

LEE CASE TO APPEALS COURT

Shortly after the Governor issued this order an announcement was made in Cambridge, Md., that the records in the case of Lee, which was to have come up in the Circuit Court there Tuesday, had been sent to the Court of Appeals.

The announcement followed a conference of the judges of the First Judicial circuit, of which John R. Pattison is chief judge. J. Fred Dunn, clerk of the court at Cambridge, was instructed to have Sheriff Lee Bradshaw inform the jurors who served during the recent term of court not to return Tuesday morning, as they had been instructed by Judge Joseph L. Bailey Friday when they were dismissed.

The action of the judges is in accord with petitions filed in the First Judicial district by Mr. Ades, International Labor Defense League attorney. Mr. Ades, after the judges had granted a change in venue of the trial from Snow Hill, Worcester county, to Cambridge, in Dorchester county, forwarded petitions requesting that all records in the case be sent to the Court of Appeals for review. He has asked that the Negro be tried in Baltimore.

WILL POSTPONE TRIAL OF CASE

The fact that several members of the Court of Appeals are scheduled to sit at trials in their own circuits this week was expected to result in postponement of any consideration of the Lee case until early next week at least. Attorneys explained that the case will not be taken up by the Court of Appeals until the records are on file there and that action then will await the request of the defense or prosecution, or both, for an early hearing.

The only question the court will have to act on, it was said, is whether or not the judges of the First Judicial Circuit acted within their discretion in refusing to transfer the trial to some point away from the Eastern Shore. The procedure, attorneys said, is for the Appeals Court to hear arguments by defense and prosecution as well as to examine the records in the case. The

hearings usually are brief, it was said. While the case is before the higher court for review no trial can be held.

Judge Pattison said the move of the judges was mandatory, in view of the filing of Mr. Ades' petitions, and that it would have been made even if there had been no lynching.

Text Of Governor's Statement

Governor Ritchie's statement, issued before he left Baltimore at 6.50 P. M. for Chicago, follows:

"The crime of this Negro Williams was a shocking thing, but he should have paid the penalty for it through the established legal machinery. The action of the mob in lynching him must bring the blush of shame to every law-abiding Marylander, whether on or off the Eastern Shore.

"The duty of ascertaining the perpetrators and punishing them rests on the authorities of Wicomico county, the State's Attorney, the grand jury and the Circuit Court. State's Attorney (Levin C.) Bailey is quoted this afternoon as saying that he plans 'to prosecute the case vigorously, stopping not