

taken by the members of the senate and house of delegates, and all other officers therein mentioned, was read the second time, passed and sent to the senate.

On motion by Mr. Wootton, Ordered, That the bill relative to tobacco inspection warehouses, have a second reading on Thursday next.

On motion by Mr. Chesley, Ordered, that the expenses incurred in the summoning and attendance of witnesses subpoenaed to give evidence on the disputed line between Anne Arundel and Calvert counties, be defrayed by that county upon whose behalf and by whose delegation they may have been subpoenaed.

On motion by Mr. Loockerman, the question was put, that the bill relative to the manner of electing the electors of president and vice president of the United States, have a second reading on Friday next. Resolved in the affirmative.

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

SATURDAY, January 24, 1824.

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

Samuel Kerr, Esquire, a delegate returned for Cecil county, appeared, qualified and took his seat.

Mr. Loockerman delivers the following report:

The committee to whom was referred the communication of the treasurer of the western shore relative to the correspondence between him and Henry D. Gilpin on the subject of the subscription to the stock of the Chesapeake and Delaware canal company, beg leave to report—That by the act of the legislature of Maryland of eighteen hundred and twelve, chapter eighty four, the treasurer is authorised and directed to subscribe for two hundred and fifty shares in the Chesapeake and Delaware canal company on the four following conditions, viz.

1st. That the state of Pennsylvania should have declared the navigation of the Susquehanna free.

2nd. That the United States should have subscribed for seven hundred and fifty shares.

3rd. That the state of Pennsylvania should have subscribed for three hundred and seventy five shares—And

4th. That the state of Delaware should have subscribed for one hundred shares.

That the first of those conditions was fulfilled by the act of Pennsylvania, passed in the year eighteen hundred and one, opening the Susquehanna. That the fourth condition appears to your committee to have been virtually, though not literally performed, by the act of the state of Delaware of the fifth of February of last year, authorising the trustee of its public schools to subscribe for one hundred and twenty five shares of stock, in annual instalments of twenty five shares, of which one instalment has already been subscribed, the aggregate being twenty five shares more than were originally required by the condition of the act of eighteen hundred and twelve. That very soon after the act of Delaware, this state by an act of the twenty first day of February last, dispensed with the second and third conditions, leaving the treasurer authorised and directed to subscribe for two hundred and fifty shares, when two hundred and twenty thousand dollars of new subscriptions should have been obtained by the company, "in addition to the amount authorised to be subscribed by the state of Delaware," which new subscriptions have been made to the amount of four hundred thousand dollars and upwards. The doubts of the treasurer of the western shore, founded on the opinion of the attorney general, are, that the subscription of Delaware authorised to be made, by the trustee of its school fund, and in five annual instalments, is not a full performance of the fourth condition.

On this subject your committee would beg leave to premise, that they would not be understood to intimate any doubt of the correctness of the opinion of the attorney general. As a technical question of law growing out of the peculiar phraseology of the act of last session, it may present itself in the view which has been taken of it. Your committee however have considered that in a matter touching the obligation of the state, assumed by a public act, and made the ground of obligation, which individuals have incurred, by subscription for stock, in part for a reliance on the faith of our act, it is not the course which the best policy would prescribe, to shelter ourselves under technical niceties or verbal errors. Under these impressions your committee cannot but think, that this being an actual appropriation by the legislature of Delaware, from a fund under its control, is in this respect a compliance with the spirit of the law of Maryland. And although the subscription authorised by Delaware is to be made in annual instalments, yet as this law has pledged a subscription to the amount of twenty five thousand dollars, and the same appears to have been accepted by the act of this state at the last session of the legislature, it would appear to your committee as exceedingly fastidious on the part of this state now to reject the condition as performed by Delaware. Your committee therefore beg leave to submit the following resolution:

Resolved by the General Assembly of Maryland, that the treasurer of the western shore be, and he is hereby authorised and required to complete the subscription of two hundred and fifty shares in the stock of the Chesapeake and Delaware canal company, and to pay the instalments thereof out of any unappropriated money in the treasury, or to contract on the most advantageous terms a loan for the purpose of raising adequate funds for the same.

By order,

ISAAC HINES, Clk.

Mr. Sewell delivers the following report:

The committee to whom was referred the petition of Benjamin G. Jones, late sheriff of Harford county, have had the same under their consideration, and are of the opinion that

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