

Mr. McMaster submitted the following amendment :

In section one, line eighteen, after the word "destroyed," strike out the words "under any circumstances ;"

Which was read ;

The question upon its adoption was determined in the negative by yeas and nays as follow :

AFFIRMATIVE.

Messrs. Harwood,
Jenkins,
Lansdale,

Mackall,
McMaster—5.

NEGATIVE.

Messrs. Billingslea, of Carroll,
Carroll,
Davis, of Caroline,
Davis, of Washington,
Holton,
Maud,

Ohr,
Philpot,
Stephenson,
Tome,
Trail,
Turner—12.

The said bill was then ordered to be engrossed for a third reading.

Mr. Ohr submitted the following message :

BY THE SENATE,

March 7th, 1865.

Gentlemen of the House of Delegates :

We have received your message transmitting the House bill entitled, "an Act to amend the charter of the Western Maryland Railroad company," endorsed March 3rd, 1865, amendment concurred in and the bill, as amended, passed by yeas and nays. The bill having thus passed by the concurrent vote of the two Houses according to the provisions of the Constitution, was then a law so far as the action of the General Assembly was concerned, in the opinion of the Senate, and can only be reconsidered in the way of a bill to repeal.

The endorsement by the House on the 6th of March, reconsidered and amendment non concurred in as explained by your Journal appears to have been a reconsideration of the amendment and not of the bill as passed by both Houses. Granting the power of either House to reconsider a law, in the judgment of the Senate, it would have been necessary to reconsider the vote by which the bill was passed, and then to reconsider the vote concurring in the amendment.

Entertaining these opinions of this subject, we respectfully