

NEGATIVE.—Messrs. Spencer, Tilden, Hollyday, Thomas, of A. A. Chapman, Walker, Carroll jr., Lankford, Waters, of Somerset, Philips, Dennis, Phelps, Chaplain, Semmes, Harrison, Temples, Earickson, Purnell, Hearn, Franklin, Cathell, Polk, Yellott, Hopkins, Potter, McKnett, Keene, Curley, Carey, Hollman, Kilgour, Griffith and Waters of Montgomery—33.

So the blank was filled up with "six."

Mr. Franklin then moved to amend said bill by inserting as the 3rd, 4th and 5th sections of the bill the following :

"Sec. 3. And be it enacted, That in the event that no sale of the State's interest in the Chesapeake and Ohio Canal, shall be effected according to the terms of the foregoing section, before the 1st day of June next, the agents and directors of the Chesapeake and Ohio Canal Company, and of the Baltimore and Ohio Rail Road Company, appointed and to be appointed, to represent the interests of this State in those works, be and they are hereby authorised and required to vote for, and aid in making such a contract or contracts between the said two companies, as will be likely to secure the transportation by the said rail road company, of such freights as may be offered to dam No. 6, of the said canal, at rates of toll not exceeding $1\frac{1}{2}$ cent per ton per mile, for a term not exceeding five years; provided however, that the said rail road company shall not thereby be prevented from taking such freight as may be offered for the city of Baltimore or any intermediate place, between the city of Baltimore and dam No. 6 of said canal.

"Sec. 4. And be it enacted, That if such contract shall be made and entered into, by and between the said rail road and canal companies, at any time before the meeting of the next General Assembly of Maryland, then and in such case the faith of the State is hereby pledged that for the space of five years from and after the making of such contract, no action shall be had by this State, its agents, or directors, providing for or towards the further extension of the said canal beyond dam No. 6, without the consent of the said rail road company, or without making a compensation to the said rail road company for its outlay in preparing the necessary machinery and altering their road, and for incurring whatever other expense may have been necessary to carry on said trade.

"Sec. 5. And be it enacted, That said canal and rail road shall not be withdrawn from the market in consequence of any contract entered into by virtue of the 3rd and 4th sections of this act, but they shall at all times be subject to be sold according to the provisions of this act, subject to the contract aforesaid."

Which was read.

Mr. Calvert moved to amend said amendment by inserting after the words in section three, "to dam No. 6, of the said canal," the following proviso:

"Provided however, that before this act shall go into operation, the said rail road company, shall deliver to the Treasu-