

The bill entitled, a supplement to the Act of 1853, chapter 194, entitled, an Act to incorporate the Baltimore and Potomac Railroad Company,

Being under consideration,

Mr. Bowie submitted the following amendment:

“Section 2. And be it enacted, That if the Baltimore and Potomac Railroad Company shall have failed to construct the main stem of said Road from the city of Baltimore to the Potomac river according to the provisions of the charter, and to have the said road constructed or laid its entire length, by which failure the franchise and right to construct said lateral road shall become forfeited to the State, it shall not be necessary for the Governor to have legal proceedings by scire facias or information, in the nature of a quo warranto, but the Governor shall appoint three trustees or commissioners, not interested in the said road, or its stock, or franchise, to enter upon and examine the said main stem road, (having first given notice to the President or some of the Directors of the Company) and ascertain whether the said lateral road has become forfeited according to the provision of this Act, and who shall in a reasonable time, to be fixed by the Governor, make return to the Executive of the State, and if the said report of the trustees or commissioners, or a majority of them, shall declare that the said main stem has not been completed according to the requirements aforesaid, the Governor shall appoint three trustees or commissioners, to take possession of the said lateral branch road to the District of Columbia, and shall hold the same for the use of the State, until the next meeting of the Legislature;”

Mr. Stirling moved to make said bill the order of the day for to-morrow.

Mr. Stirling moved a call of the Senate,

The Sergeant-at-Arms was sent to inform the absent Senators that their attendance was required in the Senate Chamber.

On motion by Mr. Stephenson,

All further proceedings under the call were dispensed with.

The question then recurred upon the adoption of the motion of Mr. Stirling; and it was

Determined in the negative, by yeas and nays as follow:

AFFIRMATIVE.

Messrs. Billingslea,
Davis, of Washington,
Frazier,
Holton,
Maddox,

Philpot,
Stirling,
Vickers,
Waters—9,