
BY THE HOUSE OF DELEGATES,
January 11th, 1842.

Read and referred to the Committee on Internal Improvements and ordered to be printed.

MEMORIAL

OF THE

Contractors on the Chesapeake and Ohio Canal,

PRAYING FOR RELIEF.



MEMORIAL.

*To the Honorable,
the General Assembly of Maryland.*

The memorial of the undersigned contractors upon the Chesapeake and Ohio Canal, respectfully represents to your honorable body, that the company is now indebted to them in large sums of money, to some more and to others less, for work done for said company, under contracts before entered into between them and said company.

That as is well known to your honorable body, the said company is at present unable to pay them the money due, and have no possible means of future payment, except that which comes from the State of Maryland. That at the time when the company was in embarrassed circumstances, when its means had been expended, and its treasury empty, and when the company could no longer be looked to for payment, they were induced to proceed with their respective works, by the action of the stockholders upon the 1st June 1840. That at the meeting of the stockholders held at that time, the following proceedings were had.

A committee was appointed to report upon the continuance of the work; and upon the issuing of scrip, "that Mr. H. G. S. Key, one of the representatives of the State of Maryland in said company, from the committee reported the following resolution.

Resolved, That the President and Directors of the canal company be and they are hereby authorised and recommended to continue in progress, the work now under contract on the line of the canal, and to issue their scrip in payment for the same, bearing an interest of six per centum per annum, and redeemable at any time not exceeding twelve months, when money for that purpose cannot be readily raised by a sale of Maryland State Bonds, at reasonable rates; provided however, that the aggregate amount of said scrip shall not exceed the sum of two hundred and fifty thousand dollars."

Mr. H. G. S. Key, one of the representatives of the State of Maryland, in said company as aforesaid, moved to strike out the proviso, which motion prevailed; and on taking the question, the resolution as amended was passed without opposition.

As is well known to your honorable body, the State of Maryland has a controlling influence in all action of the stockholders, holding a majority of the stock of said company. That under this state of facts, the undersigned looked to the action of the stockholders, as, in fact, the action of the State herself; and therefore considered themselves as acting in accordance with the recommendation and order of the State, in progressing with their work, at the time when it was universally known and conceded, that the company could pay them, in no other way, than by giving them such evidences of debt, as might be used at that time, for carrying out the recommendation of the stockholders. That the undersigned looking no longer to the company, pressed on in their respective contracts, upon the credit of the State, looking to her as the source, from which to derive payment, in the event that the company should not realize the means, from the bonds of the State, which she then held, and which under the then state of the Stock-market, could not be sold without great sacrifice, and which as it eventually turned out, were not sufficient to liquidate the debts of the company.

This action of the stockholders, the undersigned looked upon as an implied promise on the part of the State, that in carrying out the resolution above cited, to continue their work, that they should receive no damage therefrom, and should finally be satisfied for their labour.

The undersigned would further represent to your honorable body that the action of one branch of the Legislature, at its last regular session, held out to them further encouragement to proceed with their work, at a time too, when they had gone on almost as long as they were able without funds. But after the proceedings referred to, and which the undersigned will insert in an after part of this memorial, those of them who had not finished their contracts, still went on, until they had stretched their credit to the utmost possible limit.

The proceedings referred to, are to be found on the 113th page of the Journal of Proceedings of the House of Delegates, to wit:

Mr. Shower offered the following resolution, Resolved, by the General Assembly of Maryland, that the President and Directors of the Chesapeake and Ohio Canal Company, be and they are hereby requested to suspend all further operations on the canal, until such times as the Legislature of this State shall signify to the contrary.

Resolved, that the Governor be, and he is hereby requested to forward a copy of the foregoing resolution to the President and Directors of the canal company.

Which was read the first time and by special order the second time. On the question being put, will the House assent to said resolution? it was determined in the negative."

The Journal shews, that the vote upon the resolution stood, 12 affirmative—45 negative.

The undersigned saw in this that the popular branch of the legislative body were opposed to the suspension of the work upon the line of the Canal, and were thus influenced to continue until brought to the very verge of bankruptcy. Under this state of facts the undersigned are of opinion, that they present to your Honorable body a claim strongly founded in justice, for the payment of the debts due them, which were in fact contracted upon the credit of the State, and upon the confidence, they believe to be well founded, that the State of Maryland will feel herself bound to pay them.

With a knowledge of these facts, it would be needless to state to your honorable body the distressed situation to which they have been reduced themselves, and the many labourers and other creditors, to whom they are indebted. Most of them are in debt to a very large amount, without any means of payment whatever, and unless they can obtain their just claims at the hands of your honorable body, they must be reduced to insolvency, and lose not only the product of their labour upon the line of the Canal, but some of them the hard earnings of twenty years.

But the ruin is not confined alone to the undersigned, but must extend itself to very many creditors, nearly all of whom are citizens of the State.

The undersigned in conclusion need hardly remind your honorable body, that the work done for which said debts have been contracted, must conduce eventually to the great advantage and interest of the State of Maryland, whose funds are already so largely embarked in the said company, and that unless the calculations of the past prove illusory, this great work, when completed, will not only reimburse the state for its cost and the advances made, but will provide for it a perpetual source of revenue. That this will be the case the undersigned most confidently believe.

The undersigned therefore pray your honorable body to provide, in a way which to you may seem best, a means for the payment of the money due them from the Chesapeake and Ohio Canal Company.

And as in duty bound your memorialists will ever pray, &c.

Geo. Hoblitzell,
Thos. M. Maccubbin,
L. Montgomery,
Wm. P. Sterett,
George S. Mann,
John Moore,
Philip Gormley,
J. Cheston Lynn,
John Moore,
Andrew McMahan,
Michael Breslin,
Z. Gatton,

James Cunningham,
R. W. Watkins,
Lloyd Lowe,
John Waldron,
James H. Hoblitzell,
Geo. Gould,
William Whitman,
Laurence Murray,
Philip Fitzpatrick,
Samuel Watkins,
Laurence Bargy.



BY THE HOUSE OF DELEGATES,
January 18th, 1842.

Read and referred to the Committee on the Militia and ordered to be printed.

R E P O R T

OF THE NUMBER AND CONDITION OF

Arms and Accoutrements and Materials of War,

IN THE

ARMORY AT ANNAPOLIS,

December 1840.

