

'tis thought most expedient, in every view, to leave that matter for distinct and separate discussion and adjustment, when the occasion necessarily arises; and when the particular extension or branch, desired by either party, shall be definitely proposed, and can be viewed in all its bearings. It would be extremely difficult, if not impracticable, to lay down, in advance, all the necessary stipulations for merely hypothetical and possible branches of either work crossing the other. Upon every account, it is deemed the simpler and safer course, for the present, to confine the stipulations of this arrangement, to points necessarily incident to a compromise of the *existing controversy*, as to the described portion of the route in dispute.

*Sixth Proposition.*

**First modification of the sixth proposition.**

Nothing herein contained to oppose any objection to the canal company's changing, at its own discretion, the position of the lock, now contemplated next above the lower Point of Rocks, and placing it, at the same level, below the said Point of Rocks.

**Second modification of the sixth proposition.**

In those parts of the route described in this proposition, where open space is afforded for the two works, without any necessary collision, and where the necessity for conjoint operations is supposed by the terms of the proposition to be dispensed with, the rail road shall be so located as to leave a space not less than from thirty to one hundred feet, including the berm to the canal, according as the nature of the ground admits the smaller or larger space, between the two works, free and clear for the purposes of the canal. This is the least space deemed indispensable, on the side of the canal, for the incidental purposes of carrying on the work, repairs, &c. laying materials, and admitting open intercourse with the country, wherever the nature of the ground admits of that, or indeed a larger space; as it is presumed to do in this case in the open ground between the difficult passes, where conjoint location and operation are proposed as necessary and expedient. The most amicable arrangements, incidental to this compromise, in completing the locations of the two works through the open ground between the Lower Point of Rocks and Harper's Ferry, are contemplated on the part of the canal company; and any reasonable concessions on either side, in the locations and operations of the two companies, on those parts of the route, will of course, be dictated by the spirit of compromise that produces this arrangement.