

While we have in no way based our recommendations on this factor, we urge that the General Assembly in any further consideration of the Interstate Agreement on Detainers (which I sincerely hope they will undertake and act upon favorably), pay further attention to that portion of Article III (§616D of Senate Bill 5) which states that after a prisoner requests trial "he shall be brought to trial within one hundred eighty days *after he shall have caused to be delivered* to the prosecuting officer and the appropriate court of the prosecuting officer's jurisdiction written notice of his place of imprisonment and his request for a final disposition to be made of the indictment, information or complaint * * *". Since the Bill elsewhere provides for delivery through the warden of the institution where the prisoner is confined, we find some ambiguity in the emphasized words. If the warden in another state does not, through inadvertence or otherwise, act upon a request by a prisoner to be tried in Maryland, the prosecution in Maryland might be terminated through no fault of and for reasons completely beyond the control of any prosecuting official of this State. We cannot believe that the General Assembly intended such a result, and we think that the matter should be clarified.

We therefore recommend that you withhold approval of Senate Bill 5, but further recommend that you urge passage of the Interstate Agreement on Detainers in proper form as promptly as possible.

Very truly yours,

THOMAS B. FINAN,
Attorney General.

Senate Bill No. 6—Intrastate Detainers

AN ACT to add new Section 616A to Article 27 of the Annotated Code of Maryland (1957 Edition and 1963 Supplement), title "Crimes and Punishments," to be under the new subtitle "Detainers," and new subheading "Intrastate Detainers," to follow immediately after Section 616 thereof, to provide for the disposition of and to authorize the processing of detainers based on untried indictments of the City of Baltimore or any county of the State against persons incarcerated in State correctional institutions or facilities, and relating generally thereto.

April 7, 1964.

Honorable William S. James
President of the Senate
State House
Annapolis, Maryland

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I am returning to you herewith Senate Bill No. 6 which has been vetoed by me today.

The bill would add a new section to Article 27 of the Annotated Code of Maryland, title "Crimes and Punishments," such section to