

Fourth. By reason of the refusal of the Committee to summon and examine the necessary witnesses, the undersigned cannot say positively, whether any other person than the State of Maryland is a *bona fide* stockholder in the Company, but the undersigned believe from the absence of such testimony, and the other facts and incidents connected with the case, that the State of Maryland is the only *bona fide* stockholder in said Company.

As to "what is the best course for the State to pursue, in connection with its interests in said Company," the undersigned would recommend the passage of the following resolutions :

WHEREAS, It appears that the sum of \$163,000 has been paid to the assignees of the Southern Maryland Railroad Company, by John W. Davis, formerly Treasurer of the State, on the warrants of Levin Woolford, Comptroller of the Treasury, without due regard to the provisions of the Act of 1868, chapter 454.

And whereas, it appears that Samuel S. Smoot, President, Hamilton G. Fant, Treasurer, and Charles H. Winder, Secretary, of the Southern Maryland Railroad did on the 6th day of February 1873, make and subscribe a false affidavit with the intent to deceive the Treasurer of the State, and to procure the payment of \$81,500 to the Southern Maryland Railroad Company.

And whereas, it appears that the State of Maryland is the only *bona fide* stockholder of the Southern Maryland Railroad Company, that said company is bankrupt and largely in debt to contractors and others, who have furnished work and material in its construction, therefore,

First. Be it resolved by the General Assembly of Maryland, That the Attorney General of the State, be, and he is hereby authorized and directed to bring suit against the Southern Maryland Railroad Company, in the name and behalf of the State of Maryland, to cause its railroad property and franchises to be sold to pay its legitimate debts, and the balance, if any, to the Treasurer of the State, for the benefit of the State.

Second. Be it further resolved by the General Assembly of Maryland, That in the event that the State shall fail to recover all or any part of the said sum of \$163,000 from the said company, or by the sale of its property and franchises, the Attorney General of the State, be, and he is hereby directed to bring suit against Levin Woolford, Esq., Comptroller of the Treasury, and his official bondsmen, during the years 1873 and 1874, for such residue of said \$163,000,