

motion, with all due deference, to ask your consideration of the following propositions :

1st. That the aforesaid companies shall cause their engineers to locate both works concurrently at all of the difficult passes; and to furnish comparative estimates of the expenses of making them jointly and independently.

2d. That these estimates shall determine the distribution of any addition to the cost of these works, that might be incident to their being concurrently made at such passes, or

3d. That the two companies should refer the distribution of any such additional expense, to the decision of disinterested referees, learned in the law, and

Lastly,—That such possible addition to the expense of making their respective works, should be thenceforth made the sole difference between the two companies.

And as it cannot be important from which side an overture shall proceed to make the foregoing or similiar propositions, the basis of an amicable agreement between the two companies, I will, to that end, cheerfully advise the rail road company to make an overture in the premises, that will be entertained by your company, in the same spirit of accommodation that must prompt their offer.

It has been my good fortune, heretofore, in my former official relation, in the General Assembly of Maryland, to promote both of these great undertakings, and I have therefore presumed to volunteer this communication, as the friend of both, knowing as I do, that if it shall not lead to their mutual benefit, it cannot injure either. I have the honor to be, with great respect,

Your most obedient serv't,

JAMES W. McCULLOH.

This letter having been communicated to the board of directors by the president, these proceedings were then had and transmitted to me by Gen. Mercer, in the following letter.

*The President and Directors of the Chesapeake and Ohio Canal Company. In Meeting, February 20, 1829.*

The president of the company communicated the following letter received by him, from James W. McCulloh, Esq. (being the above letter.)

“Whereupon it was resolved—That the president inform Mr. McCulloh, that this board will receive and consider in the spirit of accommodation, any overtures which the Baltimore and Ohio rail road company may make, for causing the engineers of both companies to ascertain the practicability of locating both the canal and rail road, along the difficult passes on the Potomac, and to furnish comparative estimates of the expense of making them jointly and independently.”

Test,

JOHN P. INGLE,

*Clerk, Chesapeake and Ohio Canal Company.*