

The Speaker laid before the House the following communication from Hon. A. K. Syester, Attorney-General of the State, in response to an order of the House:

OFFICE OF THE ATTORNEY-GENERAL,  
Hagerstown, March 10th, 1874.

To the Honorable the House of Delegates :

GENTLEMEN:—I am in receipt of the order of the House of Delegates, of the 6th, which I am asked to furnish “the Select Committee of the House, appointed to consider the matter, with the information as to whether or not it is competent to the Legislature to amend the charter of the Baltimore and Fredericktown Turnpike Company, so as to procure the paving of that portion of the Company’s Road lying within the City of Baltimore.”

The charter of this Company was granted many years before the adoption of the Constitution of 1851. The Legislature, in that Act of Incorporation, did not reserve the right to alter or amend the charter, and it is not competent to so amend the charter as to impose on the Company any duty or obligation not mentioned in the charter. There have been amendments to the charter of the Company, but none since 1851, and in none of these amendments is the power to alter or amend reserved.

If by the expression in the order before me, “*procuring the paving,*” &c., is meant so to change the charter of that Company as to require it to pave that part of its Road, it is quite plain to my mind that it cannot be done.

No amendment of the charter of this Company, not accepted by the Company, could be effectual to alter or change that instrument. Certainly not effectual in imposing duties and obligations on the Company, not mentioned in the original Act or some one of its amendments.

I am, very respectfully,

Your obedient servant,

A. K. SYESTER.

Which was read and referred the Select Committee on that subject.

Mr. Mackey presented the petition of Jos. R. Brown and sixty-two other citizens, asking for a change in the law relating to the present system of serving summons in Cecil county.

Which was read and referred to the Cecil delegation.