

obstruct the navigation of the Susquehanna river, or any of its tributaries; nor to infringe or injure in any manner the rights and privileges of the owner or owners, or possessors of any fishery or shore property, either on the mainland or islands, or any other property, real or personal; and that said company shall be liable for, and pay all damages, direct or consequential, that may be done to private property by reason of the erection, maintenance or use of said boom or booms, pier or piers, or any works appurtenant thereto; said damage to be determined and ascertained by a jury of condemnation, as provided in sec. 4, which said jury shall be summoned to ascertain and assess the amount of damages at the instance of either the Boom Company, or the owner of the property so claimed to be injured or depreciated in value, or by suits of law, &c.; and in all cases where private owners of property, feeling themselves agrieved or injured in their property, may demand and require a jury to be summoned to ascertain the damages or injury to property so claimed to be injured, and where the amount so assessed by the jury, is in amount the same or less than that tendered by the corporators, then the Judge of the Circuit Court of the county within which the property lies shall determine which of the parties shall pay all the costs attendant on the summoning the jury, and the performance of the duties entrusted to them;"

Which were severally read and adopted.

Mr. Billingslea submitted the following amendment to the 3d section:

In line 5, sec. 3, after "spars," strike out the word "timber;"

Which was read and adopted.

Mr. Maddox submitted the following amendment to the 3d section:

Sec. 3, line 60, after the word "the," insert "the school fund of the State," and strike out the words "commissoners &c.," inclusive of the word "schools," in line 61;

Which was read and adopted.

Mr. Stirling submitted the following amendment to the 3d section:

Sec. 3, after the word "river," in line 12, insert "the location of said boom, shall be above the bridge of the Philadelphia, Wilmington and Baltimore Railroad;"

The question on the adoption of the amendment, was  
Determined in the negative by yeas and nays as follow:

AFFIRMATIVE.

Messrs. Stephenson,  
Stirling,

Waters—3.