

“SEC. 4. And whereas, it is represented that the construction of said bridge, without a draw, across the eastern channel of the river, will injure the owners of land lying on the eastern side of said channel, between the said bridge and a point opposite to the upper or northern end of Watson’s Island, and it is just that in case of such damage to property, the owners should be compensated; and therefore it is further enacted, that if the said company shall construct the said bridge without a draw across the eastern channel of the river, of the dimensions, offsets and buoys prescribed in the said act of 1853, chapter 138, the Governor be and he is hereby authorized and empowered, on the application of any of said owners, to appoint three persons of skill and judgment as commissioners, who shall have power to go upon and examine the property lying on the eastern shore of the said eastern channel, between the bridge and the upper end of Watson’s Island, with a view to ascertain the damage to the owner or owners of said lands, by reason of making the bridge without said draw, and to that end may examine witnesses, if they deem the same necessary, and on consideration of all the proofs and circumstances, shall have power to award the owners of said lands respectively such sum or sums as they may deem a sufficient compensation for said damages, to be paid by said company and to be received by said owners in full satisfaction for such damage, which award shall be returned to the Governor under their hands, and may be put in suit against the said company, if the sums awarded shall not on demand be paid to the persons entitled, his, her or their executors, administrators or assigns; provided, however, that this section shall not prevent the company from proceeding to construct said bridge, and complete the same before the appointment of such commission;”

The question being on the adoption of the amendment;

Mr. Chappell demanded the yeas and nays;

The demand being sustained,

The yeas and nays were called and appeared as follow:

AFFIRMATIVE.

Messrs. Dent,	Handy,	Trail,
Martin,	Elliott,	Hitchcock,
Westcott,	Frazier,	Archer,
Claude,	Brohawn,	Silverwood,
Iglehart,	Hance,	Stockbridge,
Griffith,	Clarke,	Murray, of B. city,
Ireland,	Herbert,	Dundon,
Carrico,	Duncan,	Boswell,