

and expenditures and of its affairs generally, as it is practicable to make up to the 17th of January ultimo. It is proper to observe that the balance, \$2,654,64, stated in paper E, as of the 17th January ultimo, is only an apparent balance; for, besides other current liabilities of inconsiderable amount, there is due by this company, the sum of about \$4,000, on account of the sales of through tickets to Philadelphia, New York, Cincinnati and other distant places. The payment of this amount is only delayed until a settlement can be effected between this company and the Baltimore and Ohio company on account of tickets and freights, which it is expected will be speedily arranged.

Governor Bradford, commenting, in his recent annual message on the affairs of this company, concludes with the following suggestions: "By the terms of the charter the company is bound to furnish on the oath of their President, whenever required by the General Assembly, a full statement of their receipts and expenditures, and I think you should not only proceed to make this requisition, but should also authorise the institution of such legal proceedings as may elicit a full discovery of all the operations of the company, enforce the payment of any balance in their hands and procure a judicial construction of that section of the Act of Assembly, (Act 1841, ch. 168,) above mentioned, under which the revenues of the State instead of the profits of the company have been annually expended in payment of its debts."

In the above extract Governor Bradford, (so far as regards the Act of 1841, ch. 168, repeats substantially what he stated in his message to the Legislature of 1864. The subject having been at the session of that year referred to the committee on the Judiciary of the House of Delegates, this company seized the occasion to submit a statement with full exhibits of its affairs. (See document H vol. Pub. Doc't., 1864,) conclusively showing that the Act of 1841, ch. 168, had in accordance with its own provisions and the aid of this company fulfilled all its purposes, and hence, being no longer of any force, there was no necessity for any "declaratory Act" nor for any "action" to secure a "judicial interpretation."

The committee on the Judiciary fully concurring in this view, (Mr. Stockbridge, chairman,) made a report (see p. 946, House Journal, 1864,) in which they explain the provisions of the law and State. "As the bonds issued under this Act have been paid off, except a very inconsiderable part thereof, at this late day, when the provisions of the Act in relation to the payment of the bonds and interest thereon are about expiring, your committee can perceive no practical benefit