

whose right to expound the constitution of the United States, the state of Maryland, greatly to her honour, has on a signal occasion distinctly recognized, and which establishes beyond all controversy, that the act for withdrawing the funds from Saint-John's College was unconstititional. The question therefore which is now to be decided, is not merely whether it be expedient to endow a seminary of learning, but also, whether the Legislature of Maryland had the power to enact the law under the Constitution of the United States, whereby the funds secured to your Memorialists by their charter were withdrawn.

Your Memorialists cannot permit themselves to doubt, that if after cool and dispassionate reflection this should appear to be the real question presented for consideration, your honourable body will gladly embrace the opportunity which is offered of evincing your love of justice and devotion to the constitution of your country. With a view of leading to this auspicious result, they ask leave, respectfully, to invite the attention of the General Assembly in the first instance, to the law for founding St. John's College, and afterwards to the decision of the Supreme Court of the United States to which they have referred.

By that act (1784, ch. 37) it is declared, that "a College or general seminary of learning, by the name of Saint-John's College, be established on the western shore;" "that the said College should be founded and maintained forever, upon the most liberal plan, for the benefit of youth of every religious denomination." Agents were appointed to solicit and receive subscriptions and contributions for the said intended College and Seminary of universal learning, of any person or persons, bodies politic or corporate, who might be willing to promote so good a design. And in case the city of Annapolis should be fixed upon as the proper place for establishing the said intended College, the General Assembly gave and granted, upon that condition, to the Visitors and Governors of Saint-John's College, and their