by said company, unless the same be made in cash, endorsed "nonconcurred in".

A report from the Joint Standing Committee on Ways and Means, with a resolution relating to authorizing the Regulator to settle with the Gas Light Company of Baltimore, by orders of the Mayor and City Council of Baltimore, all bills now due by the city to said company, or that may hereafter become due, was received from the first branch, and read.

On motion of Mr. Spillman the resolution was read a second time, by special order, and concurred in.

The first branch returned the resolution relating to granting permission to George R. Berry to erect a kiln for the burning of fire brick, on the lot of ground bounded by Warren, Buccleu, Hamburg and Cross streets, endorsed "concurred in".

Mr. Kirk moved that a message be sent to the first branch, requesting them to return to this branch the preamble and resolutions relating to instructing the City Counsellor to proceed, by way of injunction, mandamus, or other appropriate proceedings, to restrain the Baltimore and Ohio Railroad Company from declaring a dividend in bonds, to the stock holders of said company and also the message from this branch relating thereto, which was determined in the affirmative.

The following message was received from the first Branch and read:

In First Branch,
Baltimore, Dec 17th 1856.

Gentlemen of the Second Branch;

We respectfully return the preamble and resolution relative to instructing the City Counsellor to proceed, by way of injunction, mandamus, or other appropriate proceedings to restrain the Baltimore and Ohio Railroad Company from declaring a dividend in stock and also your message relating thereto.

By order,
John Bunting, Clerk.

Mr. Kirk moved to re-consider the vote by which the Branch refused to recede from the proposed amendments to the preamble and resolution, which was determined in the affirmative.

Mr. Kirk moved that the branch recede from the proposed amendments, which was determined in the affirmative.

Mr. Hintze submitted the following resolution, which was

Resolved by the Second Branch of the City Council, That the Directors on the part of the city in the Baltimore and Ohio Railroad Company be, and they are hereby, requested to inform this branch what amount of the second track of said road has been commenced and completed since the grant of the five million dollars loan by the city of Baltimore to said company; also the cost per mile of such portion of said second track.

On motion of Mr. Hintze, the resolution was read a second time, by special order, and adopted.

Mr. Henning called up the ordinance entitled "An ordinance to establish a Police for the City of Baltimore" — the special order of the day — which was read.

Mr. Kirk moved a division of the question, which was determined in the affirmative.

The question being taken on the portion of the proposition to amend, relating to providing that the City Council of Baltimore shall nominate two persons, from whom the Mayor shall designate one to fill the office and perform the duties of Marshal, it was determined in the negative by the following vote, the yeas and nays being required by Mr. Henning.

Yeas — Messrs. President, Horney, Kirk, Hintze and Gordon, — 5.

Nays — Messrs. Henning, Kelso, Simms, Bierbower and Sullivan — 5.

Mr. Gordon moved to amend the eighth section, by striking out the words, "in the same manner as other city officers are", in the third and fourth lines, and inserting the words "by the Mayor and the two branches of the City Council, respectively", which was determined in the negative by the following vote, the yeas and nays being required by Mr. Gordon.

Yeas — Messrs. President, Horney, Kirk, Hintze and Gordon — 5.

Nays — Messrs. Henning, Kelso, Simms, Bierbower and Sullivan — 5.

Mr. Kirk moved to amend the eighth section by striking out the word "fifty", in the second line, and inserting the word "forty two", which was determined in the negative by the following vote, the yeas and nays being required by Mr. Henning.

Yeas. Messrs. President, Kirk, Hintze and Bierbower — 4.

Nays — Messrs. Horney, Henning, Gordon, Kelso, Simms and Sullivan — 6.

Mr. Hintze moved to amend the eighth section, by inserting after the word "of", in the twenty fourth line, the words, "the Mayor