

I would suggest that if you conclude to return these records to Dr. Reddick, as I am advising you that you may properly conclude, it would also be proper for you to take a receipt from Dr. Reddick in his official capacity, setting forth what books, records and other materials are being delivered to him.

I am sending a copy of this letter to Dr. Reddick.

HLW-h

Very truly yours,
HARRISON L. WINTER,
Deputy Attorney General.

cc: Dr. Robert H. Reddick.

The opinions which follow all have to do with the troublesome problem of substitution of microfilm for original records. I am including an opinion of October 31, 1955, which ably summarizes the whole problem, although this opinion is well beyond the final date of the fiscal year. Whether we shall ever extricate ourselves from this extremely hampering prohibition is uncertain, but we must now be finally convinced that we can do so only with the help of the General Assembly.

January 17, 1955

DR. MORRIS L. RADOFF
State Archivist
Hall of Records
Annapolis, Maryland

DEAR DR. RADOFF:

Your letter of January 5, 1955, wherein you ask if a microphotograph produced in accordance with the provisions of Section 157 of Article 41 of the Annotated Code of Maryland (1951 Ed.) is for the purpose of retention requirements considered to be a record, thereby permitting the disposal of the original document from which the microphotograph was made, is hereby acknowledged.

Section 154 of Article 41 of the Annotated Code of Maryland (1951 Ed.) states:

“Nothing in this section shall authorize the destruction of * * * (b) public records required by statute to be maintained permanently, * * *”

I understand that this question arose because Dr. Russell S.