# City Solicitor's Office Settles Hundreds Of Cases

## Russell, city's top legal officer, reviews the year

Baltimore City, sixth largest municipality in the nation, has as its top legal officer and highest-ranking black official City Solicitor George L. Russell Jr.

Russell was appointed in 1968 by former Mayor Thomas J. D'Alesandro III, and has just released to Mayor Schaefer his fifth annual report of his many and varied activities.

During 1972, Russell's office, which has 131 employees, settled over 170 cases on the city's behalf, and helped prepare opinions for city agencies, drew up General Assembly bills, City Council ordinances, contracts and several categories of legal cases.

### FIVE WEEK CASE

The office spent more than five weeks, said Russell, in a Federal Civil Rights Act case, "Jackson vs. Schoonfield."

"The U.S. Fourth Circuit Court of Appeals affirmed the ruling of the U.S. District Court dismissing the complaint filed by an inmate of the Baltimore City Jail in which he alleged loss of property and damages."

One of his chief 1972 concerns was in handling the legal aspects of the firing of former City Jail Warden Hiram L. Schoonfield, and he was responsible in addition for giving Baltimore "broad authority" in the sale of its revenue bonds.

According to the 18-page report, "The bonds may be issued without the time-consuming process of obtaining approval of the General Assembly and the voters," enabling the city to sell more bonds quicker.

### WASTE PLANT

In addition, Russell's office aided the city government in building a new pyrolysis solid waste disposal plant.

"In order to obtain the required state and Federal grants to assist in the construction of this system, it was necessary for the city to designate one entrepreneur who had developed such a new technology.

"To do this it was literally impossible for the city to comply with the stringent competitive bidding requirements of its charter.

"This office conceived a legal theory justifying an exception to the requirements and the theory was, in fact, adopted by the courts.

"As a result, the city may now move forward with a new technology which may aid in the solution of its critical solid waste problems."

### MORE REVENUE

Under Solicitor Russell's direction, the city acquired an additional revenue source, as the value of air space came to be included in the assessment value of land.

The solution of this problem, Russell reported to the mayor, enabled Baltimore City to build a new school over top of a shopping center at lot 12 of the Madison Park North Urban Renewal Project.

### OTHER ACTIONS

Besides all these undertakings, the city solicitor's department aided in countless property condemnation actions, about which Russell reported to the mayor:

"This is particularly noteworthy when one considers that the Law Department is the last agency in the pipeline of acquisition with the result that often the property is referred to us for condemnation at a time when the acquisition deadline has almost arrrived."

Legal services were furnished to the General Assembly in Annapolis last year for the 90-day session in the form of two assistants, and department representatives were present at all city employee labor negotiations, as well as being associated with the Neighborhood Development Program of the Department of Housing and Community Development.

Following are excerpts from the report detailing the different divisions of the City Solicitor's office:

### WORKMEN'S COMPENSATION DIVISION

"Claims filed by city employees for compensation benefits, evaluated and processed by this office, 937;

"Total number of hearings scheduled by the Workmen's Compensation Commission in 1972, 1123;

"(These include resolutions of accidental injury; causal relationship of injury claimed; petitions to reopen claims, and hearings on permanent partial disability claims).

"Of the total number of hearings scheduled, approximately 850 were heard on the issues filed.

"Claims pending before the commission on questions of accidental injury, permanent partial disability, etc., 439;

"Pending third party subrogation matters, 145;

Appeals filed from decision of Workmen's Compensation Commission, 31;

"Amount paid employees under awards for temporary total disability, $361,302.23;

"Amont paid employees under awards for permanent partial disability, permanent total etc., (including final settlements and death benefits), $867,551.04;

"Collections effected in third party claims, $16,816.06; (Includes subrogated medical expenses, compensation payments and property damage to city vehicles).

### COLLECTION DIVISION

"A separate division of our office is assigned the duty of collecting money owed the City of Baltimore.

"During the calendar year 1972, this division has collected $452,239.16 through its various means of collection.

"The following is a breakdown of collections: $10,930.57 tangible personal property taxes; $173,257.93 Maryland corporation taxes; $27,336.22 Baltimore City hospitals; $153,311.58 miscellaneous taxes; $37,402.86 hotel taxes; $452,239.16 total collections.

