

within the limits of the State; and a further act of the legislature of Maryland, authorising the President of the United States to change the location of a part of said road, within the limits of Maryland, the change of location was authorised to be made on certain and positive conditions—that the bridges over Will's Creek and Braddock's Run should be all permanent stone bridges, and the road to be constructed with the best materials on the M. Adams plan—(see the act of Maryland, December session, 1832, chapter 55.) The plan of the bridges has been changed by the superintendant to wooden bridges, in direct violation of the engagement with this State. The President had no right to change the location of the road unless the law of this State, authorising the change, was fully complied with; the metal, on the new location, is not more than three and a half inches, and every wagon that passes over it, when the road is wet, cuts entirely through the stone, and turns up the clay.

I am advised that there is a part of the road, fourteen miles west of Cumberland, which has had but three and a half inches of metal put on it, over the original pavement.

I am gratified to have it in my power to state, that from observation, and the best information I have been able to collect, that the last appropriation for the road has been most judiciously expended; and, I believe, it is the first that has been well laid out.

I must say, that we cannot report in favour of the State receiving the road until the permanent stone bridges are erected, and the road in that state of repair contemplated by the law. I beg leave to refer you to my letter to Gen. C. Gratiot, dated in August last, which, with my communication to his excellency, James Thomas, Governor of Maryland, a copy of which I presume he communicated to your department during the last summer, you will please to consider as a part of this communication.

I should have addressed you at an earlier period, but was prevented by severe indisposition.

I remain, respectfully, yours,

J. HOYE.