

veterate opposition on the part of the Chesapeake and Ohio canal company, chiefly through its President, a member of the House of Representatives, and at the time of the first application, the chairman of the committee of Internal Improvement, to which the subject was referred.

On February 26th 1829, the Chesapeake and Ohio canal company memorialized Congress in opposition to the subscription which this company was seeking to obtain, in which memorial, this company is charged with having chosen the Potomac route, in order "to arrest the progress of the Chesapeake and Ohio canal on its twice designated route along the valley of the Potomac river. Whatever may have been the effect of this opposition from the Chesapeake and Ohio canal company; whatever influence, if any, the strenuous, untiring and unceasing efforts of its President, may have had, in preventing the consideration of the bills which had been reported, as above stated, such a course of proceeding was certainly but ill calculated to cherish, or give rise to, any cordial feelings of friendship on the part of this company towards its self constituted opponent. Among other steps which the Chesapeake and Ohio canal company deemed it necessary to take to obstruct and defeat the application of this company to Congress in the winter of 1829, 30, was the publication of the argument delivered by one of their counsel, on the motion to dissolve, before the Chancellor. This was prepared on the application of the President of the canal company, and handed to him on the 10th March, 1830. The exact date of its publication is not known—it was not received by the rail road company until the 14th of May, and as it forms a large volume, with its appendix, it must have taken some time to complete it. It was laid on the desks of the members of Congress towards the close of the session, at a time when it was best calculated to injure the interests of the rail road company, and when it was obviously too late for this company to have prepared before the close of the session of Congress, an answer to the ex parte statements and arguments which it contained. Relying, no doubt, upon the information given to him by his clients, the counsel reiterates the charge which the facts hereinbefore stated, so fully disprove, that the rail road company sought "to protract the litigation, to obstruct the canal company as long as possible in the execution of their work,—to annoy and wear