"Collections have been consummated through the legal device of supplementary proceedings and negotiation for payment and settlement of money owed the City of Baltimore.

"The following cases were filed during the year 1972: 2010 District Court of Maryland for Baltimore City, 6 Orphans Court of Baltimore City; 23 Receivership in Circuit Court of Baltimore City; 15 Bankruptcy, U.S. District Court; 184 Superior Court of Baltimore City; 14 District Court of Maryland for Baltimore City; 3 Orphans Court of Baltimore County.

"This division, manned by three assistant city solicitors, Joseph L. Woytowitz, Harry L. Chase, and Edward J. Kabara, has its office in Room 129, City Hall.

### YEARLY REPORT

Yearly report of real estate division department of law: Jan. 1, to Dec. 31, 1972:

"During the current year, 59 files were assigned to this Division; the processing of which included the following:

"Condemnation, Preparation and filing of 273 petitions for condemnation and 119 quick take petitions and rights of entry.

"Tax sales, Acquisition by foreclosure of 1,182 properties purchased by city at tax sale.

"Settlements, (a) Review of title reports and 2,267 settlements for property purchased by city; (b) 312 settlements for property sold by city.

"Leases, Preparation of 43 leases for rental of space by the city.

"Ordinances, Preparation of 40 ordinances relating to real estate.

Legal instruments, Preparation and/or review and approval of 3,150 legal documents as to form and legal sufficiency.

### CBI

Central Bureau of Investigation, 1972 Annual report:

"The Central Bureau of Investigation has the duty under Ordinance No. 885 (1942-1943) to investigate any and all claims made against the mayor and City Council of Baltimore; all claims that the City of Baltimore may have against others; all injuries sustained by city employees in line of duty; and, at the direction of the city solicitor, conduct investigations of whatsoever kind and character.

"In accordance with said Ordinance, every department, board, bureau and division of the municipality, and each and every employee therein, has been notified to submit to this office knowledge or existence of any claim against the mayor and City Council, or any damage to city-owned property caused by others.

"A member of this bureau is on duty 24 hours a day, each and every day, in order to receive such information and take necessary action.

GEORGE L. RUSSELL JR.
Baltimore City Solicitor.

"During the calendar year 1972, the Central Bureau of Investigation processed 13,784 matters of various types, classified as follow:

"Suits and Claims, 790;

Claims under Ordinance No. 343 (Abandoned Vehicles), 72;

Claims under Ordinance No. 885 (Fire/Police Pensioners), 85;

Claims under Ordinance No. 1126 (Good Samaritan Act), 2;

Employees' accidental injuries investigations, 1,293;

Pension Investigations, 299;

Quiet Investigations, 16;

Special investigations, 66;

City property damage investigations, 116;

Employees' accidental injuries reported (not investigated), 4,000;

Supplemental reports, 170;

Traffic accident reports, 1,369;

General accidents, 1,956;

Billing instructions to bureau heads for damage to city property (no investigations made), 2,126;

Assets and credit reports, 2;

Claims settled, 86;

Claims denied, 565;

Claims withdrawn, not pressed, 51;

Claims Pending, 103;

Ordinance No, 885 claims approved, 78;

Ordinance No. 885 Claims disapproved, 7.

"The Central Bureau of Investigation is headed by Louis H. Diven, chief assistant solicitor, claims: with Earl I. McMillan and Jesse G. Klair the assistant claims managers.

### LEGAL STAFF

"The legal staff of the office consists of City Solicitor, George L. Russell Jr.; Deputy City Solicitor, Ambrose T. Hartman;

Chief Assistant Solicitor, Louise H. Diven, claims; William H. Marshall, opinions; Charles T. LeViness, contracts; Harrison M. Sandrock Jr., real estate; James R. Crook Jr., legislation;

Special Assistants: Richard M. Hartman, housing; Blanche G. Wahl, education and labor; James B. Murphy condemnation; Lloyd G. McAllister, real estate; A. Douglas Owens, city hospitals;

Assistant City Solicitors: Irvin A. Adler, Edward J. Kabara, James M. Aycock, Harold J. Kaufman, Stephen D. Baer, Gerald S. Klein and A. Thomas Beckman;

