

vering of more than three and a half inches of stone, some of the bridges have not been built, and, if built hereafter, the War Department has determined to construct them of wood instead of stone. It appears also, from the communication of Messrs Hoyer and Frost, that twelve miles of the old road has not received a covering of more than three and a half inches of stone, which will require a depth of six or eight inches more to put it in that state of complete repair contemplated by law.

8. All the bridges and culverts on the old road were originally made of solid stone work, and if no part of the old location had been changed, Maryland would have received the whole of it within our limits, with stone bridges and culverts, and surely the new location ought not to be finished with bridges and culverts made with materials less durable, more especially as it would be a violation of the law, by which this state gave consent — When this state gave consent to change the location at Cumberland, it was carefully provided that the new road and bridges should not be made of less valuable and permanent materials than the old road, to which the Federal Government, in justice assented; and as this State had determined to provide a fund by moderate tolls for the prospective preservation and repair of the road, provision was also prudently made for constructing the new part upon the M'Adams' plan, and by that plan "it is the native soil which really supports the weight of traffic, that while it is preserved in a dry state, it will carry any weight without sinking, and that it does in fact carry the road and the carriages also; that this native soil must previously be made quite dry and a covering impenetrable to rain, must then be placed over it, to preserve it in that dry state; that the thickness of a road should only be regulated by the quantity of materials necessary to form such impervious covering and the depth of solid materials to make such covering according to McAdams, should be about ten inches of well consolidated materials, and that made at three different times. Now it appears that the covering made by stone upon the new location, is not more than three and an half inches, about one third of that which is necessary to form an impervious covering within the meaning of the law, and we are called upon to receive the road in that condition.