

the last preceding surveys, plans and estimates thereof made and verified by the engineers of the said company, and adopted by the said company and approved by the said directors, which is required to be made and certified by the State's directors in said road or a majority of them, to the Treasurer for the Western Shore, under the provisions of the fifth section of the act for the promotion of internal improvement, passed at the adjourned May session in the year 1836, chapter 395.

And be it enacted, That all loans of money at the time actually and bona fide made, or contracted to be made to the said company by persons or corporations of reasonable ability to advance the monies loaned or contracted to be loaned as aforesaid, may be included in the estimate to be made by the said State directors as aforesaid; provided nevertheless, that no such loan to be made as aforesaid shall in any manner impair the rights and priorities of the State secured by the aforesaid act, or in any manner affect or bind the State's interest as a stockholder thereof, and that no interest on said loans shall be paid out of the nett profits of the said road until after the payment of the interest or dividends secured to be paid out of said profits upon the State's subscription made to the capital stock of the said company under the provision of the said act.

And be it enacted, That all monies which shall be paid to the said company on account of the State's subscription to the capital stock of the said company, shall be applied to the construction of its rail road from Cumberland westward to the Ohio river.

Which was read.

Mr. Williams moved to amend said amendment by striking out the 3d section thereof, and inserting in lieu thereof the following:

And be it enacted, That the said road shall first be completed to Cumberland before any thing shall be expended by said company towards the making of said road westward of Cumberland.

Determined in the negative.

On motion of Mr. Williams, the yeas and nays were ordered and appeared as follows—

AFFIRMATIVE.

Messrs. Crane	Denny	Williams
Sollers	Jones	Nelson
Parran	Comegys	Boon
Duke	Evans	Swingley
Kent	Hearn	Rentch
Beall	Powell	Witmer
Hughes	Biser	Boyle of Car.
Carpinter	Geyer	Powder—26
Ely	Ent	

NEGATIVE.

Messrs. Tuck, Speaker	Adams	Giles
Hopewell	Frazier	Hillen