

any use or purpose within the proper "scope, meaning or authority of said act, or of the charter of its incorporation," and it has not at any time been alledged by any person, that any portion of said loan has been applied to any purpose not "within the proper scope, meaning or authority of said act of incorporation"—Therefore

*Be it resolved* by the Legislature of Maryland, That it is *unwise, unnecessary and wholly inexpedient* to institute any suit or action against the President and Directors of the Chesapeake and Ohio Canal Company.

Which was read.

Mr. Brengle moved to refer said preamble and resolution, and the substitute offered by Mr. Buchanan, to the consideration of the next General Assembly.

After some debate thereon;

On motion of Mr. M. Lean,

The house took a recess until 4 o'clock, P. M.

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#### FOUR O'CLOCK, P. M.

The house met, and resumed the consideration of the preamble and resolution submitted by Mr. Alexander, and the substitute offered therefor by Mr. Buchanan.

The question before the house, being upon the reference of said preamble and resolution, and substitute, to the consideration of the next General Assembly.

On the question being put, on referring said preamble and resolution and substitute, to the consideration of the next General Assembly,

It was resolved in the affirmative.

On motion of Mr. Carpenter,

The yeas and nays were ordered, and appeared as follows—

#### AFFIRMATIVE.

Messrs. Gantt, Speaker	Brengle
Ford	Bowlus
Shaw	Doub
Primrose	Matthias
Ridgely	Nelson
Hood	Nicols
Simmons	McLean
Worthington	Richardson
Shower	Mann
Ristean	Swingley
Kerr	Rertch