

subsequently its corporate existence has not been derived from Legislative Acts.

Since 1904 the Trustees have received in trust by will or declaration of trust funds aggregating approximately \$1,800,000. for certain objectives with respect to the Baltimore Schools of the University of Maryland specifically set forth in the instruments creating the trusts and for no other purposes. There are twenty-six such funds received in trust and the income therefrom has been devoted to the objectives defined in the trust instruments, i.e. scholarships, research in medicine, purchase of equipment, etc.

The Trustees include Albert Burns, Judge William P. Cole, Dr. Charles Reed Edwards, Horace E. Flack, Robertson Griswold, Dr. Arthur M. Shipley and Judge W. Conwell Smith. These independent trustees, who are unpaid, have been handling these funds for nearly half a century in a fiduciary capacity.

The provisions of House Bill No. 701 are designed to replace this independent Board of Trustees by the Regents of the University of Maryland. Such a transfer to the Regents of the University of Maryland would defeat the purposes for which these trusts were explicitly created and frustrate the purpose of the donors in making the bequests and gifts to the Trustees of the Endowment Fund to be held in trust for specific purposes. In addition, I believe that under the circumstances the constitutionality of the Bill is extremely questionable. Accordingly, I am returning this Bill without my approval.

Respectfully,

THEODORE R. MCKELDIN,  
Governor

VETERANS

May 7, 1951

Hon. John C. Luber  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland

Dear Mr. Speaker:

I requested the Hon. Hall Hammond, the Attorney General to advise me as to the legal form and sufficiency of House Bill 545, and he commented as follows:

"It is my opinion that House Bill 545, which provides that the State shall guarantee certain loans made to paraplegic veterans, is invalid under Section 34 of Article 3 of the Maryland Constitution. You will recall that Section 34 provides