

visions of section 17, Article 2, and section 30, Article 3, of the Constitution :

“An Act to amend the Act of January session, 1865, chapter 70, entitled an Act to authorize the Baltimore and Ohio Railroad Company to build a Railroad from a point on a line of its road within the State of Maryland, between Knoxville and the Monocacy Junction, through Frederick and Montgomery counties, to the boundary of the District of Columbia, so as to make a direct connection with the city of Washington, by amending and re-enacting the fourth section of said Act.”

But I feel that it is due to the position I have taken in favor of the taxation of *all* railroads in the State, equally with other property, to submit to the Senate a portion of the message I had prepared to send with the bill returned without my signature, as I had intended to return it; and to give the reasons why the bill was subsequently signed instead.

In that paper I used this language:

This bill, introduced in the Senate March 8th, was hurried through that body on the following day by a suspension of the rules, was carried to the House of Delegates on the succeeding day, and passed without reference to a Committee, as required by a rule of the House, having received its *three* readings and passage on *one* day by *two* suspensions of the rules, and without giving members time or opportunity to examine its details.

This hasty legislation, which by Article 2, section 17, of the Constitution, the veto power was conferred upon the Governor to “guard against,” was entirely unnecessary in this case, from the fact that the bill passed through so informally and hastily, because of the argument of its supporters that it was necessary to preserve the charter, was not presented to me for my approval until March 19th, after the adjournment of the Senate, nine days after its passage, and only two days (one of which was Sunday,) before the expiration of the charter intended to be renewed.

But my objection to the bill is not so much because of the “hasty” as the “*partial* legislation” it confers, and which the Constitution in the same section delegates the power to the Governor to “guard against.”

The power conferred by the bill is given to the Baltimore and Ohio Railroad Company to construct this road. The Act of 1826, chapter 123, exempts “the shares of the capital stock of said Company from the imposition of any tax or burden.” Under this Act the Company claims that *all* their capital, shares, and real and personal property, are exempt from taxation. It may well be questioned whether the Legislature of 1826 exempting the amount of the then capital stock (three millions of dollars) of this Company from taxa-