr. King, 'I don't know how to thank you.' Mr. King said, 'Joe, there is no use to have friends unless you call on them.' That was his spirit throughout his entire life."

"Mr. King was a courageous man. He never permitted himself to deviate from the path of duty. The path of duty is often not an easy road; sometimes its course is marked by grasping thorns that seek halt the traveler upon it; sometimes a smooth path beckons with a pleasure of easier passage; sometime it appears so rough and weary a road as to discourage travel on it. But Mr. King continued along the path of duty; no thought of hardship or labor could impede his progress; no compromise of principle was thought of; no public clamor could alter his determined course."

"It is to men such as Aloysius F. King that we owe the greatness of our County; our liberties, our laws, our lives, exist because of them. Let us who live on take up the fallen course and advance in the path he followed."

Early Years and Education



77. Joseph D. Weiner

John Weiner: "My father, Joe Weiner, was born in 1916. He became a lawyer when he was 21, which would've been 1937. He was born and raised in St. Mary's County in St. Inigoes, Maryland. Then graduated from Great Mills High School when he was 18. And then he went from there to law school in Baltimore for 3 years. He worked during the day and then he went to the evening law school at University of Baltimore. His parents had a general store in St. Inigoes, and the store had a post office. And his father died when my father was 2 years old. So he was raised by a single mother with 7 children. He was the second to youngest. Harry Weiner, the oldest brother, opened a general store in Hollywood, Maryland, and he had that for many years where the Hole in the Wall is today. My family's been in St. Mary's County since 1890. They don't go back to the Ark and the Dove. My family came here in 1890 from Lithuania. And my grandparents came here as teenagers."

St. Mary's Countian, "Law, Business and Leonardtown: Weiner Family is Quite Familiar with All Three-By", Dick Myers, August 12, 1992

"The Weiner business tradition in St. Mary's County goes back a long way. Several brothers of Joe Weiner's mother had proceeded the Weiner family to St. Mary's County; they were Max, Charles and Israel Millison [grandfather of former County Commissioner Larry Millison]. They had immigrated to the United States from Russia about the time of the Russian revolution. Mr. Weiner's mother, Sarah, came first and lived with her brother Charles, who operated a general store in Great Mills. Several years later, Mr. Weiner's father Samuel, who had been a schoolteacher in Russia, immigrated here. His parents started a general store and post office in St. Inigoes."

Legal Career

Ted Weiner: "The Mount Vernon School of Law in Baltimore, which later became University of Baltimore. Night student, he worked his way through school. While he was attending night school, he did the old wait tables kind of thing, food service."

St. Mary's Countian

"He came back to St. Mary's County and opened a law office; along with Paul Bailey, who became his business and political associate, he was one of the five lawyers in the county."

John Weiner: "He still had...his family was here when he came back. His mother was still here and he opened up his practice in Leonardtown. Right in downtown. I remember where his office was. I don't know whether it was his first office. He probably just opened in a back room or something originally. He told me the first year he practiced law, he made like \$700 for the whole year. Second year, he did better; he made \$800 practicing law."

Ernie Bell: "I knew Mr. Weiner long before I began practicing law in Leonardtown in 1970. He and his family lived in Leonardtown next door to my late uncle and aunt, Ernest and Elizabeth Bell. All the boys in Town knew of Mr. Weiner because of his pretty daughters. Joe Weiner was fully engaged in practice of law. His was probably the largest local solo practice of law. He was at all times at the top of his game, never forgetting a person's name, knowing all about what was going on with local real estate, and always when seeing me asking how a particular Case was going in which we were involved. My law office was located next to his on Court House Drive in Leonardtown. No grass ever grew under his feet. For a period of time before I started practicing law in Leonardtown in 1970 and shortly thereafter Joe shared office space with Paul J. Bailey. They were an awesome twosome known as Bailey and Weiner. Paul subsequently moved next door in the upstairs portion of the building I have been in since 1970 and as noted above, we shared office space for about a quarter century."

John Weiner: "He did everything. Represented a lot of poor people. First person who came, after he put out his shingle, first person was Phil Dorsey, Judge Dorsey. He said, 'Joe, if there's anything I can do for you to help you out, let me know'. Well, there were other people who weren't so happy to see him open up a law office. Phil Dorsey and my father were life-long friends and it started with the initial meeting. This office [the Weiner Building across from the Courthouse] was built in 1954. Before that my father had an office next door to where the Candela Building is. In 1953 he sold that to the First National Bank and the bank tore it down and added it to the bank there. If you look at the building, you can see there's a section that was added because the brick is a little different. That's where his office was before he moved to this office."

"I would say this, my father was a people person; he loved dealing with people and people responded to that. And he was an excellent lawyer, very knowledgeable in the law, a hard worker, and he liked people, so he was very successful in the practice of law. He started out slow, but he was an excellent attorney and he represented a lot of people. But there weren't as many lawyers then. There are a lot more lawyers today. Well, one big change is that there certainly is more specialty today. Whoever walked in the office, whatever kind of case it was, he would take. There were some attorneys, for example like Wigginton and Loker, they didn't do any criminal work; they were strictly civil side. I guess, to that extent, they were specialized, but my father did everything except for maybe bankruptcy. He did personal injury, property, criminal, and he had a big criminal practice. At that time, there was no public defender so even poor people needed to hire an attorney. There was no public defender and sometimes, somehow, they'd come up with a little bit of money to hire an attorney. My father was very hard-working, very intelligent. I mean I wouldn't say he was a scholar, but he had a knack for the law. You always could bring in a surprise witness and there was no discovery. There wasn't a lot of plea bargaining. Most of the cases were tried before juries and when you usually knew some of the people on the jury and they knew the defendant, but it didn't keep them from being on the jury. My father always said that most of the cases he tried before a jury, he won. He was very good. He was a very good trial attorney and so were Paul Bailey and Walter Dorsey. They knew how to appeal to juries. They were really dramatic; they knew how to make a presentation. They just knew what would appeal to people."

John Mudd: "He and Paul Bailey were as close as anything, and I always thought he was a nice guy..."

John Bailey: "Joe Weiner and Uncle Paul, they shared many things. They shared cases but they were not partners. They were very good friends and some cases that... Joe Weiner was an excellent lawyer for doing office work, for answering the interrogatories, drafting motions, and all of that kind of stuff. Uncle Paul was good in the courtroom. He loved to just sit there and listen to the evidence and argue before the jury. That is where he got his reputation, part of his reputation, for silver tonsils or whatever. He had the gift of gab."

Audio 72. *John Bailey on Joe Weiner and Paul Bailey's relationship:*



"In the office you had three attorneys. Joe Weiner had the front office, Uncle Paul had the second office, and there was a third office in the back. And that third office was given or leased to Dave Williams."

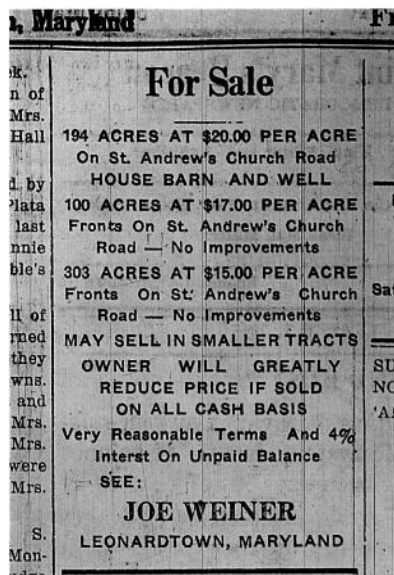
"The majority of the building is the same as it was. I mean, on the first floor. Dave, my uncle, and Joe Weiner were very good friends of Larry Millison. And for some reason, if I remember correctly, Dave Williams sued Millison. Well, that ticked my uncle and Joe off, so they kicked him out of the building. So that meant that there was an extra office back there, and they just said, 'If you help us with our cases, you can have the back office and have your own practice'."

Ted Weiner: "When he first started, Dad was just catch as catch can. I think, John said, he made a 1000 dollars and that was high. I remember his first year being like 300 bucks gross. His second year was, in the heart of the depression, 500 bucks. Dad did a lot of other things; he did tax returns, sold some insurance, anything to make a buck. I mean, because the practice of law wasn't lucrative at all in those times."

St. Mary's Countian

"Mr. Weiner made \$800 as a lawyer his first year."

"Mr. Weiner said most of his legal clients were poorer people who had heard about him through word of mouth. He said his fees and those of Mr. Bailey [they shared an office but were never partners], were the lowest in the county. 'And if they didn't have the money, we took the cases anyway,' he said."



78. Land Advertisement

Marvin Kaminetz: "He did real estate, he did; first of all, he became State's Attorney, but before that, he did criminal stuff. He did some insurance defense work and I forgot the name of the carrier. Most of the insurance defense work was Prince George's County or Montgomery County, and those firms had the insurance defense work, but Joe and Paul, but it was mainly Joe had some. And I had a few cases with Joe in that area, too."

Henry "Bud" Virts: "Joe Weiner was, they were associates. They were not true partners. Paul Bailey was the 'mouth piece,' and Joe collected the fees. My mother said, I don't know what we would do without Joe Weiner. But Joe was a very fine guy."

Christine Sterling Senese: "Joe Weiner was a really nice person, I remember that of him. He was a great friend of Dad's."

They were about the same age, and contemporaries. I know Dad had a lot of respect for Joe Weiner and his parents, and I guess they had a store down in the first district and had come here with practically nothing and built their business up."

Norma Dawson: “Joe Weiner, of course, he had a lot of different estates. And he came in quite a bit. Well, he was easy to work with. He was always very polite and appreciated everything we did in the office for him.”

John Slade: “Joe was probably—he and Paul were the primary criminal defense lawyers of their day. When I was a kid, if you got in trouble, you would go see Joe Weiner and Paul Bailey. The perception was if they couldn’t do it, they would work miracles for you, they could get things taken care of. It probably had some truth to it, because they were hooked up to Judge Dorsey. They were all affiliated through friendships and politics.”

Sara Woodburn: “I think he liked helping people, it was a challenge. It was a challenge to him to find a solution to a problem. He was good to people, and he knew people that were good people. I mean a lot of good people who didn’t have money. You know, he knew the people who were good and he trusted. If they didn’t have it, he worked with them.

“I was his only secretary. I handled both private practice and State’s Attorney. And at that time, he was States Attorney, also.”

“He was a very family oriented man. His family came first and then his business. Nobody cared for their kids more than he did. He was really a family man. He loved his family.”



Elective Office

John Weiner: "He was elected State's Attorney the first time in 1966 and that's when some of the New Leadership was gone. Well, J. Frank Raley, he served one term and then he lost. Charlie Norris, one term. That's who my father beat. He ran against him in 1966. At that time, criminal trials had changed. First of all, the caseload had gone up tremendously with the new people. The practice had changed. There weren't, I think, there weren't a lot of cases being tried, probably less today. In 1970, he filed for re-election. When he filed in 1970, there was no opposition. Nobody filed against him. So he was elected twice in '66 and again in 1970. 1966 is when he became State's Attorney. At that point, there was an assistant; the State's Attorney could hire an assistant. And I believe, maybe, \$7,000 was the salary for the State's Attorney and the assistant made \$8,000. I think his first assistant was Jim Kenney, if I'm not mistaken. I think Jim Kenney was the Assistant State's Attorney under Charlie Norris and, when my father became State's Attorney, he kept Jim Kenney, even though he worked under the previous State's Attorney."

Ted Weiner: "First time he ran was for State's Attorney in '66. As a matter of fact, that was the ticket that was the Briscoe Raley progressive ticket, which won most everything in '62 and the Dorseys came back and won most everything in '66. And honestly, I think, Walter Dorsey probably talked my dad into running. Dad defeated Charlie Norris. And Jim Kenney was an assistant to Dad. He was hired as an assistant, and I think he did that for a year. I think something interesting; Dad ran the States Attorney's Office out of his private practice. He had private business. I think the annual salary was \$6,600. He got a salary for the assistant of \$8,000, so the assistant made more than the States Attorney. Obviously, you couldn't get anyone to take the job for that, so you continue to have a private practice. Dad continued to have a busy private practice, aside from criminal stuff. He had plenty of civil and the States Attorney position."

John Bailey: "At the time where Judge Dorsey had retired and the Circuit Court had not been filled. They were getting visiting judges. Well, Robin Guyther interviewed [Assistant State's Attorney] Neal [Myerberg] and got Neal's opinion as far as legalization of marijuana and put headlines in the *Enterprise*.

[The headline was along the lines of] "'It should be legalized'."

"And Judge Parker read the *Enterprise*. Judge Parker was one of the major judges that were being sent down from Prince George's County to fill the vacancy in the Circuit Court judgeship until a Circuit Court judge could be appointed. So Judge Parker called Joe Weiner and said, 'Mr. Weiner,' he said, 'you have two things. I am leaving Prince George's County and I am coming down to St. Mary's County'. He said, 'There are two things that you have to get done before I get there. One is, you are going to fire

Neal Myerberg, and two, you are going to have a new Assistant State's Attorney appointed.' So, I'm sitting there in the office and Mr. Weiner comes running in and says, 'Come with me, come with me, come with me.' And I said, 'What's up?'

"He said, 'Come with me.' Well, I went with Joe over to the courthouse, he said, 'Raise your right hand.' I said, 'Joe, what's this about?' He said, 'Just raise your right hand and take the oath.' So, in short order, I was sworn in as the Assistant State's Attorney, and he handed me a stack of cases and said, 'Now, go downstairs and try these cases.' I think I had, I don't know if it was 70 or 80 cases or something like that, and I didn't lose one. But anyway, that was basically how that initiated and then, when he was elevated to the bench, the judges in the Circuit Court had me fill out his term."

Audio 73. *John Bailey on how he became Assistant State's Attorney:*



80. From left-to-right: Jack Rue, Joe Weiner, Jack Daugherty, Paul Bailey, Louis Goldstein

Jeanette Dakis: "Oh I like Joe. He got a lot of criticism that I think was undue, really. He was into politics, he and Paul Bailey both, very lively in politics and of course, that leaves you open to a lot of criticism."

Priscilla Duke Wentworth Hall: "Joe Weiner was a Republican and Phil Dorsey was Mr. Democrat, but they were buddies all the time or some of the time. Which always seemed strange because they were both very pro what they were."

John Weiner: “They were friends [Joe Weiner and Phil Dorsey]. They were political allies. The person my father associated with most was Paul Bailey.”

Ted Weiner: “He was described, and I think it is very accurate, as a lieutenant in the infamous Judge Phil Dorsey Machine. . . The Dorsey Machine was, Phil Dorsey was head of faction in Democratic politics, and there was the Briscoe faction; that’s just the easiest way to describe it. These two groups just sort of banter back and forth, both all being Democrats and all the action in the Democratic primary to control local politics. The interesting thing was that Dad and Paul Bailey were Republicans. And the other interesting thing was that they were both called ‘Rockefeller Republicans;’ they were fairly liberal Republicans; but both of them still were lieutenants in the Dorsey Machine.”

The retirement of Judge Philip Dorsey created a judicial spot in Circuit Court. Three attorneys wanted to become the new judge: Joe Weiner, John Hanson Briscoe, and Joe Mattingly.



81. ““Caught in the middle”—John Hanson Briscoe between Marvin Mandel and Jeanne Mandel, taken during Governor Mandel’s 1974 election campaign

John Weiner: “Marvin Mandel was Governor and he made the appointment. He appointed my father, but he waited a long time. There was a 10-month delay in appointing a judge; Governor Mandel took that long to make up his mind. . . I think my father, he always wanted to appoint my father, but John Briscoe threw his hat in the ring and he was a powerful politician at the time. He didn’t want to make him mad. This is what I heard; he waited until the legislature was in session to make the appointment, then he had a good reason for not appointing John Briscoe. “I can’t appoint you judge now, you’re right in the middle of the legislative session;” he was in the leadership in the legislature.”

Marvin Kaminetz: "Paul Bailey and Joe Weiner were lieutenants in that Dorsey political faction; I shouldn't say machine, but political faction. That carried a lot of weight with Governor Mandel and created a dilemma for him. There's more to it. This is around the same time that Governor Mandel was seeing Jeanne Dorsey, his eventual wife. And his wife, even though she was divorcing from Walter Dorsey, Judge Dorsey's son, was still in the Dorsey political faction, and she certainly had the governor's ear. After ten months with no judicial appointment, John Hanson Briscoe had his name withdrawn from consideration. Very shortly thereafter, Joe Weiner got the appointment."

John Slade: "I think Marvin wanted John Hanson in the House of Delegates as Speaker."

Jim Kenney: "It was, I know it was frustrating for John. He finally just withdrew his name. It was getting tough. All of those things were happening. I think, in many ways, the Governor felt like he was in between a rock and a hard place."

