

charters has thereby become liable to be forfeited? Also to enquire whether the Pennsylvania, Delaware and Maryland Rail Road Company have not lately increased their rates for the transportation of merchandize, and for the conveyance of passengers on their road, and whether they have not exacted rates or charges greater than they are allowed by law to demand? And whether, if they have made and received such over charge, they have not thereby violated their charter?" And it is further ordered, "That the said committee have power to send for persons and papers."

In the very thresho'd of the enquiry, we are met by the fact, that there is no such company in existence, that we have any knowledge of, by the name and style of the Pennsylvania, Delaware and Maryland Rail Road,—but regarding this misnomer as a mistake on the part of the honorable mover of the order, we attach no importance to it. The Philadelphia, Wilmington and Baltimore Rail Road Company, being meant, the enquiry into their several charters has been had for the purpose of obtaining a correct conclusion. This company has been formed by the union of several companies agreeably to an act of 1837, chapter 30, extending as its name implies from, the city of Philadelphia, through Wilmington in Delaware, to Baltimore, under charters from the several States in which these works are constructed. When we consider the magnitude of the work; its vast amount of business and the multitude of passengers and other interests with which this company daily come in contact—and the gravity of the charges implied in the order submitted, we are forcibly led to suppose that such an order, was based upon the petitions or memorials of the injured and oppressed people to this house, but we have looked in vain. No such petitions or memorials appear on the journal, the enquiry is based on the order of the chairman of the committee alone.

We will now proceed to examine the first branch of the enquiry, respecting the union of this company with the New Castle and French Town Rail Road Company.

By reference to the testimony recorded in the report of the majority—it will be perceived that no such union has as yet formally taken place, whatever may be in contemplation; but admit for sake of argument that such union had taken place, it certainly cannot by any construction of law or reason, be considered as a violation of their charter. There is no law on the statute books of Maryland prohibitory, or not authorizing it. The only one which bears at all on the subject is a proviso in the first section of the act of 1832, chapter 504, which act by its second section repeals itself, provided, the company refused to accept it; they did refuse to accept it, as appears in evidence. The conclusion to which the majority report comes, with due respect to the gentlemen who compose that majority, in this particular instance affords a splendid specimen of the *non sequitu* mode of reasoning,—we will briefly state the argument, (see page 13 and 14 of the report.) "a supple-