

power to make a road from Baltimore to Washington, as an independent road; and the power to make such road is claimed only under the clause in the charter which authorizes the President and Directors of the Baltimore and Potomac Road "to make, or cause to be made, lateral railways in any direction whatever from the said road," that is, from the Baltimore and Potomac Road. The mere statement of the case, is a refutation of the charge; for it may be assumed, that the author of the memorial will not seriously insist before you, that the contractors to build the Baltimore and Potomac Road, although they may be foreigners, would consent to use their capital in building a road from Baltimore to Washington, under a charter which gives no power to make a road to Washington, except as a lateral road from the Baltimore and Potomac Road. At the hazard of prolixity, the undersigned will continue this disquisition for one moment longer.

The word "lateral" means "proceeding from the side," and a lateral railway, therefore, is one proceeding from the side of another railway—the very term lateral, presupposes the existence of the thing from which it is lateral; and no lateral railway can be made to Washington, under this charter, until the Baltimore and Potomac Road, from which it is to be constructed as a lateral road, has been completed, or is in the course of completion.

But the charter itself, and the supplemental Act of 1860, chapter 71, puts this question completely at rest. The time is expressly limited for the commencement and completion of the main stem of the road, and the failure to commence and complete the whole road, within the time limited, *per se*, forfeits the charter. The undersigned submits, that no one will attribute such egregious folly to the contractors, as to suppose that they would spend their money in making the road from Baltimore to Washington, without the ascertained ability of completing the whole road, when, by the express provision of the charter, all the money used in making the entire road from Baltimore to Washington would be absolutely forfeited, unless the whole road should be built within the time required. The undersigned submits, that he has demonstrated, that by the contract made by the President and Directors of the Baltimore and Potomac Road, the advantages intended to be given to every section contemplated by the charter are amply secured.

The undersigned will, for a moment, invite your attention to the intimation in the memorial, that those foreign contractors are of those who have heretofore asked Congress to grant the privilege of making a road from Washington to Baltimore; and who now seek to obtain indirectly, what, because of the protest of your predecessors, they failed to obtain from Congress. All the other railways in the State have been constructed in whole, or in part, with money contributed by the