

and this law had not been passed, and that the judge and court, or commissioners, to whom the said Ernest Voigt shall make application for a personal and final discharge respectively, as the case may be, shall be respectively satisfied, by competent testimony, other than the oath of the said Ernest Voigt himself, that he came to this state from Germany with the *bona fide* intention of settling therein, or in some other of the United States, and not for the purpose of avoiding the payment of his debts, and is in confinement at the suit of the said Bernard H. Cook, or his legal representatives, and of no other person.

CHAP. 42.

CHAP. XLIII.

An Act to Incorporate the Trustees of the Franklin Academy or School in Baltimore County. Passed Jan 10 1821

1. *Be it enacted by the General Assembly of Maryland,* That John Tolly Worthington, Doctor Thomas Cradock Walker, Nimrod Cromwell, Adam Showers, John Tolly Hood Worthington, Elisha Sollers Johnson, John Charles Worthington, Garrett G. Worthington, and Richard Johns, be and they are hereby appointed Trustees of the Franklin Academy or School, and the said trustees, and their successors, to be elected in the manner hereafter mentioned, shall be, and they are hereby erected, established and declared to be, one community, and body politic, with perpetual succession in fact and in law, to all intents and purposes connected with the institution, by the name and style of The Trustees of the Franklin Academy or School in Baltimore County, by which name and title the said trustees, and their successors, shall be competent and capable at law or in equity to take and to hold to themselves, and their successors, for the use of the said academy or school, any estate in lands or tenements, goods, chattels, monies, stock or effects, by the gift, grant, bargain, sale, conveyance, devise or bequest, of any person or persons whatever, provided the same do not exceed in the whole clear yearly value of five thousand dollars, and the same to sell, convey, lease, loan, or otherwise to dispose of, for the use of the said academy or school, in such manner as to them, or a quorum of them, shall seem most beneficial to the institution.

Trustees appointed and incorporated

2. *And be it enacted,* That at all times for ever hereafter when any vacancy or vacancies shall happen in the said community of trustees, by the death, resignation, or refusal of any or more of the trustees thereof, or by the wilful neglect of any one or more of them to attend three succeeding stated meetings of the board of trustees, the surviving or remaining trustees, or a quorum of them, may proceed to elect, by ballot, other sensible, judicious, and discreet person or persons of the county, to be the trustee or trustees to supply the vacancy or vacancies occasioned by the respective causes aforesaid, and in such manner may all future vacancy or vacancies be supplied by the said trustees, and their successors, or a quorum of them, so as to perpetuate not less than the number of nine persons as trustees of the said academy or school for ever.

Vacancies, how to be supplied

3. *And be it enacted,* That the said trustees, and their successors, by the name and style aforesaid, shall be capable in law to sue and be sued, plead and be impleaded, in any court or courts,

To be capable to sue, &c.