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5 MARYLAND JUDICIAL CONFERENCE
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Hunt Valley Inn - 9:30 a. m.

Thursday, April 18, 1974

20 Reported by:

21 W. P. Banister

we last gathered a year ago, there have been five of our members who have passed away and also a sixth Judge, who, although not a member of this Conference, was a very distinguished Judge in our State.

I would like to first recognize and thank the members of the Resolutions Committee for the work which they did in the preparation of these resolutions. Judge Samuel W. Barrick, Judge J. Hodge Smith, and Judge Lloyd L. Simpkins.

I would like to have these resolutions presented in honor of our deceased members, chronologically in the order in which these members have passed away since our last Conference.

On July 11 of last year former Chief Judge of the Court of Appeals, Simon Sobeloff passed away. I would like to ask our very distinguished former Chief Judge Hall Hammond to present a resolution.

JUDGE HAMMOND: Judge Simon E. Sobeloff of the Fourth Circuit Court of Appeals died on July 11, 1973, after a long illness. He was seventy-nine years of age.

Judge Sobeloff attended and graduated from the

1 University of Maryland Law School. While attending the
2 University of Maryland Law School, not yet twenty-one years
3 old, he became bailiff and then secretary to Morris A.
4 Soper, then Chief Judge of the Supreme Bench of Baltimore
5 City. Judge Soper was to be his mentor and close friend
6 throughout their lives. Judge Sobeloff, interestingly
7 enough, was to succeed Judge Soper on the Circuit Court
8 of Appeals.

9 Judge Sobeloff was admitted to the Bar in 1914,
10 a year before his graduation from law school, a practice
11 which was permissible in those days.

12 Judge Sobeloff was Chief Judge of the Court of
13 Appeals of Maryland, Solicitor General of the United States,
14 Baltimore City Solicitor, United States Attorney for Mary-
15 land and a principal adviser to both Republican Governor
16 and Mayor Theodore McKeldin and Democratic Mayor Thomas
17 D'Alesandro, Jr.

18 Throughout his career, as advocate, prosecutor,
19 and jurist, ran the thread of concern for the rights and
20 privileges of the individual.

21 Judge Sobeloff was a student of the law and also

1 a vigorous trial lawyer. At home both with abstract principles
2 of law and the use and application of those principles
3 at the trial table and in appellate presentation at all
4 levels, to and including the Supreme Court of the United
5 States.

6 When Judge Sobeloff was United States Attorney
7 for Maryland, Federal Judge W. Calvin Chesnut, one of
8 Maryland's most distinguished and respected lawyers and
9 ablest jurists, described the performances of his duties
10 with these words in open court:

11 "Never in my memory has that office been conducted
12 with greater effectiveness and with finer
13 discrimination --"

14 In a speech delivered on October 15, 1962 at the
15 University of Oregon, Judge Sobeloff said:

16 "The highest spiritual glory of our Bill of
17 Rights is therefore its insistence upon individual liberty,
18 not as it may be accorded by powerful officials, however
19 gracious, but as commanded by the supreme law of the land.
20 A basic American concept is that the Bill of Rights, along
21 with the Constitution, is fundamental law, binding upon

1 judges, governors and legislators and that is provisions
2 are not, as some have suggested, mere admonitions of
3 moderation."

4 "Equal Justice Under Law" is emblazoned upon the
5 entrance to the Supreme Court Building. The idea was
6 emblazoned upon the heart and mind of Judge Sobeloff. He
7 was devoted to the Law and he was dedicated to Justice.

8 Mr. Chairman, I move that this foregoing memorial
9 tribute be made a part of the permanent record of this
10 Conference and a copy be sent to the family of Judge Sobe-
11 loff.

12 JUDGE HAMMERMAN: Will all those in favor of this
13 motion signify by saying aye. It is so ordered.

14 Two days after the passing of Chief Judge Sobeloff,
15 Judge J. Gilbert Prendergast of the Supreme Bench of
16 Baltimore City passed away. I would like myself to offer
17 a resolution in memory of Judge Predergast.

18 Whereas, the members of the Maryland Judicial
19 Conference have been saddened by the passing of the
20 Honorable J. Gilbert Predergast on July 13, 1973, at the
21 age of 63; and