John Hanson Briscoe: "Joe Weiner wanted it and he wanted it and he used his influence with Jeanne Mandel. . . the Baileys and the Weiners were very close with Judge Dorsey, right? And she went to Joe Weiner. . . Joe Weiner went to Walter Dorsey. . . And Walter thought about it. . . And that calmed Walter down, you see. So how's that for an in with Jeanne and Marvin? Marvin's giving the appointment and Marvin wanted to give that judgeship to me. He didn't want to give it to Joe Weiner, but Jeanne reminded him that Joe Weiner might've saved his life. So as a practical realist, Marvin said, 'You know, I'd really like to appoint John Briscoe' but you know that old saying 'pillow talk.' Jeanne obviously could influence Marvin and she said, 'Marvin, you've got to give this to Joe Weiner.' And of course, she told him why, and this went on for 10 months. Marvin truly wanted to appoint me as judge and it got politicized back and forth and back and forth and, of course, Paul Bailey and Joe Weiner and Walter Dorsey wanted Joe to get the judgeship. And he had a good in, wouldn't you say?

"And 10 months went by and I was Chairman of the Ways and Means Committee at that time, and it was getting to be the time when the session was starting and Tom Lowe was Speaker and he said, 'Briscoe, what are you going to do? It looks like this judgeship isn't going to happen, but you've got to tell me something because we're about to start the session and you're my Ways and Means Chairman and I got to know if you're going to stay.' And I thought about it, and I said, 'you know, this could go on forever.' So I went to Governor and I said, 'Governor, I'm going to withdraw my name as the judgeship. I've got to help Tom Lowe run the legislature.' And he said 'Oh, John...' this is the way he was, he said, '...look don't do that right away, let's give it a couple days.' And I said, 'Marvin, I can't do that.' And he was great to try and put things off and thinking he could work everything out and I finally convinced him. And I knew he really wanted to do it, he really did. And I knew what the underlying reason, it

wasn't going to happen. I said, 'No, I appreciate that and I'll work hard for your legislation during this session, but I decided I don't want to go through all of this.' And he really did, he said 'Wait 3 days.' And I said, 'I'm not going to wait 3 days. I'm telling you now, I'm going to withdraw my name.' And one hour after I told Marvin Mandel that my sources in the Governor's office said a phone call within the hour from Paul Bailey (see, he was Senator when I was there), went down to Leonardtown, went to Joe Weiner's office, right? . . . And he was told he was going to be the judge. I released him, see. And they said, there was a big party outside of Joe Weiner's office within an hour of me telling Mandel I wasn't interested anymore. And there was a big party out in front and Jeanne was there and everybody was, you know where his office is. There was a big celebration."

Audio 74. *John Hanson Briscoe on the 10-month period without a judge:*



Ted Weiner: [How did that affect, the 10 months of no judges down here, how did that affect the ability of local lawyers to move things along and get things done?] "You really had a mess, honestly. Well; obviously Joe Mattingly was interested in it. But he wasn't regarded in the appointment process as any kind of serious player. And at the time, I think everybody thought, well you know, it's going to be John Hanson; he was Chairman of Ways and Means at the time. And my dad was interested in it; I guess he was at the stage in his career where it would be his time or not. You know, 15-year appointment, he's in his 50s and he's always been interested in the job. He loved court. He loved the law. He just loved the process. I think he would see that as an accent to what he had done. And it's a sole Circuit Court Judge. John had his things and Dad had Dorsey and Jeanne Mandel. That absolutely made the difference. Dad was obviously qualified; he had been States Attorney twice, he had a private practice, and truth be told, Johnny was a little young."

John Weiner: "Phil Dorsey supported my father for the Circuit Court Judge, but not until Bill Sterling had gotten the appointment for the District Court Judge. Billy Sterling put in the application for Judge. I'm sure there were several others who put in the application. I think Judge Dorsey was influential because he supported Billy Sterling. Billy Sterling was well liked."

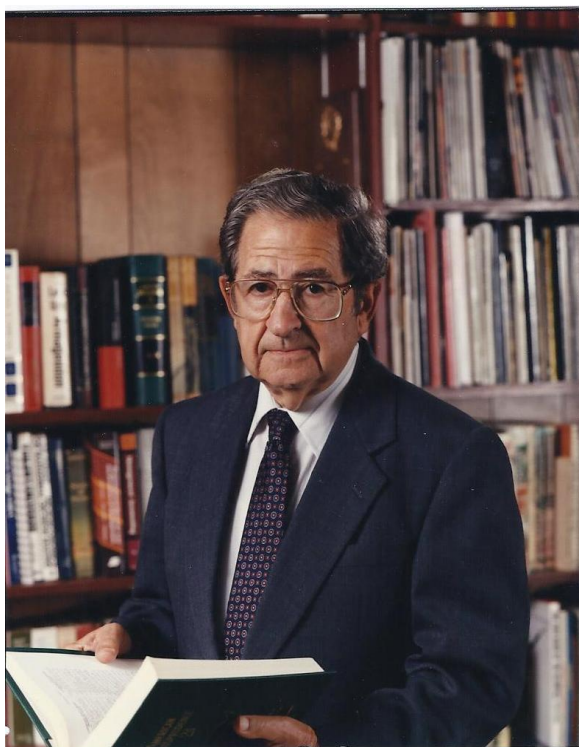
Aleck Loker Jr.: "Probably Phil Dorsey had some influence. Phil really did, giving him his due; he had an impressive political machine. He was the dominant political force not just Democratic, you know, across the board. He and his people had a lot of influence."

John Mudd: “My definition of a judge has always been he who has a friend with Governor.”

Jeanette Dakis: [Joe Weiner got the judgeship because] “I think he had a lot of pull in a lot of good places and a lot of people that felt that he would be a fair judge. Joe had a lot of friends, and I think that that was one of the reasons that he got the job. They thought that he’d be fair.”

Q: How did Joe Weiner get the judgeship appointment instead of John Hanson?

Jim Kenny: “Well, yeah. I think anybody who tells you that they know the answer is speculating.”



Judge Weiner

Joe Densford: “Joe Weiner, of course, I knew. He was always involved in real estate ventures and things like that. Very smart lawyer. I did see him, I wasn’t an attorney yet but I think I was in law school, and I saw him in a jury trial, presiding as a Circuit Court Judge when he was appointed by Governor Mandel, and I thought, ‘Boy, that’s a really good judge. He’s patient, he’s doing a wonderful job of explaining the issues to this jury that’s getting ready to decide this case.’ Just, what a fair and even-handed man to be a Circuit Court Judge in our county. I was very impressed by him in that case I saw him. And then, I knew him after that as an attorney in private practice, and just a smart guy, nice man, pleasure to work with.”

82. Joseph Weiner’s courthouse picture, from his time as Circuit Court Judge.

Audio 75.

Joe Densford on Joseph Weiner :



Evelyn Arnold: “Judge Weiner was judge for a little while and he was, I will give him credit, he cleaned the docket up. He worked. Hard worker. And I worked very well with Judge Weiner. I have no complaints about any of the judges I worked with. None. They were all great.”

Jeanette Dakis: “Joe Weiner was absolutely a hard-working person. Joe was always going, he never stopped.”

Ernie Bell: "Of course was appointed to the judgeship, but he didn't win it. I mean Joe was only a judge, I mean, he sat from what? February to December, but for all intents and purposes, the election was in May, so he was kind of a lame duck for the rest. But the way I remember it, Joe was a good judge. I mean he knew the law, knew real estate, and God knows he liked to keep things moving. That was his nature. He didn't dally on things, and I mean that was the nature of his law practice. He was always on top of things."

John Weiner: "The issue [with the judicial election] was, you're supposed to be able to serve a year before you run and the question is, when does the year start to run? Does it run from when you take the bench or does it run from when the vacancy occurs?"

Ted Weiner: "And at the same time, he's got to run, because it wasn't long before Joe Mattingly managed to clear the back log up and not spend time running. Dad was the working-est person you ever met in your life. He just worked. He worked like he used to work in private practice. He would be in the office at 7:00 in the morning and he was always home at 6:00 for dinner. What was going through his head working like a dog here, knowing that he's got a contested race coming up?. It was bothering. See Dad's job at the old Dorsey group was vote counter. He knew everybody. He was the guy that everyone related to. And he had an encyclopedia memory of voter names and who they were related to, everybody. Dad was just sitting there, doing his work and counting the votes saying, 'I got problems.' And he is telling everyone this. And Dad in '66 and '69 Dad lead the ticket both times. Everyone was telling him, you lead the ticket both times. Joe Mattingly has come out of nowhere, it's not John Hanson Briscoe that you are running against. And Dad said, 'No, you don't understand. We've got problems.' You know, he didn't have a way to develop a campaign group or organization. And he himself, the best person, his time was chewed up as a judge. So it became not so much as a 'pro Joe Mattingly' as an 'anti Joe Weiner'."

An observer of the election said, "He felt so let down by the people of this county, by so many that he really cared about. And I think he felt so let down. I just thought that the two were so different that I didn't see how Judge Mattingly could win that. I just never felt that, you know? I just thought that the comparison of the two individuals of their work ethics, their skills, their knowledge—I just never thought it would happen.

"The main thing, I think, that made the difference was the poor Catholic and the rich Jew and that's what it amounted to. People felt sorry for him. And when you're a judge, you can't just take a job on like that because they feel sorry for you. You've got to have it upstairs."

C. Clarke Raley: "The citizens with Joe Mattingly beat the living crap out of him in the election. And they all knew that Joe Weiner is a much smarter lawyer than Joe

Mattingly. He would have made probably a better judge over the long time than Joe Mattingly.”

John Bailey: “Judge Weiner was a good judge. He and I got into a heated argument in court, and I said, ‘Judge, let us call a short break and go into your chambers for just a few minutes.’ So I went into the chambers just for a few minutes and opened up the law book to show him the current status of the law was. And he came back and said, ‘You know, these young attorneys show me new law all the time. You were right, I was wrong, let’s proceed.’ Well, I had the same argument with Judge Mattingly at a different time, so I asked him to go into the chambers. So I went into the chambers and showed him where he was. He went ‘hmmm’... and said, ‘Proceed,’ that was it.”

Audio 76. John Bailey on Joe Weiner as Judge:



"The Knights of St. Jerome were incorporated in 1884 by I. J. Paran, a circuit court judge of St. Mary's County. Today it is one of the oldest black organizations in St. Mary's County.

"The Knights of St. Jerome has honored members of the community that foster change and growth.

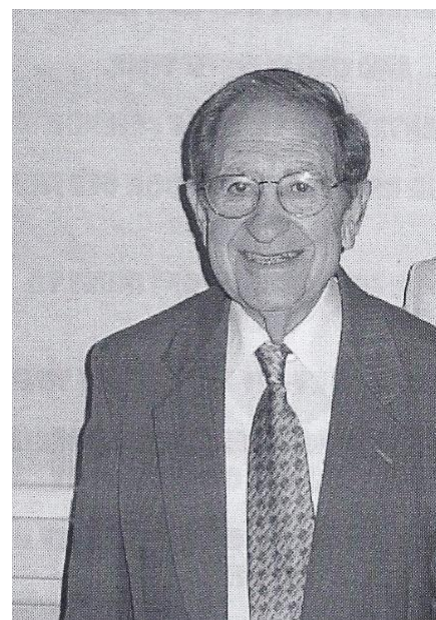
"In the early 1950s, as Chairman of the St. Mary's County Republican Central Committee, and as a close friend of Governor Theodore McKeldin, he [Joe Weiner] recommended to the Governor the appointment of the first African-Americans to hold public office in St. Mary's County- Robinson Barnes, Board of Education; Leroy Thompson, Supervisor of Elections; Owen Baldwin, Irvin Shubrooks, and Clem Dyson, Supervisor of the Peace."

83. Program from Banquet in honor of Judge Weiner

His Later Years

John Mudd: [After he lost the judicial election] "I'd call and talk to him and I'd say 'Judge...' and he'd said 'I'm not Judge, call me Joe.' He was pretty good about that. Always thought that was a good [gesture]."

Ted Weiner: "Dad was a true people's lawyer. He loved representing people; people in trouble, people in a bad way, and kind of the underdogs. And he never really cared whether they



84. Joseph Weiner

could pay or not; basic working class people, which he grew up with. And he always retained a lot of interesting, hard luck stories. He just liked to help people. Dad was always Joe. He never wanted to be judge for the title. Or to say, 'I'm judge'. No, he was always Joe. If you wanted to get anything out of Joe Mattingly, you would send my dad over. I mean he never had any problems with Joe. Joe basically gave him anything he wanted. You need something from Joe Mattingly, get Joe Weiner. This was an oddity."

Crime and Punishment



85. The old county jail

The Washington Star
"Nice Place to Be in Jail", August 1977
by Philip H. Love

LEONARDTOWN, Md. – *"In these days of rampant crime, it's hard to imagine a time and place so law-abiding that a jail was unnecessary.*

"The time was, of course, long ago. But the place—St. Mary's County, Md.—still has a crime rate so low as to make the two nearest big, cities, Washington and Baltimore, seem like Sodom and Gomorah [sic] by comparison.

"In 1858, the county erected a tiny three-cell jail on the courthouse lawn here in Leonardtown. The jailer and his family lived in two rooms on the ground floor and the prisoners, if any, were kept on the second floor.

“As a matter of fact, the jail was empty most of the time until 1940, when the Patuxent Naval Air Station was established. Then the county’s population soared from 15,000 to 30,000 and a larger jail had to be built.

“One law St. Mary’s Countians never had a respect for was the Volstead Act. During the 13 years Prohibition was in effect—or rather, on the books—some of the county’s most respected citizens became moonshiners or bootleggers, attracting customers from as far as Philadelphia. None of their friends and neighbors held their occupation against them.

“Inevitably, some countians were arrested and sentenced to jail—not by county or state authorities but by federal agents and judges. Since the Leonardtown jail was never filled, the government paid the county to keep them there.

“The jail soon came to be regarded as a nice place to spend vacation. Prisoners would check in with their Jailer every morning, then go about their business—playing cards in the St. Mary’s Hotel, fishing in nearby Bretton Bay, or just meandering around town, visiting with friends. In the evening, they’d check back in again at the jail, then go home to spend the night with their families.

“A Baltimore friend of mine, caught heading for home with four half-gallon jars of whiskey in his car, still speaks wistfully of the 30 days he was suppose to be an inmate of the Leonardtown jail back in 1930.

‘The other prisoners took turns taking me home with them at night,’ he recalls.

And boy, oh boy, did I enjoy that St. Mary’s County stuffed ham, fried chicken, country sausage, biscuits, corn bread and oysters fixed more ways than Diamond Jim Brady ever dreamed of!”

Joseph Mattingly, Sr. on the bootleggers who got caught: “Interesting, though they were sentenced to jail sometimes, the jail keeper would allow the inmate after dark to go ahead home. Let ‘em spend the night at home and said, ‘You come back the next morning before light. Don’t let anybody see ya.’”

Audio 77. *Joseph Mattingly, Sr. on bootleggers who were caught:*



From Page 197 of Aleck Loker’s *A Most Convenient Place*:

Mary Agnes Buckler

She came to Leonardtown to live in 1936 when she and her husband, Howard Buckler Sr., signed on with Sheriff Bernard Love as jailers.

They started the jail on June 18, 1936, and stayed there until November, 1942. During 1942, while she was still at the old jail, they were getting about 20 to 30 prisoners each weekend- mostly for disorderly conduct or simple assault. The area around the navy base was very rural- few bars or stores for base workers to patronize. Consequently, the base workers came to Leonardtown to 'socialize', which Mary Agnes said meant drink, gamble, etc. Many lived in the St. Mary's Hotel. On weekends, some partygoers from the base would show up at the old jail and ask to be put in a cell for the night because there was nowhere else to sleep- the hotel was full. She said they accommodated when they could.



86. View of the jail from Courthouse Drive

"Now, that would get me into the policemen, we had no policemen. We had a sheriff and there was probably in this county, at that time, a sheriff and maybe two or three deputies. One deputy would live in the lower end of the county and one would be in the upper and one would probably be over in the

middle. I just knew that Sheriff Abell was our sheriff, deputy sheriff down here. I can remember him. He was a very short man, they called him 'Shorty.' They operated the law in a very common sense basis. If he was going to arrest somebody, he would just come say, 'Well, you've got to go with me,' and he wasn't very big, he certainly wasn't a big man, but he just used psychology or, but it was just people accepted it if they had, had a problem or somebody was going to be arrested. There wasn't much crime, as I said, except the, as I remember or know about in this end, except the stealing of chickens, that went on."

