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OPINION OF THE ATTORNEY GENERAL

The members of the Hall of Records Commission will recall that after long study it was decided that transfer of county records to the Hall of Records should be made mandatory in the case of those records created before April 28, 1788. A bill providing for such mandatory transfers was prepared and a hearing held before the Legislative Council. The bill was introduced in the General Assembly of 1945 and after full consideration was passed (Acts 1945, Chapter 248).

A large proportion of the county records transferred to the Hall of Records between June 1, 1945 and April 1948 were sent here as a result of this Act, and it was, therefore, a serious problem for us when the Act was challenged. Fortunately, the Attorney General held that the Act was mandatory and not directory. Because of its importance to us and also because the opinions of the Attorney General have not