

the President was directed to employ counsel and with his assistance, proceed to meet the opposite party in Baltimore, and organize a board of arbitrators as speedily as possible. This was done with all the dispatch the nature of the case would admit; and the honourable H. Page, and R. B. Carmichael, being chosen by the President on the part of the road, and agreed to by Mr. Duvall, and Wm. Gwynn and Geo. Winchester, Esq's., being chosen by that gentleman on his part, and accepted by the opposite party, with the right on the part of the four to choose a fifth gentleman—the progress of the arbitration was at this point arrested by Mr. Duvall, who refused to proceed until his counsel should recover from indisposition, under which he was then labouring—of his future readiness to proceed we were to be informed in due time; but, from the 10th of June when this postponement was made up to this time, nothing further has been heard upon the subject, from either Mr. Duvall or his counsel. It may be proper here to remark, that previous to the 10th day of June, appointed for the meeting of the arbitrators, the Board had taken the necessary steps to be prepared with all the facts and testimony to be laid before the arbitrators, to enable them to arrive at a just and proper settlement of the case.

By the articles of agreement with Mr. Duvall, the Engineer of the Company is made the proper officer to measure and estimate the work done by the contractor—our engineers are men of high character for intelligence and probity, and they can have no motive for pursuing any other than the strictest course of impartiality between the company and the contractor, in all their measurements and estimates. But as it was found that a controversy was likely to grow up between the contractor and the Board, it was deemed advisable to have the final measurement and estimates of Mr. Duvall's work, done with more than ordinary care and nicety, and to put this beyond doubt or question, before the Engineer proceeded to his work, Mr. Duvall was apprised of the day on which he was to begin, and invited to bring or send an experienced person to see this duty performed and to witness the same. It was also deemed by the Directors proper that a distinguished Engineer not connected with the work should be called in on the part of the Board, to see that the measurement was done in the most scientific and careful manner, and to go over the calculations to see that the estimates were fairly and correctly made. The services of Col. Cook, the Engineer who projected and constructed the rail roads through New Jersey connecting Philadelphia and New York, were kindly yielded for this purpose; as the arbitration has been indefinitely postponed, it might be well to have his testimony taken according to law and recorded, to guard the Company against future accidents or probable necessities.