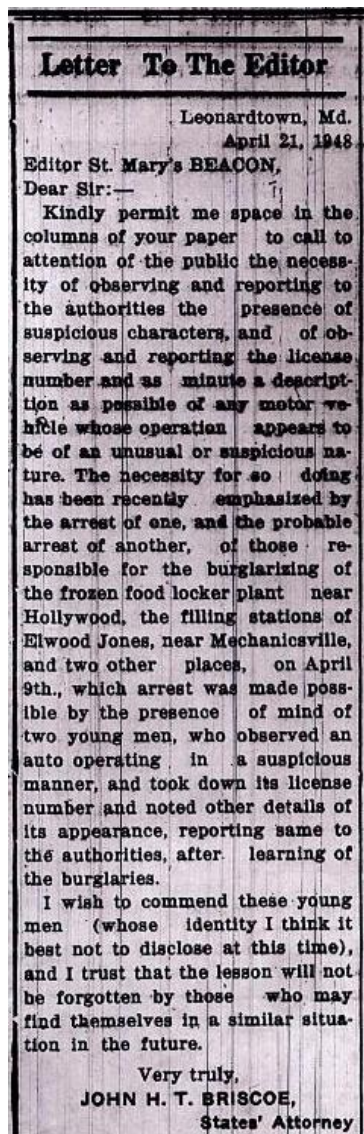
Audio 78. *J. Frank Raley on policing old St. Mary's County:*



John H.T. Briscoe: "Just to show how much time judges and lawyers had on their hands; Judge Loker didn't have a whole lot to do after he finished his court down here, but he used to spend a lot of his time in the Clerk's office going over the jury list. That's one thing that changed for the worst, I think. A computer choosing jurors is just wrong, but the judges in those days, the old-timers took the time to pick out who they thought

was good, respectable people to be jurors. But I've had, Judge Loker, in particular, and sometimes other judges, too, come to me and say 'John, I'm going over my jury list now, got any good names to give me from out in your district?' and I'd say, 'Yes Judge' and I'd give him the names of a few respectable people."

Audio 79. John H.T. Briscoe on jury selection:



St. Mary's Beacon, April 21, 1948

Dear Sir:

"Kindly permit me space in the columns of your paper to call to attention of the public to the necessity of observing and reporting to the authorities the presence of suspicious characters and of observing and reporting the license number and as minute a description as possible of any motor vehicle whose operation appears to be of an unusual or suspicious nature. The necessity for so doing has been recently emphasized by the arrest of one, and the probable arrest of another, of those responsible for the burglarizing of the frozen food locker plant near Hollywood, the filling stations of Elwood Jones, near Mechanicsville, and two other places, on April 9th, which arrest was made possible by the presence of mind of two young men who observed an auto operating in a suspicious manner and took down its license number and noted other details of its appearance, reporting same to the authorities, after learning of the burglaries.

"I wish to commend these young men (whose identity I think it best not to disclose at this time), and I trust that the lesson will not be forgotten by those who may find themselves in a similar situation in the future."

Very truly,
John H.T. Briscoe,
States' Attorney

John H.T. Briscoe: "Just before I went out of office, the man had a rash of burglaries down here and breaking into businesses and the court caught a fella, it was a professional burglar, too, and his name was Burglar Bill Swipes. He came from Baltimore, I think, and they caught him and put him in this little ____ of a jail. Anybody could get out of there. And what worried me was that his pals would spring him from

that jail before the time came. And when he was tried, I was getting ready to send him off to Judge Loker. Myself, I'm kind of lean and skinny, you know, and this fella could make the floor buckle before a slabface judge and a skinny State's Attorney. And of course, I really wanted to get that fella, too, and they got him, convicted him. A slabface judge and a lean and skinny State's Attorney. We had some characters back in those days."

From page 127 of Aleck Loker's *A Most Convenient Place*:

"The first quarter of the 20th century saw the last public execution in Leonardtown and St. Mary's County. On December 22, 1923 an elderly white woman was allegedly raped by a black man named John Butler.

"In March, Butler was tried by jury for felonious assault, found guilty, and sentenced to be hanged. State's Attorney John H.T. Briscoe prosecuted. Local attorney A. Kingsley Love defended Butler. Butler was sentenced to be hanged. In May, the sentence was carried out. The Enterprise reported: John Butler executed.

"Butler bid good-bye to his wife and fellow relatives Thursday evening and spent the early hours of the night singing hymns. He was taken from the jail at 6:20 Friday morning and walked to the gallows with his spiritual advisor with a firm step and smoking a cigarette and smiling. He was even smiling when the noose was placed around his neck. His nerve never weakened.

"Quite a large crowd gathered for the hanging, but they were very quiet and orderly, and showed the respect the St. Mary's Countian has for the majesty of the law.

"This will be the last execution to take place in the county, as laws were passed authorizing all hanging to be in the Maryland Penitentiary."

John H.T. Briscoe: "I think I convicted the last person who was ever executed in St. Mary's County. He told, 'I have raped an old woman 75 years of age.' And he was tried and he was convicted and sentenced to be hung. And he was hung. Executed right in the corner of this courthouse, outside, not in the room, but outside. As far as I know, that was the last hanging and there wasn't any complaint about it either. There wasn't no talk about, 'Oh, you shouldn't have capital punishment.' Biggest mistake that they ever made when they abolished it, and they did the right thing when they put it back. There's plenty of crime that should be subject to execution.

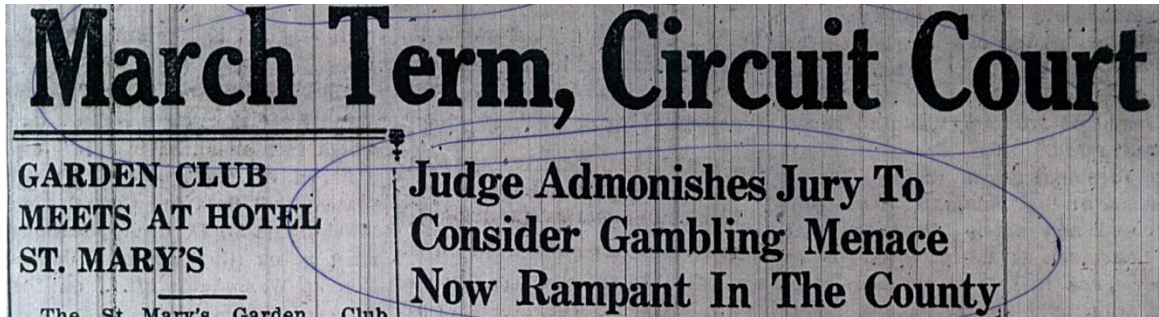
Audio 80. *John H.T. Briscoe on the last hanging in St. Mary's County:*



"That was about in the '20s. I became State's Attorney, January 1, 1920, and it was probably about '22 or something like that. They constructed the gallows right outside the courthouse here, looking out where the County Commissioners' office used to be. I

wasn't there. I tell you, I didn't go there. I did my part and I wanted no more of it. Some people have a morbid curiosity about things like that. I just can't understand it. As a lawyer, you're supposed to have a certain number of witnesses, but no, I didn't go. I tell you, I couldn't go. I stayed home. I'd had all I wanted. I didn't regret it. I was perfectly satisfied. I convicted him. I'd done my job and I was perfectly satisfied. And I didn't regret the conviction. And I say that this still should be the penalty."

St. Mary's Beacon, March 21, 1947



"The Circuit Court for Saint Mary's County, March Term, convened on Monday the 17th inst. with His Honor William Meverell Loker and Associate Judges Charles Marbury and John B. Gray on the bench and all other court officers present.

"Judge Charles Marbury delivered a forceful charge to the grand jury, explaining their duties and responsibilities and stressed specifically that they take cognizance of the alleged violations of commercial gambling with particular reference to "slot machines". After the grand jury had retired to begin their investigations the docket was called over and cases were either set for trial, continued or judgments entered in plain and uncontested cases."

*From The St. Mary's Beacon, March 21, 1947
Grand Jury's Report March Term, 1947*

"To the Honorable Judges of the Circuit Court for Saint Mary's County for March Term 1947:

"We, the Grand Jurors of the State of Maryland for the body of St. Mary's County, submit the following report:

"We appreciate the able address from Judge Marbury, which was brilliant and straight from the shoulder, especially regarding gambling and slot machines. We have attempted to the best of our knowledge and means to carry out his instructions. There has been much discussion at local meetings, and letters in the local press concerning the slot machines. Twenty or more years ago, a seedling was planted and from that planting a huge tree has grown.

"Courts, States' Attorneys and Sheriffs have paid little heed to this public form of gambling and in consequence of which an important question is at stake.

“Some want them legalized and taxed to raise money for County expenses, other want them banned. Our Legislators are working on bills to make them legal, whether they succeed or not is a question. To issue summons for all existing violators, would be a tremendous task for this Grand Jury or any other Grand Jury, requiring a session of many days.

“Recently an order came down from State Police Headquarters to clean up the County of Slot Machines, but this was blocked and order cancelled.

“Recently a Board of Governors held a conference with the Judge, States’ Attorney, and the Sheriff, requesting something be done: We learn nothing was accomplished.

“WHEREAS – Each and every member of this Grand Jury for March Term of Court in the County of St. Mary’s do hereby honestly and conscientiously [sic] believe this is a case for the Honorable Court, the States’ Attorney and the Sheriff of St. Mary’s County to handle, and we hereby refer same to them.”

EDWARD J, WARING,
Foreman

St. Mary’s Beacon, March 21, 1947

“H.B. Holmes, Secretary”

“Judge Loker said in substance, that it was distressing that the jury failed to follow the very explicit instructions given it by Judge Marbury in his forthright charge on the subject of commercial gambling, and that they could not shift the responsibility in this matter to the court, nor the States’ Attorney, nor the sheriff but that it was very definitely their duty to handle and that in view of this fact, they would be excused for the time being but would have to return to resume their unfinished duties on the first Monday in June. In the meantime they were admonished to give this matter their careful consideration and that the Court is expecting action at that time.”

The Washington Post, June 3, 1947

“Slot Machine Violations Irk Judge”

“Chief Judge William M. Loker gave the grand jury of the March Circuit Court term a two-hour lecture today, Monday June 2nd, 1947 on what he termed its ‘amazing’ and ‘preposterous’ refusal to report the illegal operation of slot machines in St. Mary’s County.

“The jury’s report declining to investigate violation of law ‘humbled the court a bit’, Loker said.

“He then called it ‘an amazing preposterous proposal to put in writing and place before the court.’”

St. Mary’s Beacon, “Grand Jury Indicts 24”, June 6, 1947

“On Wednesday afternoon, the Grand Jury for the body of St. Mary’s County came into County and presented twenty-four indictments alledging violations of the gambling laws of the State.

"A list of those presented by the Grand Jury follows:

'Benedict Duke...Harry Weiner...Arthur Briscoe, Sam Weiner...Robert Gabrelchik...'

"The Court fixed the bond in each case at \$1000.00..."

"There should not be any more confusion in the minds of some that slot machines can be classified as amusements and taxed for a revenue for St. Mary's County. An explanation of the law was certainly very carefully explained and defined, that slot machines are illegal. Upon that basis this Grand Jury has acted.

"Also our Governor declined to sign one measure making Slot Machines legal, and we quote the Governor's reason. He said: "If County by County legalizes slot machines, soon the State of Maryland will be a paradise for gamblers."

"We fully concur with the Governor in his views and believe small things will lead to larger ones, and our shores will be invaded by the Sharks of the deep sea kind. Then, too, what an example for St. Mary's, the mother County of the State to set for her twenty-two children. We have the youth, the social welfare, and the dignity of our County to safe-guard and protect for all law-abiding citizens.

"This Grand Jury requests that the Sheriff seize and impound all Slot Machines, Games, Devices, and contrivances, by law that shall be found remaining in St. Mary's County. We want to express our appreciation for the able assistance of the State's Attorney.

"Having completed our duties as we see them, we respectively ask to be discharged."

EDWARD J. WARING,
Foreman

John H.T. Briscoe: "Yeah, that's it. We used to do that [plea bargains] right along. Nothing wrong about that, because most of the cases and indictments were plea bargains. I have a time finding my expressions sometimes. But anyhow, generally it would be an indictment; if it were an assault and battery case, it might be serious. I'd just put in there one count of assault and one of attempted murder, instead of ordinary assault and battery. And Ching came to me multiple times, he represented most of the criminals, 'I represent so and so and you charged them with assault and attempted murder, and I am willing to plead him guilty to an ordinary case of assault and battery. So how about it?' I would simply say either yes or no, because I didn't dilly-dally around or fool around or anything. He would call me 'boy,' because he was older than I was, of course. He said 'Boy, I like you because it's either yes or no with the proposition. No messing around. You just say yes or no.' I'll always remember that. And the poor man [Ching], he met his very sad death. He was murdered; not all folks know about that, out in front of his home, without cause, right where the old St. Aloysius Church was. He was, I'll never forget it, it was the year 1924, my oldest daughter was just a baby and

lived up the street there. Anyhow, they wake me out of bed at 2 o'clock in the morning to go down there and see that poor man lying there on the pavement with his head smashed in with an axe. It was a horrible sight. Nights after, I couldn't hardly sleep, you know? It was certain, Ching was one who made an impression on me..."

Audio 81. *John H.T. Briscoe on Joseph Henry Ching:*



Crime and Punishment Today

Evelyn Arnold: "Everybody knew what was going on and people looked out for each other's children, you know? I remember, one of the things that sticks in my mind was in juvenile court, years and years ago, somebody complained because the child had stolen cupcakes from a 7/11 and a petition got filed and I thought this is ludicrous, this is ludicrous. That could've been handled with the parents and the owner of the store. I thought it was a waste of time for the people in juvenile services and the juvenile, but if the parent had enough caring for that child, they could've worked it all out. Then it gets out of hand. I saw some things that: 'My child didn't do that. My child wouldn't do that.' Well I heard, probably over the lifetime, you hear those stories. I don't think what the kids did then was as bad as they do now. And television has played its part too in the way that children grow up. They're allowed to see stuff that they shouldn't. They're allowed to, there's too much freedom. They go where they want to go and they don't have to account for what they do. We knew where our kids were. It's a different world out there. It's hard for children too. It's a different world."

Audio 82. *Evelyn Arnold on juveniles and the criminal system today:*



Lawyer Relations



87. Honoré Daumier, "Le Charivari", August 15, 1845.

Lawyer Relations with Judges

The Washington Post, "Gaming Defendants Ask for Early Trial", July 2, 1947

"Declaring that any delay would be 'oppressive, capricious and a denial of due process of law', 23 persons named in 24 indictments for gaming by the St. Mary's County grand jury, June 4 have again demanded immediate trial.

"A written request was sent to the three-judge bench of Maryland's Seventh Judicial Circuit to recall the March petit jury to try the cases before the regularly scheduled September term. It was presented to Chief Judge William M. Loker.

"The petition was submitted by State Senator Paul J. Bailey, [R., St. Mary's], representing some of the defendants, and Attorneys Joseph D. Weiner, Philip H. Dorsey, Jr., and W.O.E. Sterling, all of Leonardtown.

"One attorney said Judge Loker had taken the request under advisement and would announce a decision within the next few days.

"A previous request for advancing the trial date made June 6 was denied. The court said it would work an undue hardship on petit jurors who were engaged in planting crops."

To contradict any appearance that Paul Bailey may have been attacking the integrity of Chief Judge William M. Loker during his defense of gambling defendants, Paul Bailey submitted the following letter to the Beacon:

St. Mary's Beacon, September 29, 1947



"Because of the fact that some seem to have the impression that during my recent appearance for certain defendants in certain alleged gambling cases in the September Term of our Circuit court, I, by insinuation during the questioning of the Honorable Wm. M. Loker, Chief Judge of the Circuit Court, may have cast some cloud upon the integrity of Judge Loker, I feel it necessary that I write to you, and ask that you kindly publish this letter.

"The writer has enjoyed the privilege of constant practice before, and frequent association with Judge Loker for twelve years, and the Judge has ever been kind, considerate, friendly, and most helpful to me and all the members of the Bar with regard to all matters before the Court, and it is needless to say that his reputation as a distinguished Jurist and a fair and impartial one is too firmly established to require any embellishment from me, and I had no intention whatever during the said recent cases or at any other time to, in the slightest degree, detract from the Judge those characteristics which he has been so careful to maintain throughout his life, and if, in the tumult and turmoil which sometimes engulfs the trial lawyer in Court, I inadvertently said anything which might be construed to be in any way derogatory to Judge Loker, I wish it to be publicly known, that for same I am deeply sorry, and trust that whoever obtained such wrong impression then will hereby assured that I have only the very highest regard for Judge Loker and the ideals for which he has always stood, and I hope that for many years to come I may continue with the rest of the people of this State and County, to be honored by his presence among us."

