

Made the order of the day for Thursday next, the 15th inst.

The committee to whom were referred the proceedings of a meeting of citizens of Washington county, held at Hagerstown, relative to the location of a certain route for the Baltimore and Ohio rail road, and to whom was also referred the proceedings of a meeting of other citizens of the same county, held at Williamsport, on the same subject, consent that their chairman submit the following report and resolutions.

Your committee felt themselves bound to give to a subject which has agitated a highly respectable portion of the State, deeply interested in all that relates to it, and which also involves important questions connected with the rights, interests and obligations of one of the most important companies that has been incorporated by the State of Maryland, all the consideration and reflection which they were able to bestow upon it.

Their attention was naturally drawn to the course of legislation heretofore pursued by the State, so far as the Baltimore and Ohio rail road company were concerned, and which in their opinion, could have any bearing upon the questions submitted to their consideration.

By the act incorporating that company, passed on the 23th day of February 1827, no restrictions or limitations were imposed on the company, in the selection of their route.

The first act which imposed any restrictions on the company, was an act passed on the 3d of March 1828, by which the State subscribed \$500,000, to the stock of the company, and annexed a condition which was assented to by the company, that said road should go into Frederick, Washington and Allegany counties, the act last mentioned, with the assent of the company, to the conditions imposed in the opinion of an eminent jurist of this State, construed a contract, by which the company were bound to "locate their road onwards thro' the counties of Washington Frederick and Allegany;" merely to touch at some one point in each of the counties, and then to desert, the State would defeat the object of the condttion and deprive the State of the consideration for which the appropriation was made.

The condition was annexed for the benefit of the three counties, and imposed on the company—with that view, "the Legislature was anxious that they should not cross the river, but, that they should keep on the Maryland side the whole way."

Your committee remark, in relation to the act of the 3d March 1828, that whilst it was the first act of the Legislature, by which any restriction was imposed on the company as to their selection of a route for their road, it was the first that made any appropriation to promote its progress; it is true that in consequence of the company being excluded from the route they had selected by a decision of the Court of Appeals, that the Cheapeake and Ohio Canal Company, had a prior right of choice to the said route.

The Legislature, by an act passed on the 10th day of March 1832,