

the time of filing the bill George B. Roberts was Surviving Trustee under the said mortgage and deed of trust.

Of the said twenty-five hundred bonds eighteen hundred and eighty-two are outstanding, the Pennsylvania Railroad Company holding eighteen hundred and twenty-two and the State of Maryland holding sixty, or, in other words, of the sum of \$1,882,101 due thereon, the Pennsylvania Railroad Company has \$1,822,000, the State of Maryland \$60,000, so that the whole indebtedness is held by these two parties.

The unpaid coupons amount to \$1,185,000. No interest has been paid to the State since August 1, 1880.

The Columbia and Port Deposit Railroad Company and George B. Roberts, Surviving Trustee, filed their answers admitting the allegations of the plaintiffs' bill of complaint and submitting to such decree as might be proper in the case. Of course, in the absence of legislation, there was no authority for the Attorney-General to appear for the State, and in his letter on the subject to the Governor he says that there is no reason why the State should be made a party plaintiff, as its interests were the same as those of the Pennsylvania Railroad Company.

The Court has entered a decree of foreclosure, under which the property, rights and franchises are to be sold at public auction in Philadelphia, after due notice by advertisement for sixty days prior to the sale. This being the case, it would be advisable for the Legislature to give authority to the Attorney-General or Board of Public Works to take such action as seems best to protect the State's interest under the circumstances.

CHESAPEAKE AND OHIO CANAL.

The Chesapeake and Ohio Canal was incorporated and constructed for the purpose of supplying a convenient water way for the purposes of commerce through that section of our State which it traverses. It is encumbered by a very large debt to the State, secured by mortgages, and by the interest which has accumulated upon such mortgages. It is largely indebted under the provisions of the Act of 1884, Chap. 281, and is subject to a primary lien upon its property, tolls and revenues to the extent of \$500,000 and accrued interest, under the express provisions of the Act of 1878, Chap. 58. It is also indebted to persons who have furnished material and labor in operating it and keeping it in repair. Claims of this class ought to be protected as far as possible. The justice of this is very apparent. These creditors,