

The instructions of the Chesapeake and Ohio canal company to the commissioners, and the instructions of this company, bear date on the 26th of February and the 2d March, 1830, respectively, and on the 8th of March the commissioners met at the Point of Rocks. The engineer of this company, who was one of the commissioners, previous to his departure from Baltimore, made arrangements for such assistance as he deemed necessary, in order to enable him to proceed efficiently in the service to which he had been assigned, and left Baltimore, expecting to meet those assistants at the time and place appointed. In this expectation, however, he was disappointed, and, after waiting several days, returned to Baltimore, to ascertain the reason of the disappointment, which, it appears, was occasioned by circumstances over which neither he nor this company could have any control. The actual delay, thus involuntarily occasioned, and which could not have exceeded, at furthest, a week or ten days, was deeply regretted by this company, and explained to the canal company at the time, and it is all that this company has caused, during the pending litigation. The grave and serious charge that has been founded upon it must account for and excuse the present detail.

This company was early desirous of obtaining the aid of the government of the United States, to the work in which it was engaged, and on the 11th of February, 1829, presented a memorial to Congress, praying a subscription to its stock. The committee of the Senate, to whom this memorial was referred, reported a bill authorizing a subscription of one million of dollars; and the committee of the House of Representatives made a highly flattering report, but declined reporting a bill, or submitting any proposition on the subject at the late period of the session at which it was brought before them. The application was renewed to the next Congress, which met in December, 1829, and the committees of both houses respectively recommended subscriptions to the stock of the company, for the purpose of assisting it in the construction of the road as far as the Point of Rocks, the place of junction with the canal company; under the belief that the two works, being completed thus far, an opportunity would be afforded to ascertain which was the best adapted for the purpose of effecting a communication with the west. The bills reported were not acted on, however, by either of them.

In both of the applications thus made to the General Government, this company was met by the most decided and in-