

struggling for the destruction of each other, as if they supposed the destruction of one, was essential to the vitality of the other. Both parties it is to be regretted, have at times in their progress, seemed to render themselves somewhat obnoxious to this charge; recently, the government of the Canal Company, when it had gained an ascendancy over the Rail-road Company, after a protracted legal controversy, and when too it could not but be conscious of the deep interest the state had in the latter work, and about the time the state was condescending to ask it to harmonize with the rail-road, so as to permit the execution of both works, she rushed forward to the execution of a portion of the work of her canal, in a manner, and under circumstances strongly calculated to lead to the belief, that she was anxious to frustrate the rail-road, at the difficult passes, and by her labour, render that wholly impracticable, which before was not so, and where a joint operation might have been carried on, at no additional cost to her.

The object of the appointment of your committee, in the absence of explicit instructions seemed to be, to proceed to the ground, and examine its topography personally, and there to examine under oath, scientific men touching the before mentioned points, and to ascertain by the same means, the more important fact, of whether the rail-road can yet be made without material detriment to the canal. On exercising the duties assigned it, your committee was constrained to believe that the movements of the Canal Company had been instigated, at least in part, by the above unworthy motive; and that after giving to the subject the most minute and close examination, of which it is capable, is decidedly of opinion that the rail-road can still be made by the contracting the width of the canal, without materially injuring the same; and for some of the data on which it founds this conclusion, your committee begs to refer to the interrogatories propounded to the engineers engaged in both works, herewith submitted, and their answers thereto, particularly to the minute and luminous answers given by Mr. Knight, the principal engineer of the rail-road.

Before closing this report, your committee will take leave to protest against the ground assumed by the canal memorial, by which it is sought to make the state a party to the legal controversy in the case of the two