

1 the State government, and bond counsel said, I don't
2 think this can be done because what we are doing here is
3 using the State's credit in aid of a private institution,
4 and this Section 34 says that you can't do that, and very
5 frankly, it looked like a pretty good case, because the
6 Hopkins is a private institution, the State's credit
7 was going to be used, they were going out to borrow this
8 money and turn the cash over to it, and it would seem
9 that the taxpayer had a pretty cold case, but as often
10 happens in the Court of Appeals in Maryland, as in other
11 courts, and the Supreme Court of the United States, the
12 result to be reached was more important than the technical
13 arguments that were advanced by able counsel, and the
14 Court said, Well, this is not credit that you are doing
15 here, this is cash. You are giving cash. True, you are
16 using your credit to get the cash, but by the time you
17 have your transaction with the Hopkins, you are giving
18 cash and cash is not credit, so it is perfectly all right.

19 A progenitor of that decision was one which
20 came up in a little town of Frostburg, in Western Maryland,
21 which was a depressed area at the time, and probably