

delayed much longer than the intermediate parts of the road, were both to be commenced simultaneously. The object of this policy was, to secure the uninterrupted progression of the road, from the time when the first rails were laid in the vicinity of Baltimore; which could only be effected, by previously reducing the difficult points to an equality, with regard to the labour to be bestowed on them, with the rest of the road. These points, after passing Ellicott's Mills westward, were principally, if not entirely, the rocky passes of the Potomac river. Wherever, therefore, the narrowness of these left but little choice for a location, the road was laid down by metes and bounds, legal titles were obtained, and every thing prepared for the system of measures above described. The agents of the company were openly employed in making these preparatory arrangements from the 14th or 15th of May, to the 12th of June; when, just as they had completed the object of their appointment, they were enjoined from proceeding further, by an injunction issued from Washington County Court, at the suit of the Chesapeake and Ohio Canal company, and the Potomac company, and directed to the Baltimore and Ohio Rail Road company, their agents and attorneys, enjoining them from making any contracts or agreements for the conveyance of land, which might interfere with the alleged rights of the complainants, and enjoining all justices of the peace and sheriffs, from issuing or executing warrants to condemn such lands for the use of the Baltimore and Ohio Rail Road company. The injunction came too late to effect the purpose for which it was designed; but it laid the foundation of a controversy, the continuance and consequences of which, form an important and interesting feature in the situation and relations of this company.

The Potomac company, the body upon which the Chesapeake and Ohio Canal company was engrafted, was incorporated as far back as the year 1784, for the purpose of opening and extending the navigation of the Potomac river, not by means of a contiguous canal, but by deepening the bed of the stream, and constructing sluices and locks around the otherwise impassable falls. This company was the constant subject of legislation, and continued to exist with but indifferent success, until the year 1824, a period of forty years, when the Chesapeake and Ohio Canal company was incorporated, and provision made for the merger in it of all the