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The Kent News:

PUBLISHED WEEKLY, AT
CHESTERTOWN, KENT COUNTY, MARYLAND.
Office in the Masonic Hall.

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EDITORS AND PROPRIETORS.

Terms of Subscription:
Two Dollars per annum, payable in advance. If not paid within six months from the time of subscribing, Two Dollars and Fifty Cents may be charged.

☞ Local and other correspondence solicited from all parts of the county.
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Kent News.

A FAMILY NEWSPAPER: Devoted to General and Local Intelligence, Literature, Agricultural and Mechanical Interests, Politics and Advertising

Vol. 32. CHESTERTOWN, SATURDAY, MAY 4, 1872. No. 51.

Rates of Advertising:

Advertisements occupying the space of eight lines brevier type, will be inserted three times for One Dollar, and twenty five cents for each subsequent insertion. A liberal deduction will be made to those who advertise by the year, half-year or quarter.

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THE SCHOOL LAW

PASSED BY THE

GEN'L ASSEMBLY OF MARYLAND,

At the January Session, 1872.

[PUBLISHED BY AUTHORITY.]

[CHAPTER 374.]

AN ACT

To repeal an Act passed at the January Session of 1870, entitied an Act to repeal the Act passed at January Session, 1868, entitled Public Education, providing a general system of Free Public Schools for the State of Maryland, and to repeal all laws inconsistent therewith, and to re-enact the same with amendments.

Section 1. Be it enacted by the General Assembly of Maryland, That the Act passed at the session of 1870, entitled an Act to repeal an Act passed at the session of 1868, entitled Public Education, providing a system of Free Public Schools for the State of Maryland, and to repeal all laws inconsistent therewith, be, and the same is hereby repealed and re-enacted so as to read as follows:

Section 1. And be it enacted, That there shall be throughout the State of Maryland a general system of Free Public Schools according to the provisions of this Act.

Sec. 2. And be it enacted, That this Act shall be added to the Code of Public General Laws under the title "Public Education," and that all existing laws inconsistent therewith be, and the same are hereby repealed.

CHAPTER 1.

Supervision

Sec. 1. Educational matters affecting the State and the general care and supervision of Public Education, shall be entrusted to a State Board of Education.

Sec. 2 Educational matters affecting a county shall be under the control of a Board of County School Commissioners.

Sec. 3. Educational matters affecting a school district shall be under the supervision of a Board of District School Trustees.

CHAPTER II.

Formation of Boards.

Sec. 1. The Governor, by and with the advice and consent of the Senate, shall appoint at the present session of the General Assembly of Maryland, and at every regular session thereafter, from among the Presidents and Examiners of the several County Boards four persons, (one of whom shall be a resident of the Eastern Shore,) who, together with the Principal of the State Normal School, shall constitute the "State Board of Education."

Sec. 2. The Board of County School Commissioners shall be composed of three persons, appointed by the Judges of the Circuit Courts, to serve for two years from the first day of January next succeeding said appointment, and until their successors shall qualify; provided, that in counties having over one hundred schools, five persons shall be appointed.

Sec. 3. The Board of District School Trustees shall be composed of three persons, who shall be appointed by the county school commissioners on the first day of May, or at their first meeting thereafter in each year.

CHAPTER III.

Duties of the State Board of Education.

Sec. 1. The State Board of Education shall hold regular meetings on the last Wednesday in May, August, November, and February of each year, and special meetings as occassions may require.

Sec. 2. The office of the Board shall be in the State Normal School.

Sec. 3. The members of the Board shall receive no salary but actual expenses incurred in attending meetings of the Board, and they are authorized to employ clerical assistance when necessary; the Treasurer upon the warrant of the Comptroller is hereby authorized to pay the President of the Board such amount, not exceeding one thousand dollars per annum, as he shall show to be due for these necessary expenses.

