

be your wish to alter the arrangement already agreed upon, although we do not ourselves perceive any advantage likely to be attained by the change, yet animated by the same sincere desire which has always influenced us, to promote harmony and good feelings between the two companies, we will agree, in order that the surveys may be obtained in the manner you now seem to prefer, to make the appointment suggested in your communication of the 12th, it being distinctly understood, that the Engineers are to be merely empowered to make the surveys, examinations and reports, and not to have power to bind the companies, or either of them, in any respect whatever; but that all the legal and equitable rights of both parties are reserved, and that both the Canal Company and the Rail Road Company retain the right of deciding upon what may be proper to be done, after the reports of the Engineers shall have been received.

The assent promptly given by the Directors of this Company, to meet your wishes, as made known to us through your counsel, in the case of their application to the Chancery Court, hereinbefore referred to; and the consent now expressed to meet without delay, the proposition at this time offered to us, as a substitute for that course, is in accordance with the uniform policy pursued by this company on all occasions, when they could, without prejudice to the important interests confided to them, promote the objects and wishes of the Canal Company. Whilst however, the directors of this company are prompted by an earnest desire, to avoid any interference with the progress of the works, contemplated by the Canal Company, they cannot permit the present occasion to pass, without again calling your attention to a proposition made by the President of this Company, to the President of the Canal Company, in the presence of the counsel of both parties, at the time of their first meeting, to confer on the subject of the dispute which had arisen in relation to the right of way, referred to in the proposition now received from you. That proposition, as reported to us by our President, has received our unqualified approbation, and was to this effect, to wit: "That the two companies should each prosecute its respective work, to the point of junction;* and thus far put them both into actual operation; by this means an opportunity would be afforded of practically testing the relative advantages of the two systems, and the one which the country should decide upon to be the best, could and ought then to be exclusively prosecuted." This suggestion was originally offered, and is now renewed under the persuasion that it can hardly be for the public interest, that two works of such magnitude, intended for the same precise object,

*'The Point of Junction' is at the Point of Rocks, 12 miles below Harpers' Ferry.