V. Stephen Lassolovitch, Carl Berenholtz, Kenneth E. Lee, Melvin S. Bernstein, Neil J. Lewis, Allan B. Blumberg, Raymond S. Lippens, Eskin T. Boden Jr. and Perry A. London;

Harry L. Chase, Julian R. Manelli, Michael J. Doozen, A. Gus Mastracci, J. Warren Eberhardt, James F. Matousek, Robert Edelson, Joseph S. Matricciani, Milton Ely, Jerome E. Michaelson;

Jack M. Fox, T. Thornton Murray, Charles Freeland, Harry K. Needle, Leslie S. Goldstein, Victor H. Savadow, Andrew J. Graham, Simon Schonfield, Bernard A. Greenberg and E. David Silverberg;

Henry I. Greenberg, Gerald A. Smith, John D. Hackett, Maurice J. Soypher, Dr. Duffy Herman, John N. Spector, William Hoffman, Mrs. Carol S. Sugar, William Hughes, Howard E. Wallin, Richard K. Jacobsen, John S. Wood, James E. Jones and Joseph L. Woytowitz;

Central Bureau of Investigation: Assistant Claim's Managers; Earl I. McMillan and Jesse G. Klair.

## Office statistics show heavy caseload

Non-litigation matters, statistical summary, 1972:

Official opinions, of the Cty Solicitor to various officials and departments, 76:

Informal opinions, to officials and departments, 59;

Preparation of bills, for introduction to the General Assembly, 36;

Preparation of ordinances, for introduction to the City Council, 124;

* * *

Special contracts, negotiation and preparation, 119;

Contract documents legal sufficiency thereof, examination of all city contracts, bonds, insurance policies, purchase orders, leases, deeds, etc., 9,683;

Ordinances passed by City Council, approved for mayor's signature, 241;

Police evaluation summaries, matters handled by this office in connection with the Police Complaint Evaluation Board, 142;

* * *

Litigation division, statistical summary, for 1972:

Cases open, 4,748;

Cases instituted:

City was Plaintiff in, 365;

City was Defendant in, 297;

Civil Service hearings, 40;

Miscellaneous: a. Ex Parte (Guardianship — no contest), 62; b. Traffic court, 84; Escheat, 13;

Total: 861.

* * *

Nature of these cases:

Condemnation by city, 284;

Tort, 126;

Civil Service Hearings, 40;

Traffic cases involving City Property, 84;

Guardianship, 62;

Mandamus, Third Party Workmen's Compensation cases, injunction, escheat and other, 265;

Total: 861;

* * *

Contraband Cases: (Monies seized from persons engaged in gambling, narcotics, etc.): Number of cases initiated by city, 50;

Number of cases defended by city, 13;

Amount Forfeited to City, $5,292.66.

Cases concluded: cases tried in Court of Appeals and Court of Special Appeals:

Won, 5; lost, 4; (Pending — 3).

* * *

Condemnation Cases: Number of condemnation cases tried, 100;

Average highest appraisal of city, Fee simple, $766,651.39;

Leasehold, 236,218.21;

Ground Rent, 15,404.00;

Average authorized acquisition price: Fee Simple, 767,032.39;

Leasehold, 236,064.75;

Ground Rent, 16,418.00;

* * *

Average Award: Fee Simple, 919,707.39;

Leasehold, 258,206.15;

Ground Rent, 16,521.00;

Number of cases settled: 178

Average highest appraisal of city, Fee Simple, $1,457,990.00;

Leasehold, 82,068.50;

Ground Rent, 71,410.33;

Average authorized acquisition price: Fee Simple, 1,457,990.00;

Leasehold, 81,348.40;

Ground Rent, 71,509.50;

Average Settlement: Fee Simple, 1,459,990.00;

Leasehold, 81,348.40;

Ground Rent, 71,710.00;

* * *

Cases in which City was Defendant: Tort (number of cases), 108:

Amount paid by judgment, $374.02;

Amount paid by settlement, (where liability was in issue and exposure to a large verdict was great);

Personal injury cases, 36, $22,105.00;

Property damage cases, 13, 8,407.00;

* * *

Contract (number of cases), 4;

Amount paid by judgment, 0;

Amount paid by settlement, 2,000;

Zoning: Zoning Board sustained, 14;

Zoning Board overruled, 4;

Zoning Board remanded, 2.

