Poet Laureate Of Baltimore
To Be Designated On Friday

After seven long and hard years without one, Baltimore is to have another poet laureate, this one a pants manufacturer named Max Rubin.

Mr. Rubin, an enthusiastic Bassarian-born gentleman, is to be invested in ceremonies in the Mayor's office at 10:30 A.M. Friday. Aside from a comparable talent, Mr. Rubin has in common with his predecessor, the late Alexander Geddes, only one thing: Lack of substantial financial recognition.

Hat Of Little Use

Friends of the Mr. Geddes, who died in 1939, recall him as something of a "public character" known by practically every figure in Baltimore.

One of his friends once said of him:

"I followed him along Baltimore street, and he didn't have his hat on from Charles to Eutaw, speaking to people."

Mr. Rubin is more retiring. He composes as he rides on streetcars or walks through Druid Hill Park during every week of the year.

Mr. Geddes, whose first career was vaudeville under the name of "Professor Alexander," once described himself as "a scribbler of rhymes since my boyhood."

Mr. Rubin regards his literary work more seriously and, perhaps, with more purpose.

Humility is Keynote

"Nature," Mr. Rubin says, "is much kinder to nature than man is to man. The birds and the beasts do not plot and plan against each other as man plots against man in the scheme of living. I think this is the first question to be dealt with. Humanity, kindness and peace are the keynotes of my work."

Mr. Geddes numbered hundreds of prominent Baltimoreans and Marylanders among his intimate friends and would recite the list on request.

The list included mayors, governors, senators, representatives, actors, actresses, bankers and other popular leaders. He took his first book of poems to Cardinal Gibbons to be blessed and thereafter submitted other poems to the prelate regularly.

Circle Is Less Exalted

Mr. Rubin enjoys the friendship of a less exalted circle. A few prominent figures, however, are numbered among his friends. On various occasions, he said yesterday, Mayor McKeldin has written to congratulate him on poems that have appeared in a trade magazine. Three or four years ago the Mayor used one of his poems, "When Temples Shall Like Flowers Bloom," in a public address.

Last year, he said, he sent a copy of a book of poetry he published himself to the Mayor and received a five-page letter of congratulations and praise for the work.

But politics, Mr. Rubin says, is a passing thing, and he keeps away from the subject in his poetry. Real poetry, he says, is little things—making pants, watching things grow, seeing people being kind to each other.

Poem Welcomed Quads

He wrote a poem entitled "Baltimore Hero" about Simon Fried, the tailor who suffered critical gunshot wounds while helping a policeman. He wrote a poem "Welcome" to the Gunn quadruple.

Although Mr. Rubin's literary work brings him little money, it serves him in other ways.

Six weeks ago, when a man applied for a permit to establish a tavern in his neighborhood, Mr. Rubin wrote a poem entitled "Objection" and read it to the Board of Liquor License Commissioners. The permit was denied, he said.

Verse Aided Pay Raise

When the question arose of giving the spiritual leader a raise in his salary, the congregation sent him more money, he composed "Approval:"

"Men with highest education MUST not suffer degradation."

The increase was granted.

Mr. Rubin has been a resident of Baltimore since 1919 and has operated a pants manufacturing business at 324 West Baltimore street since 1933. He resides with his wife and four of their five children at 2696 Keyworth avenue. One daughter is married.

At the ceremonies Friday, Mr. Rubin said, he will read a short poem entitled "Baltimore, I'm Grateful."
The Department of Public Works will have supervision of all construction funds derived from loans. The director of the Department of Public Works will be a member of the Board of Estimates, as the chief engineer is at present.

Men Chosen as Advisers

"Before appointing the director of the Department of Public Works," Mr. D'Alesandro said, "I propose to seek the advice of Dr. William B. Kouwenhoven, the dean of the school of engineering at the Johns Hopkins University; Dr. S. S. Steinberg, the dean of the college of engineering at the University of Maryland; Dr. Abel Wolman, professor of sanitary engineering at the Johns Hopkins University; James R. Edmunds, Jr., president of the American Institute of Architects; and Chauncey R. Tatum, president of the Engineers Club of Baltimore.

"I shall ask these men to submit to me a list of those engineers whom they consider best qualified to carry out the duties of the director of the Department of Public Works."

To Name Career Men

Importance attaches to finding bureau heads in whom the director of the Department of Public Works can have confidence, Mr. D'Alesandro said, and he added:

"I will appoint the present bureau heads who are career men and who are acceptable to the new director of the Department of Public Works."

Those to be consulted in the selection of a city solicitor were named by Mr. D'Alesandro as Edgar Allen Poe, R. E. Lee Marshall, Philip B. Perlman, Charles C. G. Evans, Charles C. Wallace, F. Murray Benson and Simon E. Soboloff.
More On Appointments

Mr. D'Alesandro continues to develop and refine his ideas on appointments. As far as he has gone, the process of refinement is good. His latest outgiving on this subject appeared in The Sun today.

In it Mr. D'Alesandro makes three commitments. One is to consult the deans of engineering at the Hopkins and the University of Maryland as well as other designated leaders in the engineering field before appointing a chief engineer to head the Department of Public Works. Another is to retain as bureau heads career men "who are acceptable to the new director of the Department of Public Works." A third is to consult the seven former city solicitors before naming a new city solicitor.

The third of these commitments means that Mr. D'Alesandro will consult lawyers of the higher type about his chief legal appointment, and is O.K., but the really significant promise is the one to consult a designated list of engineers before naming a chief engineer. The men Mr. D'Alesandro will ask for advice on this subject are outside politics altogether. They are men who may not even know whether a particular appointment is politically expedient or inexpedient. Hence, in promising to consult them Mr. D'Alesandro is in effect proposing to base his appointment to the office of chief engineer on the advice of men with a purely professional point of view. If he will actually make an appointment on this basis, he will go a long way toward keeping politics out of the Department of Public Works.

The Democratic candidate's further pledge to keep in office bureau heads acceptable to the new chief engineer is also good as far as it goes, but it is not too definite. A nod of the new chief engineer's head would remove any or all of the bureau chiefs now in service, regardless of career service. In the case of men like Mr. Fink of the Bureau of Sewers, and Mr. Small of the Water Bureau, this is a really serious issue.

Moreover, there will be one new bureau in the Department of Public Works under the new Charter. It is the Bureau of Building Construction, which will in effect replace the old Public Improvement Commission. This bureau will have charge of whatever buildings the city constructs out of the proceeds of old or new bond issues. It may deal with contractors on a scale as extensive as the Bureau of Highways. A great deal depends on the choice of a man to head this important new agency. Will he be concerned solely with getting the city a dollar's worth of building for a dollar in expenditure, and will he be proof against political influence? And will Mr. D'Alesandro himself be strict in applying his own pledges against professional rather than political or insurance standards in the administration of this and other bureaus of the Department of Public Works?

There are many other appointments of similar nature. Mr. D'Alesandro will have three members of the Board of Fire Commissioners to name. The new Charter merges the departments of parks and recreation and creates a new board of seven to administer its affairs. Mr. D'Alesandro has said that he will name Mr. Robert Garrett as chairman of the board; but what of the other six? Mr. D'Alesandro's discussion of appointments, which has already gone so far toward strengthening confidence in his desire to give the city a good administration, could well be extended to these further matters.
Medical Care Adviser Unit Appointed

Appointment of an advisory committee of physicians and laymen to plan and supervise the medical care program set up for those on relief lists under a plan adopted for the State was announced by Mayor D'Aleandro today.

The advisory group, to be known as the Advisory Committee for the Medical Care Program for Baltimore City, was selected by Health Commissioner Huntington Williams and was approved by the Mayor.

Aid To Those On Relief

State funds are to finance medical and surgical care, which for the two years beginning last July 1, will be available to only those on the city's relief rolls.

For the twelve months beginning July 1, the State budget provides $376,750 for the program here and for the succeeding twelve months $418,500. The city must pay out of its own funds the expenses of the medical care section to be created in the Health Department.

