

commissioner of lotteries was to be elected by popular vote. After the first day of April, 1859, no lottery schemes could be operated, nor any lottery ticket sold within the State.³⁹

A new feature in the constitution of 1851 was the provision for a general corporation law, and the prohibition against the chartering of a corporation by special act; except for municipal purposes, and in cases where, in the judgment of the legislature, the object of the corporation could not be attained under general laws.⁴⁰ The old system of chartering corporations by special act gave greater facility for corruption, and consumed much of the limited time of the legislature.

The liability clause of the constitution relative to banks, prohibited the legislature from granting thereafter any charter for banking purposes, or to renew any charter, except on the condition that the stockholders and directors of the bank should be liable to the amount of their respective shares of stock. A further restriction upon the chartering of banks was that no director or other officer of a bank should borrow any money from that particular bank.⁴¹

There was considerable opposition to this liability clause. It was claimed that the effect of the restrictions on the banks, and the double liability of the stockholders would seriously cripple the State's industrial activities.⁴² The liability clause as originally introduced in the convention by Mr. Sollers, of Calvert county, made the stockholders and directors responsible in their individual capacities for the full amount of the bank's liabilities. Mr. Sollers also made it a penitentiary offence, and the forfeiture of a bank's charter forever, for the officers of a bank to have any dealings with the bank with which they were connected, except in the matter of salaries.⁴³

³⁹ Const. 1851, art. vii, sec. 5.

⁴⁰ Art. iii, sec. 47; Act 1852, ch. 23.

⁴¹ Art. iii, sec. 45. ⁴² *Baltimore American*, May 17, 1851.

⁴³ *Debates*, vol. ii, p. 761.