

made by the act of 1794 Chap. 7 of £1250, for the benefit of Washington College, and of £1750, by the act of 1784 Chap. 13, for the benefit of St. John's College, did not constitute contracts, which if entered into by individuals would be legally binding upon them; and that the result of such proceedings should be reported to the Legislature at its present session.

By a proviso annexed to each of the said resolutions, it was declared that nothing therein contained should compromise the State or in any manner bind her by the decision of the said Court, or Commit her to the payment of costs or charges in settling the questions involved in said resolutions, or to authorize me to employ Counsel in the discussion of the matters before the said Court.

The resolutions made it my positive duty to cause to be instituted the proceedings necessary to obtain the opinion of the Appellate Court, upon the questions therein propounded, which I could not do otherwise than by the employment of Counsel.

The claims presented by the Colleges against the State, and which by the resolutions were thrown open for litigation, involved sums of great magnitude, which appeared to me to depend upon questions by no means free from difficulty, and as the result might be to implicate the State either in the obligation to pay, or failing to do so, in the imputation of bad faith, I considered that the contingency had arisen in which it became my duty under the Constitution to employ Counsel to take care of the interests of the State.

Actuated by these views of my duty in the matter of the said resolutions, I engaged the services of William Price Esq. of the City of Baltimore by whom the answer of the State to the bill of Complaint filed on the equity side of the Circuit Court for Anne Arundel County was prepared, and filed, and the case subsequently argued in the Court of Appeals with the result shown by the decision certified to me and herewith communicated.

I am required to report to the Legislature at its first session the result of said proceedings — I herewith transmit copies of the bill, answer, and of the decision of the Court of Appeals, together with the printed argument of the Counsel in the case.

I respectfully request the Legislature to allow to the Counsel so employed such compensation