

find its way to the west; and the principal question of doubt that was settled by the report of the 5th May, was the point, at which the Rail Road should strike the stream; whether passing by Hannan's Gap at Williamsport, or pursuing the valley of the Monocacy, at the Point of Rocks; nor was there any option, with regard to the side of the river on which the work would be constructed. The subscription by Maryland of \$500,000, of the 3d of March, 1828, was upon condition that the Rail Road should pass through the counties of Frederick, Washington and Allegany, and effectually excluded the company from the Virginia shore. (a)

Before this time; the Legislature of Pennsylvania, on the 27th of February, 1828, chartered the company within the limits of that state. Maryland had subscribed half a million to the stock on the 3d of March of the same year; the city of Baltimore had done the same in the preceding April, and the individual stockholders having doubled their investments, the company found itself clothed with ample powers in three states through which the road was to pass, and with an efficient and bona fide capital of \$4,000,000, ready to commence vigorously, the work of actual construction.

The report of the engineers of the 5th May, was laid before the board of Directors on the 8th and on the 9th, to the advice of eminent counsel was asked, as the course which the Rail Road company should pursue "to take possession of and hold, the track it might desire for the location of the road." The company was advised, "that titles to the site of the road required by purchase or consideration, in the manner presented by the charter, would be valid against all subsequent claimants, whether corporate or individual; and, in consequence of such advice, agents were appointed on the 12th, who proceeded along the proper route, and, according to the exigency of the case, contracted for, or commenced process of condemnation of such portions of the site of the road, as were actually defined and located by meter and bounds, by the engineers of the company.

After the determination of the route of the road, it became the evident policy of this company to employ all its disposable force in advance, upon those points that presented the greatest difficulties, and the execution of which would be

(a) See act of Assembly 1827, ch. 104, sec. 3.