

whole number of said trustees shall be requisite to carry any measure that may be brought before them; *provided*, that the trustees of said corporation shall not establish any by-law inconsistent with the constitution or laws of Maryland, or the constitution or laws of the United States.

SEC. 3. *And be it enacted*, That if any person shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone or other structure placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of any tomb, monument, grave-stone or other structure aforesaid, or shall wilfully destroy, cut, break or remove any tree, shrub or plant, within the limits of the said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace in Worcester or Somerset counties, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five, nor more than fifty dollars.

SEC. 4. *And be it enacted*, That upon the death, resignation, removal or disqualification of any of the trustees aforesaid, a majority of the survivors shall call a meeting, due notice thereof being given, and elect some suitable person or persons to fill said vacancy or vacancies, and a majority of the surviving trustees shall be necessary to a choice.

SEC. 5. *And be it enacted*, That nothing herein contained, shall be so construed as to authorise the corporation hereby created, to issue any token, device, note or certificate, to be issued as currency.

SEC. 6. *And be it enacted*, That the legislature hereby reserves the power, at its pleasure, to alter, amend or annul this act.

CHAPTER 188.

An act for the relief of Negro Boy Jim, an Idiot, of Kent County. Passed Mar. 4, 1840.

Be it enacted by the General Assembly of Maryland, That from and after the passage of this act, it shall and may be lawful for the sheriff of Kent county to deliver the said negro boy Jim, an idiot, now in his custody, to the trustees of the alms-house, of Kent county; and the said trustees are hereby required to receive said boy, and to

CHAP. 188.
Proviso

Any person injuring tomb. &c guilty of misdemeanor

How punished

In case of vacancy

Banking forbid

Rights reserved

Sheriff to deliver negro Jim to trustees of the poor