Dr. Ames Appointed

Dr. Williams has appointed Dr. Wendell R. Ames to head the section. Dr. Ames is health commissioner of Cattaraugus county, N.Y. He is to begin his work here on Monday.

The medical care program was developed by a subcommittee of the State Planning Commission some years ago and has been operating in the counties for some time.

Under the plan set up for Baltimore those on relief lists desiring the benefits of the program are to be referred to the new bureau in the Health Department and then to medical care centers to be set up in hospitals for examination.

Those Eligible

They will then be placed under the care of physicians of their choice who will be paid on a per capita basis. The care is to be available to those who are well and to those who have some ailment.

Dr. Williams said the purpose is to maintain the well in good health and to cure the sick.

The advisory group includes:

Dr. Maurice C. Pinckoff, chairman of the Medical Care Committee of the State Planning Commission.

Dr. Lowell J. Reed, chairman of the committee to study the medical care needs of Baltimore City.

Dr. Robert H. Riley, State Director of Health.

Health Commissioner Williams, who is chairman of the advisory body.

Thomas J. S. Waxter, welfare director.

Dr. Samuel Wolman.

Dr. Frank C. Marino.

Dr. George Anderson.

Charles S. Austin, Jr.

Miss Florence M. Gipe, superintendent of nurses at the University of Maryland Hospital.

Mrs. Henry E. Corrigan, member of the Housing Authority of Baltimore and active in civic organizations.

Dr. C. Reid Edwards, president of the Baltimore City Medical Society.

P. J. McCullin, superintendent of Baltimore City Hospitals and president of the Baltimore Hospital Conference.

Dr. H. Boyd Wyle, acting dean of the University of Maryland Medical School.

Dr. Alan M. Chesney, dean of the Johns Hopkins Medical School.

Dr. Ernest L. Sterrett, director of the Johns Hopkins School of Hygiene and Public Health.

Dr. Maurice L. Adams, president of the Monumental City Medical Society.

Dr. William S. Love, president of the Maryland Academy of Medicine and Surgery.

Dr. Walter Anderson, president of the East Baltimore Medical Society.

The advisory committee and Dr. Ames are to confer early next week to plan the initial steps in setting up the program here.
Delayed Appointments

Mayor D'Alesandro is reported to be having difficulty deciding upon appointees to the new Board of Municipal and Zoning Appeals. The five places on the zoning board are not the only important positions in the city government which the Mayor has yet to fill.

The Mayor has not made his appointments to the Board of Fire Commissioners or the Planning Commission. He has not named replacements for Mr. Nathan L. Smith as head of the Department of Public Works and for Mr. Simon Sobeloff as city solicitor, although both of these men have expressed a desire to return to private life.

Explanations of the delay over appointments are conjectural. The most favorable view is that the Mayor is trying to get men of the highest type and that he is having difficulty in finding them. There is some evidence to support this view, particularly as to the positions of Mr. Smith and Mr. Sobeloff. Another possibility, however, is that the Mayor is being held back by the desire to make other appointments for political purposes before announcing appointments that ought to be made chiefly on merit.

And there are other possibilities, one of which is that the Mayor has been too busy with the question of next year's budget and with the consolidation of the political advantages resulting from his election and from the victory of his candidate in the Third Congressional District. Another possibility is that Mr. D'Alesandro gave too much time to the Stadium in the early part of his administration; one of his first acts after inauguration was to name a Stadium committee (he had no trouble finding appointees for that body), and he devoted a great deal of time to its work earlier in the summer.

All of these explanations, however, are conjectural. This being the case it is better to give Mr. D'Alesandro the benefit of the doubt and say that if he gets men of the high type needed as city engineer and city solicitor and for membership on the zoning board, no criticism will attach to the delay. In a word, the test will relate to the caliber of the appointees and not to the time required to fill up the roster.
ARCHITECTURE GROUP NAMED

D'Alesandro Appoints Three To City's Commission

Mayor D'Alesandro yesterday appointed the city's Architectural Commission.

He named:

Presley D. Bowen, insurance executive, who resides in the Greenway Apartments.

John L. Whitehurst, head of a machinery manufacturing company, and resident of 4402 Greenway.

Judge Morris A. Soper of the United States Circuit Court of Appeals, resident of 112 West Twenty-ninth Street.

The duties of the commission will be to select architects for municipal buildings, including the big school-building program planned by the Board of School Commissioners.

Art Group To Take Oath

The Mayor will give the oath of office today to the Art Commission, which was confirmed by the Council Monday night, after which he will submit for that commission's approval his selections for the Architectural Commission.

The ordinance creating the Architectural Commission requires that approval be given by three members of the Art Commission—the members recommended by the Johns Hopkins University, the Maryland Institute for the promotion of the Mechanical Arts and the American Institute of Architects.

The new Art Commission members whose approval is thus required are Prof. Henry T. Rowell, Henry E. Treide and William E. Emmart.

Council To Act

After obtaining the expected approval, the Mayor will send his Architectural Commission appointments to the City Council Wednesday for confirmation. The Council will not meet on Monday because of the observance of Columbus Day.

Pointing out that the Council and the public will have more than a week's notice of the appointments, the Mayor said he would ask for confirmation on the day the names are submitted.

The new Architectural Commission members will succeed L. Alan Dill, C. Ellis Elliott, Jr., and Harold Tschudi.
SOBELOFF, SMITH
WILL ADVISE CITY
To Act As Consultants After
Their Resignations

Simon E. Sobeloff, city solicitor, and Nathan L. Smith, director of
public works, Republican holdovers in the present Democratic municipal
administration, will be retained as consultants when their resignations became effective next month, Mayor D'Aleandro announced yesterday.

As a consultant, Mr. Sobeloff will be paid the same salary—$10,000 a year—that he now receives.
Mr. Smith, after his resignation, will receive $7,500 a year, $4,500 less than his present salary.
Mr. Sobeloff will quit his present position on December 1, and Mr. Smith will leave his on December 31.

Both Named By McKeldin
Mr. Smith served as an engineering consultant for a time during the administration of former Mayor Howard W. Jackson. He was appointed to his present post by former Mayor Theodore R. McKeldin. So was Mr. Sobeloff.

In announcing the retention of Mr. Sobeloff and Mr. Smith, the Mayor said he expected to name their successors before Mr. Sobeloff leaves office.

State Senator E. Milton Altfield, a political adherent of James H. Pohlack, Fourth district Democratic leader; Charles C. G. Evans, former city solicitor, and Wilson K. Barnes, former deputy city solicitor, have been mentioned for Mr. Sobeloff's post.

Special significance was attached to the Mayor's retention of Mr. Smith, since Mr. Smith is the planner of the proposed expressway across the city.

Handled Labor Problems
Mr. Sobeloff has been engaged for some time in handling the city's labor problems.

The Mayor referred to this yesterday, saying, "Mr. Sobeloff during his incumbency carried on
the city's labor negotiations, and he is thoroughly familiar with the background of a number of labor and other matters now pending."

Of Mr. Smith, the Mayor said, "His complete familiarity with every phase of the Department of Public Works and the city's many engineering projects, some of great magnitude, made it desirable in the interests of the city to assure the availability of his experience and advice in a consultative capacity."
Sobeloff, Smith Retained As Opposed By 2 Councilmen

Reverberations to Mayor D'Alesandro’s announcement that Simon E. Sobeloff and Nathan L. Smith, Republicans, will remain on the city's payroll when their incumbency as city solicitor and director of public works end were heard in the City Council last night.

The exchange of bitter words in which the Mayor was attacked and defended was started when Councilman Reed introduced a resolution calling on Mr. D'Alesandro to name former Mayor McKeldin to a post of "associate mayor."

The resolution was tabled after the debate, with only one disapproving vote—those of Councilmen Reed and DiDomenico.

