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holders as firmly as it does the interests of the State. On the hypothesis that he is an officer of the State representing the State interest in the Corporation he would bind no other interest than that of his constituents. It would follow then that the act of a competent number of directors appointed by the State could alone bind the interests of the State and the act of a competent number of directors appointed by private stockholders would be required to bind their interests. In other words every board of directors (a part of whom are appointed by the State) would be made to consist of two distinct and integral parts and the concurrent votes of these two parts would be required to bind the Corporation. But is this law? Do we not know that every board is one and indivisible and that a majority of any legal meeting can conclusively bind the whole Corporation? The truth is that every director however elected is an officer of the Corporation. The manner of his appointment is a mere arrangement and adapted merely to induce the expression of the voice of every interest.

Another view of the question will I think satisfy you that your objections are not tenable. The Constitution requires that every person appointed to an office of trust or profit shall take an oath that he will be faithful and bear true allegiance to the State of Maryland. He is also required to take an oath to support the Constitution of the State. No director appointed by the State in any incorporated institution has ever been required thus to qualify. The only oath required to be taken by him is the oath administered to all other directors. I know that such is the uniform practice in the Farmers Bank of Maryland and is the practice in the Annapolis & Elkridge Rail Road Company. My inquiries have satisfied me that such is the practice in other incorporated companies in which the State is represented. This uniform construction against considering State Directors as State officers is entitled to every great respect.

The 30th clause of the Declaration of rights declares that "no Chancellor or Judge ought to hold any other office civil or military. It does not in its true use the words "trust or profit" but its language is broad enough to comprehend every class of offices. Under this clause then if the appointment of State Director be an office of trust or profit a Judge or Chancellor would be disqualified from acting as a Director. And yet we know that two at least of the Chancellors of Maryland and one at least of the Judges have been at different times elected State Directors in the Farmers Bank of Maryland. The appointment as Trustee of a college is as much an office as is the appointment of a Director of a Bank or