

as modifying the charter of said company, so far as this act may come in conflict with it.

Which was read.

On motion of Mr. Spence,

Said amendment was amended by adding thereto the following: "And be it enacted, That after the commissioners appointed under the provisions of this act, shall have fully discharged all of the duties hereby imposed on them, they shall return to and place under the charge of the Register of the Land office for the Western Shore, all of the books, papers, maps and charts, &c. of the said Eastern Shore Rail Road Company;

Mr. Heckart then moved to amend said amendment by adding thereto, as an additional section, the following—

And be it enacted, That the last provision contained in the 8th section of an act passed on the 4th day of June 1836, chapter 395, for the promotion of internal improvements shall always be and remain as valid and be as binding as it would have been, if none of the Eastern Shore Rail Road stock ever had been subscribed, and if said road never had been commenced, so far as the balance of the one million of dollars named in said provision, is concerned, after deducting the whole amount of monies actually paid heretofore, or which may hereafter be paid under this act to, towards or on account of the Eastern Shore Rail Road Company;

Which was read.

Mr. Bowie moved to postpone the further consideration of the said bill and amendments until to-morrow.

On the question being put,

It was determined in the negative.

The question then recurred on the adoption of the amendment offered by Mr. Heckart, and on being put?

It was determined in the negative.

The question then recurred on the adoption of the amendment offered by Mr. Selby, as amended, and on being put—

On motion of Mr. Tuck,

The yeas and nays were required and appear as follows:

AFFIRMATIVE.

Messrs. Constable	Frazier	Sangston
Welsh, of K.	Tall	Thawley
Owens	Phelps	Giles
Hammond	Foard	Le Grand
Poultney	Heckart	Graves
Welsh, of B.	Welch, of A.	Seidenstricker
Ristean	Wilmer	Mason
Stansbury	Selby	Byer
Holmes	Spence	Keppler
Lloyd	Hearn	Berry
Colston	Firor	Parke
Cottman	Sutton	Bramwell
Winder	Polk	Hook—40.
Humphreys		