

the State in all proceedings of said companies, and to fix their compensation, making it the same as that allowed to members of the general assembly, including itinerant charges, during the time necessarily occupied in the discharge of their duties. I had invariably contemplated and spoken of these unhappy differences with the same spirit that led me to deprecate, and desire to prevent them, when, in the month of February, 1829, I fruitlessly proposed a plan for that purpose to the officers of both companies; and therefore, I rejoiced at the near prospect of their being soon happily terminated, by the assent of those corporations being given to the terms of said compromise act.

But before this could be done by either, it appeared to their presidents and directors, to be indispensable that some modifications of the terms of said act should be mutually stipulated, to assure reciprocal but necessary advantages to each company; and which modifications having been harmoniously devised by a committee of conference, consisting of directors from the companies respectively, the subject was freed from embarrassments, that would otherwise have most probably prevented their agreeing to the provisions of the said compromise act.

Soon after the act, chap. 318 of 1832, was passed, which provided for the increase of the representatives of the State, in stockholder meetings of canal and rail road companies, Governor Thomas, referring to his knowledge of the friendly feelings that had on all occasions governed my conduct, as well towards the Chesapeake and Ohio canal company, as towards the Baltimore and Ohio rail road company, remarked to me, that he should nominate, a resident of Baltimore or its vicinity, and most probably myself, to the Council for appointment as one of said representatives. I immediately replied that I wished he would not nominate me, and added, that he would greatly oblige me by respecting that wish; and at the same time, I mentioned to him the names of five or six citizens, either of whom could well discharge the duties of that office, and who I believed would not only accept the appointment, but regard it as a compliment. His response was, that his action would be governed by a view to the public interests, and not by the desire or design to bestow a compliment on any one: that as we had frequently conferred together, as members of the legislature, during the sessions of 1825 and 1826, when he was a senator and I was a delegate; and since, had very often conversed unreservedly on these subjects, he knew my familiarity with the affairs of these companies and consequent preparedness, to enter immediately upon the discharge of the duties of a representative of the State interests, in the stockholder meetings of the canal and rail road companies. I earnestly repeated the wish that he would not nominate me to that office, and parting from him under the belief that he would not nominate me, I dismissed the subject from my thoughts. It was not long afterwards that a vacancy occurred on the bench of the 6th judicial district; when, to gratify several most

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