Text Of Resolution

The proposed resolution said:

"Whereas, Mr. Eric Frederick, former superintendent of transportation, has been made assistant superintendent of transportation, and

"Whereas, the Mayor has announced that he will appoint Mr. Simon E. Sobeloff, city solicitor, and Mr. Nathan L. Smith, chief engineer, as consultants to the city, and

"Whereas, it seems equally desirable that the Mayor have an associate mayor to advise him in the important work of administering the affairs of the city; therefore

Be it resolved, By the City Council, That Mayor be and he is hereby requested to appoint the Hon. Theodore H. McKeldin, former mayor, as associate mayor to advise him in his duties of administering the affairs of the city; and

"If further resolved, That the chief clerk of the City Council be and he is hereby directed to send a copy of this resolution to his Honor, the Mayor."

Salaries Of $17,500

The Mayor announced on Saturday his plan to retain Mr. Sobeloff as a consultant at $10,000 a year—ten times prescribed in the City Charter, as the city solicitor. Mr. Smith, he said, will be retained as a consulting engineer at $7,500 a year. The latter provides a $12,000 salary for the director of public works.

Opening the debate for his resolution, Mr. Reed said that when he saw the Sunday morning newspaper story of the Mayor's announcement he could eat no breakfast.

Other councilmen laughed.

"It may be a laughing matter to you," Mr. Reed told them, "but you here, doubtless, have jobs all through the city government. The Mayor has taken the attitude that he is not going to be able to beat the County so he might as well buy them out now."

"Not Going Along With It"

Pointing out that Mr. Sobeloff also has been appointed counsel to the Baltimore Housing Authority and that he "also can go back to his private law practice," Mr. Reed asked:

Councilman DiDomenico called attention of the president to the fact that the rules permit him to refuse to entertain a motion to table when in his judgment there has not been sufficient debate.

"I don't think it is fair," he said, "for a member to state his views and then make a motion to shut off further debate."

Mr. Kelly called on Mr. Reed and Dr. Horace E. Flack, head of the bureau of legislative reference.

"I must rule," he said, "that the members should be given more opportunity to be heard on the resolution. After the debate, I will entertain Mr. Abramson's motion to table it."

Called "More Mockery"

Councilman Alpert said he was sorry the president ruled as he did.

"In being fair," he said, "we should consider the substance of the matter before us. In this case the substance is a mere mockery. It was introduced deliberately and for the simple and sole purpose of embarrassing the administration."

"I, too, have been embarrassed," countered Councilman Freburger. "I am a lifelong Democrat—an organization man. When people of my district ask me why the Mayor can't find qualified Democrats for these jobs, I become embarrassed."

"We are told to reduce administrative costs of the city government. How are we going to do it by duplicating positions?"

Councilman Stieam, recalling Mr. Reed's original statement about being unable to eat his breakfast when he read the Mayor's announcement, said that in his opinion an assistant Mayor would spoil breakfast, lunch and dinner for all of us.

"Should Have Stood In Bed"

He said that if Mr. Reed wants to eliminate the proposed new positions for Mr. Smith and Mr. Sobeloff, he has a right to ask that those items be taken out of the budget. Councilman Math, vice president and administration floor leader, said that instead of reading the mayor's announcement and preparing the resolution, Mr. Reed "should have stood in bed."

Mr. DiDomenico said that "while the resolution may appear facetious, it might serve to bring to the attention of the proper authorities the feelings of some members of the majority party."

Mr. Kelly called on a vote. There were scattered demands for a roll call. They were ignored.

Mr. Kelly declared the question to be the resolution carried. Mr. DiDomenico and Mr. Reed asked to be recorded as voting against the motion.

Councilman Abramson, moving that the resolution be tabled, declared that "no matter what the Mayor offers, you may rest assured the gentleman from the Fifth (Mr. Reed) will be against it."

Mr. Abramson described Mr. Sobeloff as an "outstanding city solicitor" and said there is nothing unusual about Democrats appointing Republicans to office.

"President Roosevelt did it on several occasions," he said.

Mr. Abramson described Mr. Smith as a "man of outstanding character, who is above suspicion," and declared "it would not be a bad idea to have him as a consultant."

"This resolution," he continued, "is intended only to embarrass the Mayor and his administration."

Not Debatable

In moving that the resolution be laid on the table, Mr. Abramson reminded C. Markland Kelly, president of the Council, that the motion is not debatable under the rules.

Councilman Freburger was on his feet and was recognized but did not discuss either the resolution or the motion because of the rule against debate. Instead, he said he regretted that Mr. Abramson "has seen fit to shut off debate."
Smith Plans To Accept Both City, County Posts

Nathan L. Smith finds himself only mildly embarrassed by having a Democratic city administration of Baltimore seeking his services as engineering consultant at $7,500 a year and a Democratic administration of Baltimore county seeking his services at $10,000 a year.

He plans to accept both positions. He has accepted the city position already and expects to give his answer to the county by the end of November.

He's A Republican

Mr. Smith has been known for years as a Republican and among the public positions he has held are chief engineer of the State Roads Commission in the administration of the Harry W. Wise, Governor from 1935 to 1939, and city engineer of Baltimore city in the administration of Mayor McKeldin. In the latter position he was director of the Department of Public Works of the city.

When he was asked today if he were embarrassed by having a Democratic city administration and a Democratic county administration seeking his services at the same time, and how he would decide the matter, he said:

"It sounds slightly egotistical to say it, but it looks as if the elected officials were inclined to pay more attention to technical qualifications than to political affiliation."

A Finished Matter

As to the city position, Mr. Smith said the Board of Estimates had been given authority to employ him as a consultant to the city at $7,500, he had agreed and that was a finished matter.

Having served for several years as chief engineer of Baltimore, and as director of the Department of Public Works and having been involved in the city highway plans, Mr. Smith felt this work would be very interesting.

"Have you studied the matter of whether you may legally hold a city position and a county position simultaneously?" Mr. Smith was asked.

"That is a question which is bound to come up," Mr. Smith answered. "I expect the city and the county to explore that and determine what is legal in the matter."
RIGHT TO HIRE
SOBELOFF IS
CHALLENGED

Council Questions Power
Of Mayor To Keep Solicitor As Advisor

Mayor D'Alesandro's legal right to employ Simon E. Sobeloff, new city solicitor, as a special consultant and for the city was officially challenged in the special budget session of the City Council yesterday.

The Mayor has announced Mr. Sobeloff will be retained at a salary of $10,000 a year—the same salary as that of the city solicitor. His resignation from the solicitorship becomes effective on December 1.

The wisdom of retaining Nathan L. Smith as an engineering consultant to the city was announced yesterday. The Mayor—also was questioned on the ground that Mr. Smith might also become chief engineer for Baltimore county.

Report Submitted

The discussion arose after the Committee on Budget and Finance had submitted a report calling for the Council to examine "with particular care" any new jobs proposed in the 1947 city budget.

When the Council, sitting as a committee of the whole, reached the Department of Law in the budget book, the question was raised as to where the city intended to take care of the new position for Mr. Sobeloff. It is not included in the department's proposed budget.

C. Markland Kelly, president of the Council, said he wanted to make clear his position, as a member of the Board of Estimates, on the proposed appointment of Mr. Sobeloff as a consultant.

Reports Talk With Mayor

Mr. Reid said he was called by Mayor D'Alesandro last Saturday and told of the proposal to continue Mr. Sobeloff and Mr. Smith in the service of the city.

Mr. Kelly said he told the Mayor: "Well, if you need him, he is a very capable man, but you know your feeling about creating new jobs. I will go along as long as you keep enough other jobs in the law department unfilled to make up the salary you will pay Mr. Sobeloff."

Mr. Kelly said the Mayor called him back later and said he had J. Neil McCullough, city comptroller, on an extension line, and stated he planned a salary of $10,000 for Mr. Sobeloff and $7,500 for Mr. Smith.

"The Council president said he repeated his stand on the question. Mr. Kelly's proposal would mean the elimination of at least two of the present assistant solicitorships to make room for Mr. Sobeloff."

"Alpert Voices Doubt"

Councilman Alpert said he did not believe it would "work out, as each assistant has a special assignment."

It was at this point that Councilman Jarosinski challenged the legality of the proposed appointment of Mr. Sobeloff.

