

the tidal waters of this State is desirable during the designated hours, it should apply equally to all of the waters, rather than in a restricted area established with no discernible basis in fact, so far as I am informed.

Furthermore, it is my understanding that commercial fishing of this type is not practiced on Sunday, so that the only effect of the Bill would be to eliminate haul seining in a limited area on Saturday of each week. The probable effect of this limitation would be to intensify the amount of haul seining undertaken on the days permitted under the Bill.

So far as I know, the Bill is a completely new departure in legislation of this kind. If it is desirable to restrict haul seining, a non-discriminatory basis of prohibition with a time limitation which will actually accomplish the purpose should be explored.

In view of the foregoing, I am vetoing the Bill in its present form.

Respectfully,

(s) THEODORE R. MCKELDIN,

TRMcK/tk

Governor

HOUSE BILL NO. 312

May 5, 1953

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

Dear Mr. Speaker:

I am returning herewith House Bill No. 312 without my approval. A major provision of this Bill is the prohibition of the practice of chiropody in a commercial establishment, except for those establishments which employed Chiropodists prior to June 1, 1953. By the terms of the Bill, not only are such places permitted to continue employment of Chiropodists, but are also authorized to employ them in any new branch businesses. These rights are denied all other commercial establishments.

I am advised by the Attorney General that the prohibition of the practice of chiropody in commercial establishments is unconstitutional under the decision of the Court of Appeals in *Dvorine v. Castelberg*, 170 Md. 661. Moreover, the highly discriminatory provisions of this Bill rest on no possible