

It is also said that this company has executed to some of its individual creditors a mortgage under which they claim priority to the mortgage given to secure the State's interest on the amount of its subscription, and which would seem to be inconsistent with the terms and spirit of the Act by which that subscription was authorized. I, therefore, submit these subjects to your consideration for such action or investigation as you may think they require.

I would also commend to your attention the facts stated in the Comptroller's Report for 1863, in reference to the affairs of the Annapolis and Elk Ridge Rail Road Company and the relations between it and the Treasury Department. It appears that the Act of 1841, Chapter 168, authorising the issue of bonds by that company in payment of its debts has been so construed that the interest on these bonds, and the considerable part of the principal have been paid not out of the profits of that company, nor out of any thing that the State has ever received from it, but from the revenues of the State derived from other sources, and whilst nothing whatever was paid by that company into the Treasury.

Whatever ambiguity there may be in said Act of Assembly or whatever authority for such a construction—looking merely to the words it employs—that construction seems to be so manifestly inconsistent with the spirit and purpose of the Act itself, and of all the legislation regulating the relations between that company and the Treasury, to say nothing of the apparent injustice of it, that some declaratory act would seem to be obviously necessary, or at all events that such action should be had as may secure a Judicial interpretation of the Act in question.

INSPECTIONS.

An Act of the Legislature, passed at the Session of 1860, remodded the entire system of Tobacco Inspections, requiring the election on the joint ballot of the Senate and House of Delegates of three Commissioners who were annually to lease the State Tobacco Warehouses in the City of Baltimore and exercise a general Superintendence over Tobacco Inspections and the public interests connected therewith.

The provisions of that Act are now all that the Code contains upon that subject; for some reason, however, the Commissioners authorized by it have never been appointed by the Legislature, and no such lease of the Tobacco Warehouses has consequently ever been made, and the most of the other provisions of the Act, connected as they were with the appointment of these Commissioners and the execution of said lease have therefore been entirely inoperative. I found in