He read the City Charter provision that the city solicitor "shall be the legal advisor of the city," its departments, agencies and commissions, and that no such decision of the government "shall have authority to employ or retain counsel other than the city solicitor."

"The proposal to hire Mr. Sobeloff," said Mr. Jarosinski, "does not conform with the City Charter."

Councilman Sioman, defending the position of the Mayor, said the appointment generally would be made by the next city solicitor, and approved by the Board of Estimates, thus making it legal. Otherwise, he conceded, the point made by Mr. Jarosinski would be correct.

"Things Mixed Up"

Mr. Reid, the budget and finance committee chairman, said the same question was raised in an executive session of the committee Tuesday, and that he was advised Mr. Sobeloff's salary would not be charged to the Department of Law.

Then someone got things mixed up," said President Kelly. "I think we ought to ask the city solicitor for an opinion," said Councilman Freburger.

Defenders of the move rushed to change their line of defense.

"As a labor negotiator," said Councilman Alpert. "Mr. Sobeloff does not necessarily have to be attached to the city solicitor's office."

Councilman Muth, administration floor leader, said he understood the cost of Mr. Sobeloff's appointment was to be "relegated to the labor account."

"So Much Faith"

"I have so much faith in Simon Sobeloff," said Mr. Freburger, "that I would like to have him reappointed city solicitor, but I would like to have his opinion on this matter."

"I didn't bring this matter up because of any ill-feeling toward Mr. Sobeloff," Mr. Jarosinski assured the Council. "I think he is one of the best attorneys in the city. I, too, would like to have seen him reappointed city solicitor. But we want to live up to the City Charter."

"If he is to be an assistant city solicitor, that probably would be all right, but if he is to be appointed outside of the city solicitor's office, I am afraid it is in opposition to the Charter."

"But you haven't answered the conflict with the Charter," said Mr. Freburger.

Mr. Fallin said he does not believe the Charter has been changed. He said that since special legal consultants were engaged in connection with the construction of the Hanover street viaducts.

"Are you sure they were not engaged by the city solicitor as special assistants?" Councilman Dewees asked.

"I'm not sure," Mr. Fallin admitted, "but my impression is it was done by the Mayor."

"All I Want Is An Opinion"

Mr. Jarosinski pressed, for Mr. Freburger's suggestion that a legal opinion be sought from the solicitor. He proposed that Sobeloff be asked to appear before the Council.

"I don't think you ought to bring him up here in this matter," said President Kelly. "He doesn't want this position. He is taking it to be helpful."

"I don't want him up here," said Mr. Freburger. "All I want is an opinion."

"I don't think we ought to ask him to rule on his own case," said Mr. Kelly.

"Perhaps it is best that neither his appearance here nor his written opinion be resorted to," said Mr. Alpert. "Since he is city solicitor-now, he would not have accepted the position if there were any doubt in his mind as to the legality."

"Doubt In My Mind Now"

"There is doubt in my mind now," said Mr. Kelly. "Mr. Reid is told that the position was not to be charged to the Department of Law. I understood it would be legal."

"If someone is going to talk out both sides of his mouth, I can't agree to having two city solicitors. If this appointment is legal, we ought to be in a position to take $10,000 worth of jobs out of the city solicitor's office."

Mr. Freburger withdrew his request for an opinion from Mr. Sobeloff.

Councilman Reid insisted the main concern of the Council was to avoid adding new jobs, and said he agreed with the president that certain positions should be deleted to make up for the cost of the Sobeloff appointment.

Councilman Leed, said the appointment was in violation of the "spirit of the Charter, which was drawn up to prevent overlapping of jobs."

No Ruling On Request

There was no decision on the $239,035 budget request of the Department of Law of the Council recessed for the day. Besides the deputy city solicitor and an admin
istrative assistant, the request calls for seventeen assistant city solicitors. The requests exceed the 1947 appropriation for the department of $16,670.81.

It was Councilman Dewees who first questioned the wisdom of having Mr. Smith as both an engineer consultant for the city and engineer for Baltimore County.

Councilman DiDomenico said he feels that acceptance of the county post would "definitely disqualify" Mr. Smith for the city job. He said there are many conflicts between the city and county on engineering matters. He recalled a fight in the Legislature when the county submitted a bill that would have given it certain condemnation rights over city water property in the county.

"A Serious Situation"

"It was a serious situation," he said, "and it was necessary for all of the city officials to come to the Legislature and put up a fight for the city. It serves as an illustration of the danger of having a man in a dual capacity—serving both the city and the county."

The report of the Budget and Finance Committee, read by Mr. Reid, said that if the Council finds it possible "to reduce appropriation allocations... by considerable amounts, it is entirely possible that the Council then will be in a position to either eliminate one or more suggested special sources of tax revenue, or enact a further reduction in the city's real-estate tax rate."

"For this reason," the report continued, "we have no proposal to offer at this time on revenue sources and recommend concentration at the outset on our immediate job of reducing appropriation allocations."

Cuts 'Should Be Made'

It declared reductions "can and should be made" beyond the $5,247.87 cut from the original requests by the budget director and the Board of Estimates. It pointed out the proposed General Fund budget still exceeds 1947 appropriations by $12,777.867.

The committee conceded an increase was to be expected because of the "greater cost of doing business during the coming year."

It also recognized "obligations imposed upon the city by the State in salary increases for teachers and policemen and for highway improvement. It said the total of such obligations exceeded by approximately $1,000,000 the increase in State funds allocated to the city."

Nevertheless, it stated, "it seems clear that the costs of government to the taxpayer cannot be allowed to mount increasingly each year, without attempts to check and control all avoidable increases."

List Of Names Asked

The committee, it was revealed, has asked the budget director to prepare for each member of the Council a list of names, classifications and salaries of all new jobholders in the city government installed during the former administration during 1947 and the present administration to date, as well as those proposed in the 1948 budget.

Mr. Reid said the committee wanted this list for "a working manual for elimination of all possible new jobs, with a consequent saving in budget appropriations of what can be several hundred thousand dollars."

The report questioned the need for "sizable increases in salaries... in numbers of administrative personnel."

"When a new assistant department head or similar administrative position is created," it stated, "the cost is much greater than the actual salary of that person. There is considerable extra expense in equipping such a person to do his work... secretarial assistance and the like."
Mr. Sobeloff Ponders
His Fate: Too Many Jobs

Take it from Simon E. Sobeloff—the whole thing is pretty darned awkward.

Here's the situation:
Mayor D'Aleandro plans to have him stay on as legal consultant to the city after he quits his job as City Solicitor on December 1.

But there has been raised a constitutional question on this plan which may call for a ruling. And who would rule on it? Naturally, the City Solicitor—Mr. Sobeloff.

Favor To Mayor
That's only the half of it. What worries Mr. Sobeloff is the fact that he doesn't want the job anyway. He's just agreed to it as a favor to the Mayor.

He didn't want it when it was offered to him by former Mayor Theodore R. McKinley in 1943. As a good Republican, he took it then, too, as a favor to that Mayor.

Figuring that, as a private attorney, he can make considerably more money in ordinary fees, Mr. Sobeloff has been trying to get out from under for the past four years.

Events Crop Up
"But something has always come up," he said today, "there was Tommy just getting started in office, so I agreed to stay on and help out."

"Then came the budget, I agreed to stay on and help with that. When that was over, along came the Special Session. That's finished and now there's the city's labor problems still to be settled. You see?"

Mr. Sobeloff's worries don't end even there.

He has been criticized by his fellow Republicans for consenting to stay on with the city's Democratic administration.

Yes, It's Funny
And the Mayor has been criticized by his more or less fellow Democrats for planning to retain his hold on a Republican—at $10,000 a year—when they insist, the woods are full of deserving Democrats.

J.A.C. Fights City Consultant Plan

Arguing on "principle," the Junior Association of Commerce today attacked Mayor D'Aleandro's plan to retain consultants his two top department heads—Simon E. Sobeloff and Nathan L. Smith—after their resignations next month.

In a letter to the Mayor, the J.A.C. declared that the plan "would tend not only to break down the administrative structure established in the new City Charter but also to destroy the authority of the new department heads."

