

with each other, and, in its last letter, this Board presented to you distinctly this mode of accommodating the whole controversy, in order to meet the views, it was then supposed your Board entertained, in relation to the continuance of the canal.

But it was never supposed by this company that a compromise for a small portion of the route, coupled with an agreement to continue the law suit for the residue, until the courts could decide it, would answer any useful purpose, and it is believed that nothing has ever been said in any communication to your Board, which can fairly be so interpreted. On the contrary, all the propositions of this company have looked to a *friendly and entire compromise of the controversy*, upon such terms as would secure to the public the best and most useful communication between the Atlantic and the Western waters. And this Board again repeat that they are now willing to ensure this desirable object, either by an agreement that shall open the way for both works to be carried on harmoniously throughout the line, or by entering into an arrangement which shall secure that one only, which, upon experiment, may be ascertained to be the best. But they see no reason why this company should enter into an agreement by which they are to incur heavy and burthensome expenses, without accomplishing any useful purposes either for themselves or the community.

The misinterpretation of the conduct and views of this Board in your letter, has made it proper, in their opinion, to give this statement of the nature and character of the differences now subsisting between the two companies, in order to guard themselves against misapprehension.

As relates to the other remarks contained in your letter, they direct me to say that they did not begin this controversy, and that no act of theirs shall delay its termination. The postponement for a few days (it is believed not more than seven or eight) of the commencement of the surveys directed by the Chancellor, was occasioned, as your Board were at the time duly informed by accidental and unforeseen circumstances "of an urgent character, beyond the control of this Board," and were explained in their letter to you of the 9th April, 1830.\* Upon a reference to that communication, which may have escaped your memory, you will perceive that a mistaken impression on your part has led to the assertion made in your letter, that the commissioner nominated by this Board was kept by them otherwise employed, so as "greatly to delay the commencement of that survey." And this Board did not expect after the frank and satisfactory explanation then given, to find the short and accidental delay in the

\* Also see letter No. 29.