Sec. 4. The State Board of Education shall, to the best of their ability, cause the provisions of this law to be carried into effect, and may, if necessary, institute legal proceedings for that purpose, with the direction and advice of the Attorney General; they shall explain the true intent and meaning of the law, and they shall decide, without expense to the parties concerned, all controversies and disputes that may arise under it.

Sec. 5. They shall have the general care and supervision of the Public School interests of the State; shall act as assistants and advisers of the various County Boards; and shall, from time to time, issue circular letters to teachers and commissioners on topics connected with the administration of Public schools.

Sec. 6. In order to insure uniformity in the statistical reports of the public schools, they shall issue a uniform series of blanks for the use of the teachers and county boards, and shall require all accounts to be kept and returns to be made according to these forms.

Sec. 7. They shall, when requested by the Board of county school commissioners, examine candidates for the office of county examiner, and give a certificate of qualification.

Sec. 8. They may grant to teachers of long experience and established reputation professional certificates which shall be valid until revoked for cause.

Sec. 9. The State Board of Education shall be, ex officio, Trustees of the State Normal school; and the Principal of the State Normal school shall be, ex officio, a Trustee of the State Agricultural College.

Sec. 10. All schools and colleges receiving State donations, shall make a report on or before the fifteenth day of November in each year, of such matters and in such form as the State Board of Education shall require; and said reports or an abstract therefrom, shall be published by the President of the Board in his annual school report.

CHAPTER IV.

Duties of the County School Commissioners.

Sec. 1. The Board of county school commissioners shall meet for organization on the first Tuesday in January next succeeding their appointment, or as soon thereafter as may be, and elect a person not a member of the Board, who shall serve as Secretary, Treasurer and Examiner; and notice of such election, signed by the President of the Board, shall be transmitted to the Comptroller; *Provided*, that in counties having more than eighty-five schools, the Board may at their discretion, appoint one Assistant Examiner and fix his salary; the Board shall meet once in every school term, and at other times if necessary, for the transaction of business; each commissioner shall receive per day for each day of his attendance at the Board or on committees appointed by the Board, such pay as is allowed the county commissioners in the several counties of the State; provided, that the aggregate amount paid in one year to commissioners as per diem, or any other compensation, shall not exceed an average of one hundred dollars for each commissioner.

Sec. 2. The Board of county school commissioners is hereby declared to be a body politic and corporate by the name and style of the Board of County school Commissioners of ——— county, and by that name shall have perpetual succession, and shall be capable to sue and be sued, to have and use a common seal, and the same at their pleasure to alter or break and to exercise all the powers and privileges hereby granted to or vested in them; and every county school commissioner shall have power to take affidavits and administer oaths in all matters pertaining to Public Schools, but without charge or fee.

Sec. 3. All the property, estates, effects, money, funds, claims and State donations now vested by law in the Public school authorities of any county, for the use and benefit of Public, Primary, Free or High schools, are hereby transferred to, and vested in, the Board of County school commissioners and their successors in office.

Sec. 4. The Board of county school commissioners shall have the general supervision and control of all schools in their respective counties; they shall build, repair, and furnish school houses; they shall fix the salaries of teachers; they shall purchase and distribute text-books, and shall perform such other duties as may be necessary to secure an efficient administration of the public school system, subject to the provisions of this law.

Sec. 5. The State School Tax and Free School Fund are primarily intended under this Act to pay the salaries of the teachers of the several counties, and to provide school books and stationery for the children of the State. If, however, in apportioning the said State School Tax among the different counties and the city of Baltimore, the share of any county should prove inadequate for the purposes aforesaid, then the county commissioners of such county are hereby authorized, empowered, directed and required to levy and collect such a tax upon the assessable property of such county as the board of county school commissioners shall designate as sufficient to make good the deficiency; provided, said tax shall not exceed ten cents in the hundred dollars, unless the county commissioners shall approve and sanction an additional tax; the taxes so levied and collected shall be paid quarterly on the day fixed for the payment of the State school tax to the several counties, but the proceeds from special taxes may be paid oftener, upon the order of the board of county school commissioners, to the treasurer of the said board of county school commissioners, in order that the schools of such counties may be kept open for the time herein set forth, and said tax shall be levied and collected as other taxes; any sums of money which may have been specially collected or levied on any election or school house district for educational purposes connected with these districts, shall be collected for, and applied to the purposes so intended originally, and shall be used for no other purpose, and if said funds have been used otherwise, they shall be returned and applied as aforesaid.

