

peake and Ohio Canal; to which your memorialists now add the accompanying letter from the chief of the board.

Whilst they totally disclaim any unfriendly feeling towards the public spirited enterprise of the Baltimore and Ohio Rail Road Company, and equally disavow any intention, on their part, to intercept the bounty of Congress towards any object whatever, they cannot permit their silence, under existing circumstances, to imply an abandonment, on their part, of the rights of the Chesapeake and Ohio Canal Company; and they beg leave to ask of you an examination of the second section of the act of the state of Maryland, passed at the December session of 1826, of her General Assembly, entitled, "An act to amend the act incorporating the Chesapeake and Ohio Canal Company," which, having been passed in conformity with the fourth section of an act of the Legislature of Pennsylvania, of the 9th February, 1826, entitled, "An act incorporating the Chesapeake and Ohio Canal Company," and having been subsequently confirmed by correspondent acts of the General Assembly of Virginia, and of the Congress of the United States, bearing date respectively the 26th February, 1827, and 23d of May, 1828, of all which acts complete copies of extracts therefrom, are hereto annexed, became part of the charter of the Chesapeake and Ohio Company, and granted to them authority "to terminate the eastern section of the said canal at or near the town of Cumberland on the river Potomac, and to extend the western section thereof in any direction that may be deemed expedient by any other route as well as that prescribed in the aforesaid, (being an act incorporating the Chesapeake and Ohio Canal Company,) towards Pittsburg, and in extending the same in any direction across the dividing ridge which separates the eastern and western waters, to substitute for a tunnel and numerous locks, on such part of the route, inclined planes and railways, or any other artificial communication, or roads."

It is evident, from the terms of this authority, and especially those of the prior act of Pennsylvania, that the Chesapeake and Ohio Canal Company have full power where an adequate supply of water to feed a canal between Cumberland and the navigable waters of the river may not exist, to construct a railway, and consequently part of the very railway which the Congress of the United States are invited to aid in constructing, with the funds of the nation, for the benefit of another company.

If aid  
honorabl  
and Ohi  
been bec  
nitively  
canal, or  
denomin  
Chesape  
desirous  
the east  
the who  
much le  
to the s  
hon of  
have be  
tracts al  
miles of  
tion wh  
pected i  
Compa  
Board  
approve  
govern  
ginee's  
Nathan  
Your  
design  
Ohio,  
after a  
by the  
memor  
rence,  
more a  
road w  
compa  
Potom  
river,  
toward  
lect."  
only  
interf  
would  
alread  
and C  
valley