Seen Looming Over Others
"We feel," the letter continued, "that the authors of the new City Charter did not contemplate the general employment of the special department heads, of special advisers who would function outside the structure of the city government."

The letter insisted that the J.A.C. does not question the "excellent services rendered by the individuals," but pointed out that "the city may not get the best qualified men with these special supervisors looking over them."
RIGHT TO APPOINT
SOBELOFF UPHOLDED

O.K. For City To Hire Him As
Labor Aide, Crowther Rules

BY ALBERT W. QUINN

After his retirement as city solicitor, Simon E. Sobeloff may continue to serve the city under appointment by the Board of Estimates—but not in a legal capacity.

This, in effect, was the opinion prepared for the board yesterday by Lester H. Crowther, deputy city solicitor.

At the same time, Mr. Crowther affirmed the board's right to employ Nathan L. Smith, retiring director of public works, as an engineering consultant, although no official question had been raised as to the legality of the Smith appointment.

"Labor Consultant"
The opinion describes Mr. Sobeloff's forthcoming city employment as that of a "consultant in labor relations." Mr. Crowther stressed Mayor D'Alesandro's recommendation to the board that it retain Mr. Sobeloff's services on a contract basis as a consultant in labor relations.

He also stated that the minutes of the board's meeting of last Saturday recorded approval of the retention of Mr. Simon E. Sobeloff, after his resignation as city solicitor, as a consultant in labor relations to become effective on December 1, 1947, at the rate of $10,000 per year, payable in equal monthly installments.

Lawyer Not Required
Mr. Crowther took note, as did members of the City Council, this week in raising the question of the legality of the Sobeloff appointment, of Section 65 of the revised City Charter which provides that the city solicitor shall be the legal adviser of the city government and that no agency, office or authority of the government "shall have authority to employ or retain counsel other than the city solicitor."

The deputy solicitor declared, however, that "the subject of labor relations has become highly complex and intricate, demanding specialized treatment, talents and technique transcending the legal field."

There has come into being, he continued, "a group of experts, representing labor unions and others representing employers, who are qualified to act as negotiators or consultants in that field. While it is true that some of those so acting are attorneys, many others are not. In other words, it is not a prerequisite that a labor consultant or negotiator shall be a member of the bar."

"Thus," Mr. Crowther concluded, "since the work may be and often is performed by persons who are not attorneys, it would naturally follow that Mr. Sobeloff's employment as consultant in labor relations is not employment in a legal capacity within the contemplation of Section 65 of the charter and, therefore, this section is inapplicable."

"As far back as 1928," Mr. Crowther noted, "Mr. Philip B. Perlman, now solicitor general of the United States, was employed, upon his resignation as city solicitor, as special counsel for the city in connection with handling negotiations incident to the elimination of the Hanover street grade crossing, the acquisition of property on McCombs street for the construction of a pier for the Western Maryland Railway Company and other matters, for which the Board of Estimates allowed him a fee in the sum of $10,000 for services which extended over a period of ten months."

Quotes Court Decision
"Of course," Mr. Crowther conceded, "the portion of Section 65 of the amended Charter, above, was not in force at that time. In connection with both the employment of Mr. Sobeloff as a labor consultant and Mr. Smith as an engineering consultant, Mr. Crowther quoted from a Court of Appeals decision that "it is generally recognized that a municipal corporation has implied power to employ engineers when the technical skill and knowledge of such persons are deemed necessary for the proper administration of the affairs of the municipality, and to employ counsel to render services of proper corporate interest."

Qualifications Irrelevant
In addition, he wrote, "Section 173 of the recent amendment to the charter contains a specific grant of power to the Board of Estimates to authorize special employments."

In the case of Mr. Smith, he cited the employment of Dr. Abel Wolman and of Whittman, Requardt and Associates as special engineering consultants.

"This opinion, of course," Mr. Crowther wrote, "is limited solely to a consideration of the power of the Board of Estimates to make the two appointments. It does not deal with matters relating to the advisability or necessity of so doing, nor with the qualifications of the two appointees. It is a well-settled proposition of law, reiterated many times by the Court of Appeals of Maryland, that such matters, being within the jurisdiction of the board, are for its sole determination, and the question of the wisdom of its determinations, in the absence of fraud, illegality or improper motives, cannot be inquired into, even by the courts."

"... It is my opinion," he concluded, "that the action of the Board of Estimates in employing Mr. Simon E. Sobeloff as consultant in labor relations, and in employing Mr. Nathan L. Smith as consultant to the Department of Public Works, is a lawful exercise of the power of the board, and I so rule."

Mayor Called Kelly
When the Sobeloff appointment was being discussed in the Council, C. Markland Kelly, president, who is a member of the Board of Estimates, said he was called on the telephone Saturday by Mayor D'Alesandro, who advised him of the proposed move.

Mr. Kelly said he told the Mayor he would "go along if you keep enough other jobs in the law department unfilled to make up the salary you will pay Mr. Sobeloff." Mr. Kelly said he understood at that time that Mr. Sobeloff was to be employed through the law department.
CONSULTANTS' DEFENDED BY D'ALESANDRO

Mayor Says Sobeloff And Smith Would Not Have Supervisory Power

Replying to critics of his plans to keep Simon E. Sobeloff and Nathan L. Smith, Republicans, on the city's payroll as consultants, Mayor D'Alesandro said yesterday that neither would have supervisory authority over the departments they now head.

According to Mayor D'Alesandro, the consulting activities of Mr. Sobeloff, new city solicitor, would be "confined to the field of the city's labor relations" and he would not exercise "any influence—either supervisory or advisory—on the law department."

Domination Denied

The Mayor also described as "unfounded" any suggestion that Mr. Smith, the retiring director of the Department of Public Works, "would dominate the new chief engineer."

In addition to his remarks on the retention of Mr. Smith and Mr. Sobeloff, the Mayor referred to comments concerning a "lump sum" of $900,000 in the new city budget, earmarked for "labor adjustment, to be apportioned by the Board of Estimates."

Negotiations Cited

Regarding this item, Mr. D'Alesandro said:

"In view of the fact that many employees are presently engaged in negotiations with the city it was obviously wiser, in the preparation of the budget, to provide a general fund for the adjustment of labor costs rather than to try to specify prematurely the precise rates of pay of these employees."

The Mayor issued a statement as an addendum to the proposal approved by the Board of Estimates last week in reference to Mr. Sobeloff and Mr. Smith.

Details Of Functions

Mr. D'Alesandro said he wished "to state in further detail the functions which each is to perform."

The Mayor's remarks regarding Mr. Sobeloff and Mr. Smith follow:

"Mr. Sobeloff's efforts will be confined to the field of the city's labor relations and he will have no connection with the legal business of the city.

"As a consultant on the city's labor problems, he will not exercise any influence—either supervisory or advisory—on the department. The new city solicitor must and will function freely and independently in the conduct of the affairs of his office."

City's Best Interests

"When it is realized that many of the negotiations which Mr. Sobeloff will conduct involve specific labor problems already partially worked out by him, it becomes manifest not only that it is of advantage to the city to retain his services as consultant, but, also, that the city's best interests would be jeopardized if it failed to do so."

"We are presently negotiating with union representatives of the street cleaners. Other current problems include pending negotiations in behalf of the Health Department with the labor union representing employees at Sydenham Hospital, cooks, laborers, orderlies, operators of engines, etc.

"Any arrangement made with them will have considerable bearing on the wages and other terms of employment of numerous other groups of employees, such as those at the Baltimore City Hospitals, under the jurisdiction of the Department of Welfare. Negotiations also are impending with these people. In all, the hospital employees affected number about 700 persons."

Other Labor Problems

"At the same time, the School Board faces a similar problem with the engineers, steam fitters and janitors of the Department of Education, and there are other groups of employees who have asked for adjustments of hours, overtime pay, etc."

"The Department of Public Works and the Aviation Department both have labor agreements which will terminate at the end of this year."

