

1 with constitutional offices and in our comment --

2 MR. SCANLAN: In other words, if the legislature  
3 prescribed the penalties for violating the statutory oath  
4 of public officials, including the prohibition against  
5 holding public office of trust, and a man violated that  
6 oath and was convicted for that and thereafter stood for  
7 State Senator for his County and was elected, he would be  
8 qualified and you couldn't stop him because the constitu-  
9 tional qualifications would override the statutory pro-  
10 hibition that the legislature proposed; isn't that true?

11 MRS. BOTHE: Apparently, that is true.

12 THE CHAIRMAN: Any further comments? Let us  
13 move on to Article III, Section 50.

14 MRS. BOTHE: Article III, Section 50, I think  
15 perhaps I best read. It says that the General Assembly  
16 of Maryland shall have the power to provide by suitable  
17 general enactment for the suspension of sentence by the  
18 Court in criminal cases; for any form of the indeterminate  
19 sentence in criminal cases, and for the release upon  
20 parole in whatever manner the General Assembly may prescribe,  
21 of convicts imprisoned under sentence for crimes.