

ration of interest on the capital admitted, or which may hereafter be admitted, under the authority of existing law.

It appears, that in the liquidation of the claim referred to in the resolution No. thirty-eight of the last session, a wide difference of construction was put upon the act of congress, by the treasurer of the western shore, who furnished a statement, in behalf of the state, and by the third auditor of the treasury department of the United States, on whom the adjustment of the claim devolved; the auditor made his objections by way of remarks upon the several items of the treasurer's statement, which were replied to by an elaborate, and able argument by the treasurer, in support of his statement, and the principles upon which it was founded, as well with reference to the act of congress, as to their intrinsic propriety and justice. The auditor, it seems, could not be convinced that the act of congress authorised him to allow the claim, as stated by the treasurer, and therefore, without contesting its merits, adhered to his objections, and liquidated the claim upon the principles which he believed to be prescribed by the act. Whether a liberal construction of the act of congress would have authorised the auditor to settle the claim upon the principles contended for by the treasurer, we will not undertake to determine—but it appears to us most manifest, whether the fault be in the law, or in construing it, that the state has not obtained, by a considerable sum, the amount of her just and fair claim.

The committee have examined the correspondence, statements, and remarks, in due order, from No. one to twenty-five, in reference to the claim in question, and whilst they lament the variance which has arisen upon the construction of the act of congress, they are constrained to concur with the conclusion drawn by the state's treasurer of the western shore, and to accord entirely with the opinion expressed in the executive communication before referred to, in the fullest assurance that the state has not received, by a considerable sum, the amount of her just and fair claim.

The committee, therefore, submit the following preamble and resolutions:

Whereas, by a resolution of the general assembly of Maryland, passed at December session eighteen hundred and twenty-five, the senators of this state, in the congress of the United States, were requested to bring before the general government the claim for interest on loans contracted by the state, for the prosecution of the late war; and their representatives were, also, requested to assist in prosecuting the said claim to a successful termination: And whereas the amount which might be received from the government of the United States, for interest upon the said loans, was specifically assigned and appropriated towards the establishment and support of common schools: And whereas, an act was passed by the congress of the United States, to authorise the payment of the said interest: And whereas the provisions of the said act have not been deemed sufficient to warrant an adjustment upon the principles of established usage and common justice; Therefore,