

**CHURCHES.**

Under the act of 1802, ch. 111, authorizing the incorporation of churches, the persons elected, according to the provisions of the 2nd section of that act, and not the congregation, constitute the corporation of the church. *Bethel Church vs. Carmack*, 143.

**CIRCUI TY OF ACTION.**

See PRACTICE IN CHANCERY, 77.

**COLLUSION.**

See EXECUTOR, &c., 2.

**COMMISSIONERS TO TRUSTEES.**

1. The court will allow a reasonable commission to the estate of a deceased trustee who died before completing his trust. In a case like the present, *five per centum* declared to be a reasonable commission. *Bentley vs. Shreeve*, 215.
2. Reasonable commissions will be allowed to trustees created by deed, though the deed is silent on the subject of compensation. *Ib.*
3. The court will allow a new trustee a reasonable sum for fees to his solicitor, due for services in proceeding against the administrators of the old trustee, rendered necessary by the omission of their intestate; but such fee will not be deducted from the commissions allowed to the old trustee. *Ib.*

**CONSIDERATION IN DEEDS.**

See FRAUDULENT CONVEYANCES, 12, 13.  
EVIDENCE, 26, 27, 28.

**CONSTRUCTION OF DEEDS.**

1. In construing deeds, the courts are, first, by an inspection of the grant, to ascertain what the parties intended should be effected by it, and then so to expound it as to accomplish that intention, unless expressions are employed which positively forbid it. *Peyton vs. Ayres et al.*, 64.
2. Where the premises (which word constitutes everything which precedes the *habendum*) make it clear that the intention was to secure the plaintiff an annuity of \$120 during the natural life of M. A., the court will construe the deed so as to effectuate this intention, though the *habendum* contain no bonds of limitation defining the duration of the estate. *Ib.*
3. The Washington Medical College of Baltimore executed on the 24th of July, 1835, a deed of trust conveying to certain trustees therein named, a leasehold interest in a lot of ground in the city of Baltimore. The deed recites "that towards erecting a building on said lot, the sum of \$50,000 has been agreed to be contributed by various persons who are to be identified by being the owners of certificates therein described, and that said college has agreed with said persons to secure the reimbursement of their respective contributions and the payment of the dividends arising thereon, in the manner therein pointed out." The form of the certificate is then prescribed, each being for the sum "of \$60, part of said \$50,000, to be entitled to a dividend proportioned to its amount when the same shall arise, payable semi-annually,