

canal, so as to draw into it a sufficient quantity of water. It seems they prefer obstructing the navigation of the river by their wing dam, which may not only supply the canal with water, but with boats, arks and rafts.

6th. The present proprietors of the canal have appropriated great credit to themselves for the immense sums of money expended in constructing the canal; and on that score appeal to the indulgence of the legislature. It cannot be unknown to the legislature, that they are purchasers of the interest of the original proprietors of the Susquehannah canal, on its insolvency; and that the whole cost to them is not more perhaps than seventy thousand dollars. Yet it may be seen, that identifying themselves with their predecessors, they claim the deference of their fellow citizens, for the expenditure on this improvement, of "two millions of dollars." This is not all. They have taken special care to impress on the legislature during the present session, that the in-shore or new channel, is an artificial one, produced by the labor and expense of the Canal Company exclusively. It will not be affirmed by the most hardy of their advocates, that any of this statement in reference to the present company is true. The history of the in-shore channel, from Turkey Hill to tide, embraces the munificence of Pennsylvania, the state of Maryland, and the good old Susquehannah Canal Company; and the present proprietors have no other merit, than obstructing it since the 1st of January, 1818, in the face of the compromise between the two states, and the conventional arrangement between the legislature of Maryland and the former proprietors, ratified in January 1804.

7th. It is attempted by the present proprietors to attach the character of insignificance to the memorials of Cecil and Harford; by alleging that few who navigate the river when the option is left to them, choose to go through the channel now obstructed by the additional sections of the wing-dam; and the inference would be made, that the few ought not to be regarded. Where a right is claimed and well supported, it matters not whether it be set up by one or one thousand, and the legislature of Maryland can never allow itself to wink at the infringement of the rights of even an individual. But this claim of the present proprietors, to be let alone in the enjoyment of the privileges thus set up, is not supported by the fact. Not to hold up to public detestation the manifest obliquity contained in some of the depositions on this head, taken at Conowingo, the joint committee of the senate and house of delegates, who lately inspected the wing dam, in their report, would seem to admit that at least *one fourth* of the produce that comes down the Susquehannah, passes through the river channel, when the choice is open to its owners and its navigators. This is not a small proportion, and would, if forced through the canal at the present rates of toll, yield the annual sum of three or four thousand dollars—a serious sum to be squeezed out of the earnings of industrious citizens on their way to a market. But the extenuation of the company on this head has not yet been fully met, as it may, by authority at hand, which, when sufficiently stated, will render it a matter of some difficulty to reconcile the conclusions of the joint committee as to the quantity of property that passes through the river when the way is open, and of much more difficulty to accept the statements contained in several of the depositions (see Nos. 4 and 7,) appended to their report, which may be adjusted by a reference to the character and motives of the witnesses.

The committee on internal improvement in the house of delegates, reporting especially on the commerce of the Susquehannah, have stated on authority deemed sufficient, that about nine hundred and twenty-five rafts of lumber, and five hundred and thirty-five arks, loaded with the various productions of the country, descended the waters of the Susquehannah to the Chesapeake, during the last season. From this, deduct the amount which passed through the canal, as stated by the keeper, (see No. 1.) and it will appear that a majority of the arks, and more than one third of the rafts went voluntarily through the channel of the river, preferring all its dangers to a long and vexatious imprisonment in the canal. Is this an interest too insignificant to command the protection of the legislature.

From every view of the subject, the committee are of opinion that the resolutions herewith submitted, ought to receive the sanction of the legislature of Maryland, and the proprietors of the canal be compelled to return to the limits which bounded the utmost latitude claimed by their predecessors. From the peculiar formation of the bed of the river Susquehannah, at the head of the canal, the obstruction of the channel in question amounts to an obstruction of three fourths of the river, for it is known that from the extremity of the wing dam, as it now stands, a ledge of rocks stretching westwardly, crosses over a great part of the river; and that as far as the navigation of the bed of the river is concerned, the company may as reasonably claim to erect a dam a mile long, as to claim the support of the legislature in keeping up the wing dam as it now stands. All which is respectfully submitted.

Mr Marriott presents a petition from Mary Crowley, of Anne Arundel county, praying for support; read and referred to the committee appointed on petitions of a similar nature.

The bill concerning Lower Marlborough academy, was read the second time, passed, and sent to the senate.

The bill apportioning the justices of the peace in each county, was read the second time—On motion by Mr Showers, the question was put that the blank be filled up with "nine." Determined in the negative.

On motion by Mr Bruce that it be filled up with "five." Determined in the negative.

On motion by Mr Showers, the question was put on "eight." Determined in the negative.

On motion by Mr J. Forrest, the question was put on "six." Resolved in the affirmative.

On motion by Mr Pigman, the question was put, that the said first section be stricken out. Determined in the negative.

On motion by Mr Norris, the question was put that the bill be referred to the first day of June next. Determined in the negative.

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