

shall thereupon have the full right and power, in virtue of this contract, to proceed to the survey and construction of their respective works, without the molestation, interference, or hindrance of the other.

Eighthly. And it is also further agreed, by and between the said canal company and the said rail road company, that when any dispute shall arise between the said companies, or their agents, respecting any matter connected with, arising under or out of this agreement, or any matter connected with the construction of the said works, or either of them, such dispute or difference shall be settled by mutual agreement between the president of the two companies, if practicable; but if either president shall so desire, such difference shall be referred to the arbitration of two disinterested men, one to be appointed by each president; and when the two, so to be appointed, cannot agree, the two arbitrators, thus chosen, shall appoint a third person, and the two companies shall abide the decision and recommendation of the majority, so chosen and appointed.

Signed by order and on behalf of the Board of Directors,
P. E. THOMAS, President.

NO 9.

*Office of the Baltimore and Ohio Rail Road }
Company, 16th November, 1830. }*

To the President and Directors of Chesapeake and Ohio Canal Company.

Gentlemen,—Your letter of the 6th inst. was duly received, and has been laid before the Directors of the Baltimore and Ohio Rail Road Company.

If this communication is correctly understood by the board of this company, it would seem that you are not, at the present time, disposed to enter into any agreement to compromise the whole dispute between the two companies on any terms, nor even disposed to agree upon a basis on which such a compromise may hereafter be amicably carried into effect. With this understanding, it would be useless on the part of this board to make further attempts at accommodation and they reluctantly find themselves compelled to consider the negotiation ended; but as their desire, so often expressed of mutually arranging all difficulties, still continues, the