The whole situation must be carefully studied. Whatever is done in one case may become a precedent and basis for action in other cases. It is important, therefore, to have some precise, skilled in this type of negotiation, to study all the facts and to coordinate the actions of the various departments subject of course, to the final approval of the Board of Estimates."

"Mr. Sobeloff has personally conducted the city's labor negotiations for the past four years and has been eminently successful. Like private employers, the city has need for sound and experienced advice in this field; yet as the city is in a somewhat different position legally from private employers, Mr. Sobeloff's complete familiarity with such matters would be of inestimable value to the city."

I think it only fair to repeat that Mr. Sobeloff has been anxious to resign his office. In reluctantly accepting his resignation I made the suggestion to retain him specially because I wanted the city to have the continuing advantage of his experience in this increasingly important area."

"For Mr. Smith's employment as consulting engineer there are equally good reasons."

Sews Wise Investment

He has had a life-long career in engineering work for the city and State and he is, of course, intimately acquainted with every phase of the city's engineering problems and plans, many of which were formulated by him or under his direction.

"At this time, when the city is about to embark upon a huge program of public improvements involving tens of millions of dollars, I do not think of a wiser investment for the city than to engage his services as consultant."

"The suggestion that he would dominate the new chief engineer is unfounded."

"Not A Novel Step"

"This is not a novel step. From time to time the city has employed other engineers as consultants, and with satisfactory results."

"Dr. Abel Wolman has been under similar retainer by the city for a number of years, and other engineers have served the city in the same capacity, including the late Dr. John H. Gregory, Gustav J. Requardt and W. W. Fagon. When the Republican Bancroft Hill retired as harbor engineer at the end of Mayor Browning's administration, he was retained as consultant by Mayor Jackson."

"Mr. Smith, himself, was a consultant to the city during Mayor Jackson's administration."

Political Grounds

Attacks on the retention of either Mr. Smith or Mr. Sobeloff have been made on political grounds, including a number of criticisms made at last week's session of the City Council.

Council members also challenged the legality of retaining Mr. Sobeloff under the terms of the new City Charter, Lester H. Crowther, deputy city solicitor, later ruled that Mr. Sobeloff might be retained as a consultant by the city, if the employment is not in a legal capacity.

Other quarters have objected to the retention of the two as advisers on the ground that, once new chiefs of the various departments are chosen, the continued employment of Mr. Smith and Mr. Sobeloff might lessen the authority of the new appointees.
Sobeloff Stresses His Right
To Act In Cases Against City

Attending his last meeting as a member of the Board of Estimates yesterday, Simon E. Sobeloff, retiring city solicitor, served notice that in his new city employment, he will feel "free to represent any client like any practicing lawyer...."

He made it plain that this freedom included legal business for a client with the city.

He told members of the board that he would accept the appointment of the board as a labor negotiator under no other circumstances.

Kelly Makes Reservation
The members of the board accepted the provision, with C. Mark- lama Kelly, president, adding the reservation: "...it is legal under the Charter."

Mr. Kelly also said he would insist "if enough of the salary fund of the city solicitor's office be withheld from expenditures to make up for the $10,000 salary to be paid Mr. Sobeloff as a city labor negotiator."

The discussion followed the unanimous adoption by the board of a resolution "that it is with the profoundest regret that the board will lose the wise judgment and splendid services of Mr. Sobeloff and hereby extends to him our highest regards and best wishes for his success in his every undertaking."

Opportunity To Clarify
A preamble described Mr. Sobeloff "as a member who brought to the perplexing and difficult problems which from time to time confronted us a wealth of practical experience, a thoughtful and discerning mind, and a capacity for the handling of public affairs that was generally of invaluable service to us."

When the resolution was adopted Mr. Sobeloff thanked the board, and added: "This, perhaps, affords me the opportunity to say something to clarify the arrangement which the Mayor proposed to the board for my employment by the city."

"Because of the nature of certain discussions reported in the press, I want it clearly understood that after my resignation, effective December 1, I shall have no connection whatever with the legal department of the city."

Free To Represent Any Client
"My designation in connection with labor negotiations is a special employment entirely unconnected with the Law Department. I would not be willing under any circumstances to maintain any connections with the legal business of the city because that would preclude me from representing clients in issues involving the city government."

"In order to avoid misunderstanding in any quarter, I want it understood that I will be free to represent any client like any practicing lawyer, except of course that I would not represent any labor union with interests adverse to those of the city."

In justice to myself, I could not accept any employment which put me under limitation in my private practice and would not accept it at any price."

Kelly's Viewpoint
Mayor D'Alesandro asked if the board was in agreement with the terms of Mr. Sobeloff's statement.

"There seems to be some misunderstanding," said Mr. Kelly. "My agreement in my talk with the Mayor was that you would be the equivalent of an assistant city solicitor and that a couple of assistant's salaries would come out of the Law Department budget to meet the cost of your employment."

"If you insist on being connected with the Law Department," Mr. Sobeloff said, "I will not take the job."

"I said the funds for your salary should come out of the Law Department," said Mr. Kelly. "Problem Of The Board"

"I don't care where the money comes from," said Mr. Sobeloff. "That's the problem of the board and the Council."

"You're not insisting," he asked Mr. Kelly, "that I be a member of the Law Department?"

"No," Mr. Kelly said, "but I understood you would be a special legal adviser."

"My connection with the city will be only in regard to labor negotiations," Mr. Sobeloff insisted, "if it is understood that this is a particular assignment without other limitations in my practice. I will take it Otherwise I couldn't."

"I don't want anyone saying later that it was understood Sobeloff wouldn't handle any legal business with the city."

Monthly Basis Suggested
"Why not finish the loose ends of the business on a monthly basis?" Mr. Kelly asked.

"I'm not handling any loose ends of the city's law business," said Mr. Sobeloff.

"We're dealing in millions and arguing about $10,000," commented J. Neil McCordell, city comptroller.

"It's not our $10,000," said Mr. Kelly. "It belongs to the taxpayers. It looks like a lot of money to the taxpayer in the street."

"It never was intended," said the Mayor, "for Mr. Sobeloff to be in the city solicitor's office. Are you satisfied with Mr. Sobeloff's statement?"

"That's An Evasion"
As other members nodded agreement, Mr. Kelly said, "I think Mr. Sobeloff is a nice man."

"That's not enough," said Mr. Sobeloff.

"I'm for it if it's legal under the Charter," said Mr. Kelly.

"That's not enough either," said Mr. Sobeloff. "That's an evasion."

Mr. Kelly left it at that.

Mr. Sobeloff's incumbency as city solicitor will end Monday. With no successor expected to be named in the meantime, Lester Crowther, deputy, will become acting city solicitor.

Mr. Sobeloff, a Republican, was named to the post by Mayor McKeilin. The proposal to keep him and Nathan L. Smith, holdover director of public works, on the city pay roll has been under several attacks in the Council.
SOBELLOFF AND SMITH TO WITHDRAW
Neither To Remain In Employ Of City As Consultants

By ALBERT W. QUENN
Simon E. Sobeloff will withdraw soon from the post of special labor consultant to the city, and Nathan L. Smith will not accept his appointment as special engineering consultant.

Both men stated their positions at a meeting of the Board of Estimates yesterday.

Mr. Sobeloff, whose incumbency as city solicitor ended December 1, said he will relinquish his $10,000-a-year special assignment as soon as he completes current tax negotiations with the Baltimore Transit Company and wage negotiations with per diem employees of the Sydenham Hospital, Baltimore City Hospitals and the Department of Education.

Smith Offers Services
These negotiations, he said, should be completed in "a few weeks at the most."

Mr. Smith, whose resignation as director of the Board of Public Works will become effective on December 31, said that while he could not accept the $7,500-a-year consultant post, he will give what spare time he has to the Mayor and City Council without compensation.

Mr. Smith will become head of the new Baltimore county Department of Public Works and also will engage in private engineering practice with a local firm of consulting engineers.

