

completed as appears by their said duplicate report; and that they annex to their said report to the court of chancery, copies of all the instructions received by them from the parties or either of them; and a bill of the expenses now incurred in the execution of the work, so far as they have gone.

Extract from the Journal of proceedings.

Test,

JOHN P. INGLE,
Cpk C. and O. C. Co.

[No. 32.]

Harper's Ferry, July 2, 1830.

*To the President and Directors of the Chesapeake
and Ohio Canal Company,—and*

*To the President and Directors of the Baltimore
and Ohio Rail Road Company.*

The undersigned commissioners respectfully Report—

That in pursuance of their appointment by the chancellor of Maryland in his order of the 18th day of January last, to execute certain surveys &c., along the left bank of the river Potomac, from “the Point of Rocks” upward, along that stream, as mentioned and described in said order, and for the purpose of ascertaining the nature and extent of the alleged collision of the routes of the said Canal and Rail Road.—They have attended to their appointment and to the instructions which they have received from the two companies, in a manner as they conceived to be demanded by the importance of the subject, from a point below, but near to, “the Point of Rocks” to a point at the bridge which crosses the Potomac at Harper’s Ferry.

Having taken a view or reconnoissance of the localities between the points aforesaid, it was found that we united in opinion, that it was practicable to construct both the contemplated works through the narrow passes, but that it would require surveys and levels throughout, to enable us to define the limits separating the parts in collision from those which would be free.

We then agreed upon the slopes which should be given to the banks, whether of earth or of rock, and upon the prices to be allowed in the estimates, and acquiesced in thirty feet as the breadth for the graduation of the Rail road, inclusive of half the breadth of the partition wall on the top, and in fifty-six feet three inches as the breadth for the top water line of the canal, inclu-