

marginal sea area within its boundaries may be exercised only "in the absence of a conflicting Federal claim", citing *U. S. v. California*; and

WHEREAS, The President of the United States has heretofore issued an Executive Order authorizing the Secretary of State and the Secretary of Interior to recommend establishment of zones for Federal regulation and control of "fishery resources" and "fishing activities" in "those areas of the high seas contiguous to the coast of the United States", and the Department of State in December, 1948, notified coastal State officials that it will begin to put this program into effect; and

WHEREAS, said Federal executive agencies have introduced in Congress and will attempt to speed the passage of a Bill bestowing Federal ownership and control of the marginal seas of all the coastal States; and

WHEREAS, the Department of Justice in the proceeding above referred to entitled *U. S. v. California* is attempting to persuade the Supreme Court to declare that the San Pedro Bay off the coast of California is a marginal sea and so a Federal area, except as to points within headlands which are within six miles of each other; and

WHEREAS, the headlands of the entrance of the Chesapeake Bay are more than six miles apart; and

WHEREAS, the Department of Justice has publicly expressed the belief that the Chesapeake Bay, like Delaware Bay, is an "historic exception" to the six miles headland rule; and

WHEREAS, while the Department of Justice and the Executive Branch of the Federal government have stated that the marginal sea rule did not apply to navigable waters within the boundaries of the State and that its extension would not be sought, there are many in office in the Federal government who believe and strive to the contrary; and

WHEREAS, if the Department of Justice and the Executive Branch of the Federal government could persuade the Supreme Court to overthrow more than a hundred years of established precedent and to re-write the Constitution of the United States in the case of the marginal sea, there is no reason to believe that they cannot, in the near future, similarly persuade that Court to extend that doctrine to the Chesapeake Bay and the inland waters of Maryland and all