

DECISION

OF THE

Court of Appeals of Maryland.

This case originates out of a resolution, No. 4, passed by the General Assembly of Maryland at its session of 1858.

The questions in relation to which the opinion of the Judges of the Court of Appeals is desired, are :

1st. Whether the annual appropriations made by the 19th section of the Act of 1784, ch. 37, of the sum of seventeen hundred and fifty pounds, current money, to be applied to the payment of salaries, &c., constitute a *contract* on the part of the State, *under all the circumstances of the case*, which could not be legally repealed by the Act of 1805, ch. 85?

2nd. Whether this latter act is not in 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?

3rd. Whether the former Act, with the circumstances of the case, constituted such a contract as would, if entered into between individual citizens, be legally binding upon them?

These questions necessarily resolve themselves into but one, and that, the first of the series. For, if the Act of 1784, ch. 37 created a valid and binding contract, it cannot be denied, and has not been in the argument of the cause, that it was incompetent for the Legislature to annul or alter it without the consent of the parties.

We understand the language of the resolution, as confining our attention exclusively to the terms of the Acts of 1784, ch. 37, and 1805, ch. 85; and the circumstances connected with