

Shortly after the end of the fiscal year, the Attorney General again made a difficult decision for us. However, since the opinion had been asked before the end of the year and since it involves the business of the past year, it is included in this report. The circumstances are interesting. Several years ago, the Secretary to the Board of Medical Examiners (Homeopathic) died, and the records of the Board were left, informally, in the custody of a relative. After several years, during which time the Board did not function, the records, on the order of the Attorney General, were deposited at the Hall of Records, which has always acted as records custodian of defunct State agencies. Some months before the end of the fiscal year, a group of homeopathic physicians asked for the return of the records, advising us that it considered itself the legal successor to the previous Board. The Archivist asked the Attorney General whether he should accede to this request and was advised that he should not. The reasons for this decision are found in the opinion here below. How this problem will be resolved ultimately it is difficult to say. Perhaps this case will be settled by the courts or by the General Assembly; however, the Archivist feels that an extremely important issue has been raised: the Hall of Records Commission has authority to collect records, but not to return them. So far as I know, no other archival agency has its powers restricted in this fashion.

July 15, 1954

Dr. Morris L. Radoff
Archivist
Hall of Records
Annapolis, Maryland

Dear Dr. Radoff:

On June 10th you forwarded to us a photostatic copy of a letter addressed to you by Dr. Robert H. Reddick, bearing date of June 8th, informing you that the Maryland State Homeopathic Medical Society had been reactivated and a Board of Examiners appointed. Dr. Reddick requested that you turn over to him records now in your custody which were formerly the property of the Maryland State Board of the Homeopathic Medical Society and the Board of Homeopathic Medical Examiners of the State.

At the 1954 Session of the General Assembly, a Bill was introduced to amend the various Sections of the Medical Practice Act to delete therefrom all reference to Homeopathic Medicine.