

yet been published for the last fiscal year, I have thought it useful to print it here for your information.

May 17, 1948

MRS. FLORENCE E. DRYDEN
REGISTER OF WILLS FOR SOMERSET COUNTY
Princess Anne, Maryland

Dear Mrs. Dryden:

We have your letter in which you have asked us if the provisions of Section 126A of Article 41 of the Code, 1947 Supplement, are mandatory or directory. This Section, which was enacted by Chapter 248 of the Acts of 1945, added a new Section to the sub-title "Hall of Records Commission."

The Hall of Records Commission was created by Chapter 18 of the Acts of 1935. Section 87E of that Act provided:

"Every State, county, city, town or other public official in the State in custody of public records or documents is hereby authorized and empowered, in his discretion, to turn over to the Commission and deposit for preservation any original papers, official books, records, documents, files, newspapers, printed books, or portraits, not in current use in his office, and when so surrendered, and accepted by the Commission, copies may be made and certified under the seal of the Commission upon application of any person, which certification shall have the same force and effect as if made by the officer originally in charge of same, and the Commission shall charge for such copies the same fees as such officer is allowed by law to charge, which fees shall be accounted for and paid into the State Treasury."

That Section, which appears in the Code as Section 127 of Article 41, was amended by Chapter 896 of the Acts of 1945 by the addition thereto of a provision for the photostatic or photographic reproduction of records deposited with the Commission. The Section, which is the subject of your inquiry, was enacted by Chapter 248 of the Acts of 1945, which added Section 126A to Article 41 of the Code, and is as follows:

"Papers, records and documents, now in the Court Houses of this State, which were made prior to April 28th, 1788, the date