

That under such circumstances the Legislature ought to adopt efficient measures to protect the community, and prevent said corporation from practising any future oppression or imposition upon individuals. That may be done by passing such a Resolution as is subjoined to this Report; but whilst the committee recommended the adoption of that Resolution, they would be glad to see the object attained by any mild and equitable means that might be found effectual. A modification of the charter might be made that would effect that purpose, without depriving the company of any of the proper benefits or legitimate fruits of the great enterprise in which they have embarked so large an amount of capital, and that might at the same time indemnify the State and its citizens for the injustice and injury which they have sustained by the unwarrantable course that has been pursued by the said Rail Road Company. But as it is a question whether the State can exercise the power of modifying the charter without the assent of the company, the committee are constrained to adhere to the recommendation hereinbefore expressed.

*Resolved by the General Assembly of Maryland,* That the Governor of this State be, and he is hereby authorized and directed to require the Attorney General of Maryland forthwith to institute proceedings at law, by a writ of *scire facias*, or such process as shall be most proper and effectual, against the Philadelphia, Wilmington and Baltimore Rail Road Company, for dissolving said corporation, in consequence of its having broken the conditions upon which it accepted its charter, or its having violated the trust upon which the same was granted to said company by the State: and that the Treasurer of the Western Shore be, and he is hereby authorized and directed to pay, on the order of the Governor, such expense as may be incurred by the State on account of said proceedings, including fees to counsel—and it shall be the duty of the Governor to employ, from time to time, such additional counsel, to assist in originating said proceedings, and in the conducting of the same to final issue, as the interest of the State may seem to require.

*Sections of Legislative Acts referred to in the Report, viz.*

Sec. 15. And be it further enacted by the authority aforesaid, that on the completion of the said rail road, the same shall be esteemed a *public highway* for the conveyance of passengers, and transportation of merchandise and commodities, under such regulations as shall be prescribed by the directors; and it shall and may be lawful for the said company to demand and receive such sum or sums of money for tolls of persons and property as they shall from time to time think reasonable; provided, that the toll on any species of property shall not exceed *eight cents* per ton per mile, nor upon passengers more than *four cents* each per mile.

Sec. 16. And be it further enacted by the authority aforesaid, that if any owner or driver of any car, carriage, wagon or conveyance