

On motion of Mr. Cottman—Ordered,

Whereas, a law was passed at the late session of the legislature of this state, to wit: on the first day of February 1839, ch. 35, with the following preamble as a reason for enacting said law, "whereas it has been found by experience that the law passed at the last session of the Legislature, to protect oysters in the waters of this State, is unequal and oppressive to the citizens of Caroline county, for it has been conceded in all past time, that the navigable waters of a state are free to all her citizens; ordered that the committee already raised on that subject, upon the motion of a member of this house from Somerset county, be instructed to inquire whether the law referred to, viz: ch. 310 of December session 1837, be not "unequal and oppressive" to other parts of the State, as it has been declared to be, by the General Assembly, at its last session, to the "citizens of Caroline county; and also to report to this house whether said law of 1837, is not in violation of the right which was declared by the last Legislature of this State, to have been "conceded in all past time," namely, "that the navigable waters of a State are free to all her citizens."

On motion of Mr. Wilmer,

Ordered, That the committee on claims be instructed to pay to William McNeir, printer to the Senate and in part to this House, the sum of \$500.

Mr. Lloyd asked and obtained leave to bring in a bill to repeal the magistrates' court law, and the several supplements thereto, so far as the same relates to Talbot county;

Referred to Messrs. Lloyd, Potter and Colston.

On motion of Mr. Newman,

Ordered, That the committee on the Penitentiary, inquire into the affairs of that institution, and ascertain and report to this House its present condition, and for that purpose they be authorised to visit said institution, provided they do not absent themselves from the house, in the examination thereof, for a longer period than four days.

Mr. Newman submitted the following order:

Ordered, That the committee on internal improvements be directed to require the chief Engineer of the Chesapeake and Ohio Canal company, to report to this House, under oath, what amount of money will probably be required to complete said canal to the town of Cumberland, and also the probable time necessary to finish said canal as aforesaid.

Mr. Hammond moved to amend said order by adding thereto the following:

"And of the President of said company, what funds the said company have for completing said canal to Cumberland:

On the question being put, will the House agree to amend?

Determined in the affirmative.

The question then recurred on the adoption of the order as amended, and being put;

Determined in the affirmative.