

Georgetown, at an elevation equal to the height of the water in the river at the head of the Falls, there is no intimation of an intention that the canal shall stop at that basin, and shall be thence locked down to the tide water at that point. On the contrary, the proviso was made with a totally different aspect, and has no relation to the termination of the canal. The purpose of the proviso is explained by the conditions on which the States of Maryland and Virginia had given their assent to the establishment of the Chesapeake and Ohio Canal, to wit: that they should have the right to run off lateral canals from the main stem, into their respective States. The State of Maryland particularly claimed the right of taking off a branch to the waters of the Patapsco; and the report of her engineer, Dr. Howard, had ascertained that this could only be done by bringing down the water into the water into the basin above Georgetown, at an elevation of not less than twenty-five or thirty feet above the level of the tide. It was to secure this great object to the State of Maryland, that this proviso was introduced into the act of Congress, and with no reference whatever to the ultimate termination of the canal at the proposed basin above Georgetown. So that this proviso, while it entirely defeats the construction which requires the canal to terminate at the head of tide water, presents no conflict with the opinion which I have had the honor to express.

Upon the whole, Sir, it seems to me that the resolution of the Chesapeake and Ohio Canal Company, which you have submitted for my consideration, is perfectly within the chartered powers of the Company.

I have the honor to remain,

Very respectfully,

Your obedient servant,

WM. WIRT.

To the Senate and House of Representatives
of the United States of America,
in Congress assembled.

The Memorial of the Chesapeake and Ohio Canal Company, by the President and Directors thereof,

Most respectfully represents:

That the undersigned, as soon as they found it practi-