

April 3, 1959

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

Dear Dr. Radoff:

We have your recent letter in which you ask whether the Hall of Records Commission is authorized to certify third-reader copies of Acts of the General Assembly of Maryland. You state that the applicant for certification of these documents is presenting his own personal copies to you with the request that you certify as to these copies after comparing them with the original engrossed Acts of Assembly within your official custody.

The Commission's power to certify public records and documents is set forth in Article 41, Section 177, Annotated Code of Maryland (1957 Ed.), which reads, in pertinent part, as follows:

"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, . . . ."

The basic import of this Section is to enable those needing certified copies of public records and documents to obtain them from the Commission after the deposit of the original by the proper custodian. The Section provides, with reference to such records and documents, that "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 . . . ." It is, of course, the authenticity of the record within the Commission's official custodianship which provides the essential foundation for its powers of certification. The Section contemplates, as the usual means for effectuating these powers, that the Commission will make and certify to copies but this is a permissive or directory provision only and is not intended to be operative as an exclusive means for the Commission's certification to the authenticity of documents.

It is our understanding from your letter that it is a printed copy of a third-reader, either a first or second edition, that eventually becomes the original engrossed and enrolled