*Sincerely yours,
Paul J. Bailey*

Reply by Judge Loker to Mr. Paul J. Bailey's letter as follows:

St. Mary's Beacon, October 3, 1947

My dear Paul,

"I have read your letter published last week in the County papers relative to incidents in Court pertaining to the trial of cases under the gambling statute.

"While you give me and my poor efforts as a Judge more praise than I can feel I deserve, I believe you sincere in this as well as in all other statements made by you. I am content, so far as you are individually concerned to let the affair be buried in the past and hasten to tell you that I appreciate with satisfaction the action you have taken. Indeed my estimation of your true character prompted me to believe that after calm consideration away from the heat of battle you would go the limit to heal any hurt you may have unintentionally caused. It is with pride and pleasure that I look back upon our past professional and social relations. I hope they may be renewed to the same extent and with the same esteem and cordiality they once were.

"You may use this letter in any way you desire.

"Believe me, please."

*Very sincerely yours,
WM. Meverell Loker*

St. Mary's Beacon, "Judge Loker Endorsed by Local Bar", March 22, 1938

"We, the undersigned, members of the St. Mary's County, Maryland Bar, in appreciation of the kind, prompt, fair, just and impartial consideration always shown them, do hereby indorse and pledge our unqualified support to His Honor, William Meverell Loker for re-election to the honorable position which he has held for the past fifteen years, namely Associate Judge of the Seventh Judicial Circuit of the State of Maryland.

"Judge Loker had truly tempered Justice with mercy and administered his High Office in fairness to all men, irrespective of Politics, Race, or otherwise;

"He has a temperament which qualifies him for this position and he is entitled to the support of his fellow citizens of St. Mary's County and the entire Circuit."

*A. Kingsley Love
John H.T. Briscoe*

Editor's Note: *When the above endorsement was signed by the Editor of the Beacon, the names of Messrs. Philip H. Dorsey, Jr., and Joseph D. Weiner were affixed to the document. These names have been erased. We wonder what transpired to influence the withdrawal of their endorsement."*

Lawyer Relations with Each Other

Jeannette Dakis: “The lawyers would walk across the street and talk to one another; that’s about the best they could do.”

John Mudd: “I think most of the old time lawyers, back then...cases were not personal, there were no personal vendettas. There was a lot more collegiality and there was a significant, I don’t want to say like Chesterfield mannerism, but there really was. You’d reference ‘my honored advocate’ or ‘my respected counsel.’ They were just more laudatory than now. Most of the time now, it’s ‘Your Honor, my [opposing] attorney’s approach is out of a horse’s hind end,’ and you could get away with it.

“You send out interrogatories that say they’re due in 30 days and then tell the client they’re due in 30 days and then they [the client] check on the 31st day and see that no one’s responded, and they want to know why I haven’t filed some motion to compel. You know, back in the old days, when you sent out a discovery request, I think Mr. Olmsted probably taught me this lesson sooner than anybody else, there was a collegiality and a common courtesy that you wouldn’t call somebody on the phone for 30 days or 31 days, you might call them and say, ‘When can I expect my answers?’ Nowadays, the rules say you’ve got to certify an effort to achieve compliance, but there was, while still serving the client, there was still not the cut-throating that goes on today with people and discovery. They just treat it like an end to itself.”

Audio 83. *John Mudd on relations between attorneys:*



Darlene Guyther: “There were so few of them [attorneys]. All of the friendships were not sincere. Sometimes, it was more civility than friendship, but you know, there were so few of them that, yes, there was a lot of interaction between the attorneys. But like it wasn’t all friendship. Sometimes, it was just a matter of being civil because you had to be.”

When asked if there was any change in the civility between lawyers, John Slade III said the following: “Yes, there has been a change in that regard. Lawyers used to be real civil, polite and kind to each other. They would go in and litigate and be at odds and sincerely, you know, fight it out, duke it out in court. But after conclusion of their case, they would go to have lunch or go across the street and have a cool beverage. I mean, it was just the custom and practice then. Now, people hold onto this and internalize it and don’t forgive the attorney who’s beaten them in court. So there has been a change in civility to the detriment, really, of all of us.”

Evelyn Arnold talked about the Christmas parties that used to be held at the county courthouse: "Well, it was Christmas. Paul Bailey would have his saxophone or his clarinet, and we sang Christmas carols and we had food." The party drew from everyone in the courthouse, not just its contingent of lawyers: "And you had other offices in the court house and they would participate...the Register of Wills was there. The County Commissioners were there at one point...and the Sheriff's Office was there when the County Commissioners moved out...the Assessment Office was there. Upstairs was Planning and Zoning...State's Attorney...Buck Briscoe had an office there."

John Bailey: "Everybody just kind of brought something different to eat and . . . The Courthouse was like a family. I mean, to some extent, there were an awful a lot of county people and the county people. . . If you're from the county, you are related to everybody, either through your mother or through your father. Paul would have the flute and he would play the flute all evening."



88. Courthouse Christmas Party at the Clerk's Office. L-R: Aleck Loker, Walter Dorsey, Ann Fowler, John H.T. Briscoe, Florence Greenwell



89. Christmas at the Courthouse. L-R: Bill Loker, Aleck Loker, Unknown, Ann Fowler, Dick Greenwell



90. Christmas Party at the Courthouse. L-R: Joe Mattingly, Jeannette Dakis, Harry Lancaster, John H.T. Briscoe, Oliver Guyther, Judge Loker

Jim Kenney: “I think, for my generation and many generations before that, the law was your life. I don’t mean that you never had fun or you do anything. But you didn’t think of yourself as off-duty. Today, you don’t see young people going to Bar Association meetings. If you had a Bar meeting, everyone in that photograph would be there who possibly could. Nobody missed a Bar meeting or law clubs or whatever. I mean, for years, I was a member of a law club in Baltimore. The club finally collapsed itself, as the members just got older and you couldn’t get young people to want to come. The law clubs used to operate like the Inns of Court. So, once a month, I’d be trudging up to Baltimore or Towson or wherever we’d be meeting. Occasionally, we’d be meeting in Annapolis. Occasionally, I’d hear some of the older lawyers, well now it’s mostly older judges because that’s who I see the most, talking about, ‘Well, I went to a law club meeting last night.’ They all had some crazy names. We were called ‘The Loophole.’ There was the ‘Wranglers’ and others, I don’t remember. But they were just part of the fabric of the business. But now you hear people saying, ‘Well, I don’t want that to be my whole life.’ It never occurred to me that it was my whole life, but I just realized, it probably was pretty high on the list of what needed to be taken care of.”

Audio 84. *Jim Kenney on practicing law:*



“Most people practiced on their own, or as you say, with loose associations, sometimes, office sharing or something like that.

Joseph A. Mattingly Jr.: “John H.T. came to my father and said, ‘There’s a place up there and they’ll be an office for each of us and they’ll be one for a secretary and you. I don’t have a secretary, so that’ll take care of your secretary.’ Because, you know, he [John H.T.] never had one. The only reason he [John H.T.] hired Mrs. Bussler was because he got her for Johnny. It was the early sixties when he built his building and at that point, he planned that building with an office for him, an office for John H.T., a conference room, and an office for John Hanson because John H.T. said that Johnny was coming back and he was going to need a place. So that’s how they built that building.”

Frank Olmsted: “Lawyers are still as nice now or nasty as they used to be. Same as now. Same as a thousand years ago, probably.”

Lawyer Relations with Clients

John Mudd: “Well, obviously there are so many lawyers around that when the client has a sense of dissatisfaction, the client can go check out the advice pretty quickly, a lot quicker than when I started practicing law. I think I was the 15th person in our Bar Association in 1969. We have 100 members now. We had 55,000 people here in 1969; we have 150,000 people here now. But number one, I think they can get a second opinion pretty damn quick. Number two, you know when people can punch into their computer and find out the status of their case online, and the lawyer has said, ‘I’ve filed this or that,’ and it’s pretty easy to check it out. So you better be careful with what you’re saying.”

John H.T. Briscoe: “And of course, the money people would make in those days, you just can’t hardly believe how they got along with the salary they got. But everything is so different. Now, in those days, a lawyer will write a normal deed or a will or something or another, just an ordinary deed or will, just a contract and it’d be \$5 for the deed. It’s just hard to believe. It’s just hard to adjust yourself.”

John Mudd: “I think the volume of cases that people handle today. When I first started practicing law, I handled 75 cases a year; well, now it’s over 250 cases a year. A lot of those are ‘slam bam thank you ma’am’ traffic tickets and what not, but volume... I can remember when my father said, ‘I’ve got to do \$1,000 of billing a week.’ Nowadays, you better do \$1,000 of billing a day to keep things going. But obviously, all of that technology has increased the stress of responding to a client in a timely matter with a product you’ve had to put spit and polish on. Because sometimes, now, you do something, and you send out the first draft, just trying to buy yourself some time because you’ve got other fires to put out.

“I was thinking today on my way to work, in fact, I just told my secretary, I think I have worked a minimum of 60 hours a week for 45 years. I have never taken a vacation other than my 25th wedding anniversary. I mean I love getting up in the morning and I love going to work. I love doing what I’m doing, but to handle my practice I feel like I have to come in one day on the weekend, whether it’s Saturday or Sunday and get here at 7 o’clock in the morning and I leave at 6 o’clock at night and that’s been the routine 6 days a week generally.

“When my father practiced law until 1959, he had Saturday hours every Saturday. I mean he would see people at night time and on weekends.”

Lawyer Politicians

St. Mary's Beacon, October 27, 1937



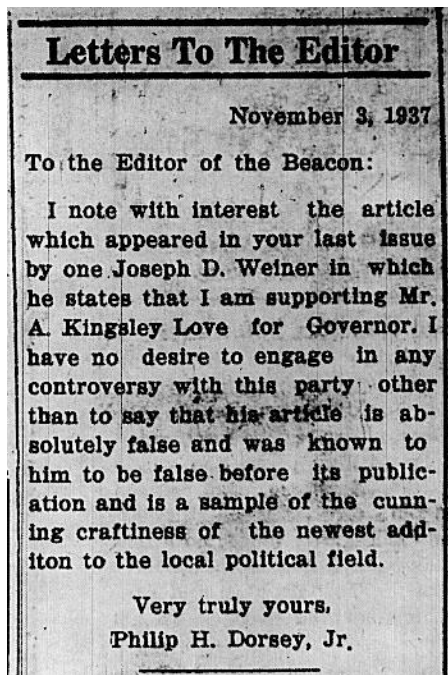
"It is reported that Hon. Philip H. Dorsey, Democratic leader of St. Mary's County and Editor and Proprietor of the Enterprise is urging Hon. Kingsley Love to file his candidacy for the Governorship of Maryland. Mr. Dorsey who at present is a member of the Maryland legislature, has been honored by the democratic party on various occasions. Having been elected State's Attorney for a term of four years, represented St. Mary's County in the Legislature on a previous occasion and is the self-styled leader of the Democratic Party. Mr. Dorsey also is recognized as a very successful criminal lawyer and is noted for his forceful oratory before the jury.

"I welcome Mr. Dorsey's support of Mr. Love for Governor. His support will be very much appreciated among the voters of the State of Maryland particularly among the Republican element. It is indeed gratifying that Mr. Dorsey is above partisan politics and will support the proper man for governor regardless of whether the candidate is a Republican or a Democrat.

"Mr. Love has long demonstrated his fitness and qualifications for governorship of Maryland. It would be mere repetition to enumerate the various offices that Mr. Love has held because they are all well known to the voters of this State.

"I sincerely commend Mr. Dorsey on his intelligent selection and anticipate that if and when Mr. Love becomes governor of this great state that he will be able to designate a position for Mr. Dorsey, which will be in accordance with his station in life."

Joseph D. Weiner



St. Mary's Beacon, November 3, 1938

To the Editor of the Beacon:

I note with interest the article which appeared in your last issue by one Joseph D. Weiner in which he states that I am supporting Mr. A. Kingsley Love for Governor. I have no desire to engage in any controversy with this party other than to say that his article is absolutely false and was known to him to be false before its publication and is a sample of the cunning craftiness of the newest addition to the local political field.

*Very truly yours,
Philip H. Dorsey, Jr.*

John H.T. Briscoe and Joe Mattingly ran against each other for the State's Attorney spot. As Joseph A. Mattingly, Jr., describes the race, "The incumbent State's Attorney was [Henry] Camalier and he died in his office. And I believe we're talking about 1950 or 1949 or something. And John H.T. was appointed to fill out the term and Dad was getting tired of Annapolis and decided he wanted to be home and he happened to tell John H.T. that he wanted to run for that office. They were sharing office space at the time. At the end of the work day, John H.T. would tell my Dad where he was going to round up voters; my Dad would tell John H.T. 'Don't bother going over there. I've already got those votes locked up. You ought to go to this other part of the county.' It was a friendly rivalry that the two of them had during that election year, and they continued to share space during the campaign against one another."

Evelyn and Deborah Arnold recalled that the lawyers who went into politics might be rivals but they were still friends. Deborah states: "After it was over, it was over. And they were friends, headed to their houses." Deborah also remembers, "Dad would have best friends of his running for the same office. It was different times then. It was a lot of fun. They had a lot of fun. When it was over, it was over." Evelyn continues, "Today, it's so mean. It's so ugly and they don't forget, but like she said, once the election was over, it was over."

John Mudd: "When I started practicing law my father told me..." There's the law of Maryland and then there's the law of St. Mary's County." So things were different in St. Mary's County."

As an example of how politics was fought by lawyers in the newspapers, copied below are several letters to the editor published in the *St. Mary's Beacon* over the course of 1938 and 1939:

St. Mary's Beacon, January 26, 1937



Dear Sir:

"...Four years ago I introduced in the Maryland Legislature the first bill in this State that brought relief to Parochial Schools in the matter of transportation. This bill did not appropriate any money but left to the discretion of the County Commissioners the amount that they choose to expend. Acting under the broad provision of the bill the County Commissioners of this County expended the sum of \$8000.00 annually in aiding the transportation of the parochial school children. Two years later Senator Coad repealed this law. Later in the session after a storm of protest had risen in the County he introduced a bill which was enacted into law authorizing the County Commissioners to expend \$7000.00 annually from the liquor license

fund-should be the same amount to that much-in the transportation of children to schools not receiving State aid.

"...I am informed that the present law is entirely unsatisfactory to the Parochial Schools. That they resent the fact that the amount of aid which they receive shall be based upon the amount of liquor consumed in the County and that while they are willing to accept a stipulated sum they much prefer that the same should come from a general appropriation rather than the fund dedicated in the present law."

*Very Truly Yours,
Philip H. Dorsey Jr.*

St. Mary's Beacon, September 1, 1939



My dear Sir:

"When I gave my reasons for opposing Mr. Dorsey for the senatorial nomination, I had no intention of getting into a political discussion. However, I cannot let some of the assertions made by Mr. Dorsey go uncontradicted.

"Mr. Dorsey talks of a whispering campaign. He knows well enough that I told him exactly why I was a candidate against him and I told him before I told anybody else. Why should I whisper to others what I told him to his face? I can understand why he is anxious that the campaign be soon forgotten.

"In referring to the school bill I did not say Mr. Dorsey had made any mistake in framing it. I believe that he framed it just as he would have it serve his political purposes. I believe that this is the interest he has in the bill.

"Mr. Dorsey says that I was mistaken about the slot machine bill. I cannot see that he did anything but kill it when he insisted that the amendment which Mr. Briscoe had opposed and struck out should be put back in the bill. I still believe that Mr. Dorsey drew this bill in this way to enable him to have nine jobs to deal out to his political friends.

"Mr. Dorsey admits that he took over the appointment of scholarships. If he had no intention of using them for his political advancement, why did he want the change made. I find no fault with the boys and girls he has named though I am sure that Mr. Dorsey has not told the whole story of the appointments when he merely lists the names of the recipients."

*Very truly yours,
Joseph M. Mattingly*



Letters To The Editor

Dear Sir:

"I hope you will allow me space to reply as briefly as possible to the reasons stated by Mr. Joseph M. Mattingly why he was a candidate for the Senate. Personally, I felt that after the last primary there was little that a political mind could conceive that had not been whispered during that campaign and I had hoped that the bitterness displayed during that very hectic struggle would in some measure disappear with the lapse of time. I feel that Mr. Mattingly made it very plain to all with whom he came in contact during the last campaign why he was a candidate and the low regard in which I was held in his estimation however, I am grateful that the people of St. Mary's County did not agree with him.

"Mr. Mattingly criticizes the School Transportation Bill sponsored by me and enacted by the last Legislature and says that the money may be used in such a way as to serve political purposes. I do not claim that the bill as passed is perfect but I do say that before it was even introduced both Mr. Cecil and I sought the cooperation of Mr. Briscoe. We stated then that we desired to work in harmony and that we would take no further steps in the matter until we had heard from him. We also stated that any change or suggestion that he had would be welcome and that we desired to avoid a controversy of the problem and that our purpose was to secure relief for the children attending these schools. Mr. Briscoe has never yet suggested any change, his attitude as well known being one of the stubborn opposition to the whole bill.