Sec. 6. In all cases where the county has not been properly divided into school districts, and full records of the boundaries thereof have not been made and recorded, the board of county school commissioners shall appoint a committee, if, in their opinion they deem it necessary, consisting of three persons of intelligence and sound judgment, who shall divide the county into suitable school districts, define and describe the boundaries of each; provided, that no school district shall contain a greater area than four miles square, unless a part of it be located in a thinly settled region; in the formation of the school district the committee shall take into consideration the most suitable site for the school house, the general features of the county, and shall make each school district of such size and form as will best accommodate the population within its bounds; the committee shall make an accurate description of the bounds of the school districts accompanied by a plat, and shall report the same to the board of county school commissioners, who shall thereupon give notice in all the newspapers of the county at what time they will meet to hear applications for a change of boundaries, which applications shall be made in writing, and within two months from the date of the first publication of such notice; when the application shall have been made and considered, the board of county school commissioners may then change the boundaries of such school districts, and revise the description, or they may without application make such change as may be deemed important, or they may ratify and confirm the report of the committee; the description of the boundaries of school districts shall be recorded in a book kept for that purpose by the Secretary of the board of county school commissioners; in those counties where no newspaper is published, the notice of application for a change of boundaries shall be published in such a manner as the board of county school commissioners may decide: whenever it may be necessary, the board of county school commissioners shall employ a surveyor to aid the committee in the performance of such duty, and they shall allow the surveyor such compensation for his services as may be just and proper, and the committee shall receive no compensation whatever for their services; the cost of dividing the county shall be paid by the county school commissioners out of the school fund of the county; if a county has already been divided into school districts, and it may be necessary to revise the same, the board of county school commissioners shall have full power to make such revision or alteration as may be necessary to accommodate the population, and increase the efficiency of the schools; a full description of such changes and alterations shall also be made out and recorded as aforesaid.

Sec. 7. The board of county school commissioners shall, on or before the fifteenth day of November, in every year, make a report to the State Board of Education, in such form as may be prescribed by the latter, of the schools and all matters affecting the educational interests of the county; they shall also publish annually, in the month of November, in such form and manner as they may deem proper, a statement of their receipts and disbursements, including the money received and expended on account of text-books, and a statement of the indebtedness of the board at the close of the fiscal year, and forward a copy to the State Board of Education.

Sec. 8. In case of the death of any county school commissioner, or his resignation or removal from the county, or disqualification from any legal cause, the Judges of the Circuit Court of the judicial district where the vacancy occurs shall have power to appoint a qualified person to fill the vacancy; in case of inefficiency, refusal to act, or breach of trust, the board may by a vote of a majority of its members declare the office vacant, and give notice to the party concerned; an appeal may be taken to the State Board of Education, whose decision shall be final; but if no appeal be taken within ten days, the vacancy shall be filled as hereinbefore provided.

Sec. 9. No teacher in actual employment as such shall fill the position of county school commissioner.

CHAPTER V.

Duties of the District School Trustees.

Sec. 1. The Board of District School Trustees shall have the care of the houses and lands connected therewith intended for school purposes; also the furniture, apparatus and other school property; they shall attend to all repairs and charge the cost among the incidental expenses of the school, to be paid out of the tax levied upon the assessable property of the county, as herein provided for; provided, that when repairs are to be paid out of a county school tax, the amount to be expended for said repairs shall be determined by the board of county school commissioners before the repairs are made; the board shall employ a teacher from among those persons who hold the certificate required by this law; they shall exercise a general supervision over their respective schools, and visit them frequently, and shall cause instruction to be given for ten months in the year if possible.

