

troller of the State, the annexed letter, marked "Document C.," and therein informed him of the election of the 11th of December, 1861, claimed that the rights and duties of the old board had been terminated by said election, and protested against any claim or demand, that might be made by them, for any part of the State's appropriation in behalf of said company; to all of which the said Jarrett replied at length. (See Document D.)

On December 21st, 1861, notwithstanding the notice and protest aforesaid on the part of said Goldsborough, a warrant was issued by said Jarrett for other \$15,000 of the State's Funds. On the 27th of December, 1861, Henry H. Goldsborough, as President of the Board of Directors of the Company, notified Tench Tilghman, Isaac C. W. Powell and others, that having qualified and organized under the direction of the said board, he demanded of them the books, papers, monies and all other property and effects, belonging to said company. (See Document E.)

On the 4th of January, 1862, I. C. W. Powell, as Secretary of the company, sent a communication to R. Tharp, Esq., informing him that the books, papers and monies of said company, would be handed over on the joint receipt of the said H. H. Goldsborough, as President and R. Tharp, as Secretary and Treasurer of said board, (See Document F. ;) but on the 11th of January, 1862, the said Tench Tilghman, as President of the said company, notified the said Goldsborough and Tharp, that at a meeting of the Directors of said company, held on the 10th of that month, the company had reconsidered its former action, and that the demand for the delivery of the property of the company would not be complied with. (See Document G.)

At this stage of the investigation, your committee became satisfied that the validity of the election of the officers of said company, being purely a judicial question, could not properly be determined by this House, and that it would be a useless expenditure of money on the part of the State to proceed further with the examination. They have, therefore, dismissed all the witnesses summoned before them, and have concluded to submit the following resolution for the action of this House:

Resolved by the House of Delegates of Maryland, That it appearing to this House that a controversy has arisen in regard to the election and qualification of the officers of the Maryland and Delaware Railroad Company, which can only be determined by the judicial tribunals of the State, the Comptroller be and he is hereby requested and directed, not to pay over any further sum or sums of money on account of