

CHAP. 134. cannot exercise that immediate and attentive control over a school which is necessary for the government and the police thereof, and as it appears to this general assembly that the object of the said Morris J. M'Donough would be effectually insured by vesting the said funds in a body politic, expressly created therefor, and by authorising and empowering the said orphans court to exercise a superintending power over the said corporation; therefore,

Orphans court may appoint trustees, &c.

2. BE IT ENACTED, by the General Assembly of Maryland, That the orphans court for Charles county be and they are hereby authorised and empowered, at their session next after the passage of this act, or at some future session, to nominate and appoint five sensible and discreet men, living in the said county, as trustees under this law, and to cause the said nomination and appointment to be certified, under their seals of office, and to be deposited in the clerk's office of said county, to be by him recorded.

Trustees incorporated.

3. AND BE IT ENACTED, That the said trustees, so by the said court nominated and appointed, and their successors, to be elected in the manner herein after prescribed, shall be and they are hereby erected, established and declared to be, one community, corporation and body politic, with perpetual succession, in deed and in law, to all intents and purposes connected with the said institution, by the name of The Trustees of the M'Donough Charity School, by which name and title they, the said trustees, and their successors, shall be competent and capable in law and equity to take and hold for themselves, and their successors, for the use of the said schools, all the real and personal property which the Morris J. M'Donough devised or bequeathed to them the said Richard Barnes, Benjamin Contee and Robert Fergusson, and the same to grant, bargain, sell and convey, for the use of the said schools, in such manner and upon such terms as the orphans court for the time being shall direct, and to invest the monies arising from the same in such funds as the said orphans court shall direct.

Vacancies, how to be filled.

4. AND BE IT ENACTED, That at all times hereafter, when any vacancy or vacancies shall happen in the said community of the said trustees, by the death, resignation or refusal, of any one or more of the members thereof, or by the wilful neglect of any one or more of them refusing to attend two succeeding stated meetings of the board of trustees, the surviving or remaining trustees, or a majority of them, shall cause the said death, refusal, resignation or absence, to be noted on the journals, and with all convenient speed inform the justices of the orphans court of said county of the said vacancies, and the orphans court shall proceed to elect some other sensible and discreet person or persons to be trustee or trustees to supply the vacancy or vacancies occasioned by the respective causes aforesaid, and in such manner shall all vacancies be filled hereafter.

Treasurer to be appointed—to give bond.

5. AND BE IT ENACTED, That the said trustees, or any three of them, shall, and they are hereby authorised and empowered, to appoint a fit and proper person as treasurer of the said community, and to allow him a reasonable compensation for his trouble as such; and the said treasurer, and every other treasurer hereafter to be appointed, shall, before he enters on the duties of his appointment, enter into bond to the said community in such sum as the said trustees shall approve of, with good and sufficient securi-