

individual appointed to the board by a General Assembly. They could appoint the president of the Senate if they wanted to.

DELEGATE SHERBOW: They could not for other reasons, but the point is they could appoint you or me, but suppose they wanted to appoint the state treasurer. Suppose they believe the state treasurer is a man of extreme competence and a man of experience and a man of tremendous ability.

DELEGATE BOYCE: Suppose there is no state treasurer, who would they then appoint if they have no state treasurer? They are going to have to look for somebody with the competence and the ability that he has and I would say the State would be that much worse off and would be the loser because you then dissipated all the abilities, all the department work and all the talents and scattered and fractured it among a dozen or more executive departments. The State will have lost on it.

DELEGATE BOYCE: Would that be an appointee of the General Assembly or an appointee of the governor?

DELEGATE SHERBOW: If he has the office doing the work that the state treasurer is doing, he is an appointee of the governor. If he is named by the General Assembly as a third member of this board, he happens to be then a member of the board appointed by the General Assembly.

If he happens to be the same person, you just cannot do it under your section 4.23.

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: I am resisting the effort to get into this debate but I think I agree with a note that has just been handed me which cites a quotation by Mark Twain which says, "The more you explain it the more I do not understand it." I will therefore yield to Delegate Robey.

DELEGATE ROBEY: We have heard a great deal of discussion about checking the record, and that I have done.

I would like to go back to the record of John Dennis. He was treasurer since 1916, and not 1920. There he also hath served without blemish. In 1922 there was news of a break between Governor Ritchie and his state treasurer, Dennis. Why? Because Mr. Dennis tried to amend the governor's reorganization bill in two areas and lost.

There was no secret at that time that Treasurer Dennis aspired to be governor. In 1926 Treasurer Dennis advocated Comptroller Gorde be the next governor, despite

the fact that Ritchie wanted him to be the comptroller. Treasurer Dennis took out an ad in the Sunday papers that had the title "Ritchie For U. S. Senator." This would have cleared the way for Comptroller Gorde.

In 1923 Delegate Child mentioned he could not recall any instance of the General Assembly trying to amend the constitution to take care of it, but Delegate Child, in the General Assembly, did try to take care of what they felt was an apparent conflict of interest by constitutional amendment in the spring of 1933. That was that the Constitution be amended to prohibit the officials of banks and trust companies from holding the office. It is interesting to note that Treasurer Dennis did not intend to resign as treasurer because he was the head of a large banking company in Baltimore.

This was April 1, 1933. One month later, May 19, 1933, Treasurer Dennis did in fact resign and admitted that there was an apparent conflict of interest and that is why he resigned. He said in his position as state treasurer, many problems had arisen involving conflict of interest between the State and its bank depositories and under the circumstances he deemed it his duty to the State to withdraw his connection with the banking institution.

We can come up to recent years, the year 1955, when the Morning Sun of January 8, 1955, had the title, "Byrd May Vie with Mahoney for the State Job." The State job that they were talking about was the state treasurer's position. There were four other candidates for that position, Hooper S. Miles, John Wood Logan, George W. Della, and Emerson C. Harrington, Jr.

There was a headline on February 11, 1960, and the headline read, "Pressman Hits Dual Role of Miles."

"Pressman charged that a possible conflict of interest exists in the fact that the state treasurer is chairman of the board of a bank which holds more of the state's general fund deposits than any other in Maryland."

That is the Fidelity Baltimore National Bank, 26 per cent of all money of the State in deposit.

THE CHAIRMAN: Your time has expired.

You have two and a half minutes.

DELEGATE JAMES: I will extend a singular act of mercy to the Convention