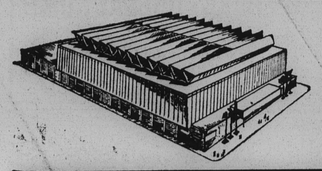
* * *

Cases in which City was Plaintiff (other than Condemnation), 11;

Amount received by judgment, $4,089.31;

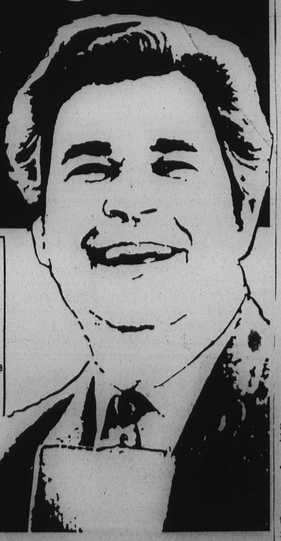
Amount received by settlement 11,300.00.

Central Bureau of Investigation: Assistant Claim's Managers; Earl I. McMillan and Jesse G. Klair.

IN PERSON AT THE...
Baltimore Civic Center

"The Chaplain of Bourbon Street"
bob harrington
greater balto. crusade
MAY 13-20
SUNDAYS 3 P.M., NIGHTLY 8 P.M.



Bob Harrington on the go in Baltimore...
SAT., MAY 12 - 8 P.M. HAMPSTEAD YOUTH FOR CHRIST
SUN., MAY 13 - 8 A.M. & 10:30 A.M. PERRY HALL BAPTIST CHURCH; 7:45 P.M. - ARLINGTON BAPTIST CHURCH
TUES., MAY 15 - 9 A.M. WIZ T.V.-LARRY ANGEL SHOW
FRI., MAY 18 - 7:30 A.M. MAYOR'S PRAYER BREAKFAST LORD BALTIMORE HOTEL (TICKETS REQUIRED)
SUN., MAY 20 - 9:30 A.M. GRACE UNITED METHODIST

Volunteers For Crusade contact the following counselors....
COUNSELOR CHAIRMAN REV. JAMES OSBORN - 252-0409
CHOIR DIRECTOR JIM MAURER - 668-3184
USHER CHAIRMAN HAROLD WARRINGTON - 768-4358
ADVERTISING & PUBLICITY-CHAIRMAN CHUCK SERIO - 752-2181
Bob Harrington's Car Furnished by... MONARCH LINCOLN MERCURY

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## MTA adds McMahon lines in county

Public transit in northern Baltimore County took on a new look, Monday, April 30, as the Mass Transit Administration begins operating the McMahon Transportation Company system.

The MTA recently acquired portions of the McMahon Company and will now provide transit service in Towson, Cockeysville, Lutherville, Timonium, Carney, Overlea, Perry Hall, Kingsville and other areas of the County.

According to Joseph V. Garvey, resident manager of the MTA, the take over will not affect existing routes and schedules in the McMahon system.

* * *

He said the MTA will maintain the identical service currently employed by McMahon so that county residents and commuters will not experience any disruptions in the transit schedules on which they now rely.

While the MTA plans no immediate revisions of McMahon routes or schedules, there will be some immediate changes in the fare structure of the system. This could lead to a reduction in fares for many McMahon patrons.

Basic MTA fare of 30 cents for adults and 15 cests for children will be put into effect and the current number of fare zones will be reduced to conform more closely with the MTA's structure.

Many zone fares will be reduced.

* * *

At president, the trip into downtown Baltimore from Kingsville is $1 aboard the McMahon bus. Beginning Monday, MTA patrons will make the same trip for 60 cents.

Likewise, transit from Hunt Valley will be reduced from $1 to 70 cents. Transit patrons should experience similar fare reductions throughout the system.

McMahon service not affected by the MTA takeover will be the Express service from downtown Baltimore and Bel ir, plus local service between Perry Hall and and Bel Air. McMahon will continue to operate these routes.

## Steel band to perform

A steel band from the Virgin Islands will perform May 16, 6:30 to 7:30 p.m., at the Pimlico Community Junior High School, 3500 W. Northern Parkway.