Sec. 2. The Board of District School Trustees shall see that every school-house site is provided with suitable outbuildings.

Sec. 3. No school house shall be used for any other purpose than public school purposes and school district meetings, unless by consent of the board of county school commissioners, or a majority of them.

Sec. 4. Contiguous portions of two or more school house districts may, with the consent of the board of county school commissioners, combine and form a new school house district, and when thus formed the said new school house district shall be invested with all the rights and powers hereinbefore set forth as pertaining to such districts; provided, that the new school house district thus formed, or said district from which it may be formed, shall not contain less than thirty-five legal resident voters.

CHAPTER VI.

School Houses and Sites.

Section 1. It shall be the duty of the Board of county school commissioners to select a suitable school house site in each district whenever the necessities of the Public Schools demand a change of site or sites already built upon or a new school house to be built.

Sec. 2. The Board of county school commissioners may receive donations of such sites or locations for school houses or of houses already built adapted to school purposes or suitably located, or may purchase the same; but in no case shall any site be built upon or any house be occupied, until a good and sufficient title shall have been obtained for the same in the corporate name of the Board of County School Commissioners.

Sec. 3. When the lands shall be required for the site of a school house, or for enlarging a school house lot, and the Board of County School Commissioners shall, from any cause, be unable to contract with the owner thereof, the Board of County School Commissioners may apply for a writ of *ad quod damnum* to the Clerk of the Circuit Court for the county, who shall forthwith issue the same, and the Sheriff shall execute the said writ and return an inquisition describing the land and stating the amount of damages to be paid to the owner, and the Judge of the Circuit Court for the county may at any time after the return of the inquisition in term or during recess, hear a motion to confirm such inquisition on such notice to the parties as he may direct, and confirm or quash the same, and if he quashes the inquisition he shall order a new one forthwith to be taken, but no lot so taken or enlarged shall exceed in the whole one acre, including the land occupied by the school building.

Soc, 4. In all cases when school house sites are thus purchased or condemned, the costs thereof shall be paid as other school house property is paid for.

Sec. 5. Every school house shall be built and furnished according to the plans and drawing issued from the office of the County School Commissioners.

CHAPTER VII.

Schools.

Sec. 1. The schools under the charge of the board of county school commissioners for each county shall respectively be designated School number one, two, three, and so forth, of their respective election districts.

Sec. 2. In every school house district in each county, established as hereinafter provided, there shall be kept for ten months in each year, if possible, one or more schools, according to population, which shall be free to all white youth over six and under twenty-one years of age.

Sec 3. In every district school there shall be taught Orthography, Reading, Writing, English Grammar, Geography, Arithmetic, History of the United States and Good Behavior, Algebra, Book-keeping, Natural Philosophy, the Constitution of the United States, the Constitution of the State of Maryland, and the History of Maryland, Vocal Music, Drawing, Physiology, the Laws of Health, Domestic Economy shall also be taught whenever the board of District School Trustees shall deem it expedient; and in districts where there is a considerable German population, the board of county school commissioners are authorized to cause the German language to be taught, if they shall think proper so to do.

Sec 4. Whenever a school numbers more than fifty children in average attendance, an assistant may be employed by the board of county school commissioners, and for every additional forty children one teacher may be appointed, and the board of county school commissioners shall direct the division of the pupils so as to form a graded school.

Sec. 5. Whenever the number of children attending school in any school district is greater than one hundred, then the board of county school commissioners may, with the consent of the board of district school trustees, establish schools of different grades, or the school district may be divided, and whenever the average attendance in any school for any two consecutive terms is less than ten pupils, then the said schools may be closed by the board of county school commissioners; provided, that the board of district school trustees may keep the school open in part at the expense of the district, and shall receive their proportion of the school fund for said school, rating a full school at 20 scholars.

