

By the terms of the Charter, the subscription on the part of the State to the stock of this Company, was not to be made until it entered into a covenant with the State to pay it semi-annually out of the profits a sum equal to six per cent. per annum, on the amount of such subscription, and until such profits should be sufficient for a dividend of that amount among all the Stockholders. By no subsequent legislation has the State, as I am aware, ever waived that priority, but by the Act of 1841 it was, except so far as concerned the creditors therein mentioned, re-asserted, and the Company was enjoined to pay over to the Treasurer of the State on the first days of June and December annually, the nett profits received during the preceding six months.

Nothing whatever as I am informed at the Treasury has been received there on that account during the last year, nor indeed in any preceding year with the exception of a single payment, and that I think the company afterwards alleged was made in mistake.

In view of the large number of passengers and the quantity of freight which has apparently passed over this road during the past two years, continuing obviously to increase to the present time, it is difficult to understand how its entire earnings have been absorbed. They have not, it would seem, been devoted to the payment of the liabilities of the company on the bonds heretofore issued by it to its creditors, for by what is perhaps the literal but most unreasonable construction of the Act of 1841, ch. 168, and to which I called the attention of your predecessors, the payments on these bonds instead of being made as the whole spirit, and the language of one part of that Act requires, "out of the nett profits of the said company, and the profits which this State shall derive from the use of the Annapolis and Elk Ridge Road," &c., have been annually made by the Treasury of the State, although in the receipt of nothing whatever on account of the profits of that company.

Such being the case, we are left to infer that the whole receipts of the company for the past year have been required to work the road, a state of things which, in view of the business done by it, is apparently so improbable as to demand some immediate investigation. 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 authorize the institution of such legal proceedings as may elicit **a full discovery of all the operations of the company, enforce**