

barrass the salutary operation of the act. It is manifest then that if a general collective bond be allowed to be given by the ship owner that the great purpose of the act will be defeated. But the operation of this privilege will be to give in fact the ship owner or consignee, the benefit of the fund in the first instance, instead of the city leaving the city ultimately to seek it with uncertain result by suit, or at least at much trouble and delay; for it cannot be supposed that an owner or consignee will assume the indiscriminate and sweeping responsibility for the body of passengers, all unknown to him, as is almost commonly the case, without an enhanced passage money, and an addition at least to the extent of the trivial tax of \$1½ laid by the act.

If the obligors be mindful of their interests, they must of course thus protect themselves. The question then resolves itself into this whether the ship owners shall be the depositories of the fund, or the city authorities, and whether in lieu of the resources for benevolence and for their indemnity, the act is to afford to those who are to incur the charge and bear all the expense only, a mere right of action on the bond, which by accidents to which every surety is liable, and by deaths may be rendered altogether unavailing, and the benefit of which in most instances may be only attainable by costly and vexatious litigation.

The position is believed to be indisputable, that if the particular passenger, who may be in question under the act, be a pauper, and likely to be a charge, the city should immediately enjoy the benefit of his assessment, and if he be not he can without difficulty pay the assessment, or give his bond. The provision of the bond was designed an accommodation to the individual passenger who could give it, and specially and individually desired to substitute it, and that the enactment had no reference to the ship owners, or consignees, convenience or interests.

The committee therefore recommend that they be discharged from the further consideration of the memorial, and that the memorialists have leave to withdraw it.

Mr. Pigman from the committee on divorces, to which was referred the bill entitled, an act to divorce Frederick Sheffield, of the city of Baltimore, from his wife Celestia Sheffield.