

Mr. Brewer presented the memorial of George B. Rowlen, R. P. Hays and 50 others, citizens of Montgomery county, praying the passage of a General Local Option Law.

Which was read and referred to the Committee on Finance.

The President presented the following communication from the President of the Baltimore and Ohio Railroad.

BALTIMORE AND OHIO RAILROAD Co., }
 Baltimore, March 8, 1876. }

To the Honorable,

The General Assembly of the State of Maryland:

The memorial of the Baltimore and Ohio Railroad Company, acting by its President and Board of Directors, respectfully represents :

That this Company begs leave to ask the attention of your Honorable Body to the matters pending between the State and the Company, to the end that there may be a just and amicable adjustment of the same.

Two series of claims were made by the State against the Company, which have been adjudicated, and are known respectively as the "Capitation Tax" case and the "Gold Case."

The result of the litigation, upon the points presented for adjudication, is well known, and has been officially furnished to your Honorable Body in the Message of his Excellency, the late Governor of the State.

The "Capitation Tax" case was a suit brought by the State to recover one-fifth of the whole amount received for the transportation of passengers on the Washington Branch Road, and between the Relay House and Baltimore, on travel between Baltimore and Washington.

On May 3d, 1875, the Supreme Court of the United States affirmed the judgment of the Court of Appeals of Maryland, sustaining the constitutionality of that provision of the Act of 1832, chapter 175, which requires this Company to pay semi-annually, into the State Treasury, one-fifth of the gross receipts from passenger fares on the Washington Branch. In this suit, the decisions of the highest judicial tribunals have, therefore, been in favor of the State, and, promptly upon the announcement of the opinion of the Supreme Court, the Company paid to the State Treasurer the sum of \$424,229.81, the amount of the judgment and interest.

The other suit, the "Gold Case," was instituted by the State to recover from the Company the difference between the value of currency and gold on the amount of dividends on the State's Preferred Stock, from July 1st, 1865, to January 1st, 1870.