This activity is sponsored by the Holiday Inn downtown as part of the Preakness Festival.

There is no admission.

ORATORICAL CONTEST — Miss Stephanie Carr, 8th grade, and Raymond Morris, 8th grade, are shown speaking in this year's Isaiah E. White Oratorical Contest at Gwynns Falls Junior High School. Raymond won the 2nd place trophy. 1st place went to Miss Patricia Lee, 7th grade, and 3rd place went to Miss Brenda Eure, 9th grade. Miss Carr and 11 others also won medals for their fine efforts. The contest is named after the school's principal, Isaiah White.
(AFRO staff photo by S. Ponemone)


SUPPLEMENT TO THE AFRO AMERICAN SATURDAY, MAY 12, 1973

The Greatest Sale in Baltimore

MOST ITEMS REDUCED, PLUS MANY SPECIAL BUYS AND SOME ITEMS AT WARDS EVERYDAY LOW PRICES

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HURRY IN! REDUCED PRICES IN EFFECT THROUGH SATURDAY, MAY 12th

SPECIAL BUY! NUMERAL T-SHIRTS AT A GREAT PRICE!
Machine washable Kodel polyester-cotton. S, M, L, XL. Hurry in now! 4 FOR $5
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SAVE $2.11! COOL STRIPPING SANDAL IN WHITE
Dainty straps across the foot with shiny studs down the center. White. 4.88 Reg. $6.99
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SAVE 35% WHITE VINYL HANDBAGS
White handbags in assorted styles. Ideal gift for Mom! 3.88 Reg. $6.00
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SAVE $3.03! SUPER LOW PRICE ON LEISURE-SHIFTS MOM WILL LOVE
3.97
Reg. $7.00
Kodel polyester/cotton. Solids, pert prints. Misses' sizes 10 to 20. No ironing!
WOMEN'S 40-50, Reg. $8.00 4.97
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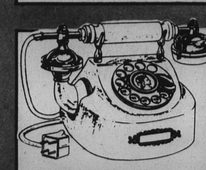

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Moveable louvers let you adjust light and ventilation. Perk up any window. Ready to paint, antique, stain. Drapery
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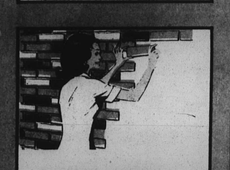

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Use indoors or out. Carton of 32 covers 8 sq. ft. Made from fireproof vermiculite. 6.88 Reg. $10.95
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SPECIAL BUY! 6-QT. ELECTRIC ICE CREAM FREEZER, SCOOP
Make your own delicious ice cream! Black poly liner resists leakage. 19.88
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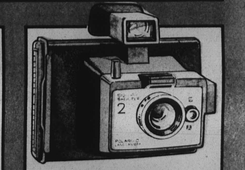

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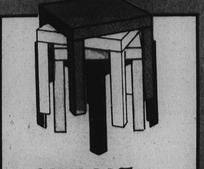

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Laundry tub of non-porous material. Includes the stand and drain. 19.88 Reg. $22.19
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Includes 9-inch roller, frame, metal tray. Shop at Wards today! 77¢

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GLEN BURNIE 761-6000 Glen Burnie Mall Monday-Saturday, 9:30-9:30 p.m.
TOWSON 828-9600 Eudewood-Shopping-Plaza Mon.-Fri.-10-9:30 p.m. Sat., 9:30-9:30 p.m.
CATONSVILLE 744-7110 Rt. 40 W at Rolling Road Mon.-Sat., 9:30-9:30 p.m.
BEL AIR 838-2500 658 Belair Road Mon.-Fri.-10-9 p.m. Sat., 9:30-9:30 p.m.
ANNAPOLIS 267-8100 Annapolis Mall Shopping Ctr. 200 Defense Highway Mon.-Sat., 9:30-9:30 p.m.
ESSEX 687-9300 Middlesex Shopping Center Mon.-Sat., 9:30-9 p.m.
ELLICOTT CITY 465-6750 Rt. 40 W at Rt. 29 Mon., Thurs., Fri.-10-9 p.m. Tues., Wed., Sat., 10-6 p.m.