

Now it appears to me, that the right of the Eastern Shore to have applied to purposes of internal improvement, the one million of dollars, or the unexpended balance of it, was a vested right. Not, to be sure, vested by contract, within the perview of the constitution of the United States, because the parties to the arrangement could not make a contract which would come within the protection of that instrument; but vested in morals, and reposing upon State faith and public honor. It cannot, I apprehend, be successfully maintained that the constitution intended to deny to the Legislature the power to fulfil its moral obligations; and hence, I think, the power and obligation to give to the Eastern Shore, for purposes of internal improvement, the residue of the million of dollars, is with the Legislature.

It is to be borne in mind that the obligations to apply this sum to purposes of internal improvement on the Eastern Shore, existed before, and when the new constitution was adopted. It was couched in the strongest terms of which the language is capable, and was never repealed, or attempted to be repealed; and it would seem that the section reserving vested rights and liabilities incurred, was intended to be applied to cases of this description, rather than to cases affecting individuals; because the latter were protected by a power superior to State authority, exerted either through its Legislature or Convention.

JOHN JOHNSON,

February 14th, 1856.