

tions by the Federal Government to keep it in repair, in consequence of the discordant opinions of members of Congress, and agreed by acts of their respective Legislatures, whenever the Federal Government put it in complete repair, to erect toll gates to collect a very moderate toll, merely to preserve it, as it might require from time to time. This was more necessary from several indications from the Federal Government, that it would be finally abandoned, if the States more immediately concerned, did not join in some remedy.

4. This State moving in concert with several Sister States, at our December session 1831, passed an act for the preservation and repair of that part of the road within our limits. By this act provision was made for the erection of toll gates, to collect a moderate toll, with a fixed maximum to be applied exclusively to the preservation and repair of the road within our limits, and to no other use or purpose whatsoever. By the thirteenth section of the act, it was expressly provided, "That this act shall not have any force or effect, until the Congress of the United States, shall assent to the same; and until so much of the said road as lies within the limits of the State of Maryland, be first put in a good and complete state of repair, by an appropriation made by the Congress of the United States to repair the same; and to pay the expense of building a toll house or toll houses, and erecting a toll gate or toll gates, to be built and erected by the superintendant appointed by the Governor and Council of this State; to be expended under the authority of a superintendant, to be appointed by the President of the United States."

5. The Federal Government, by an act of Congress, approved the third day of July, 1832, entitled "An act making appropriations for certain internal improvements for the year one thousand eight hundred and thirty-two," gave the assent of the United States to the Maryland law, as well as to a law of Pennsylvania, on the same subject, and made an appropriation to carry into effect the provisions of the law of both States, referring to each act by title and date, and thereby made each, part of the act of Congress.

6. By an examination of the executive documents of the Federal Government, your Committee found a recommendation of General Gratiot, chief engineer, made to the Secretary of War, under date of the 13th No-