

spectfully report, that the Company have not built their main boom below the head of sloop navigation, but that the boom which is now in the course of construction is what is called a branch boom, which the Company under its charter has a right to build, and which does not in the least degree interfere with the navigation of the channel leading to Lapidum or any other public landing on the river. It is true that some of the piers of this branch boom may possibly be in water deeper than six (6) feet, flowing to the channel from freshets being washed out, which may frequently happen, thus making it impossible to construct a boom, but which may from this cause be compelled to place some of its piers in water deeper than six feet.

As to the destruction of fisheries alluded to in the report of the majority of this committee, we beg leave to state that imagination has had more to do than reality in making this charge, there being no shore fisheries near where the branch boom is located, and moreover, the Act of incorporation fully provides for the entire indemnification of the owner of any fishery that may be injured by the construction of any boom by this Company.

As to the assertion that this Company has the right to condemn generally the shores of the Susquehanna river and its neighboring streams, we respectfully state, that by the Act of incorporation, the right is given for the condemnation of only two hundred and fifty (250) acres, and the fact is that up to the present time no land has been taken, and when the Company shall desire the use of any property, it will far prefer to make an amicable and satisfactory arrangement with the proprietors thereof than to avail itself of the right of condemnation as provided for by its charter.

While we acknowledge the House of Delegates to be, in the language of the Majority Report, the grand inquest of the State, still we believe that for any alleged infringement of its charter, this as well as other incorporations, should be held accountable, as the question is purely a judicial one, in and before the courts having jurisdiction in said matters.

The majority of the committee state that it has "introduced a bill to meet the subject, as well as to correct the violations of law already perpetrated by the Cecil and Harford counties Boom Company."

Now, against the passage of this bill, we most earnestly and respectfully protest, as if enacted into a law, it may virtually destroy an enterprise which we truly believe will be productive of vast benefit to the entire community in which we reside—not only to Harford county, but also to Cecil county, from which the opposition principally comes, and we