

Your committee are of opinion, that, inasmuch as by several of the acts above mentioned, and particularly by an act passed at November session 1813, the bed of the river is declared to be a public highway, the legislature in granting the charter, never meant to give to the company the power of obstructing the free navigation of the river. The controul over its waters was given for the purpose of supplying the canal, and the water works to be erected thereon, with water, and for no other purpose whatsoever.

Your petitioners represent, that the company has erected a wing-dam near the head of the canal, which blocks up the navigable channel of the river, and which is not only not useful, and necessary, but an actual injury to the canal.

Your committee look upon the Susquehanna as the great medium of transportation between a large portion of Pennsylvania, and the upper parts of the state of New-York, with the city of Baltimore; they perceive, in this measure of the company, not only oppression towards the people of Maryland, but an invasion of what has always been considered, and what your committee believe it is the best interest of Maryland, should still be considered, the rights of the states of Pennsylvania and New-York, the free navigation of the river.

Your committee would therefore recommend, that commissioners be appointed for the purpose of enquiring into the facts alleged by the petitioners, with powers, should they find them to be true, to cause to be prostrated the wing-dam above mentioned, so far as to afford a passage for arks and rafts. For this purpose they submit the following resolutions

Resolved, That Robert Evans, Senr Dr. Wm. C. Miller, John Moffit, Joseph Couden, Henry Chamberlaine, Thomas Patten, George Gale, or a majority of them, be and they are hereby appointed commissioners to examine and determine, whether the wing dam erected near the head of the canal on the river Susquehanna has the effect of obstructing the free navigation of said river, and if they shall determine that it has that effect, then, and in that case, to cause such obstruction to be prostrated or removed, so far as to afford a passage for arks and rafts.

Resolved, That before the commissioners shall proceed to act, they shall make oath, or affirmation, as the case may be, well and truly to discharge their duties as such, and shall have full power to call before them, and examine witnesses, touching the obstructions erected by the Susquehanna Canal Company, and shall be allowed the sum of two dollars per day for their necessary attendance to the duties hereby assigned, to be paid by the treasurer of the western shore, and shall have power to allow to each witness attending by virtue of process by them issued, such sum of money, not exceeding one dollar per day, as said commissioners shall deem reasonable and just, to be paid by the treasurer of the western shore.

Resolved, That the said commissioners return to the next session of the legislature a full report of their proceedings under these resolutions.

All which is respectfully submitted,

By order,

J. MOORE, Clk.

Which was read

Mr. Allen presents a petition from William S. Amos, of Harford county, praying further time to complete his collection; which was read and referred to messrs. Allen, Norris and Alderson.

Mr. Key presents a petition from William C. Somerville, of Saint-Mary's county, praying he may remove slaves into this state; which was read and referred to messrs. Key, Millard and Reeder.

Mr. J. P. Kennedy presents a memorial from the medical students of the University of Maryland, praying to be incorporated; which was read and referred to messrs. J. P. Kennedy, Barney and Boyle.

Mr. Key reports a bill, entitled, An act authorising William C. Somerville, of Saint Mary's county, to remove certain negro slaves from the District of Columbia into this state; which was read.

The house adjourns until to-morrow morning 9 o'clock.

### SATURDAY, January 20, 1821.

The house met. Present the same members as on yesterday. The proceedings of yesterday were read.

Mr. R. T. Hall presents a petition from Adam Lucas, of Prince-George's county; which was read and referred to the committee on out pensions.

Mr. Stodder delivers the following report:

The committee to whom was referred so much of the executive communication as relates to a further provision being made for the education of the children of indigent persons in this state, beg leave to report—That they concur in the views taken by the executive upon this most interesting object of state policy, and are deeply impressed with the conviction that no means can be devised so well calculated to promote the happiness of the people, and to give duration to the free political institutions of the state, as enlightening the public mind; and your committee, indulging these considerations, feel a deep concern at the present reduced and embarrassed state of the public finances, and can discover no other way of means by which this important and benevolent object can be accomplished, than by a moderate tax; they would therefore recommend the passage of the accompanying law.

All which is submitted.

By order,

T. POLLARD, Clk.

And a bill, entitled, An act to provide additional funds for the support of county schools; which were read

On motion by Mr. Hayward, the question was put, That the supplement to the act to regulate the manner of obtaining and altering public roads in this state, be postponed until Monday next? The yeas and nays being required, appeared as follow:

**AFFIRMATIVE**—Speaker, Key, Millard, Kent, Beckett, Edelen, Showers, Orrick, D. Martin, Hayward, W. Eccleston, Lake, J. S. Moffitt, Wroth, T. Williams, J. Forrest, Parker, Warfield, M. Pherson, Davis, Norris, Holbrook, Harcastle, J. P. Kennedy, Gaither, Darne, Reid.—27.

**NEGATIVE**—Boyer, Marriott, Steward, T. W. Hall, Wyvill, Weems, Stoddert, Posey, Rogerson, S. Stevens, Dashiell, Dennis, Polk, Archer, Cross, R. T. Hall, Boyle, Duvall, Wright, R. Stevens, R. Moffitt, Nicholson, Maulsby, Alderson, Willis, Kershner, Bowles, Hilleary, Scott, Blair.—30.

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