

Baltimore of the ninth ward and with the advice & consent of the senate commissioned on the 30<sup>th</sup> May last.

Since that time information has been received at this department that you did not at the time of your nomination or date of your commission reside in the tenth ward. I have in consequence of that information to call your attention to the accompanying extract from the 2<sup>nd</sup> section of the Registry Law passed Dec. 1837 Chap. 383 and to request you to inform me at as early a day as your convenience will allow whether you resided in the ward for which you have been appointed either at the time of your nomination or the date of your commission. If the residence required by Law was not had by you it will be necessary to make a new appointment in time for the first meeting of the Register as in such case the first appointment for want of the qualification of residence was imperfect.

John A. Bural Esq.

Jos<sup>ph</sup> McLean  
Secretary of State.

Baltimore May 28<sup>th</sup> 1839.

Sir,

There being a diversity of opinion among the Directors of the Baltimore and Ohio Rail Road Company as to the mode of filling vacancies occurring in the Board between the annual Elections for officers, the subject has been referred to the undersigned, with instructions to confer in relation to it with the authorities of the State and the city of Baltimore.

The Charter of the Company provides that the Board of Directors shall consist of twelve Directors to be chosen by the Stockholders, and six to be appointed by the State of Maryland and the city of Baltimore respectively for every twenty per hundred shares of Stock owned by them respectively at the date of the annual Election, and the Charter further provides in the same section with the foregoing that if any vacancies shall occur by death, resignation or refusal to act of any President or Director, before the year for which he was elected has expired, a person to fill such vacancy place for the residue of the year may be appointed by the President and Directors of said Company or a majority of them.

The same section deprives the State and City from voting on their Stock at general Elections for Directors - giving them the power of ap-