

J. MILLARD TAWES, Governor

1451

May 6, 1966.

Honorable Marvin Mandel
Speaker of the House of Delegates
State House
Annapolis, Maryland

Dear Mr. Speaker:

I have today vetoed House Bill 424 and, in accordance with the provisions of Article 2, Section 17 of the Maryland Constitution, I am returning the same to you along with my message concerning this action.

On April 18 of this year, I received a letter from the Attorney General, a copy of which is attached and to be considered a part of this message, in which he recommended that this measure be vetoed. It was my feeling that because of the language of the Attorney General's letter, the bill should not be signed into law.

With kindest regards, I am

Sincerely yours,

(s) J. MILLARD TAWES,

Governor.

Letter from State Law Department on H. B. 424

April 18, 1966.

Honorable J. Millard Tawes
Governor of Maryland
State House
Annapolis, Maryland 21404

Re: House Bill 424

Dear Governor Tawes:

Under the provisions of the above-captioned bill the Orphans' Court for Harford County would be abolished in 1970 (at the end of the term of the judges elected in the general election of 1966) and the jurisdiction of the Orphans' Court for Harford County would thereafter be exercised by one of the circuit court judges.

Standing alone, this provision would be unconstitutional inasmuch as orphans' courts are specifically provided for in Section 40 of Article IV of the Constitution. However, anticipating this objection, Section 3 of House Bill 424 specifically provides that it shall take effect contingent upon and contemporaneous with House Bill 14, which proposed an enabling constitutional amendment to permit the transfer of orphans' court jurisdiction to the circuit court and to abolish the orphans' court in any county. House Bill 14 was not passed by the legislature and, therefore, by its own terms House Bill 424 will not be able to go into effect. In order to avoid any possibility that the bill might be printed in the Code and pos-