

Such was the severity of the last winter, that the contractors at the August letting, have not kept the start which they then obtained of those who delayed their work till the opening of the spring. The 5th Residence, which reaches the disputed shore at the Point of Rocks, is at present as forward in its progress as the first; and the company would sustain a serious pecuniary loss from a further delay of the final adjudication of the conflicting claims of the Baltimore and Ohio Rail Road Company to the ground surveyed under the authority of Congress, for the Chesapeake and Ohio Canal, and under that of the states of Maryland and Virginia, for the Potomac Company, to whose rights this company have succeeded. It may therefore be confidently expected, from the nature of the controversy itself—from the obvious interest of the state of Maryland in its speedy termination—that, if destined to pass, during the present summer, from the state courts to the chief tribunal of the United States, it may receive a prompt decision by the former, and be finally disposed of before the termination of the ensuing winter.

In anticipation of its result, a skilful engineer, retained in the service of the company, for whom, while waiting the issue of this controversy, other employment did not exist, was employed to prepare for contract, 100 sections of the line already traced for the canal above the Kincorton mountain. This engineer was charged with an examination, at the same time, of the opposite shore of the river. A very careful report was made by him of the character of the ground on both shores of the Potomac, and a preference given to that of Maryland, in harmony with the opinions of all the engineers, by whom he had been preceded. What was highly gratifying to the Board, the impression produced by this laborious examination and survey was, that no greater difficulties will attend the construction of the canal, any where below Williamsport, than have been, so far, successfully encountered below the disputed ground.

A counter memorial to one from the Baltimore and Ohio Rail Road Company, was presented to both Houses of Congress, by this Board, during the last winter, to prevent a like occurrence on the western section of the canal, with that which has arrested the extension of their contracts on the eastern; and it became necessary to obtain an injunction from a court of law to stay that company from proceeding pursuant to a public advertisement,