

place of junction with the canal company: and, among other reasons, it was urged, that the two works, being both in actual operation to this point, "by this means an opportunity would be afforded of practically testing the relative advantage of the two systems, and the one which the country should decide upon to be the best, could and ought then to be exclusively prosecuted,"—which view was the same that had been expressed by the committee of Internal Improvements of the House of Representatives, of the 19th February, 1830, when it remarked, that when the canal and rail road should be completed to the Point of Rocks, they would afford a fair and satisfactory experiment, on which it could be decided, whether a canal or rail road ought to be made over the mountains, under the auspices of the general government." On this occasion, the president of the Chesapeake and Ohio canal company, who was present for the purpose of opposing, and, if possible, defeating the application, observed, that the end proposed to be obtained, a fair experiment at the Point of Rocks could not be had, unless the canal was permitted to pass up the river to Harper's Ferry, at which place it was intended to construct the dam to feed the canal from that place to the mouth of Seneca Creek, twenty four miles below the Point of Rocks; and went on to say further, that by the act of incorporation, the canal company being required to complete one hundred miles of its work by a limited period, any stoppage of it within that distance would incur a forfeiture of its charter.

In presence of the committee, the president of this company, for the sake of removing every obstacle in the way of an amicable adjustment of the pending litigation, proposed— "That the Commissioners appointed by the Chancellor of Maryland, in the prosecution of their duty, shall, on arriving at Harper's Ferry, report to the president and directors of the road and canal, between the Point of Rocks and that place, state the breadth of the ground to be occupied by each—their respective cost, and the additional expense which each may incur from its collision with the other: and on arriving at a point one hundred miles above Georgetown, or at the next feeder above Williamsport; that they shall also report the same particulars in the same manner, relative to the part of the line between Harper's Ferry and such point, so as to enable the two companies to decide, whether, so far, a compromise of the dispute now subsisting between them be practicable, consistently with their mutual interests."