

The President presented the following :

ANNAPOLIS, March 4, 1892.

*To the Honorable,*

*the Senate of Maryland :*

GENTLEMEN: I received yesterday a copy of an order passed by your Honorable Body on February 26th, ult., asking my opinion upon the following question, viz :

“Can the present Session of the General Assembly constitutionally enact any law under the provisions of the amendment of section 1, of Article 7, of the Constitution, prescribing for any of those County Commissioners who were elected in November last, terms of service which shall continue beyond the period of two years?”

This question was accompanied by a copy of the report of your Committee on Judicial Proceedings, submitted on the 26th day of February, ult., in which the opinion is clearly and strongly stated that the General Assembly, at its present session, not only have the power, but that it is their duty to carry into effect the recent Constitutional Amendment, by defining and limiting the terms of office of the County Commissioners elected in November last, not to exceed in any case the period of six years.

In this opinion I entirely concur.

When the Constitutional Amendment was adopted, it displaced and superceded the pre-existing section; and as by its terms it embraced the County Commissioners elected on the same day upon which it was adopted, it necessarily repealed the limitation of two years for which, prior to its adoption, County Commissioners were elected, and left the County Commissioners elected last November without any definite and prescribed tenure. But it manifestly contemplated and its framers and the people who adopted it, expected that *this General Assembly* would, by appropriate legislation, define and limit their terms of office and thus make definite and specific that which it purposely left to be “prescribed by law.”

If this General Assembly should adjourn without enacting a law fixing the tenure of the County Com-