

caused by the jealousy of the conductors of the other, which was first hinted,
but from the discrepancy and inductions of mine was found to be not so well
calculated to affect the result. The Legislature & Vigilant Association, willing
and wishing to witness the progress of both papers & Resolutions, to which I
have the honor to refer you, no. 108, on the injurious effect by
the directors of the Canal Company, (who by a legal decision had obtained
possession of the Valley through which both works were calculated to pass)
and requested to permit the Rail Road to pass the difficult and narrow
places of the Valley of the Potomac with them. They sent to the reasonable
request of so high a power as the State of Maryland, has been virtually refused,
and the Canal Company is content with this refusal, and defiance of the
known and expressed wish of the State, has actually changed the location of the
Canal as originally laid down along the narrow passes between the points of
Rock and Harper's Ferry and has now occupied the ground in such a manner
as to prevent the possibility of the Rail Road being extended through that
part of the Valley. Whereas, had they yielded that deference to the wishes of
the State, which ought to have characterized their proceedings, ample room
might have been afforded for the successful prosecution of both works. The
Directors of the Canal Company have thus thwarted the expressed wishes of
the State, equally interested in both works and for no other evident reason than
from a determined hostility to another work which we have chosen to consider
in the light of a formidable rival. I have not the slightest fear that the
Rail Road will not reach its ultimate destination. Yet I cannot but
perceive that the expense of its construction will be increased by the
illiberal act of the Canal Company, and I submit to your consideration
whether the dignity of the State would not be consulted by a refusal
of any future favors requested by the Canal Company, until that Company
shall be made to retrace her steps and afford a passage for the Rail
Road upon such terms of the Legislature may in its wisdom think proper.
Should you concur with me in the opinion that the dignity and interest
of the State are concerned in this matter, I would then most earnestly urge upon
you the importance of finally adjusting the subject. Should it be in
your power in such way as to leave no room for future injustice,
but to compel the Canal Company to permit the Rail Road to pass
as far as Harper's Ferry according to the Resolutions of the Legislature,
and in such a manner as will enable the Company to construct the
Rail Road without any additional expense in consequence of the
change which has been made in the location of the Canal.

A Copy of the last annual Report of the Rail Road Company,
together with a communication from the President of that Company,
is herewith submitted. I also submitted a Report from the agent
of the State, who attended the meetings of the Canal Company, which
was called to consider the Resolutions of the State as first referred to.

The Chesapeake and Ohio Rail Road has made considerable progress
the past Season, and the importance of that work would justify, and
I think