

of such indexing of the records resulting from the current volume of business of his office. The total cost of the work of indexing said records as aforesaid, and the cost of the necessary books, racks, shelves, supplies, and equipment therefor, and the additions thereto made necessary from time to time by the current business of his office, shall be paid out of the excess fees of the office of the said Clerk of the Court."

It is our opinion that the statute expresses the will of the Legislature to be that you install a modern index system provided you have the approval of the Circuit Court for Cecil County. Since the Court has passed an Order, directing you to carry out the requirements as set out in the statute by the Legislature, we do not think that you are required to secure the approval of the Comptroller's office before making immediate expenditure. We believe that you should comply with the Court Order at your earliest convenience. This is one case where the Legislature has seen fit to direct an expenditure and certainly the Comptroller is not in a position to veto the legislative will.

Very truly yours,

STEDMAN PRESCOTT, JR.  
Deputy Attorney General

SP:Amr