Appointed By McKeldin
Mr. Sobeloff and Mr. Smith were appointed to their Board of Estimates posts by Mayor McKeldin. Both are Republicans, Mr. Smith served as chief engineer, and automatically became director of public works when the revised City Charter took the title of the office last May. The successor of neither has been named yet by Mayor D'Allesandro.

Since Mr. Sobeloff's retirement from the city solicitorship, Lester H. Crowther, deputy, has been acting city solicitor.

Several names have been mentioned as possible successors to Mr. Sobeloff in the city solicitorship.

Sobeloff Statement
In his statement to the Board of Estimates, Mr. Sobeloff said:

"This month I began, with representatives of the employees of the Sydenham Hospital, the Baltimore City Hospitals and certain maintenance employees of the Department of Education, to discuss questions pertaining to their wages and terms of employment.

"During the past several weeks, however, the Baltimore Transit matter has occupied so much of my time that I have not had an opportunity to give much attention to continuance of these negotiations, some of which are pressing.

"The draft of the Transit Ordinance is now complete. As soon as the Council has disposed of this matter, I shall resume negotiation of the pending labor matters. This should take a few weeks at most.

"I should prefer, then, to relinquish the assignment given me recently by the Board of Estimates in connection with labor negotiations.

"I shall leave to the city the question of remuneration for these services."

Smith Statement
Mr. Smith told the board:
"It has been my desire to return to private engineering practice, and negotiations leading to such a move have been under way for several months. Plans to effect this move are tentatively completed and will be announced in the near future.

"The county commissioners of Baltimore county have honored me in my having been selected to organize and direct a Department of Public Works.

"I have accepted this appointment with the understanding that I will be permitted to undertake a limited amount of private engineering work and that such work will not interfere in any way with my obligations to the county and its officials.

City-County Questions
"One month ago, the Board of Estimates authorized my being retained as a consultant to the Department of Public Works (in the city), at a salary of $7,500, effective January 1, 1949. After the position was offered me, some question was raised as to the stand which I would take in questions arising between the city and the county over utilities or other public works activities.

"I take this opportunity to thank the Board of Estimates for their offer. However, under the arrangement which is being worked out with the private engineering organization ... such time as can be spared from the county and from any other commitments which may make will be given to the Mayor and City Council without compensation, and I hope you will not hesitate to call upon me at any time for advice and consultation.

Board Passes Resolution
"It is understood that in case any matters of a controversial nature should arise between the city and county governments, I shall act as a representative of the county commissioners of Baltimore county.

Just prior to Mr. Smith's statement, the Board of Estimates adopted a resolution declaring that "it is with the profoundest regret that the board will lose the wise judgment and splendid services of Mr. Smith, and hereby extends to him its highest regards and best wishes for success in his every undertaking ..."
MAYOR REPLIES TO CRITICISM

Tell Group He Merits Praise For Plan To Retain 2 Aides

Replying to Junior Association of Commerce criticism of his plan to retain two retiring Republican department heads as city consultants, Mayor D'Alesandro yesterday said he should be commended "for acting to assure a good administration without regard to politics."

Meanwhile, at the suggestion of C. Markland Kelly, president of the Council, the Mayor agreed to ask Lester H. Crowther, deputy city solicitor, for an opinion as to his legal right to employ one of the two, Simon E. Sobeloff, the city solicitor, as a special consultant.

The question of the legality had been raised in the Council on Wednesday when Councilman Jarosinski read a City Charter prohibition against the employment of counsel by city departments and agencies other than the city solicitor.

Asked to Reconsider

In a letter to the Mayor yesterday, a copy of which was sent to the Council, the Junior Association of Commerce asked the Mayor to reconsider his decision to retain the services of Mr. Sobeloff, whose resignation as city solicitor will become effective on December 1, and Nathan L. Smith, who will cease to be the director of public works on December 31.

In addition to being "concerned . . . with the additional expenditure of $17,500 contemplated by the proposed action," the executive committee said the Junior Association was "more concerned with the principles involved."

It expressed a fear that the city "will not get the best qualified men" to replace Mr. Sobeloff and Mr. Smith, with the latter two "serving over them" as "special supervisors."

Mayor Replies

In his reply to the letter, the Mayor wrote:

"Since you express satisfaction with the present city solicitor and the present director of public works, there is no reason to fear that their services as consultants will prove less satisfactory.

"I need have no fear that those I am about to appoint as city solicitor and director of public works will be anything less than the best qualified persons available. Many times in the past persons having special skills have been specially employed. The new department heads and the city will be fortunate to have the benefit of Mr. Smith's and Mr. Sobeloff's experience.

"Not Questioning Service"

"Instead of complaining of this step, which was taken despite the fact that these men are not of my party, you should commend me for acting to assure a good administration, without regard to politics."

The Junior Association letter, signed by W. Wallace Ashley, pres-
COUNCIL O.K.'S MAYOR'S LIST

Six Protest Quick Approval Of Art Appointees

Confirmation of Mayor D'Alesandro's appointments to the Art Commission was voted by the City Council last night, shortly after the names were submitted by the Mayor, over the protests of six councilmen.

There was no opposition to the men named, but the opponents of quick confirmation said they favored the principle of holding all appointments over for one week. The debate was hit at times with criticisms of former appointments by the Mayor and with an attack on The Sunpapers.

Appointees Listed

The City Charter specifies that the Art Commission shall consist of the Mayor and seven others to be recommended by certain institutions and appointed by the Mayor. The appointees and the institutions which proposed them are:

L. A. M. FOWLER, proposed by the Maryland Historical Society.
PROF. HENRY T. ROWELL, proposed by the Johns Hopkins University.
J. HALL PLAGARANTS, proposed by the Peabody Institute.
HENRY E. THIEME, proposed by the Maryland Institute for the promotion of the Mechanical Arts.
WILLIAM W. EMMART, proposed by the Baltimore Chapter of the American Institute of Architects.
WESLEY B. SCROGGLES, proposed by the Board of Recreation and Parks.
DR. DAVID ROBERTSON, proposed by Goucher College.

The members will serve without pay for four years.

The commission is required to provide a statue, ornamental fountain, arch, gateway, monument or memorial of any kind to be erected or altered in the streets, parks or municipal buildings.

Moves For Recess

It also will recommend one member of the Architectural Commission, which the Mayor soon will appoint, to select architects for city construction.

Councilman Bannett moved for a recess of ten minutes so that the Committee on Executive Appointments could consider the nominations. Because several members indicated a desire to discuss the issue, he temporarily withdrew the motion, which is not debatable.

Councilman DiDomenico declared that "as a matter of policy, Council should not confirm unless there is an immediate need." He said "no one has pointed out why these appointments should be confirmed immediately."

"Ridiculous," says Reid

Councilman Reid said it is "ridiculous to say that the committee could consider the character and qualifications of appointees in a ten-minute recess."

Councilman Buckler said he believed the move for immediate confirmation "is to embarrass us into the confirming of these men of high standing and character and to continue the precedent for future appointments that will come before us."

C. Markland Kelly, president, said that he voted for immediate confirmations because he voted "against my better judgment." He argued standing by a policy of holding appointments for at least a week.

Councilman Jarosinski also urged abiding by the rule of holding appointments for study.

Vote is 15 To 6

The vote for the recess—which meant immediate confirmation—was 15 to 6, with only President Kelly and Councilmen Jarosinski, DiDomenico, Devitt, Reid and Buckler voting in the negative.

When the committee returned with favorable reports on all of the appointees, Councilman Alpert, chairman, said that "The Sunpapers, which have criticized our quick confirmations, play a little politics themselves sometimes."

He said he recalled that when a certain name was sent down here, before it reached the committee, an editorial said there should be no delay and that the man should be confirmed immediately.

"Can Give You Name"

"I can give you the name," said Councilman Sioman. "It was D. K. Estes Fisher."

Mr. Fisher was appointed by Mayor McKeldin to the Re-development Commission.

"During the Jackson administration," added Councilman Abrams, "when I opposed the immediate confirmation of members of the Commission on City Plan, The Sunpapers editorially opposed my stand for being against immediate confirmation. Now that I'm for immediate confirmation, I suppose they will oppose my stand again."

