

1 Under those circumstances, is there any
2 objection to merely incorporating by reference in this
3 constitution and continuing in effect the provisions
4 of Section 38, Article III of the Constitution of 1867?

5 THE CHAIRMAN: Delegate Gallagher.

6 DELEGATE GALLAGHER: You mean Article 48?

7 DELEGATE SCANLAN: Article 48 -- forgive me.

8 DELEGATE GALLAGHER: I would say there would
9 be this -- if no one examines the acts of the General
10 Assembly from 1851 back, then you don't know what
11 corporations were created which might possibly enjoy
12 some special benefit, be it a tax exemption or something
13 otherwise.

14 In the absence of knowledge in this field, I
15 would not be disposed to suggest removing the catch-all
16 in its entirety, because there may well be other corporations
17 which have been non-operating but whose charters are still
18 alive which could become very valuable under those circum-
19 stances, and I believe, therefore, that I wouldn't be
20 satisfied with having the B&O capitulate, so to speak.
21 I think we ought to keep it alive for whatever other