with the administration at Washington in relation to the location for a new post office building in this city, and report the result of said correspondence to the Council, was received from the First Branch and read

On motion of Mr Sullivan, the resolution was read a second time, by special order, and non concurred in by the following vote, the yeas and nays being required by Mr Herring.

Yeas - Messrs - Herring, Kelso, Simms Bierbower and Sullivan - 5

Nays Messrs President, Horney, Kirk, Hintze and Gordon - 5.

Mr Bierbower called up the resolution relative to appropriating the sum of ten thousand, three hundred and sixty dollars for the erection of a new market house at Centre Market, between Second and Lombard streets: which was read and non-concurred in by the following vote, the yeas and nays being required by Mr Herring.

Yeas - Messrs Herring, Gordon, Bierbower and Sullivan - 4.

Nays Messrs President, Horney, Kirk Hintze, Kelso, and Simms - 6.

Mr Herring called up the ordinance entitled "An ordinance to authorize the Northern Central Railway Company to lay a temporary track upon certain streets within the limits of the city of Baltimore," which was read.

Mr Kirk moved to lay the ordinance on the table, which was determined in the negative by the following vote, the yeas and nays being required by Mr Kirk:

Yeas - Messrs President, Horney and Kirk - 3.

Nays Messrs Herring, Hintze, Gordon, Kelso, Simms, Bierbower, and Sullivan - 7.

John R. Kelso, in the Chair.

Mr Seidenstricker moved to amend the ordinance by inserting the following sections after the second section.

Section 3. And be it enacted and ordained, That the said Northern Central Railway Company shall not use, within the limits of direct taxation, any portion of the track authorized to be laid by this ordinance for the passage of any engine or train of cars, excepting between the hours of nine o'clock at night and five in the morning, and should the said company violate the provisions of this ordinance, they shall be liable to a fine or penalty of



twenty dollars for each violation, to be recovered before any justice of the peace in the city of Baltimore, to be sued for in the name of the Mayor and City Council of Baltimore, upon the information of any person or persons who may be cognizant of such violation, the whole of said fine to be paid to the informer.

Section 4. And be it enacted and ordained, That the said Northern Central Railway Company, before they proceed to lay down said track, shall enter into bonds with security with the Mayor and City Council of Baltimore, the said bond to be approved by the Mayor and the Presidents of the two Branches of the City Council, in the penal sum of one hundred thousand dollars, to take up and remove the temporary track (permission to lay which is granted in the first section of this ordinance) at the expiration of two years from the first day of July, in the year eighteen hundred and fifty seven, and to save harmless all owners or occupiers of houses or other property which may be damaged or destroyed in consequence of the use of the road, by fire from locomotives, collisions with other vehicles or otherwise, and in the event of the said temporary track not being taken up and removed at the expiration of the above named time, or in the event of their refusal or neglect on the part of said company to indemnify all persons who are owners or occupiers of houses or other property who may have suffered by the use of said track by said company, then this bond to be forfeited.

Section 5. And be it enacted and ordained, That any person or persons who may have suffered damages to their houses or other property, as the case may be, from the laying down or operating of said road by said Company, may sue upon the said bond in the name of the Mayor and City Council of Baltimore, or should the Northern Central Railway Company omit, refuse or neglect to remove the said track at the expiration of the two years, hereinbefore stated, it shall be lawful for any person or persons, who may conceive themselves to be aggrieved by such omission, refusal or neglect to remove the said track, to enter suit upon the said bond in the name of the Mayor and City Council of Baltimore.

Mr Kirk called for a division of the question on the motion to amend the ordinance, and