"At the last session his political friend and associate Hon. John H. T. Briscoe opposed the bill, Messrs. Robert E. Wiggington and Aloy. F. King, two more of his political associates were counsel for the group that only recently secured the referendum on the bill. Their action has resulted in forestalling this legislation which people have clearly demonstrated that they want.

"The senate then adopted the report of the Conference Committee and the bill was returned to the House where it was killed by Mr. Briscoe in the closing hours of the session.

"Mr. Mattingly criticises my political appointments. If he knows of any incompetent persons that I have appointed to office I feel that he should name them instead of making broad assertion that I have endeavored to pay political obligations rather than serve the best interest of the County.

"Mr. Mattingly states that even scholarships have been exploited by me.

"In conclusion Mr. Mattingly states that I am more interested in getting something for myself than in serving the best interest of the County. If Mr. Mattingly will inform what I have received I will certainly appreciate it. Since I have been in the Senate I have devoted almost my

full-time to the duties and demands which the office involves. I am not complaining, I wanted to go to the Senate and I am very grateful that I was elected. I have tried to do the best that I could. I realize that I have probably made mistakes. But I also realize that if I had displayed the ability of a Daniel Webster that my record in the Senate would still fail to meet with Mr. Mattingly's approval. In conclusion I would like to say that regardless of how Mr. Mattingly may feel toward me I have always regarded him as a kind man, a good friend and a generous neighbor and I prefer to continue to so regard him rather than as one who is still nursing the bitterness and the animosities of a primary long since over."

Very truly yours,
Philip H. Dorsey, Jr.

St. Mary's Beacon, September 13, 1939



Mr. Philip H. Dorsey, Jr.,

Dear Sir:

"I have read your letter of September 6, 1939, addressed to the Editor of the St. Mary's Beacon which letter purports to be in reply to the letter written by the Hon. Joseph M. Mattingly on August 28, 1939.

"I note in your letter a statement to the effect that I, as well as Mr. Aloy F. King, was counsel for the group that secured a referendum of the so-called School Bus Bill sponsored by you.

"It is not difficult to see your petty purpose in making this statement in your letter, for the statement could in no way be classified as necessary in answering Mr. Mattingly's letter. In fact had the same been omitted, your letter would call for only casual notice. But as your letter touched my profession as a practicing attorney, I feel that it is my right and my duty to state publicly my position.

"On October 31, 1935, the Hon. Herbert R. O'Connor moved that the Court of the Appeals of Maryland admit me to the Bar of that Court and to the Bars of all of the Courts of this State to practice law in accordance with the laws of the State of Maryland and the laws of the United States of America. At that time I subscribed to the oath required of attorneys and received my certificate from the Court of Appeals. From that day on I was entitled to represent any client and advise him on the laws. From October 31, 1935, I have never asked of anyone permission to represent clients and I don't intend to being this procedure now. My office door is open during the business hours of each business day to all people who are in need of advice on legal matters. The law is my profession by which I earn my livelihood and I was shocked to see you even intimate that a lawyer could not represent certain individuals without undue criticism. In

my opinion, you, as an attorney and as Senator from my County, should have used better judgment. But then perhaps we can expect such tactics.

"Henceforth I hope you will refrain from trying to tell me just who I may have as clients and I hope also that in the future you will try to act more like a Senator and less like a Dictator.

"I cannot refrain from making one more point. I want you to know that I am proud to be associated with gentlemen like J. Allan Coad, Joseph M. Mattingly, John H. T. Briscoe, Aloy. F. King and Dr. Charles V. Hayden."

*Yours very truly,
Robert E. Wigginton*

St. Mary's Beacon, September 22, 1939



Dear Sir:-

"I would appreciate publication of the copy of the letter enclosed."

*Very truly,
John H. T. Briscoe*

Philip H. Dorsey, Jr., Esq.,

Dear Sir:

"In your letter published in the St. Mary's Beacon and the St. Mary's Enterprise on September 8th, replying to your previous letter of Mr. Joseph M. Mattingly, I note several references to my name in especial connection with the School Transportation Bill and the Amusement Control Bill, both sponsored by you at the last session of the Maryland Legislature, and I would appreciate, therefore, an opportunity to reply to this letter.

"Replying to Mr. Mattingly's criticisms of the School Transportation Bill you start off by saying "I do not claim that the Bill as passed is perfect, but I do say that before it was introduced both Mr. Cecil and I sought the cooperation of Mr. Briscoe. Mr. Briscoe has never yet suggested any change." In other words, you are trying to throw the blame for the faults and defects in your bill upon me. I would ask, what reason would you have to expect me to whip your bill into shape for you? In the first place, you have been dabbling in such matters, your chief political stock in trade, for a number of years, and if you don't know how to draw up a good bill on this subject by this time you never will.

"This position of mine was broadest throughout St. Mary's County last year by means of the press and by hand bills, and I cannot think you were ignorant of the same. I say, therefore,

most emphatically that your attempt to divert attention from Mr. Mattingly's deserved criticism of your bill by trying to throw the blame for its faults and defects (and they are many) upon me is absurd, ridiculous, and childish. You are responsible for this bill and you have endeavored and will continue to endeavor to reap every possible political gain from it that you can and you must shoulder the blame for its faults and imperfections and not try to pass them off on someone else. I certainly do not intend that you shall place the faults of your own child upon one who is not the parent.

"Your answer to Mr. Mattingly's criticism is not an answer at all. It is simply a smoke screen of very foul smelling smoke and it won't fool anyone who has a reasonable amount of sense and who is not so bitterly partisan that he can only see one side of the question.

"Now in regard to the Amusement Control Bill upon which you dwell at considerable length in your letter. When I first read this bill after you had introduced it at the last session of the Maryland Legislature, I was torn by two emotions. One, that of amusement so childish an attempt at lawmaking by one who was supposed to be a veteran law maker. Second, that of anger at so brazen an attempt to fasten upon the people of St. Mary's County another bunch of office holders—at so obvious an effort to boost up a political machine by providing jobs for nine of your henchmen.

"I hope you don't think I was so dumb as to fall for that line of tommy-rot and poppy-cock, and so dumb as to not see through your transparent and shameless scheme to create another horde of jobs to be filled with some of the numerous trusting souls throughout the County to whom you had promised jobs and who were clamoring at your heels for a fulfillment of your promises.

"I checked over all the other bills introduced for a number of other counties in the State, to carry out a similar purpose. They all agree with me that it was entirely unnecessary to create such a horde of job holders to issue such licenses and that it was nothing but a scheme to create new jobs. I, therefore, secured the adoption by the House of the amendments spoken of, over protest of your ally, Mr. Cecil, and in spite of all the pressure you could bring to bear in the House because the majority of the House members saw that my position was a sound one.

"After the adoption of my amendments the Bill was referred back to the senate where you refused to concur in my amendments and your action in so doing was prompted by anger and chagrin at having one of your schemes to secure an army of new jobs defeated by "a stubborn" determination to put the bill through in the form of wanted or not at all,—it being quite apparent that you were much more interested in that feature of the bill which created nine new jobs than you were in licensing slot machines.

"What happened after the rejection of my amendments by the Senate at your instance? In practically the last hour of the session you secured the appointment of so called Conference Committees on the part of the Senate and the House, packed with your friends, who, of course, acceded to your wishes and reported to the House that they recommended that my amendments be rejected and the Bill passed in its original form. This was done as practically the last act of the House before adjournment, about ten o'clock in the morning after the

legislature had been in session all night, when a good many of the members and left and others had their coats on ready to go. You doubtless thought it was a good change to sneak through this conference report and get the bill passed in the form you wanted when everyone was weary and anxious to get home and would make quick work of the matter. You will recall that you and your cohorts, because of the lack of a quorum, had to skirmish around and drag back into the House a good many members who were on their way home; and you will further recall that even with all the assistance you could get from the machinery of the House, including the floor leader, who butted his head into something that did not concern him and got it cracked for his pains, the House refused to carry out your scheme and sustained my position with regard to the amendments by refusing to adopt the report of the Conference Committees and it was your insistence upon passing the bill in its original form, your "stubbornness," (of which you accuse me) and your determination to have things all your own way or not at all that caused its defeat.

"If you care to introduce any such bill at the next session of the Legislature if I am living and serving in the House, you might as well prepare yourself for another fight on it and if I can I will "kill" it in that form rather than see a perfectly useless army of job holders foisted on St. Mary's County as you tried to do in this instance."

*Very truly yours,
John H. T. Briscoe*

Eleanor Duke Storck: "I do think that this is interesting, and you know all the political stories of the Dorseys, the Briscoes, the Lokers, and of course the Mattinglys, all that faction. They all lived in the North End. We all went to school together, the Dorsey's weren't Catholic, but we all went to school and church, the same parties. Isn't that an interesting coincidence?

When elections were approaching, everyone was diplomatic and sensitive to neighbors' and friends' feelings. I don't remember any animosity or ugly talk. I never heard any of them say nasty things about each other."

Joseph Aloysius Mattingly



91. Joseph Aloysius Mattingly

In Memoriam

Mr. Dorsey: "May it please the Court, I would like to call on Mr. Joseph A. Mattingly."

Mr. Joseph A. Mattingly: "May it please the Court: Little can I add to the very fine expressions of my brothers on this occasion. However, I would like to say that one of the outstanding qualities found in Al King was that he loved his fellow man, he cherished greatly his friendships, and above all, he loved St. Mary's County like none that I have ever known did."

Early Life and Education

Billie Mattingly: "My husband, Joseph Mattingly, was born in 1916 at Ellenborough, located on Cedar Lane in Leonardtown."

Joseph A. Mattingly, Jr.: "He was born in the kitchen. My grandfather, Joseph Maguire Mattingly, when he got married his wife came with a farm...Old Fields Farm on Medley's Neck, just up from Abell's Wharf. Joseph Maguire Mattingly, he was Clerk of the Circuit Court forever. So they lived there [on Medley's Neck]. He proceeded to have a number of children, 8 or 9 or 10. I think there were 10 altogether. But as they got older, of course, they went to school at the church school in Medley's Neck; Our Lady. But after they got finished the elementary school, they had to come to Leonardtown to come to the Academy. Well, that wasn't too realistic transportation-wise. They didn't have a car; they had horses. This is 1915. My father was the youngest; Dad hadn't been born yet, but the older ones were starting to go to high school and they put them in the Academy. They didn't go every day. Granddaddy, who was a very close friend of the gentlemen who owned Ellenborough, and he died. When he died, my grandfather bought that farm so he could move his family up there so they could walk through the woods to get to the Academy. The girls didn't like boarding. That's what they did one year, and it was a little bit more restrictive than Mother. And that's why Dad was actually born, as I understand, on the kitchen table at Ellenborough. They called the doctor and he was off

and he was delivering his first cousin who is still alive [Jack Mattingly]. And after he was finished with that, he had the call from Mrs. Lilly but it was too late to move her to the hospital; he had tried to persuade her to go to the hospital and she said, "I don't want to go." So my father was born on the kitchen table right at Ellenborough and they stayed at Ellenborough until Dad graduated from the Academy. Right after he graduated from the Academy, Granddaddy says, 'We're getting out of here and going back home to Medley's Neck.' He then sold Ellenborough to John Ralph Abell."

Ann Camalier Wathen: "Joe was a little bit younger. We were very fond of 'little Joe'. 'Little Joe' and 'poor Joe'" were cousins.

In a 1985 interview, Joseph A. Mattingly, Sr. himself looked back on how Leonardtown was during his childhood. "I remember when there were dirt streets. A lot of times you'd see horses and buggies and oxen, in fact that's the first money I ever made, my father gave me a yoke of oxen. I got a picture of it at home. I used to haul wood in Leonardtown.

"And one day [while] I was in Leonardtown, there was a clothing store right down on the corner where Maryland National Bank is now. Mr. Harry Jones ran the store, and his son and I went to school together. So I was in town this day with a load of wood, and he said, "Come on over here, I want to take your picture." So he took my picture with my steers and his son Harry Jr. and he put 'em on a postcard. He'd sell 'em."

Billie Mattingly: "That was when they lived in Ellenborough and he would, the black man would cut wood and he'd bring it to town and sell it on weekends. And he's coming into town with a load of wood. Mr. Harry Jones' son was there and he wanted to be up on the thing, so Joe stood up at the head with the animals. He brought them in that way, but the boy was down at the bottom. He was only about 14 at the time. He brought the oxen in town, driving them, but then he let that boy get up there to have his picture taken because his father sold the picture as a postcard."



92. "Speed Demons of Leonardtown," Harry Jones' postcard of young Joseph Mattingly.

Regarding Joseph Mattingly's education, *The Enterprise* recalled that:

"The lifelong Saint Mary's Count native was a graduate of St. Mary's Academy in Leonardtown and received a bachelor's degree from Mount Saint Mary's College in Emmitsburg. He was a 1941 graduate of the University of Maryland School of Law."

Billie Mattingly: "He went to the Academy for 12 years, except he went to Leonard Hall for a while. He was at Leonard Hall until they had a fire and had to close it. That is when he went back to the Academy. He was one of only three or four boys in the class; the rest were girls. One of his classmates was Billy Sterling."

Naval Career

Billie Mattingly: "He had just completed the Bar exam because he had enlisted knowing that this war was coming and the dean of the law school said, 'Get an extension long enough to take the Bar. You don't want to come back and try it.' So he asked for the extension to take the Bar, and they gave him until the 1st of January. He said 'Ok, that's fine. I'll have Christmas with the family.' And instead Pearl Harbor happened, so the next day, Monday, he goes in and says 'I'm reporting for duty' and they said, 'Ok, well go over there and go to work.' He said 'But I don't have a uniform.' He knew nothing about the Navy or anything else. So I used to tease him and I'd say 'You were a 30-day wonder.' He said, 'I was not. I was a 30-minute wonder.' Because he never got to the officer's school. But he came out Lieutenant Commander.

"He was in communications. They wouldn't put him into legal because he had no experience yet. He had taken the Bar and passed it in October sometime, but he was going in the Navy January 1st. But he hadn't practiced, because he knew he was going off in the Navy.

"He was stationed in Alaska, for 2 years. He said it was terrible. They had 3 Quonset huts and they slept in one, they worked in one, and whatever and that was it. Mostly his job in communications was they'd send the planes out, but the wind currents there were so bad, they lost a lot of men and he didn't like it. So they told him it was time for him to get a little offshore duty and he said, 'I'm not flying out of here, I'm taking a boat.' So the commanding officer said that would be alright, 'Next boat comes, you can do it.' So the boat came in and unloaded and he heard about it and he had his bags packed and he went running down there and just missed it. But it was a young man there on duty, and he said, 'Catch it!' So they went out and they caught the boat and he got in it. He said he'd been in the boat for about 5 minutes when all of a sudden it's turning around and going back. Then they found out the captain knew he couldn't have caught it, so they were calling him to come back for him. I said, 'What'd you do?' He said, 'I just stood there and grinned at him. was on my way and I didn't care.' He ended up in the South Pacific doing the same thing – communications.

“My husband wanted to get into law probably because his father had been Clerk of the Court for years and he knew that.

“He knew he wanted to practice law in St. Mary’s County. When he came back to St. Mary’s from the Pacific, he was still in the Navy, and he worked at Patuxent for a while, and they kept asking him to extend every month. Finally he , ‘I’ve got to be a civilian, I’ve filed for the House of Delegates.’”

Legal Career

Billie Mattingly: “And then he stopped with the Navy and he started to open his office. And I found some letters I had before I was married which he sent to me when he was spending most of his weekends or whatever trying to find some furniture for the office. But it was not available because nobody had manufactured any. So he ended up with some war surplus stuff. Those Bank of England chairs, you know? He had a bunch of those. He found a desk and what have you.

“His first office was with a real estate broker, because there was no office space available, then finally he got to the New Theater building upstairs. And Paul Bailey was up there. Then John H.T. came to him and said, ‘Joe, there’s space over the Implement Company’.”

Joseph A. Mattingly, Jr.: “Dad’s office with John H.T. Briscoe was over the Implement Company. It was actually right next to the bank. If you went in the front door, to the left, they sold refrigerators and washers and dryers and that kind of stuff. If you went to the right, we had our shoe repair shop, who was a deaf mute. And upstairs was where Dad and John H.T. had their office.”

Joseph A. Mattingly, Sr., in an interview with The Enterprise’s John Wharton:
“Down here when I started practicing law it’s not too much different now. There’s not a sufficient amount of any one practice that you can specialize in. You have to take whatever it is. When I was practicing I took civil, motor torts, real estate, criminal. I was state’s attorney a couple of times. You’ve got to take it all together.”

