

vember, 1832, to change part of the location of the road east of Ohio. In this recommendation he says, "At Cumberland I would recommend a change in the location of the road to turn Will's Hill, by which a lift of eight hundred feet, in four and a half miles, would be avoided, and one hour gained in each trip of the mail, besides greatly benefiting other transportation, of a heavier character, passing through Cumberland."—Afterwards, Captain Delafield, of the corps of engineers, made a survey and report of a new location of the route near Cumberland; and the Federal Government, by an act of Congress, approved the second day of March, 1833, determined "That the Secretary of War be, and is hereby authorised, by and with the approbation of the President of the United States, to change the location of the route of the Cumberland Road, near Cumberland and Will's Mountain."

7 This state, by an act of her legislature, passed at December session, 1832, gave her consent for the President of the United States, or any other person duly authorised by him, by virtue of any act of the Congress of the United States, to change the location of the road to turn Will's Hill, as recommended by General Gratiot; and afterwards ratified by Congress. By this last act of our legislature, it was expressly provided "That the part of said road now authorised to be made, by the said change of location, shall be made of the best materials, upon the M'Adams plan; and provided that a good substantial stone bridge shall be made over the mill-race, in the town of Cumberland, and over Will's Creek, at the place of crossing; and provided, that substantial stone bridges, or culverts, shall be made, wherever the same may respectively be necessary along the line of said road." The location was changed by the Secretary of War, in and near Cumberland and Will's Mountain, according to the consent of this State, given by her act of December session, 1832. Now, it appears clear to your Committee, if the Federal Government undertook to change the location of the road, and make part upon this new route selected by herself, she is bound to give such new part a complete finish, upon the plan marked out by this State, in the act of December session, 1832, by which her consent was obtained. Yet it appears, by the communication from Messrs. Hoyer and Frost, that the new location has not received a co-