hypothecation of the state's bonds to an equal amount, which the E. S. R. Road Company consented to receive.

Another instalment on the state's subscription to the capital stock of the E. S. Rail Road Co. of $3 per share is now due; and the company is prepared to draw for it, but has not done so because its draft would be met by the treasurer, with a draft on the Chesapeake and Ohio Canal Company; and we are informed that that company is unable to meet it either in money or in the bonds of the state. Under these circumstances no draft has been made, and the E. S. R. R. Company respectfully asks the Legislature to direct that the bonds of the state equal in amount to the instalment now due on the state's subscription, or so much money directly from the treasury, be paid to this company as a measure of temporary relief in anticipation of the action of the Legislature on the joint petition of the Internal Improvement Companies now under consideration. The temporary relief now asked, is made absolutely necessary by the fact that the company, relying on the punctuality of the payments on the part of the state, have made engagements which can only be complied with by the obtainment of the relief asked. The operations of the company must stop without it. This event, should it occur, would be brought about not by circumstances over which the company has had any controul, but purely by the non-payment of the state's subscription and it will be at once ruinous to the company and in a great degree prejudicial to the state.

Your memorialists therefore ask on the part of the Eastern Shore Rail Road Company:

First—That the condition precedent created by the act for the promotion of Internal Improvement may be suspended for the space of twelve months as far as relates to the payments on the stock now forfeited, and the stock now standing in the name of the Treasurer in trust for the Company, and that the State continue to pay the instalments on her shares proportionally with the remaining stockholders, under such restrictions as the Legislature shall deem necessary for the security of the State.

Secondly. That as a measure of temporary relief made necessary by the inability of the Chesapeake and Ohio Canal Company to comply with the resolutions of the last session, No. 68, the Treasurer of the Western Shore be directed to pay to the Eastern Shore Rail Road Company, bonds of the State, or money, to the amount of $30,000, in full for the fourth instalment due on the subscription of the State to the capital stock of the said company.

THOMAS EMORY,
JAMES SEWALL,
JOHN P. GALE,
THOS. S. CARTER,
} *Directors of E. S. R. R. Company.*

March, 1839.