

Mr. John J. Ghinger, City Treasurer (cont'd)

It will be recalled that the City's Loan Program (of which these two enabling acts were a part) was not acted on until late in the session. Both the Library and the Stadium enabling acts were approved by the Governor on March 10, 1947. It was the desire of all concerned to have a vote of the people at the municipal election, which was to be held on May 6, 1947. The ordinances for the submission of the loans could not be introduced in the City Council before the Governor had approved the enabling acts. The ordinances were, however, prepared in advance, leaving the Chapter numbers blank, and they were introduced in the City Council and given their first reading on March 10, 1947, the very day on which the Governor signed the enabling acts. In the course of the passage of the ordinances through the City Council the blanks were filled in and the inadvertent transposition of the Chapter numbers occurred.

In arriving at my conclusion that the error does not affect the validity of the two issues involved, I have borne in mind the fact that both ordinances were advertised, as required by law, in full. While the references to the Chapter numbers of the two enabling acts were erroneous, the full ordinances, not only the titles, but the entire text, were also advertised, so that there was in fact no possibility of any voter being misled. It is, of course, well understood that voters do not particularly observe the reference to the Chapter number of the enabling act, but identify the ordinance of submission and its subject matter by the entire advertisement, which appears in the newspapers several times before the election, and by the title, the substance of which is printed on the ballot. The titles clearly showed that what was submitted to the voters was a Stadium Loan for \$2,500,000 and a Library Loan for \$1,500,000. Both the loans were passed by substantial majorities. There is no basis for any apprehension that the voters misunderstood the questions submitted or were misled into voting for either measure by reason of the incorrect reference to the Chapter number of the enabling act. The presumption of law is to the contrary. (See Danty v. Baltimore, 155, Md. 125).

In appraising the irregularity in the designation of the enabling act it should be pointed out that the number is no part of the law as it is enacted, but is only something supplied by the Secretary of State after its enactment for convenience only.