

of your respectable Board, and we have additional pleasure in observing, that these dispositions are cordially entertained by those of the Board, which on this occasion, we represent.

If it should turn out upon the proposed examination, that the two works can go on socially along the river from the Point of Rocks to Harpers' Ferry, or to any other point on the disputed route; and that so far from being any positive disadvantage to either, it would be for their mutual interest to make a conjoint operation of the grading, walling, and other preparatory works, the president and directors of this company are sincerely disposed to co-operate with you, harmoniously, in so salutary a measure; each party so far waiving their strict and extreme claims, but mutually reserving such claims, in all their force and extent, beyond the point to which they may agree, by the proposed arrangement, to go on socially upon the route in dispute.

With much respect, gentlemen,

Your very obed't serv'ts.

(Signed)

{ JOS. KENT,  
W. SMITH.

( No. 10. )

*Office of the Baltimore and Ohio Rail Road Co. }  
January 19th, 1830. }*

**GENTLEMEN,**—Your communication addressed to me under date of the 12th of this month, has been submitted to the consideration of the Directors of the Baltimore and Ohio Rail Road Company.

Upon conferring with the counsel employed on behalf of this Company, we are advised that the necessary arrangements for accomplishing the object now proposed by you, have already been effectuated, as, upon your application to the Chancellor of Maryland, the counsel on both sides had agreed, that an Engineer recommended by the Canal Company, and another by the Rail Road Company, should be appointed by the Chancery Court, to make the surveys and obtain the information you desire, and it is believed by our Counsel, that the court has made the appointment accordingly. [See Appendix, Chancery Order, marked A.]

The business having in pursuance of the measures heretofore adopted by you, been placed in this situation, it would seem that the object desired, can be as speedily accomplished under that arrangement, as by now changing it for another which appears to be not materially different. If however, it should still