

away, or to declare there was no property at the common law, says, "that the sense and meaning of an Act of Parliament must be collected from what it says when passed into a law, and not from the history of changes it underwent in the House where it took its rise. That history is not known to the other House, or to the sovereign." *Millar v. Taylor*, 4 *Burr.* 23, 32. From which it clearly appears to have been his understanding, that it was improper to admit even the proceedings of either one of the branches of the Legislature itself, as evidence of the true construction of a statute. And upon a more recent occasion, when the construction of a statute was drawn in question, the Court looked into the proceedings of Parliament in relation to the Act, but declaring that it laid no stress upon them, grounded its decision upon previously adjudged cases. *Mackintosh v. Townsend*, 16 *Ves.* 337.

The Act, under which The Chesapeake and Ohio Canal Company has become a body politic, originated with the Legislature of Virginia, has been adopted and re-enacted by three other distinct legislative bodies, each one of which, composed of two or more branches, is entirely independent of all the others. These legislative bodies have thus manifested their concurrence and satisfaction in the sense expressed by the language of this law, when taken by itself and without any other help than what may be derived from the nature of the subject of what it speaks. Surely then, if it would be at all unsafe to collect the sense of a law from the history of the changes it underwent in one branch of a legislative body; because, that history might not be known to the other; or because, the other might have had a different understanding of the matter, or been influenced by motives peculiar to itself, it would be wholly unjust, and improper to collect the sense of this

154 Act of incorporation *from the proceedings, or debates of any one of the four independent legislative bodies, by whom it has been adopted. And, if the grave and solemn movements of the several legislative bodies themselves, by whom it was passed, cannot be considered as altogether safe guides in ascertaining, its meaning, most assuredly the resolutions of the various assemblages of people, who have met at sundry times to consult about "this great enterprise," with all the unofficial sayings and doings in relation to it, which have been so much pressed upon the attention of the Court, must be utterly rejected, as absolutely unworthy of any the slightest respect or attention whatever.

It would be of dangerous consequence to admit parol proof of an intention in the law-makers, different from that manifested by the words of the law itself; as to shew, that a duty which the Act of Assembly called a port duty, was intended to be a fort duty. (p)

(p) By the King in Council on rejecting Lord Baltimore's claim of certain Port Duties; *Bacon's Law of Maryland*, 1692, ch. 17, note.