

measure it by any foresight; or to exclude it, by any precaution. It must affect injuriously the original construction of the work; by exposing its embankments of earth to be swept away, in their very formation. It must subject the navigation of the entire canal, to great uncertainty; even after those costly protections unless added for its greater security from abrasion, as the experience of the Pennsylvania canals has lamentably demonstrated.

How far, such uncertainty may tend to destroy the use and profit of the canal, after it shall have been completed, it is not easy to predict; or how greatly the very work which requires this sacrifice, will profit by such exaction. This brings the undersigned to the third objection, that the proposed compromise will diminish the utility of the canal.

So far as this may be effected, by the actual suspension of its navigation, by breaches in its walls and embankments, where far protruded into the river, and by protracted labour in their necessary repairs, the undersigned have already briefly considered, in stating their first and second objections to the terms of compromise insisted upon by the Baltimore and Ohio rail road company.

It remains, however, to notice and expose the very unequal benefits, which the canal and rail road will derive from their juxta position.

In narrow passes, the terms of compromise, interpose a space of but two feet, between the canal and rail road. In all other cases they retain to the Baltimore company, the right to approach within eight feet of the berm side of the canal.

The proper berm of the canal thus becomes for forty-seven miles a rail road, or which the company's cars, with, or without, locomotive steam engines, may be required daily, indeed hourly, to move, so as to leave no means of reaching the canal to the productions and manufactures of Maryland. The marble and lime of the adjacent hills and mountains, the lumber of the neighbouring forests, a single piece of timber or cord of fire-wood, cannot rest on or even near the berm of the canal, till a boat receives it, without impeding the use of the rail road. Nothing would be more easy than to obstruct along the entire line above the Point of Rocks all intercourse with the canal, across the road, where a sufficient space did not exist for turning a waggon or erecting a warehouse for the storage of commodities between the road