Jim Kenney: “It was hard to tell all the things that Joe Mattingly did. He wasn’t doing a lot of trial work, but he had represented the State Highway Administration in a number of condemnation cases. But as you probably know he had been State’s Attorney at one time and was a State Senator from here. Joe had been in the Navy, that’s where he met Billie. He was a voracious reader of the Daily Record. He read it cover to cover, and probably the Baltimore Sun at that point.”

Darlene Guyther: "I worked for Joe Mattingly on two different occasions. I worked for him from August of '61 until June of 1964 and then I went back to work for him two years later.

"The first three years I worked for Joe Mattingly, I don't recall him ever doing work outside of St. Mary's County, not even a deed or anything like that. Of course, at that time, Joe Mattingly was the State's Attorney for St. Mary's County, so he did not do any criminal defense work. It was all strictly State transactions, divorces, separation agreements, that sort of thing, but I don't recall him ever doing any legal work outside of St. Mary's County.

"Even though he was State's Attorney, he did not have separate staff helping him nor did he have an office over at the courthouse. He did all of the State's Attorney work out of his office. I typed up the criminal indictments and those things.

"I think clients just kind of walked in off the street. It mostly would be people that knew Joe and would just come in and say, 'I need that done' and then we say, 'Ok we can do that,' and then we'd go from there. He'd tell me what he needed done and I'd go next door to see Jean Jager in Bob Wigginton's office and I'd say, 'So how do I do this?'

"Doing a deed was about \$35, as was a will."

Jeanette Dakis: "You know, I used to take testimony for the different attorneys, on a typewriter if you can believe it. One day, he had asked me to take this couple that he had been working a divorce with and he came in the room and they were sitting there and I was at the typewriter and he whispers to me 'Jeanette, I want you to ask the questions, because you know more about what happens than me.' And he said 'You know what they usually ask.' And I thought, I don't know what to do but of course I did, I knew what most questions were asked but that is the type of thing that he was supposed to do."

Billie Mattingly: "He didn't like being State's Attorney. He said that he believed that if you did something wrong, there should be some punishment. But he said that part of the job of the State's Attorney was, if you were there for one thing, it was to make sure that they got everything. And he didn't like further kicking a guy when he was down. But he did it one term to get experience and then he went to the Senate."

Politics

From *The St. Mary's Beacon*:

"After much thought and consideration and upon the advice of my friends, I hereby announce myself as a candidate for the Maryland House of Delegates, subject to the Democratic Primary.

"If nominated and elected, I promise that my efforts and energies will be devoted to legislation which will be to the best interest of the County and State."

Jos. A. Mattingly

Joseph Mattingly was elected to the Maryland House of Delegates in 1947.

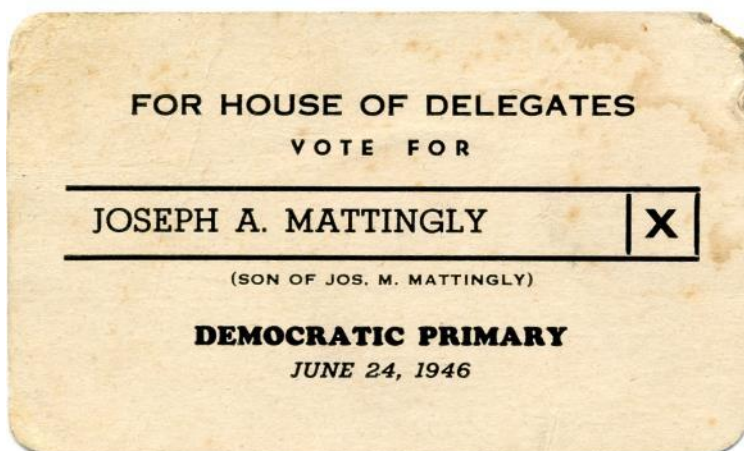
Billie Mattingly: "He juggled his law career in St. Mary's and also a political career that took him up to Annapolis. Because in those days, the legislature just met 2 or 3 months in the winter and all the meetings were in the evening, so they could work during the day. So they could drive back and forth, because most of the work is done at the meetings.

"He got into politics because his father said, for one thing, that, 'That's your responsibility to this community is to help with doing it' and he did it himself... He liked people. He liked getting around and talking to people."

Joseph A. Mattingly, Jr.: "Dad started in the House, then he went to State's Attorney's for 4 years, then he went to the Senate for 4 years. Then he went back to State's Attorney. That he didn't want to do. That was because Lexington Park was coming up against him and it was big and he lost to the Senate. He was defeated for re-election to the Senate. It was a 3-way race. Actually Jack Daugherty siphoned off the votes that Dad would've gotten in the Park and as a result, Walter Dorsey came in. It was Walter, not Phil.

"He was very proud of the fact that, when he got back to the Senate, that he and a few other good ol' boys managed to override Baltimore City and get Louis Goldstein made as President of the Senate. Up until that time, all the power had been in Baltimore City. He was always tickled over that.

"When Louis Goldstein filed his petition for the Senate, he was in the Philippines. He had a hard time. He went around trying to find somebody from Calvert County there



93. A campaign card from Joseph Mattingly's first run for the House of Delegates

to sign his petition, because he needed a cosigner, but he filed his petition to run for the Senate from the Philippines.”

In a 1985 interview with John Wharton, Joe Mattingly recalled some of the highlights of his political career:

Q. “Looking back on the different elected positions you had before you were on the parole commission, what were some of the highlights or some of the legislation that you remember being involved with?”

A. “Well, one thing in 1947 we were still under the scrip system. When you worked for the county, you got a slip of paper saying ‘I Owe You’ so much money and you didn’t get paid until the taxes came in. So, we put the county on a cash basis, and there was quite a business going on then that if people needed the money, and of course most of them did, people would buy up the scrip and discount it. You were entitled to six percent, I think, and if you needed your money maybe you’d have to discount it for three percent or two percent if you wanted your cash money before the time that we put the county on a cash basis.

“We passed a zoning law for Lexington Park. We passed a bill creating the liquor board. When I was in the Senate during the middle 50s, I put in the bill to allow women to serve on juries. Up until that time, the jury list consists of males only.”

State Appointments

In 1958, Governor J. Millard Tawes appointed Joe Mattingly to the Maryland Board of Parole and Probation.

Joseph A. Mattingly, Jr.: “After the State’s Attorney job, the one he liked best was the parole board. It was a 6-year term on the Maryland Parole Commission and at that time there were only three Commissioners in the State of Maryland. And they physically interviewed every single inmate in the State that came up for parole. If you were in prison, you got to sit across the table from three men and a secretary and convince them that it was time for you to get out. And he did that for 6 years. I think he liked it.”

Billie Mattingly: “He served on the parole board for 4 years. I think he liked that. You would tell these men, and you knew before you went in. And you did 100 men a day. And he said, they’d divide it into thirds. He said you knew everything about that man, you read the others if you wanted, but your third, you were supposed to know everything. They all asked questions, but there was one who was supposed to know all the details. He said there was one fellow up there and he said, ‘Well, you can’t blame me. My father drank and everything like that and he wasn’t very good to us. I just didn’t learn better.’ And Joe just looked at him funny and he asked him, ‘Are you doing anything different for your children?’ and the man came across the table after him, but

fortunately they had a guard at the thing and they restrained him. We went to the first graduation at the penitentiary. The first time they graduated a class.”

From 1966 to 1972, Joseph Mattingly served as State Assistant Attorney General and was Special Attorney to the old Maryland State Roads Commission.

John Mudd: “He did condemnation cases for the State Highway Administration. I think that was his main client when he was in private practice.”

Darlene Guyther: “When I went back to work for him in the late ‘60s, he was at that time a Special Attorney for the State Roads Commission. So he did the State’s road settlements. So, in that instance, because he was Special Attorney for St. Mary’s, Charles, and Calvert County. We would have to search the title so we could see who we needed to sign for the State Road Commission. The actual deeds would be prepared up in Baltimore; the paperwork would just be sent down to us. He would certify the title ‘cause that’s how I first got started doing title searches.”

C. Clarke Raley: “Joe Mattingly had a job as the Assistant Attorney General in charge of state roads in this area. And a lot of it was condemnation work. The State would want to put a road in or whatever, and they would have to condemn land or make deals to get it done. And in some of those condemnation cases, there were certain forms you follow and certain questions you have to ask the appraiser and regular checklists, so to speak. And Darlene was master at any of that checklist. Joe Mattingly wasn’t. Joe Mattingly would rather be out at the farm, taking care of the cows or the horses. You’re laughing, but it’s true. It was just his true persona, he was basically a farm boy. That’s really what he wanted to do. She was pretty sharp at learning to do something and pretty soon she is basically doing it. ‘You take care of this so I can dream about my horses, or whatever.’”

In an interview with *The Enterprise*, John Hanson Briscoe recalled a story about Judge Joseph Mattingly once leaving his courtroom unexpectedly:

“He always raised cattle,’ Briscoe explained, ‘loved his cattle. Once, while he got a phone call that some of his cattle had gotten loose and had wandered into someone’s front yard. ‘Well,’ Briscoe continued, ‘Judge Mattingly took his law clerk and his court reporter and his bailiff and anyone else he could find left the courthouse and they all went to help him round up his cattle.’”

The Judicial Election



Judge Recalls Legal Battles

Joseph A. Mattingly, Jr.: "This appointment took a long time to come through. Immediately upon Joe Weiner getting it, Dad filed because he was interested in it. It happened in the spring and the election, the primary was actually in May, so he immediately filed. Of course, one of the reasons he did that was so he could get everybody else, namely Aleck Loker and Oliver Guyther, to get them off. It's just going to be a two way race. 'You two get involved in it, you're just going to end up...(no vote splitting)'. Yeah, so he did that to cut them off. I always heard that of the other four people, aside from Joe Weiner on the list, and Dad, the other three, they all wanted to be judge, but their second choice would've been Dad. So he just stepped in right away to say, 'Ok, I'm going to be the candidate and ya'll are going to have to fall behind.'"

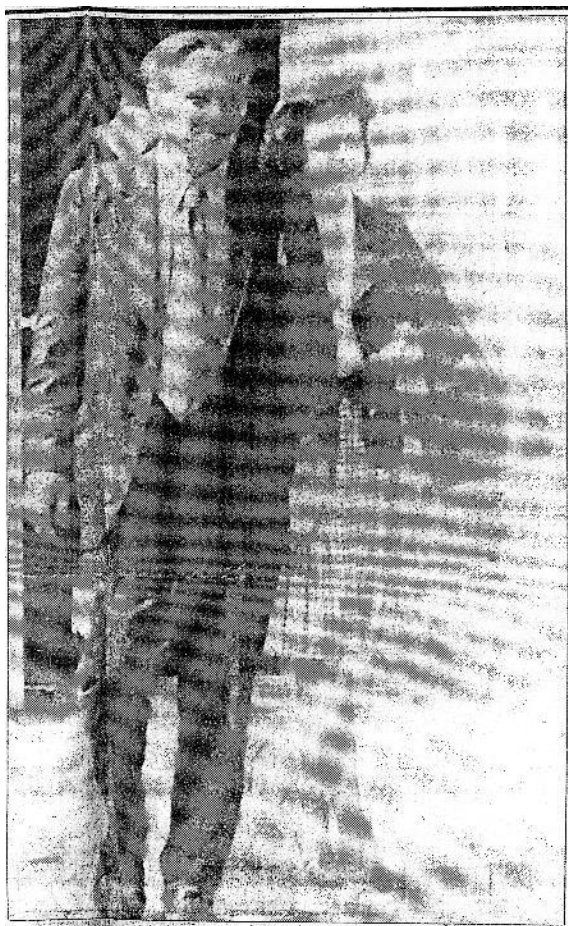
In 1985, Joseph Mattingly reflected on his recently-ended judicial career with *The Enterprise*:

Q. "What led to your decision to apply for the judgeships and run for the circuit court judgeships?"

A. "I applied for both the district court and the circuit court and got neither appointment. Governor [Marvin] Mandel was in office. I always had been looking for it for many, many years. I sort of stepped up the ladder. I started at the bottom, well, not exactly at the bottom. But I served in the legislature, the states attorney and I'd been on the parole board, which is a three-man board for the state of Maryland. I thought with my background that I could handle the circuit court, and I was looking forward to having it."

Darlene Guyther: "Joe Mattingly was always interested in becoming a judge. It had prestige, easier - at least he thought so. You had an assured income. I guess he did not have the most thriving private law practice, because he always had an outside job, either as State's Attorney, Special Attorney for the State Roads Commission. I mean, the man had 12 children, so he needed a fixed income."

He ran against Joseph Weiner in 1972 and was elected Judge by the county's voters. He served Maryland's Seventh Judicial Circuit until 1986, when he reached the mandatory retirement age of 70.



94. Joseph Mattingly, shortly after winning election to the Circuit Court

Marvin Kaminetz, when questioned about why Joe Weiner didn't win the election: "I don't know. Some people say religion had a lot to do with it. Catholic versus Jew. I mean there were stories surfacing, Monsignor Vieth, who was in Leonardtown at the Catholic church, St. Aloysius, from the pulpit because that was Joe Mattingly's, that was his church, openly spoke and got support in the Leonardtown area for Joe Mattingly. A lot of people thought Joe Weiner was a more competent attorney, I guess is the way I want to say it. Because Joe Mattingly, he was more of a political person. They both had been elected, Joe Weiner was State's Attorney, but Joe Mattingly had been in the Senate, House of Delegates and State's Attorney. They were both popular in their own way. Joe Mattingly also had more ties to the Briscoe faction of the Democratic Party. Joe Weiner had none there but had lots of ties to the Dorsey faction. So I think, again, it may go back to the New Leadership winning. There was a lot of Catholic support for Joe Mattingly; there was a lot of people that were sympathetic to the fact that he had so many kids. They felt as though he needed the job. I mean this is the way people thought back in 1972.

Joe Mattingly was a nice man, you couldn't say anything about him being a bad person. He was honest, he was a very cordial individual, he talked to everybody. Joe Weiner was also, don't get me wrong. However, Joe Mattingly had time to get around and campaign, I would say, probably a little bit more than Joe Weiner because Joe Weiner was very busy working as a Circuit Court Judge. It was politics."

John Mudd: "My impression is, however many Mattingly's there are in St. Mary's County and Billie Mattingly, his wife, was a force in real estate and knew a lot of people. Judge Mattingly's mother, God rest her soul, was a librarian who drove the library truck around to all the schools and she knew everybody! And I think Billie Mattingly knew everybody."

Jeanette Dakis, on why she thought Joe Mattingly won: "Well, Joe had a big family and a big following, too, and I think that a lot of people felt like he'd be a fair judge too."

John Weiner: "They were usually on opposite sides. Joe Mattingly for a number of years had been State's Attorney. He was elected to a lot of different positions. He was a State Senator and I think 5 percent of the population of St. Mary's County was either a Mattingly or related to a Mattingly. It was a very strong family connection. And Dad would try a lot of cases against Joe Mattingly when he was a State's Attorney.

"And there was a genuine dispute as to...Dad was given all of 4 months to sit on the bench and prepare his campaign. There were a lot of issues raised that really shouldn't have been raised, such as religion.

"Joe Mattingly was Catholic and Dad was Jewish. Joe Mattingly's supporters would say, 'Vote for the Catholic, don't vote for the Jew.' That was said all over this county. A number of the Catholic priests supported him from the pulpit. Joe Mattingly spent a lot of time campaigning, which Dad couldn't do. In hindsight, that was a mistake.

"There was only one Circuit Court Judge and they hadn't had a judge for 10 months or so, and he went to try to clear up the back log. They had some visiting judges but I think they only did the major criminal cases, they didn't do any of the civil cases.

"The election wasn't close in the Democratic primary, it was close in the Republican primary. I believe it was about 17 votes my father lost by in the Republican primary. And he said, 'I took for granted I would get the Republican, in hindsight I should've gone out and campaigned more.'

Ted Weiner: "Joe Mattingly, for whatever reason I have like no remembrances of him prior to the election campaign. It's like he came out of nowhere. I don't remember him being in that group. He wasn't part of the Briscoe faction. He was actually part of the Dorsey group, oddly enough, I think. It's hard to say about him, you know. He used to have a couple jobs in the legislative that they got him, State's Attorney, same thing. Dad used to always accuse Phil Dorsey of getting him judged because it was such a big family. But honestly, I don't remember him as an attorney at all."

