

of the state. The major differences from the existing constitutional duties were (1) the directors appointed by the board, rather than the board itself, were to represent the state's interest at stockholders' meetings; (2) the board was required to hold regular meetings in Annapolis four times a year—on the first Mondays of January, April, July, and October; and (3) the board was empowered at its meetings to "hear and determine such matters as affect the public works of the State and the Legislature may confer upon them the power to decide."<sup>6</sup>

Having received this recommendation, the convention for nine weeks turned its attention to more important matters. The Board of Public Works came back for discussion on 2 August, at which time there was a good bit of "nit-picking" but not much substantive debate. It was agreed, for example, that a majority of the board should be competent to act, but considerable debate took place before the exact language expressing that consensus could be agreed upon. It was also resolved that the required quarterly meetings be on Wednesdays rather than Mondays in order that the comptroller and treasurer not have to travel on weekends.<sup>7</sup>

One substantive change, suggested by Archibald Stirling of Baltimore City, was that the board be expanded to five members by adding the lieutenant governor and the commissioner of the land office. Stirling expressed the view that a five-member board would be better than three in that "by having officers exercising different functions and elected at different times, you distribute the matter better throughout the State, and make this board more a representative of all the interests of the people."<sup>8</sup> Stirling's amendment was not adopted, but the debate on it gives some insight into why the governor, the comptroller, and the treasurer were selected.

Peter Negley of Washington County, in opposition to Stirling's proposal, stated:

There is a solid and substantial reason why the governor, comptroller, and treasurer should constitute this board. The governor is the chief officer of the State, and therefore a higher responsibility attaches to the proper discharge of his duties than to those of any other officer. In the next place the comptroller and treasurer are the sworn and bonded financial officers of the State. They understand all the finances of the State, and therefore they are the proper officers to take this matter into consideration. Put any other man on that board, and he will be controlled, as the governor will be to a great extent, by knowledge obtained from the comptroller and treasurer. If they want to understand anything about the finances or the public works of the State, where do those officers go? where does the legislature go? to whom do the people look but to the report presented to them by the comptroller and the treasurer? They are the proper officers; within their cognizance come all the financial operations of the government of the State. They have before them continually the operation of our public works; they know all about them, just as the merchant knows the goods upon his shelves, or the banker knows the accounts in his books. They are the only parties in the State that are perfectly cognizant of these matters; therefore there is peculiar wisdom in constituting them to the board. I do not care if you multiplied the number of the board a thousand times, they must depend upon these two sworn and bonded officers for the information they act upon.

James T. Briscoe of Calvert County agreed that the reason the committee selected these three officials "was the fact that the duties of the governor, comptroller and treasurer relate particularly to the financial affairs of the State, and they are therefore better prepared to consider these matters."<sup>9</sup>

Stirling responded that he laid no particular stress upon the matter but felt that it would be demeaning for the governor to attend stockholders' meetings. To this objection William Daniel of Baltimore City replied that the governor would not attend stockholders' meetings; the directors appointed by the board would perform that func-

6. *Ibid.*, p. 163.

7. *Ibid.*, 2:1083-89.

8. *Ibid.*, p. 1087. The convention had not yet decided whether to have a lieutenant governor, but the proposal was under active consideration and was ultimately provided for in the Constitution. The commissioner of the land office was an elected official.

9. *Ibid.*, p. 1088.