

one instance, especially when it would extend a special privilege to a single citizen of the State, which is uniformly denied to all others. State officials who have participated in the consideration of this claim are unanimous in their opinion that as a matter of policy and without causing the slightest degree of unfairness or inequity, House Bill 301 should be vetoed, which I have accordingly done today.

Respectfully,

(s) THEODORE R. MCKELDIN,
Governor

TRMcK/A

House Bill No. 340—Dorchester County Commissioners

AN ACT to repeal and re-enact, with amendments, Sections 3 (a) and (b) of Article 25 of the Annotated Code of Maryland (1951 Edition), title "County Commissioners", sub-title "General Provisions", relating to the power of the County Commissioners of Dorchester County to acquire and sell real or leasehold property and erect buildings thereon.

May 9, 1955

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

Dear Mr. Speaker:

I am returning House Bill 340 without my approval. The title of this bill indicates that it is an amendment of Sections 3 (a) and 3 (b) of Article 25 of the Annotated Code of Maryland (1951 Edition), relating *solely* to the power of the County Commissioners of Dorchester County to acquire and sell property. Actually, the bill accomplishes a much more drastic change, which I am sure was not contemplated. The existing Section 3 (a) of Article 25, provides that the County Commissioners of each County, excluding certain specifically named counties, shall have the powers set forth in Section 3 (b). Section 3 (b) *now* provides for property acquisition by County Commissioners by purchase *or condemnation*. House Bill 340 seeks to add the County Commissioners of Dorchester County to the list of counties in which Section 3 (b) is applicable, *but totally eliminates the power of condemnation*. This deletion of the right of eminent domain is *not* restricted to the County Commissioners of Dorchester County alone. The power would *also* be withdrawn from the County Commissioners of other counties, which now possess it under the existing law, although such a purpose is not remotely indicated by the title of the bill.

Failure of the title to indicate the full scope of the change effected is clearly misleading in this instance, and thus contravenes constitutional requirements. This apparent invalidity, if judicially determined, would preserve to the affected counties their existing con-