C. Clarke Raley: "I think Joe Weiner was on a different track from the Dorsey type of track. Joe Weiner was a very, very clever man, and he came to the conclusion that the way to the judgeship was being able to pick your spot, pick your associations, do what you have to do to get there. So I think in terms of like, Phil Dorsey, his mindset would be, 'I'm going to get there, because I can win from the get go.' Joe Weiner's mindset would be, to be honest about it, is, 'I know I don't have the people with me. I've never been that kind of lawyer. I've been the kind of lawyer that makes money, and I have made some money, and I'm gonna use that money to get what I want. That money is going to give me access to the Governor and I'm going to get what I want to do those things associated with that.' And that he accomplished. And that is what caused the response from Joe Mattingly. And Joe Mattingly's mindset would have been a little bit different. First of all, it would go something like this: 'I am a Mattingly, and accordingly I am superior, okay?' Not only am I a Mattingly, but I have all these other Mattinglys, also, and I can certainly get their votes, and I know everybody in St. Mary's County, and I have a lot of friends there and I can get their votes, too.'

"He beat Joe Weiner four to one in the Democratic primary and three to one in the Republican. He ripped him, he literally ripped him. The only thing Joe Weiner had on his side were a lot of the top money people in the county were for Joe Weiner, because they perceived that it would be more beneficial to them and their relationship with the Governor if Joe Weiner was there."

Norma Dawson: "Well, my understanding is, the word that I always heard is, Billy Mattingly, Joe Mattingly's wife, she got him in. She worked hard; she really did knock on every door in the county. Who knows, it's hard to tell with politics. I am not a politician, but I am sure there are a lot of factors in him getting it rather than Joe Weiner. There were many people who thought Joe Weiner should have had it, but at the same token, there were many people who obviously thought Judge Mattingly should have had it."

Billie Mattingly: "Joe Weiner was a good, hard-working man. Because he worked very hard and stayed there all hours and everything and he did alright... I mean when he got the appointment and Joe Mattingly won it, it wasn't because he wasn't able or willing to work."

Jim Kenney: "Mattingly was associated with the 'white hats.' And honestly, there may have been a little bit of the Jewish backlash. Although it certainly made no difference with Marvin [Kaminetz], it made no difference with Karen [Abrams]. If Joe had been anybody else, it might not have, but it was just easy for some people to pile on. There's always a little backlash with Governors in judicial elections. You know, if they don't like something the Governor did, you'd vote against their appointments."

John Hanson Briscoe: "The people in St. Mary's County were furious about the Governor playing these games and, of course, leaving us without a judge for 10 months.

"So Joe Mattingly's sitting there saying 'Hmmm....' Right? And by God, he put his name on there, I didn't. He put his name on the thing and they had the voting and Joe Mattingly beat Joe Weiner in every district in St. Mary's County.

"It wasn't even close. And the Dorsey organization couldn't do anything. And he [Weiner] served for 6 months and then had to resign."

Audio 85. *John Hanson Briscoe on the Weiner-Mattingly race:*



Judge Mattingly

Joseph A. Mattingly, Jr.: "When Dad first got sworn in, he said one of the best pieces of advice he got was when Ernie Loveless [Circuit Court Administrative Judge] told him, 'Now, don't go taking everything under advisement. Take your best shot and keep on rolling. If you're wrong, that's what those guys in the Annapolis get paid for. If you were right all the time, they'd be out of a job.'"

John Bailey: "Let's go back to my term as State's Attorney. When Judge Mattingly first took the bench, somebody would object to something, a question and as soon as somebody objected to a question, the Judge would take a break, call Alice Bailey into the back room.

"Alice Bailey was his stenographer. He would call Judge Loveless on the phone, say, 'Judge, I'm trying a case, this was the question asked, this was the objection, how should I rule?' Come back in, make the ruling. Three questions later, another objection, back to the telephone. And that went on for, you know, for quite some time. If it was a case that credibility was an issue, he would do everything that he could to credit the State's witness and discredit the defense witness: 'Sit up straight! Straighten your tie! Speak louder! Bleh, Bleh, Bleh!' Just, you know, try to impart...

"You can go into the record and you will see that as a State's Attorney, I never lost a motion with Judge Mattingly. As a defense attorney, I never won a motion. Now, during the period of time as State's Attorney, I called Walt Sawyer, Pleisse, people that worked for me or with me at different times and I told them, 'Absolutely, positively,' I said, 'You have to do only what is allowed'. Because he would allow the State to ask any question, overrule any objection. As far as appeals are concerned, I said, 'We want as few reversals as we can possibly get'."

Billie Mattingly: “He said as State’s Attorney, ‘My job is to keep it so that everybody has their chance’. As Judge, he said, ‘The prominent job in the county was not judge, it was State’s Attorney.’ He said ‘The judge can’t do except for what the State’s Attorney brings in,’ and so he was more powerful then as State’s Attorney.

“I think he liked it [being a judge] better because he was not a scrapper. And he wanted to do what was right. He came home politicking on that judgeship thing. One time, I’ll never forget it. It’s 1 o’clock at night and he’s getting ready for bed and he’s exhausted and I’m already in bed reading and he says, ‘They say I’m dumb, but honest.’ I said, ‘Joe, you know you’re not dumb. You’re not the fastest talker, but you’re not dumb. You’re certainly honest,’ and he said, ‘Of course I’m honest!’ And honesty meant a lot to him, so he would do nothing that he didn’t think was right. His father was that way and he was that way. So he didn’t mind it because he said he had rules to work with as far as what was done in court and he was just to make sure everybody got their opportunity in court.

“He had a couple up for divorce one day and they had a cute little boy and they’d been fighting over, what do they call it a ‘pots and pans divorce,’ and they were still fighting in court. And this little boy was getting restless so Joe said ‘Let him alone, let him walk around.’ So he’s walking around and he ends up sitting in Joe’s lap. And finally he says ‘I’ll tell you one thing right now, I don’t know what’s going to happen with your divorce, but I don’t think either of you ought to have this little boy, because he’s a nice little fellow, and neither of you know how to take care of anybody, either yourselves or anybody else.’ So they adjourned court, and they went off and talked, and they ended up getting together again and staying together for at least 20 years. I don’t know. No. He didn’t like doing divorces. He did more counseling, even have them coming at night and me holding crying babies while he’s telling them what they should do to not get divorced.

Audio 86. *Billie Mattingly on her husband’s courtroom style:*



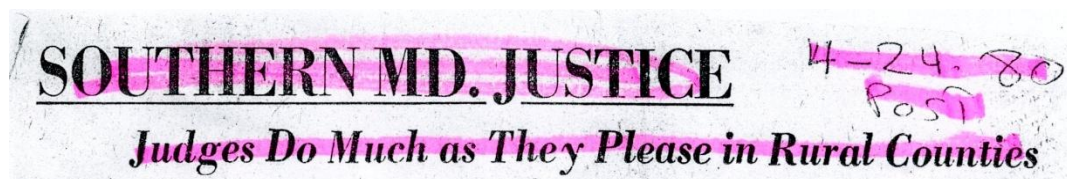
“I worried about him, but he said ‘No, as State’s Attorney, I’m supposed to get as much to get my conviction of my man.’ But he said ‘As judge, I just have to make sure that all the rules, that he is protected and the State is protected.’ So he did that.”

John Mudd: “I would say when I had a few divorce cases with Judge Mattingly, he didn’t even want to divorce people. I’ve heard that he would cry during a divorce. My impression of him, I had a couple of jury trials, I had a couple of divorce trials where he was the judge. He was a very nice guy, always would stand up and say hello to your

mother or whoever it was. Pretty emotional guy. A very nice gentleman. I hardly, I never heard him utter an unkind word; he may have thought poorly of somebody but he'd never do it upfront."

Ted Weiner: "You couldn't get a divorce out of Joe Mattingly, because he was a Catholic and he didn't believe in divorce, you know. I mean, that's your one judge, that's your only place. You don't have a master or a divorce equity master, you know. And there's an opinion there you know. I don't want to say the man was dumb because he wasn't. But he wasn't a scholar of the law, he just wasn't. And he didn't need to be, since he is going to do it based on what his personnel feelings are or whatever."

The Washington Post, April 24, 1980



LEONARDTOWN, MD.—“When Judge Joseph A. [Sleepy Joe] Mattingly got a notion recently that a first-time drug offender was a bad influence on his neighbors, he had a simple solution- he banished him from St. Mary’s County for three years.

“When a man came before him who was convicted of assaulting his wife’s lover, Mattingly was even harsher- he told him not to set foot in the county for five years.

“To an outsider, such methods might seem a little strange, but defendants who might otherwise go to prison do not complain and lawyers around the Leonardtown courthouses are used to them. It is just a form of southern justice- Southern Maryland justice, that is.”

Frank Olmsted: “Joe Mattingly I remember more as a judge than as a lawyer. I remember having a drunk driving case in front of him, and I remember him telling my client and possibly shaking his finger, I don’t remember for sure, but ,‘We’ve got enough drunks down here, we don’t need any of you from Prince George’s coming down here driving drunk.’ Something like that. Not in those exact words perhaps, but that was the gist of it.”

Tom Daugherty: “I think one of the things that surprised us all was that ,at one time, he banished somebody from St. Mary’s County on a drug charge. Well, we thought that banishment from the realm had gone by a couple hundred years before. It was rumored

that his first law clerk would be in the back of the court room giving him one finger, sustained, two fingers, overruled. You know.”

In an *Enterprise* interview:

Q. *“I understand there have been some cases where as a part of the sentencing that the defendant has been ordered to stay out of St. Mary’s County.*

A. *“Well, yea, that didn’t work out too well. The appellate court said I couldn’t do that.*

“It just said that that would date it back to the days of the king of England. As you know, we have the laws of England govern us to the extent that it has not been changed by statute of our legislature. It just said that [banishment] was no longer the law. [It] was not a too carefully written opinion, in fact. I made it a condition of probation. They give you a wide range of things you can do on probation, but they said I couldn’t do that. That was banished.”

“I always took the position I some people came to St. Mary’s County and maybe lived in Montgomery or Prince George’s [counties] or someplace and never’d been in trouble before. So, I said, ‘If St. Mary’s County is a basis for your being in trouble, [and you’ve] never been in trouble in Prince George’s or Montgomery or Baltimore City, well, stay there and don’t come down here and get in trouble.”

George Peter Wigginton: “Joe Mattingly was cool. Joe Mattingly was at the University of Maryland was a roommate of my Uncle Ford [Loker] when he was going to law school and my Uncle Ford was going to medical school and they knew one another. Again, he treated me with respect ever since I was a little boy. A lot of people just dismissed little kids, but he didn’t, and I always saw that as a sign of character. When he was on the bench and when I worked for the State, I had to appear before him as a witness. I was almost a professional witness and he was extremely courteous to me and listened to what I had to say and I always admired him. He didn’t have the acumen that Phil Dorsey had and a lot of people made fun of him for that, but he was a straight shooter and I respect him for that.”

Jeanette Dakis: “He was very emotional. The only time I really saw him was one day when he came out of the courthouse and he stopped me and we were standing there talking and he just had tears running down his face and I said, ‘What is the matter?’ and he said, ‘Well, I just had a really bad case and I had to rule against what I thought was right.’ And he just had tears running down his face when he left. I think that that was the complaint really against him, that he just felt too strongly. He didn’t look at the law; he just did things by his emotions. That’s just not what judges are supposed to do.”

Audio 87. Jeanette Dakis on Judge Mattingly’s rulings:



Evelyn Arnold: "Joe Mattingly, he was nice to work with. He was. I got along fine with Judge Mattingly; we worked very well. But he would be, he could get sentimental too, you know...soft-hearted. He might cry at the end of a divorce case.

"Judge Mattingly was not opposed to having a little child sit in his lap during a custody hearing/adoption.

The child would get away from the parent and Judge would say, 'Leave the child alone.' And the child would come up and the next thing you know, the child was sitting on Judge Mattingly's lap. It was just his nature; like the little child crawling in his lap with an adoption or coming out to try to get the couple that the mother didn't want to be married, I guess, it was the family. He had a large family and it would just get to him, you know?

"I remember one time, Mary Bell was clerk and she was getting ready to do a wedding and it was one of her first times, and she said, 'Would you come up with me' because I had been Chief Deputy before Mary was Clerk. And the couples, the mother of the bride came, and she did not want the girl to get married, and it became really bad and she [the mother] was crying and screaming and all. And Mary didn't know what to do and she turned to me and said, 'Evelyn, what do we do? What do we do?' and I said 'Let's go get Judge Mattingly.' So we asked Judge Mattingly, said, 'We've got a little problem out here.' He said 'Ok, ok.' He came out and said, 'What seems to be the problem?' and he listened. She did not want her daughter to get married. She didn't have anything against the groom, but she just didn't want her to get married because she was going to be leaving home and all. So Judge talked to her and said, 'I'll tell you what, you go home and sit down and discuss this, all of you. And if you get yourself straight, come back in a week.' Well, when they came back in a week, everything was fine, so we did the wedding a week later. But it went fine and they thanked Judge Mattingly for his advice. But that was quite a scene, really, up in that ceremonial courtroom."

Joseph A. Mattingly, Jr.: "I don't remember who it was, I don't know if it was a custody case or a divorce case, there was a little child roaming around and he was one to say 'Let the kids walk around, they'll be alright.' And he had gotten up there and there's that little switch up there that the judge could hit if there were an emergency; if he needed help. Yeah, you didn't have a deputy in the courtroom, except for a criminal case. Judge Rea used to say, 'I need one more in a domestic case than in a criminal case.' He said, 'In a domestic case that's when things could blow up; in a criminal case, the guy knows he's going to jail, it's just a matter of how long. So those domestic cases, that's when I need some courtroom security.' But there was a switch there that the judge could hit and that would ring downstairs to the sheriff's department and they would come up and take care of whatever the situation was. So Dad's on the bench

and this little kid goes down there and hits the switch and next thing you know they have three or four deputies crashing in the back door of the courtroom trying to figure out what's going on.

"I think Dad used to tell the story about he had some minor offense and he put this kid on probation and he went over to parole and probation and I don't know who he had over there, but they were telling him what he had to do and how he had to report in and all this stuff. He did it for about 2 months and then he came back to court and said 'Judge, I've had enough of listening to that woman, I ain't going to do what that woman tells me to.' And Dad said, 'Well, fine, you don't have to. Mr. Sherriff, he's in your custody, put him in jail.' So he took him across the street and put him in jail. This is the jail that was right in the back of the courthouse. I think he was over there for about two weeks and Dad got a letter from him, 'Judge, if you give me a chance, I'd do anything that lady says.' He didn't understand he'd gotten a break that time. After he was over there for a couple weeks, he decided that lady wasn't so bad after all."

Joanie Williams: "Judge Mattingly. As far as he was concerned, family was first. He would sit on the bench and you knew when he wasn't happy about something and a lot of times was when it was divorces that he had to sit on. If he had to, he would try to really make them reconcile, to go to counseling. He hated to decide a divorce. I don't mean this, but he'd be back there and he'd snort and you just knew he didn't want to make that decision.

Audio 88. *Joanie Williams on Judge Mattingly and divorces:*



"Very emotional. He believed so much in family that he would let a young toddler sit in his lap. Absolutely he would. He'd get involved in the case. But like I said, a very, very good man, very devoted family man. That's the way he came across. He had very strong beliefs and he went more so with them. His emotions really got to him when making decisions."

Darlene Guyther: "It did not surprise me that Joe Mattingly would have a child sitting on his lap during a custody case. He was a very family-oriented, I mean the man had 12 children and that was not an accident. He wanted 12 children. He loved the children, he loved the kids. It does not surprise me that he would get emotional and maybe cry during a divorce case, because he was a very emotional, sensitive, man. I mean he used to introduce me as his seventh daughter. And I mean he did; a lot of times, I was treated almost like a member of his family, like one of his kids.

“Joe Mattingly did have a lot of good qualities and he was a sensitive man and he was concerned about doing the right thing and for that reason, I think he was a good judge.”

John Bailey: “I had a case at one time that was a civil case, and we were trying the case, and after a while Alice Bailey said, ‘John’. I said, ‘What is it ,Alice?’ She said, ‘John’. I look up and she’s going like this, pointing to the Judge and he was snoring. So we sat there for a half an hour for him to wake up. Then he ruled against me. So I filed an *en banc* proceeding against him and at the hearing up in Prince George’s County, now there was another judge that came down, he was a good judge, he handled criminal cases. The judge for me he said, ‘Now, Bailey. We were thinking about positively granting your motion for an *en banc* relief and we’ll do it only on one condition’. I said, ‘What’s that, Judge?’ He said, ‘That you delete the fact that Judge Mattingly went to sleep during the case’. ‘So moved, granted, next case’.”

In an *Enterprise* article, John Hanson Briscoe said of Joseph Mattingly that “He didn’t like seeing people hurt in the judicial system. He did what he had to do. He always had a very strong feeling about his family as a unit, and it always disturbed him to see marital problems and custody disputes in his courtroom. He grieved over those kinds of cases.”

