

ceed to the Point of Rocks, and thence to Harper's Ferry, to examine the localities, and report thereof to the House, and upon the difficulties existing between the two companies, see House journal, page 75, for 1832. The committee visited those places, and Wm. D. Merrick, the chairman made its report, with accompanying resolutions, on the 11th February, 1833, see House journal, folio 247, and report in Maryland public documents for 1832, folio 8. These resolutions provided that the Governor of Maryland should appoint a suitable person to enquire whether the Chesapeake and Ohio canal company had performed its charter obligations to this State, and if it had not, that proper process should be issued in order that its charter might be adjudged to be null, unless the company would allow the Baltimore and Ohio rail road to be constructed on the land side of the canal, from the Point of Rocks to Harper's Ferry, (as it has in fact been constructed) without additional cost the canal company, or injury to its works. See said report, folio 17 to 19.

On these subjects a report was presented in the Senate from a committee, by Thomas Emory, chairman, on the 15th day of February, 1833, so far in harmony with the report made by the committee of the House above mentioned, as to advise the withholding future favors from said company, but not recommending the instituting any proceedings adverse to its charter. See Appendix, Senate Journal, 1832-3, folio 1-7.

And a report was also made on those subjects, to the House of Delegates, with accompanying resolutions, on the 16th day of February, 1833, by S. N. C. White, and A. Bruce, a minority of the internal improvement committee—see House Journal, folio 293, and Maryland public documents for 1832. This report exonerates the Chesapeake and Ohio canal company from censure, and happily coupled the assertion of its right to ask and enjoy the continued favor and efficient patronage of the State, with a commendation, conceived in friendship and given with wisdom, to both companies, embodied in the third resolution that accompanied said report, and which is as follows :

*Resolved*, That it be recommended to the Chesapeake and Ohio Canal and the Baltimore and Ohio rail road companies, to agree upon terms mutually acceptable, for a joint construction of the canal and rail road along the narrow and difficult passes between the Point of Rocks and Harper's Ferry, as an object desired by this State, and deemed promotive of the best interests of both companies, under existing circumstances.'

On the same day, the 16th February, 1833, an application was made by Charles F. Mercer, president of the Chesapeake and Ohio canal company, to be heard on its behalf at the bar of the House of Delegates, which being considered, was agreed to, and he appeared accordingly, the Senate being present, on the 20th day of February, 1833, in support of the memorial of that company, and in explanation of its proceedings,—see House Journal, folios 292, 336.