

in the sum of \$200,000 for the purpose of common school education.
 From the interest accruing upon this fund, thus deposited, as we
 have already seen, was appropriated the sum of one thousand dollars for the
 instruction of the indigent blind by the act of 1834 Chapter 173.

The acts of 1837 Chapter 285 and 1837 Chapter 308 merely regulated the
 deposits of this fund and the distribution of the interest accruing upon it.

But the act of 1839 Chapter 33 operated a fundamental change, for it
 diverted the interest of this fund from the support of common schools, for which
 it substituted the revenue to a like amount derived from the Baltimore and
 Washington Mail Road and took the whole surplus revenue into the public
 Treasury, and made it applicable, principal and interest, to the payment of the
 State debt.

This act however did not place the fund as long as it existed, beyond
 the control of the two branches of the General Assembly, who were perfectly competent
 notwithstanding its provisions to appropriate to principal and interest as they
 deemed best.

Now whether the Treasurer has made the appropriation of this fund as
 authorized by the act of 1839 Chapter 33 or not, I do not know, nor have
 I by me the means of ascertaining but if he has and the fund has
 thus been relinquished I am clearly of opinion that as the act of 1849
 Chapter 209 repeals all antecedent acts relating to the instruction of the indigent
 blind and makes a specific appropriation out of a supposed fund which has
 no existence that the objects of the act cannot be affected.

On the other hand the surplus funds and the interest
 thereon accrued and accruing have not been applied to the discharge of the
 public debt, then I think that the interest of said fund is chargeable with
 the appropriation made by the act of 1849 notwithstanding the provisions of the
 act of 1839 Chapter 33.

(Signed) J. M. Nelson

2035 St Paul St
 Balt. Nov. 27. 1850

Pennsylvania for the Instruction of the Blind
 Philadelphia Oct. 4th 1850

His Excellency
 Philip E. Thomas Governor
 dear Sir

By an act passed by the Gen.
 Assemb. of Maryland, Ch. 209, the annual appropriation for the education
 of the indigent blind of this State was increased from \$1000. to \$2000.

In view of this appropriation, depending as it does on an additional
 number of pupils being admitted, I made a tour with several of our
 children in July through Maryland as far as Cumberland, for the purpose
 of knowing to the fullest the results of our system and to make the provision
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