

of the adoption of the Constitution of the United States by the State of Maryland, shall be transferred as soon as practicable after June 1, 1945 to the Hall of Records Commission, which is hereby made the official custodian of such papers, records and documents, with full power to certify the same as provided in Section 127. Every Clerk of Court, Register of Wills, or other public official, now having custody of said papers, records and documents, is hereby directed to transfer the same to said Hall of Records Commission and upon making such transfer, every such Clerk, Register of Wills or other official is hereby relieved from any duties or responsibilities in connection therewith."

It will be noted that the last mentioned Section provides that papers, records and documents in the Court Houses of the State made prior to the adoption of the Constitution of the United States by the State of Maryland "shall be transferred" to the Hall of Records Commission and that every Clerk of the Court, Register of Wills or other public officer in whose custody such documents are "is hereby directed to transfer" those records to the Hall of Records Commission. That portion of Section 127 which was enacted by Chapter 18 of the Acts of 1935 states that each public official who has custody of public records "is hereby authorized and empowered, in his discretion," to deposit those records with the Commission. The question for our decision is, therefore, whether Chapter 248 of the Acts of 1945 creates an imperative duty or whether it is merely permissive.

It is well settled in Maryland that whether a particular statute is mandatory or directory depends not upon its form but upon the intention of the General Assembly, and that the intention is to be ascertained from a consideration of the entire Act, its nature, its object and the consequences which would result from construing it one way or the other. Mere words do not control except insofar as the legislative intent may be gathered from them. *Bond v. Baltimore*, 118 Md. 159. The word "may" has been construed as mandatory and obligatory, leaving no margin within which there may be an exercise of discretion. *Sifford v. Morrison*, 63 Md. 14. See also *Board of Election Supervisors v. Welsh*, 179 Md. 270. Although in every case the legislative intent should control in determining whether a statute is mandatory or directory, there are, nevertheless, certain forms and types of statutes which generally are considered as mandatory. Unless the