

## No. 3.

Assented to  
March 10, 1858.

Resolution authorising the Governor to institute proceedings, to obtain the opinion of the Judges of the Court of Appeals, in relation to an appropriation made by the act of seventeen hundred and ninety-four, chapter seven, to provide a permanent fund for the further encouragement and establishment of Washington College.

*Resolved by the General Assembly of Maryland,*  
That his Excellency the Governor, be and he is hereby authorised and required to cause such proceedings to be instituted, as may be necessary to obtain the opinion of Judges of the Court of Appeals of Maryland, on the following question: whether the annual appropriation made by the second section of the act of seventeen hundred and ninety-four, chapter seven, (entitled an act, to provide a permanent fund for the further encouragement and establishment of Washington College, of the sum of twelve hundred and fifty pounds, current money, to be applied by the visitors and governors of the said College, to the payment of salaries to the principal, &c., constitutes a contract on the part of the State, under all the circumstances of the case, which could not be legally reduced by the act of seventeen hundred and ninety-eight, chapter one hundred and seven, or legally repealed by the act of eighteen hundred and five, chapter eighty-five, by the Legislature of this State: whether these two last acts and each of them, is not in violation of the tenth section of the first article of the Constitution of the United States, which declares that no State shall pass any law impairing the obligation of contracts; and, whether the first act with the circumstances of the case, constituted such a contract as would, if entered into between individual citizens, be legally binding upon them, and that the result of such proceeding, be reported to the Legislature at its next session; *Provided*, that nothing in these resolutions, or any accession under the same shall compromise the State, or in any manner bind her by the decision of said court, or commit her to the

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