Is it because The Sunpapers were against D'Alesandro in his battle against Howard Crook for Mayor? When Mr. Jackson was his fair-haired boy, they were for immediate confirmation. Why did The Sun change...?"

"Should Take Their Licking"

"There's a lot of politics that doesn't hit the surface in a thing of this kind."

He added that those who supported Mr. Crook for Mayor "should take their licking."

This brought from Councilman Reid a declaration that "if the group that supported Crook were not behind D'Alesandro in the general election, he would not be Mayor."

"I'm not going to take a licking," he said. "I'm opposed to the Board of Estimates approving a sellout and putting a man like Eric Fred-
Mayor Names 17 To Harbor Unit

Mayor Thomas D'Alesandro, Jr., today named a new Harbor Advisory Board and assigned the body the task of making studies and recommending improvements for the development of the port.

He designated as chairman J. Joseph Brune, former district manager of the United States Maritime Commission with headquarters here and now assistant manager of the local branch of a steamship company.

The board is a successor body to the harbor committee that was named by former Mayor Theodore R. McKeldin early in his administration. Mr. D'Alesandro named to places on the new advisory board twelve of the members of the previous body.

Names Of 12

They are: George H. French, P. A. Carter, president of the Association of Maryland Pilots; August Idzik, international vice president of the Longshoremen's Association; Horace C. Jefferson, John L. Kronau, chairman of the Port Development Commission; D. J. Moylan; O. H. Nance; G. H. Poudre; executive vice president of the Baltimore Association of Commerce; Robert C. Herd, Sr., chairman of the Maritime Exchange Committee; Donald F. Stevens; J. H. Treadgill, chairman of the previous body and president of the Steamship Trade Association, and John A. Inglis, president of the Propeller Club.

Mr. D'Alesandro added the following as members: August C. Steen, marine contractor; William G. Armstrong; Hooper S. Miles, State treasurer and president of the Baltimore Association of Commerce; J. M. Willis, and Joel M. Cleud.

The members not otherwise identified are representative of railroad, shipping and port activities. The members were advised in letters from the Mayor that Mr. Brune would call an organization meeting at an early date. It will be held at the City Hall in the Mayor's office.
Mayor Appoints Ewald To Head Parking Study

William G. Ewald was today named Mayor D'Alessandro as chairman of a five-man commission to study and prepare plans for improving the off-street parking conditions in Baltimore.

Simultaneously the Mayor signed the ordinance into law. Mr. Ewald and the other four commissioners are subject to confirmation by the City Council on Monday.

Four Others Named

To serve under Mr. Ewald are the following: Ambrose J. Kennedy, former United States Congressman, five years.

C. Edward Jones, Baltimore attorney, four years.

W. Bladen Lowndes, president of the Fidelity Trust Company, three years.

Allan Sauerwein, Baltimore attorney, two years.

Mr. Ewald is to serve a term of six years.

The Mayor's nominations were made after final passage of the ordinance last Monday in the City Council. All those named are to serve without compensation.

Airport Road

At the same time the Mayor announced that he had signed the "airport road" ordinance, which authorizes the expenditure of $100,000 for preparing plans for the construction of a section of highway from a point on the southwestern city line to connect with Russell street.

In a statement accompanying his announcement of the names to serve on the off-street parking commission, the Mayor said:

"I realize the importance of the work to be performed by this commission. The members must not only cooperate with each other to solve the off-street parking problem but the commission will be called upon for fullest cooperation with other agencies."

Problems For Study

Among the other problems which the commission will have to consider, he said, are the transit system, express highways, one-way street operations, traffic signal controls and relief of bottlenecks on existing streets.

Other agencies with which the commission will be called upon to co-ordinate, he said, are the Public Service Commission, the Baltimore Transit Company, the State Roads Commission, the City Planning Commission, the Police Department, the Department of Education and commercial and industrial organizations.

A number of these agencies, the Mayor pointed out, would be consulted for assistance and recommendations in the matter of staggering work hours and school periods "to relieve the traffic snarl which is now consuming time and is a source of much annoyance."

The "Childs Report"

Referring to the origin and destination survey recently completed by the Public Roads Administration, together with city and State assistance, and known as the "Childs report," the Mayor said: "The Childs report is the diagnosis of the disease. The commission I have just appointed will, in co-operation with those other agencies, develop the prescription for its cure."

Among the duties of the new commission, he said, will be the making of recommendations for the acquisition of land or property necessary to building structures and other facilities required to provide adequate off-street parking.

"Best Available"

"Not only I have secured the best men available for the off-street parking commission," he said, "but it is my intention to take all the other necessary steps to have a complete over-all program developed as quickly as possible so that Baltimore will have a modern traffic system the equal of any city of its size in the country."

Mr. Ewald is best known to Baltimoreans as the secretary of the Association of Commerce, where he has served since 1931.

In recent years he has played a prominent part in efforts to solve the city's street, traffic and parking problems. He was active in forming the Community Council on Street Traffic and served as its co-ordinator.
CITY DIRECTOR OF PLANNING IS APPOINTED

Arthur McVoy Accepts New Post At Annual Salary Of $9,000

Arthur D. McVoy, an assistant professor at the Massachusetts Institute of Technology and lecturer at Harvard University, will be Baltimore city's first director of planning.

The 37-year-old educator and planner accepted the appointment of the planning commission yesterday after the Board of Estimates had increased the salary from $7,500 a year to $9,000.

A week ago, Thomas F. Hubbard, chairman of the planning commission, informed the board that neither Mr. McVoy nor any of the other qualified men interviewed for the job could be obtained at the lower figure which is prescribed by the City Charter.

City Charter Quoted

Yesterday Thomas N. Biddison, city solicitor, advised the Board of Estimates that it had the authority to raise the salary of the director despite the provision in the creating section that he would be paid $7,500 a year.

He based his opinion on another section of the Charter, which says, in part:

"Except in cases of promotions, the salary or compensation of no officer or employee of the city shall be increased beyond that set forth in the Ordinance of Estimates unless the increase be approved by the Board of Estimates upon the recommendation of the head of the agency concerned, and funds therefore are available in the appropriation allotted in that ordinance for the agency in question."

Salary Funds Available

The funds for increasing the director's salary are available in the unexpended salary balances of the Department of Planning.

The Charter provision creating the office of director of planning has been in effect since last May. An appropriation was made for the post in the budget which became effective last January. Meanwhile, several applicants and potential appointees were interviewed by a committee of the planning commission.

The Charter states that the director shall be "a person who, by education, experience and professional qualifications, shall be most qualified to advance the development and planning of Baltimore city."

Studied In Europe

Mr. McVoy has a bachelor's and a master's degree in architecture from the University of Florida. He studied under a Langley scholarship of the American Institute of Architects, and also at Cranbrook Academy in Michigan under Eliel Saarinen, internationally known city planner. He had a Cranbrook foundation scholarship in 1938.

In 1939, he studied city planning in Sweden, Finland, Denmark, Germany, France and Holland.

He was chief designer in the office of the architect of the Florida State Board of Control from 1935 to 1937, and was assistant city planner of Buffalo, in 1940 and 1941.

Mr. McVoy was planning technician with the National Resources Planning Board in 1942. In that capacity he made a pilot study for an accelerated method of planning and developed plans for Tacoma, Washington.

He developed master plans and zoning ordinance for Daytona Beach, Fla.; Corvallis, Ore.; Dallas, Ore., and Ocala, Fla.

He was a consultant on campus planning for the University of Florida and he developed the campus plan for New Jacksonville Junior College.

Has Written On City Planning

At the present time he is working on metropolitan area plans for the region adjacent to Ocala.

His assistant professorship at M.I.T. is in city planning, and he lectures on the same subject at Harvard.

He collaborated on the book "Action for Cities," published by the Public Administration Service, and he is author of "Our Master Plan — Daytona Beach," besides several magazine articles.

The appointee is a member of the American Institute of Planners, the American Society of Planning Officials, the American Institute of Architects.

Mr. and Mrs. McVoy have two children.