

of the Ohio: and at the meeting of the 19th February, held by persons, none of whom were engineers, or acquainted with the topography of the country over which the road was to pass, all conjectures or calculations as to the route must have been, from necessity, and most apparently, vague and uncertain. And although a straight line between Baltimore and the Ohio *was* spoken of, and reasoning founded upon it, yet it never could have been reasonably imagined, that the ideal track, thus marked upon the map, would be adhered to, in opposition to the surveys and recommendations of experienced men, subsequently made, expressly with the view to the selection of the best and most economical route—much less, that the proceedings of the citizens at the meeting in question, could have any binding force upon the corporation subsequently created, either legally or morally. These remarks are rendered necessary from its having been elsewhere gravely urged, that this company, by not following the direct and mathematical line spoken of at the meeting of citizens, in fact imposed upon the legislature and the public. (a) A comparison of dates, as well as the tenor of the last mentioned report, prove, satisfactorily, that the rail road system in Baltimore originated, chiefly, from the conviction at the time, and which, it is believed, still remains unchanged, that the project of a canal communication between the eastern and western waters, was morally, if not physically, impossible, and, of course, for ever at an end. On the 28th of February, the Baltimore and Ohio Rail Road Company was incorporated by the Legislature of Maryland, (b) and on the 8th of March the charter granted by Maryland was enacted by the legislature of Virginia; (c) so that in sixteen days after the meeting, at which it was determined to adopt the rail road system, a company, with ample powers, was authorized to be formed, in two of the States through which the contemplated road was to pass. Books were immediately opened to receive subscriptions of stock; the amount required by law (1,500,000 dollars) was quickly taken, and at a meeting of the Stockholders, held on the 23d of April, 1827, the Balti-

(a) See Argument delivered at Annapolis, by William Wirt, Esq. p. 40. See also Memorial to Congress of the President and Directors of the Chesapeake and Ohio Canal Company, relative to differences between that Company and the Baltimore and Ohio Rail Road Company, of Feb. 26th, 1829, p. 3. See, also, 2nd Annual Report of the President and Directors of the Chesapeake and Ohio Canal Company, at p. 7.

(b) Laws of Md. 1826, ch. 123.

(c) See Law of Virginia of this date.