

particularizing the grant, is all that is required. A sanction to a deed held to have been given in a corporate charter. A deed held to vest a fee simple title in an orphan asylum; there is nothing in this article to the contrary. *Rogers v. Sisters of Charity*, 97 Md. 554.

A reasonable time should be allowed for obtaining legislative assent to bequests, etc., when such assent is given at the first session of the legislature after the death of the testatrix, it is in time although a final administration account has been stated in the meantime. *England v. Prince George's Parish*, 53 Md. 471.

Where A. conveys to a religious corporation and the latter conveys to another religious corporation, which last conveyance is sanctioned by the legislature, such sanction is necessarily a legislative assent to the first conveyance also. *Trustees, etc., v. Jackson Square Church*, 84 Md. 178.

The power given the legislature to sanction a gift, etc., wherever or however exercised, was simply the power to remove the disability imposed by this article; the legislature has no power to remove such disability and at same time to declare that an unincorporated body or association should, when incorporated, be capable of taking, etc. *State v. Warren*, 28 Md. 354.

### Generally.

In giving the leave provided for by this article, the legislature may impose conditions and limitations both as to the extent and quantity of the estate and as to the uses to which it shall be devoted; power of a subsequent legislature over such conditions and limitations. The act of 1845, ch. 384, though not in terms referring to a deed in 1841, held to be a sufficient sanction thereof. There are two classes of sales or grants to which this article applies; first, sales to any religious sect when the quantity of land does not exceed two acres which is intended for a church, etc., or burying ground; and, secondly, sales where the quantity of land conveyed is more than two acres and the land is intended for both purposes or for any other purpose; no leave of the legislature is necessary to validate grants of the first class; *contra* as to grants of the second class. Contemporaneous construction of the Constitution. *Catholic Cathedral v. Manning*, 72 Md. 121. And see *Rogers v. Sisters of Charity*, 97 Md. 554.

It cannot be inferred from the amount of consideration paid that the grantor intended to convey an estate which the grantees were prohibited by this article from taking. This article referred to in deciding that property must be held and used in strict conformity with the deed, or it will revert to the heirs of the grantor. *Reed v. Stouffer*, 56 Md. 254. And see *Second Universalist Society v. Dugan*, 65 Md. 470.

A deed to Samuel Corkran *et al.*, trustees, and their successors, of a lot of land in trust for a place of worship not sanctioned by the legislature, as required by this article, held void. Title good by adverse possession. *Mills v. Trustees of Zion Chapel*, 119 Md. 513; *Trustees of Zion Church v. Hilken*, 84 Md. 171; *Gump v. Sibley*, 79 Md. 169; *Dickerson v. Kirk*, 105 Md. 639; *Regents of University of Maryland v. Trustees of Calvary Church*, 104 Md. 640.

Where a deed of land in trust for a religious sect does not express that it is "for a church, meeting-house or other house of worship and for a burying ground" and does not declare that the land "shall be improved, enjoyed or used only for such purposes" and no assent of the legislature thereto has been given, it is void under this article. *Grove v. Trustees of the Disciples*, 33 Md. 454; *Regents of University of Maryland v. Trustees of Calvary Church*, 104 Md. 638. *Cf. Gump v. Sibley*, 79 Md. 169.

This article referred to as showing that the Constitution recognizes the distinction between a "gift," a "sale" and a "devise." The sanction of the legislature to a gift does not embrace a power to take by will. *Brown v. Thompkins*, 49 Md. 431. And see *Snowden v. Crown Cork Co.*, 114 Md. 662.

A legacy intended for the benefit of Saint Ignatius Church, Baltimore, and not for educational purposes, held to require the sanction of the legislature under this article. *Gardner v. McNeal*, 117 Md. 33.

Certain devises and bequests held to require the sanction of the legislature under this article. *Halsey v. The Convention, etc.*, 75 Md. 283.

As to religious corporations, see art. 23, sec. 275, *et seq.* An. Code.

That foreign religious corporation, which was beneficiary under will, failed to secure sanction of Legislature under this article at next session of Legislature, held not to invalidate gift; no laches or prejudice. *Waters v. Order of the Holy Cross*, 155 Md. 151.

Title good by adverse possession, notwithstanding this article. *Rydzewski v. Grace, etc., Church*, 145 Md. 535.

Cited in *Curtis v. Md. Baptist Union Assoc.*, 176 Md. 440.

Art. 39. That the manner of administering the oath or affirmation to any person ought to be such as those of the religious persuasion, profession, or denomination, of which he is a member, generally esteem the most effectual confirmation by the attestation of the Divine Being.

Art. 40. That the liberty of the press ought to be inviolably preserved; that every citizen of the State ought to be allowed to speak, write and