

That accordingly St. John's College was founded and established by the payment of this thirty-two thousand dollars by its private subscribers and by the appropriation by the State of the sum of £1750 pounds current money (four thousand six hundred and sixty-seven dollars) "*annually and forever* to be given and granted as a donation by the public to the use of the College, to be applied by the visitors and governors in the payment of salaries to the principal, professors and tutors of the said College."

That thus organized the College went into successful operation, sending out into the State and country annually "that succession of able and honest men," that have added so much to the learning and wisdom, the piety and patriotism of the pulpit, the bench, the bar and the legislative and executive halls of our State; and so continued until by the act of 1805, ch. 85, this contract was violated, the annuity withheld and this noble institution of our revolutionary fathers suffered to languish.

By the resolution of 1811 passed 6th January, 1812, and that of 1832, No. 41, parts of this annuity have since been paid, but the arrearages now due to this College under their chartered contract are estimated at two hundred thousand dollars.

Your memorialists state that this money was thus due to them on their contract in the charter, and they refer respectfully to the decision of the Court of Appeals in the 15th vol. of the Maryland Reports, page 330, in which the Court unanimously decided :

"First. That the annual appropriation made by the 19th section of the act of 1784, ch. 37, (the charter of the College) of the sum of seventeen hundred and fifty pounds, current money, to be applied to the payment of salaries, &c., constitutes under all the circumstances of the case a contract on the part of the State which could not be legally repealed by the act of 1805, ch. 85."

"Second. That the act of 1805, ch. 85, was a violation of the tenth section of the first article of the Constitution of the United States, which declares 'that no State shall pass any law impairing the obligation of contracts.'

"Third. That the act of 1784, ch. 37, (the charter of the College) with the circumstances of the case, constitutes such a contract as would, if entered into between individual citizens, be legally binding upon them ;" pages 375 and 376.

Your memorialists further state that after this decision they instituted such proceedings as in duty bound they should