

25th instant together with the legal opinion of George S. Shy Esq. the counsel
of the said bank, therein pronounced, that the right to said lands, in the
manner and for the purposes indicated, is vested upon the second words of
Section 2 of the act of December Session last Chapter 281. The right now
claimed by the Canal Company to possess the lands of Maryland upon the
Canal, its works, tolls and revenues for any amount of money it may
consider necessary to be borrowed for repairs and improvement, presents a
very grave question indeed in which this State is deeply interested.

On this subject I have considered it my duty to call your
attention to the subject and to request that you will furnish me with
your opinion upon the point involved at as early a day as your convenience
will allow. The papers herewith enclosed will enable you to obtain an
intelligible view of the whole question at issue and render unnecessary further
explanation from me.

You will discover from General Cox's letter of the 25th ultimo
that it is considered important that your opinion should be furnished, if possible,
before the 1st of June, as on that the annual meeting of the Canal Company
will be held.

George R. Richardson Esq.
Attorney General

I am with great respect
Your Obedt Servt
Philip S. Thomas

State Department
Washington Md May 29. 1849

Sir:
On the 4th inst, Governor Thomas acknowledged the receipt of your
letter of the 27th ultimo, in which he directs the Commissioners to proceed
to approve or reject the bond of the collector appointed for the 4th & 5th
election districts; and in case said collector failed to bond to proceed to make
other appointments until a qualified collector is obtained.

Shortly after his letter of the 4th inst, had been transmitted,
he received another letter from you dated the 5th inst, informing him of
the contents of your letter of the 27th ultimo and saying it was written under
the impression that letter had miscarried.

He did not conceive it necessary to reply to yours
of the 5th inst, because he supposed at the time it was received by him
his letter of the 4th inst, had reached you which answered your purpose.
Since then we have neither heard from the Commissioners nor received
a copy of the bond of the collector of the 4th & 5th Districts, of any such collector
has been appointed.

I am directed by His Excellency to call your attention
to the matter and to request that the necessary information be furnished him
at your earliest convenience.

I am very respectfully your Obedt Servt
G. J. Spalding Esq.
Attorney General
John Mc Kean