

Which were severally read the first and by a special order the second time, severally passed, and sent to the Senate.

Mr. Nesbitt reported a bill, entitled an act to regulate the drawing of lotteries in this State;

Which was read and referred to the committee on lotteries.

The house then resumed the consideration of the unfinished business of yesterday, being the bill from the senate, entitled an act to repeal certain parts of the act, entitled "an act for the promotion of internal improvement, passed December session 1835, ch. 395;

Mr. Nesbitt moved to amend said bill, by striking out all after the enacting clause of the bill and inserting in lieu thereof, the following:

That, upon application of the commissioners of Washington county to any justice of the peace of Frederick county, commanding him to summon a jury of twenty-three good and lawful men of his bailiwick, to meet at the court-house in the city of Frederick, on some day, between the 1st day of July and the 1st of September next, to be named in the warrant; and the jury so met, being not less than twelve of those summoned, shall each take an oath or affirmation, to be administered by the sheriff, that he will well and faithfully, and without favor or prejudice, assess the damages sustained by Washington county, by the failure of the said company to construct their road so as to pass through Hagerstown and Boonsborough, as directed by the act of 1835, ch. 395, and the effect, operation and consequence of the failure of the said company so to construct their said road, upon the interests and prosperity of Washington county, and upon the property of her citizens, shall be competent to go before the said jury, who shall hear and consider all the proofs and allegations of the parties, and enquire into the very right of the matters so in controversy, and shall award such damages to Washington county, as, under all the circumstances, they shall adjudge to be justly and rightfully due.

Sec. 2. And be it enacted, That, in the said trial, the commissioners of Washington county shall be plaintiffs, and the Baltimore and Ohio Rail Road Company shall be defendants; and each juror shall be allowed three dollars per day for his attendance, to be paid by the parties equally.

Sec. 3. And be it enacted, That the verdict of the jury shall be signed and sealed by the said sheriff and each of the jurors, and together with the warrant and other proceedings, shall be lodged with the clerk of Frederick county court, to be by him recorded.

Sec. 4. And be it enacted, That the damages so awarded by the said jury, shall be payable in yearly instalments, the first of which shall become due in one year after the said rail road shall be finished to Cumberland; and the said verdict and damages shall be deemed and taken to be in lieu of the said forfeiture of one million dollars; which, upon the finding of the jury, and the payment of the award of the said damages, shall be remitted and released; and any