

1864

Treasury Department. It appears that the act of 1848 chapter 168 authorizing the issue of Bonds by that company in payment of its debts has been so construed that the interest on these bonds and a considerable part of the principal have been paid not out of the profits of that company nor out of anything 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 require a judicial interpretation of the act in question.

## Inspections

An act of the Legislature passed at the session of 1860 remodelled 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 spirit 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 January 1862 Tobacco Inspectors in office and discharging their duties according to law as it existed before the passage of the act referred to and as a matter of necessity they have continued to act chiefly in accordance with said antecedent law to this time.

Your early attention to this subject is therefore obviously necessary either in executing the act of 1860, restoring the previous law or providing a new one, and to conform the proceedings of the Inspectors for the last four years, so far as they have been governed by a law, that apparently has no present existence.

I would recommend also some modification in the law providing for the inspection of grain. That law allows in certain cases the option