

be published in one or more daily newspapers, which requirement has been in effect without change since 1826. Since the statute permits the party at whose expense the notice is published to select the paper to be used and expressly prohibits the judge or other official ordering the publication from naming the newspaper, the proposed amendment could prove to be a fertile source of fraud and oppression by enabling litigants to publish notices in newspapers which are of such limited circulation as not to afford any real notice by publication.

Aside from policy considerations, it would appear that House Bill No. 603 is unconstitutional in that its title does not comply with Article 3, Section 29 of the Constitution, which requires that the title of a law must indicate its subject matter.

For the above reasons, I am returning House Bill No. 603 without my approval.

Respectfully,

THEODORE R. MCKELDIN,

Governor

May 7, 1951

Hon. George W. Della  
President of the Senate  
State House  
Annapolis, Maryland

Dear Mr. President:

Senate Bill No. 287 is intended to regulate "going out of business sales". Undoubtedly, many unfair practices have occurred in the conduct of such sales at the expense of legitimate business. Responsible trade associations of Baltimore City attest to the necessity for some legislative control of the evils which have been experienced in such sales and which have been detrimental to the public interest. While I am in entire accord and sympathy with the purpose of the legislation, I do not feel that the Bill can be signed in its present form.

As originally introduced the Bill purported to be State-wide in its operation. It was thereafter amended to exclude 16 counties, and subsequently it was further amended so that as finally presented it would apply only in Baltimore City. The Attorney General advises that the act may be invalid as violative of the equal protection clause of the 14th Amendment of the United States Constitution, and Article 23 of the Declaration of Rights of Maryland. The situation is analogous to that presented by Senate Bill No. 269, regulating sand and gravel excavation in two counties of the State and which I have also vetoed today for the same reasons.