

be construed to authorise the construction of any such lateral road on or over any land, without the consent of the owner or owners thereof, in writing, first had and obtained; Provided, also, That the owner or owners of any mill, factory, or other possession, to which any lateral road shall be made in virtue of this act, shall be entitled, at any time, to a transfer of all the right of the said company in and to such lateral road, and to the tolls accruing thereon, by paying to the said company the actual cost of the construction thereof, including the purchase of any right of way, such cost to be ascertained by three persons not interested or related to any person interested in such road, mill, factory or other possession, one to be appointed by the said company, one by the owner or owners of such mill or factory, and the third to be appointed by those two, the decision of any two of whom shall be final as to the amount; and on the payment of such amount to the said company, or to their use, the rights to such lateral road, and to receive tolls thereon, shall be vested in the owner or owners of the mill, factory, or other possessor, so paying the same; subject nevertheless to the condition of keeping such road in repair."

Which amendment was read and assented to.

The said bill was then read a second, and by special order a third time, and passed with the proposed amendment.

On motion of Mr. Forrest, the senate re-considered the bill, entitled, *An act to restrain attorneys and solicitors in chancery from entering their appearance to any suit, bill or action at law or in equity, in the courts of this state, without special authority.*

The question was then put, Will the senate assent to the amendments proposed by the house of delegates to the amendments heretofore adopted by the senate to said bill? Determined in the negative.

Mr. Forrest then offered the following message; which was read and assented to.

By the Senate,

February 23, 1831.

Gentlemen of the House of Delegates,

Your amendments of the amendments of the bill, entitled, *An act to restrain attorneys and solicitors in chancery from entering their appearance to any suit, bill, or action at law or in equity, in the courts of this state, without special authority, have received from the senate respectful consideration, and we regret to say we cannot accede thereto. We*