

and approved by the Governor and the Board of State Agents, or a majority of them.

The President and Directors were, secondly, not allowed to enter into any contract for the completion of the canal until the same was examined and approved by the board of State Agents—who were required to be satisfied that the said contracts would secure the completion of the canal to Cumberland, and,

Thirdly, the said President and Directors were not allowed to issue a single bond in payment for work done upon the unfinished portion of the canal until the same was first examined, approved countersigned by the board of the State's Agents or a majority of them.

From this statement of the provisions of the act of 1844, chapter 281, for the completion of the Chesapeake and Ohio Canal to Cumberland, it will be seen that a performance of the duties imposed by said act upon the board of State Agents was absolutely necessary to a further prosecution of that magnificent enterprise. A refusal on their part to comply, would have rendered the law nugatory, and the company powerless. Further suspension, would inevitably have been the result, until the Governor could have convened the Legislature to make provision to meet the case. Although thus rendered almost executive officers of the company—a position never contemplated by their original appointment, and although no provision had been made to defray even their personal expenses, yet to avert so serious a disaster, and to avoid the expense and inconvenience consequent upon an extra session of the Legislature, the Agents promptly and diligently addressed themselves to the new duties and responsibilities that had been imposed upon them, without their agency or consent.

They examined, and with the Governor approved the guarantee bonds, for the transportation of 195,000 tons of tonnage, as required in said act of 1844. They also carefully examined and approved the contract (a most complex and voluminous document) with its subsequent modifications and alterations for the completion of the canal to Cumberland; and have also up to this time, examined, approved and countersigned, in sums of 500, and 1000 dollars each, \$1,450,000, of which \$1,346,500, have been paid out in monthly payments, in fulfilment of the provisions of the contract, made under authority of the act of 1844 aforesaid. Thus leaving a balance still in the hands of the company, and which they have authority under the law to issue, amply sufficient, according to the estimate of the chief engineer, to complete the canal.

These various and additional duties, have necessarily devolved a great amount of time, labor, and responsibility upon the Agents of the State. The near approach of the final completion of the canal, a consummation so long deferred, and without any additional burden upon the State, is the best evidence they can offer that these duties have been well, and faithfully performed. They now respectfully submit the question of remuneration to the justice of your honorable body.