Sec. 6. Public examinations shall be held in each school twice a year, of which due notice shall be given that parents and others interested in education may attend.

Sec. 7. Schools shall be kept open each week day, except Saturday, for six hours, and the hours for teaching shall be regulated by the several boards of county school commissioners.

Sec. 8. Any person who shall disturb any public school in session, shall, upon conviction thereof before a Justice of the Peace, be deemed guilty of a misdemeanor, and shall forfeit and pay twenty dollars, to be collected as other fines, to be paid to the board of district school trustees, for the benefit of the school house district, or said offender shall be imprisoned not exceeding thirty days, or both, in the discretion of the Justice of the Peace.

Sec 9. The school year shall be divided into four terms, which shall be designated the Fall Term, Winter Term, Spring Term and Summer Term, and the time of beginning and closing each term shall be regulated by the board of county school commissioners; provided, that the financial reports of the schools of the State shall be made up and rendered to the thirtieth day of September, inclusive, of each and every year; and provided further, that there shall be no change in or encroachment upon the holidays and vacations set forth and established in the following paragraph: The month of August shall be vacation throughout the whole State, and the following days shall be holidays, viz: Thanksgiving Day, from Christmas Eve to the first day of January, inclusive, Washington's Birthday, the Fourth day of July, from the Friday before Easter to the Monday after Easter inclusive, and the Monday of Whitsuntide, and the remaining month of vacation shall be fixed and designated by the board of county school commissioners to subserve the convenience and advantage of their respective counties; in case it may be necessary to open school for a fraction of a term, it shall close at the end of the term, and all accounts shall be settled at the meeting of the board of county school commissioners held at the close of the term.

CHAPTER VIII.

Teachers.

Sec. 1. No person shall be employed as a teacher under this law, unless such person shall hold a certificate of qualification issued by the Examiner of the county in which he or she proposes to teach, or from the Principal of the State Normal School a diploma as graduate of said Normal School, or certificate from the State Board of Education, as hereinbefore provided.

Sec. 2. Teachers shall be appointed by the board of district school trustees, and may be removed at any time said board may think proper, after thirty days notice given to the teacher in writing.

Sec. 3. Teachers shall enter into registers prepared for that purpose, an accurate account of the attendance of pupils, of text books used, and branches taught, and such other statistics as may be required, and make the return thereof to the board of county school commissioners at the end of each term; and no teacher shall be entitled to receive payment for services until the register properly filled up and completed be so returned; their report shall be filed by the said board for the purpose of making the annual returns to the State Board of Education.

Sec. 4. The board of county school commissioners shall examine any charge preferred against the moral character of any teacher within their county; they shall give the teacher reasonable notice of the charge in writing, and an opportunity to defend himself, and if the charge be sustained they shall annul the teacher's certificate, and shall give notice thereof to the State Board of Education; provided, that an appeal shall lie to the State Board of Education, whose decision shall be final.

Sec. 5. Any person holding a first grade teacher's certificate, or the diploma of a respectable college, or of a State Normal School, who has been a teacher for seven years, of which five shall have been spent in the State of Maryland, may apply to the State Board of Education for a life certificate, which, if granted, shall exempt him from any further examinations; said certificate may be annulled by said board at any time on account of immoral or unprofessional conduct.

Sec. 6. The salaries of teachers of each county shall be fixed by the board of county school commissioners.

CHAPTER IX.

Pupils.

Sec. 1. All white youth between the ages of six and twenty-one years shall be admitted into the public schools of the State, the studies of which they may be able to pursue; provided, that whenever there are graded schools, the teachers and board of district school trustees shall determine to which school pupils shall be admitted.

Sec. 2. The Board of District School Trustees shall have power to suspend and expel pupils for cause; provided, that an appeal shall lie to the Board of County School Commissioners, whose decision shall be final.

Sec. 3. Children living remote from the school of the district in which they reside, may attend school in an adjoining district, with the consent of the Boards of the respective school districts.

