

least in part, by the above unworthy motive; and that after giving to the subject the most minute and close examination, of which it is capable, is decidedly of opinion that the rail-road can still be made by the contraction of the width of the canal, without materially injuring the same; and for some of the data on which it founds this conclusion, your committee begs to refer to the interrogatories propounded to the engineers engaged in both works, herewith submitted, and their answers thereto, particularly to the minute and luminous answers given by Mr. Knight, the principal engineer of the rail-road.

Before closing this report, your committee will take leave to protest against the ground assumed by the canal memorial, by which it is sought to make the state a party to the legal controversy, in the case of the two companies, and to be answerable for the delay in the progress of the work, in consequence of that suit. Maryland was no party in this suit, and it does seem to your committee to come with an ill grace from the party which *first* resorted to the power of the courts, now to come to the legislature, and complain against the state, for evil consequences, which itself had invited.

Your committee therefore begs leave to submit the following resolutions:

1. *Resolved by the General Assembly of Maryland,* That the Baltimore and Ohio Rail-road, is emphatically a state work, in which the whole body of the people of the state have a deep and abiding interest, and as such, it deserves the protection and support of the legislature.

2. *Resolved,* That any manifestation on the part of either of the great companies chartered to open an intercommunication with the west, to strangle or destroy each other, is unworthy of the high objects and purposes for which they were chartered by the state.

3. *Resolved,* That we look with unqualified disapprobation, on the indifference and disregard which were shewn by the Canal Company, to the reasonable request made to it, by the legislature at its last session.

4. *Resolved,* That until the Canal Company shall by agreement, arrange with the Rail-road Company, the positive privilege to construct its work between the