

their adoption of these views as concurring aptly with their own, in their applicability to the prayer of the petitioners.

In the Executive document referred to, it is stated that those who deny the obligation of the State to pay her public debt, incurred for appropriations to works of internal improvement, do so upon the same argument urged by the petitioners. "In support of this opinion, the thirteenth article of our Bill of Rights, (which is declared to be a part of our Constitution) is mainly relied upon. It is not obvious that it will bear such a construction; and moreover, it is not clear that it would be right now to interpose such an objection to the payment of the debt, since the people of the State have year after year, from the various counties and cities, re-elected those who were fastening on us the policy, now so grievous in its consequences.

"The article of the Bill of Rights alluded to, declares that 'every person in the State ought to contribute his proportion of public taxes for the support of Government, according to his actual wealth in real and personal property.' It is contended that taxes can be levied only 'for the support of government,' engaged in legitimate objects, and it is denied that the construction of roads and canals is one of the purposes for which the government was organised. Without intending to enter into the argument, it may not be amiss to remark, that one of the modes of ascertaining the *true meaning* of the Bill of Rights is to be found *in the practice*, (purporting to be in pursuance of its provisions,) of those by whom it was framed. Looking for *that practice*, we find the statute books of Maryland are full of laws authorising the opening and establishing of roads. And we find also numerous acts of Assembly delegating power, (and the Legislature cannot delegate what it does not possess,) to the corporate authorities of cities to open, pave, and otherwise improve streets, and to commissioners and other officers of counties to lay out and repair roads, to build bridges, and to levy on the assessable property within their respective jurisdictions, taxes to defray the expenses attendant upon the exercise of the powers thus granted."

Your committee not deeming themselves called upon to pursue the argument further than the points urged by the petitioners, and believing this duty now to have been performed, recommend that the prayers of said petitioners *ought not to be granted*.

All which is respectfully submitted,

JOHN J. GRAVES, Chairman.

Read the first time.

Mr. Graves moved suspend the rules to give the said report a second reading by special order.

Before the question was put,

On motion of Mr. Phelps,

The House adjourned until to-morrow morning, half past nine o'clock.