From *The Enterprise*, October 4, 1985:

Judge Mattingly: “You have to look at the nature of the case. I always look to individual cases rather than have a general rule as to any of them. I think some of them need to be punished and some of them to be helped. It’s just the attitude of the people involved.”

Q. “What are some of the aspects of your work that you enjoy the most, the ones you get the most out of working with?”

A. “Well, I think probably the most satisfactory is the adoption, to see a child settled in a home and to observe the love and affection that these adopting parents exhibiting in court to the child that they are adopting.

“It’s certainly much better than fighting over custody or divorce or something like that. There’s just so much love and affection there that it’s very rewarding to do these kinds of cases.”

Q. “Conversely, are the divorces and custody debates the least enjoyable?”

A. “Well, I won’t say the least enjoyable, but they certainly have a lot of pressure to it. In other words, I often think of Solomon when he decided to cut the baby in half. I always say it takes two to make a baby, to create a baby and that it’s equally important that there’re two people there to rear the child. I know from personal experience that it’s rough enough rearing children when both parents cooperate with one another. But when you’ve got to go it alone, it

makes the burden much greater, and especially today when there's so many outside influences on children. It's almost impossible for anybody to decide the fate of a child, when by nature it takes two to rear 'em."

His Later Years

John Hanson Briscoe: "Judge Mattingly spent his entire adult life steeped in public service, and he always honorably served the people of this county and state."

From *The Enterprise*, October 9, 1985:

Q. "When people look back on your career in government and the judicial work, what would you hope that they would look back on and remember?"

A. "That I always tried to be fair and gave an honest decision. Not particularly the way I felt about it, but the way I saw the cards stacked at the time or what the evidence justified. Fair and just, and maybe sometimes showed mercy when I thought it was deserved."

From *The Enterprise*, February 12, 1986:



St. Mary's Circuit Court Judge Joseph Mattingly smiles as he listens to tributes and good-natured jokes at a Saturday night dinner in his honor. Mrs. Frederick C. Malkus Jr., right, looks on.

Maryland Toasts Judge Joseph A. Mattingly...

95. Judge Mattingly at his retirement roast

"That's 45 years of serving his wonderful nation, his country and his state," the comptroller [Louis Goldstein] said. 'That's a wonderful record for anyone.'

"As always the judge will have his final word," Kaminetz said as the cheering crowd got to their feet.

"Mattingly walked to the microphone. 'Thank you very much for the every kind remarks, and some of them are true,' he said. He made several serious remarks about the judicial system, but offered some jokes of his own.

"According to Mattingly, a group of city hunters used to get a dog named 'Lawyer' from their guide when they went shooting in Talbot County. But one day, much to their sorrow, the guide said he no longer had the dog.

"Someone made a mistake and called him judge," Mattingly quoted the guide. 'And after that, all he would do is sit on his butt and bark.'"

Looking Back on How Things Changed

Ruth Sterling Heinssen: “You know, I think one of the differences was, I guess, well, I will say this, because Ernie, when I was with him, sort of had the old country kind of practice. You know what I mean? My father would come home with fish, he would come home with quarts of oysters, and that would be how they paid him, and he would be happy with that. And I would say that was probably how most of the lawyers were. That probably changed by the time we were coming around, because you had a lot more people in the office to pay and that kind of thing. But I think cases were as complicated back then.

“Oh they were. It was a different time. I think they were as complicated, but there weren’t as many, I’ll put it that way. But you have to look at the difference between when we were coming around, and you look at a court document. You had one old judge down there with so many things on it. Just the number of cases. And I know from just the time Dad started on the District Court to when he ended, you could get by with one judge, then you couldn’t get by. It just became that the county grew up. I mean, the base came in, the county grew. Things changed a lot between when Dad had started out. That’s probably another one of the reasons he was happy for the judgeship at the time. Because everyone had plenty of work to go around. When you think about the number of lawyers just from Leonardtown, guys from Leonardtown that became lawyers, there was always plenty of work to go around. But then, after the base came, there was more than enough, and different kinds of cases. I think it was very different.

“When I got there, there were no women. Karen Abrams and I went, I forget what bar they went to for their Bar Association meeting, but we were just sitting there and looking at us, and they were really nice but I remember thinking, ‘Wow, I guess we’re probably going to have to have our meetings somewhere else from here on out.’ You know, it definitely changed. I think it definitely changed. Just in volume of cases, just the make-up of the county was different.

“I’ve had people ask me this, ‘Well, did you feel as a woman...?’ And I have to tell you, the one thing you had in that town, and that group of men in the Bar Association, they were all gentlemen. And I really have to say that, Sam. Never once did I feel that they were condescending, never were, always asked, ‘Is there something...’, always willing to help you. It was a good place to start your practice, I’ll put it that way. It was never the cut-throat, I never saw it. And I say that with all honesty. I was never put in a position where I was looked down upon or they thought, ‘Oh, women.’ They were all perfect gentlemen to us, and really, really nice guys and good sports. You know, good sports because they probably weren’t going to have Bar Association meetings in the Dew Drop Inn anymore. You know, we just went to Lenny’s. That’s just a throw-in, because I

think that's maybe just a sign of where we were, the county being what it was. It was very true. We were very lucky starting our practice there, I think."

Audio 89. *Ruth Sterling Heinssen on practicing in the county as a woman:*



"I think we were really lucky, and I think she would tell you the same thing, because had we been somewhere else I don't know it would have been so easy. And I don't think it was just because I was related, I don't know, maybe it was just because my father was the district court judge, but I don't believe that. I don't. Because those guys were all friends down there, all ate lunch together, all did stuff together. They all got along. They fought their cases in court, I guess, but at the end of the day they went home and they were still friends. And that was a real testament to where you grew up, let's put it that way."

Joanie Williams: "I don't know if it's completely societal or not but I think it's been a demand of the court system to be open to people who can't afford an attorney. *Pro se* litigants, you know. I've seen the court do many changes. We have self-help clinics, we have forms that are online in the courthouse, we have references that we can give for *pro bono* lawyers, for law libraries, for the People's Law Library on the internet. Of course the internet helps a lot because that's an easy way to get information out and to suggest that somebody can go here for this information. The difficult thing is when we have people that call in and say, 'I'm not asking for legal advice, I just want you to tell me how to do this!' It's very difficult to say, 'It's one and the same. We just can't do it. Even though I could probably tell you how to go about doing a divorce beginning to end, I can't tell you to do that or how to do that because I'm not an attorney,' and I think the judiciary is getting more and more involved in helping us with that."

Tom Daugherty: "The fact that when I started practicing, if one lawyer gave you his word that he would do something, you didn't need a formal, written response or anything. It was a gentlemen's agreement and we all abided by it. When I finished, you had to have everything in writing, you had to dot every "i" and cross every "t."

Video 7. [*Paul Bailey explains what changed the legal profession*](#)

Joseph A. Mattingly, Sr.: "The court system is identical to what it was. As a youngster we had three judges in our whole circuit and now we have probably twenty-three. I didn't resent the newcomers. A lot of people did or at first, but as I say it's just sort of worn off."

It did a great deal for the county, let's face it. When I was coming along there were no jobs available. Large families would be brought up in this area, but when they got to the age of working they'd have to go to the city. Now we have a lot of professional people here as you well know. Seemed to me when I first started practicing law, back in the forties, there were probably five, six or seven lawyers in active practice and now I reckon there are twenty some or thirty some."

Audio 90. *Joseph Aloysius Mattingly on the judicial system:*



The Court's Closing Statement

Judge John Dudley Digges: "Gentlemen of the bar, the Court receives with great appreciation the resolution so beautifully worded that had been prepared by your committee, and will order it spread upon the minutes of this Court, and copies sent to Mrs. King and made available to the county press.

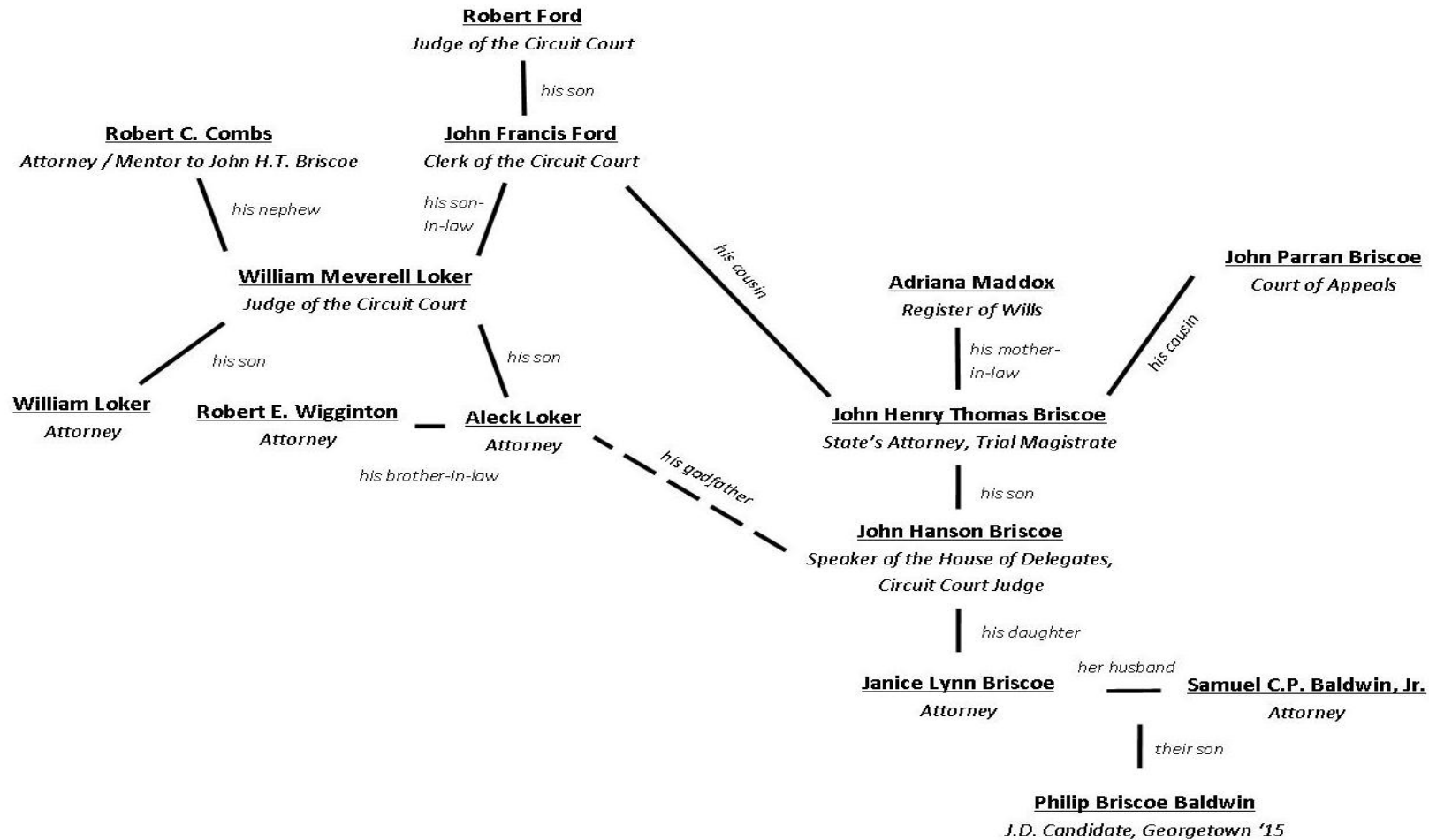
"The Court is also appreciative of what the members of the bar had to say about Mr. King. The only regret that we have is that Mr. King is not present here today, so that he would know of these sentiments and the esteem in which he had been held by the bench and bar in this county. Certainly Mr. King, more so than any other man, I think, in the opinion of this member molded his life, over the years, on that line. He appreciated the traditions of his family background, of the town, county, and State in which he resided; and he was ever ready to challenge anyone who might attempt to destroy that tradition. Based on that, the partnership which he formed with his loving wife had been an example and inspiration to many people who have come in and out of the court house and have been associated with those parties. The Court, aside from his participation in legal matters, could not help but be impressed by the very fine partnership which seems to have existed between these individuals. Aside from the many happy hours they must have had together the inspiration to others in this community will certainly be long felt and serve as an example of all that is good in life.

"Again the Court wants to thank the members of the bar for this very fine memorial service and to say that we deeply appreciate what had been said on this occasion. The Court, therefore, out of the respect to Mr. King, will adjourn at this time until tomorrow morning at ten o'clock. Mr. Crier, you will announce the adjournment of court."

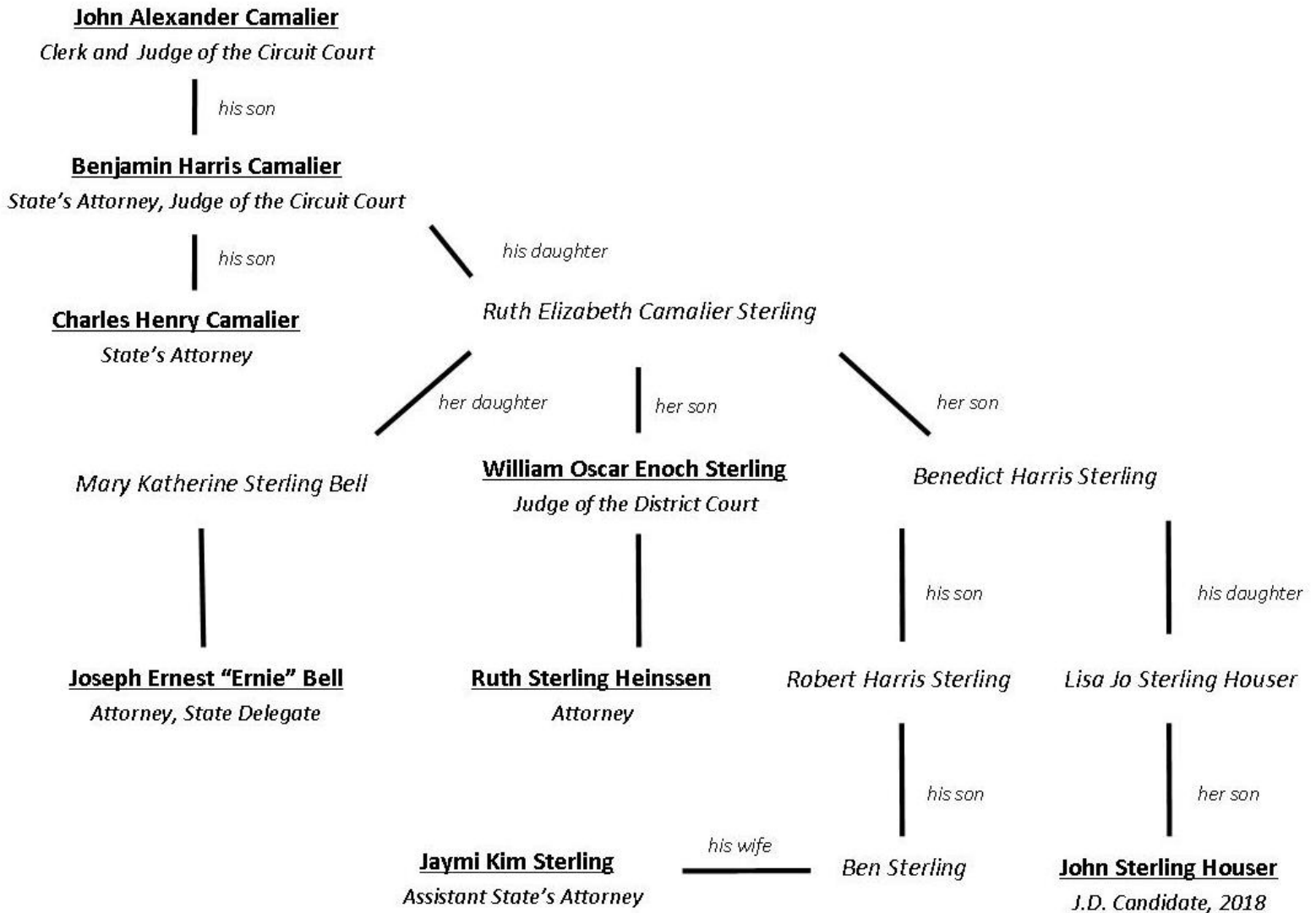
(Thereupon the Court stood Adjourned)

Appendix

96. The Briscoe-Loker-Ford Lines of Lawyers and Judges in St. Mary's County



97. The Camalier-Sterling Line of Lawyers and Judges in St. Mary's County



In Memoriam: John Hanson Briscoe

April 10, 1934 - January 1 2014



99. John Hanson Briscoe and Samuel Baldwin; Christmas 2013

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Editor: Roxanne Summers

Research Assistants:

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