Sec. 4. Every child, before being admitted to any public school, shall produce a certificate from a regular physician that he has been properly vaccinated.

CHAPTER X.

Text Books.

Sec. 1. School books shall contain nothing of a sectarian or partizan character.

Sec. 2. Each Board of County School Commissioners shall adopt and purchase the text books for their respective counties, but no change shall be made in the text books at present in use, or hereafter introduced, without having examined such as may be recommended by the State Board of Education, whose duty it is hereby made to present a list of books to the several Boards of County School Commissioners with their written reasons for such recommendations.

Sec. 3. The Board of County School Commissioners shall authorize the delivery of Books and Stationery to the various schools in the county, under such rules and regulations as they may adopt; no pupil shall be required to pay more than one dollar quarterly for use of said books and stationery, but any pupil, on account of pecuniary inability, may be exempted from payment by the Board of District School Trustees; provided, nevertheless, that parents or pupils may purchase their own books when they may think proper.

Sec. 4. The Board of County School Commissioners shall keep an account of the books and stationery delivered to the several schools in their respective districts, and file their receipts for the same.

CHAPTER XI.

County Examiner.

Sec. 1. It shall be the duty of the County Examiner to examine candidates for the profession of teaching, in the presence of at least one member of the Board of County School Commissioners, or one or more of the District Trustees, and to give to such persons as are found qualified, under the sanction of the Board at its next meeting, a certificate setting forth the branches such persons are competent to teach; but no certificate shall be granted without satisfactory evidence of the moral character of the applicant.

Sec. 2. The certificate issued by each County Examiner shall be numbered and registered in a book kept by the Board of County School Commissioners, and be delivered to their successors in office, and shall be denominated first or second grade, as the case may be; and the State Board of Education shall keep a book in the same manner as the County Examiner; certificates of the first grade shall embrace Orthography, Reading, Writing, Arithmetic, Geography, English Grammar, History, Book-Keeping, Algebra and Natural Philosophy; and the second grade shall embrace Orthography, Reading Writing, Arithmetic, Geography, History and English Grammar, nor shall such certificate continue in force for more than six months, unless the person receiving the same shall satisfy the Examiner of his fitness for governing a school and his ability to impart instruction in the various branches taught in the public schools, but when the Examiner shall satisfy himself upon these points he shall be empowered to issue a certificate which shall continue in force for three years.

Sec. 3. No certificate of qualification as a teacher shall be issued to any male under nineteen years of age, or to a female under seventeen years of age.

Sec. 4. The County Examiner shall hold regular examination of teachers at such times as the Board may direct, of which due notice shall be given in the newspapers or otherwise; no Examiner shall be allowed to charge any fees for the issuing of certificates to teachers; and if any Examiner shall be found guilty of charging or receiving any fee or reward, directly or indirectly, for issuing any certificate to a teacher, he shall be dismissed from office.

Sec. 5. It shall be the duty of the County Examiner, or his assistant, at least three times in each school year, to visit the schools in his county if it contain fifty schools, or less; and twice a year in counties having more than fifty schools; he shall observe the method of the teacher, and give him such practical suggestions as the circumstances may prompt; he shall, whenever possible, attend public examinations, and report quarterly in detail the result of his observations to the Board of County School Commissioners.

Sec. 6. The Secretary and Treasurer of the Board of County School Commissioners shall give bond to the State of Maryland, with at least two securities, to be approved by the said Board, in such penal sum as the said Board shall determine, with the condition that he will faithfully perform the duties of Secretary and Treasurer, pay over and apply all moneys that shall come to his hands or care as Treasurer, to such persons, and in such manner as said Board may under the provisions of this Act, direct; and that he will keep a full account of all moneys received and paid by him, and all matters relating to the duties of his office, and preserve the same, and all vouchers relating thereto, and deliver up all books and vouchers relating to his office to his successor, which said bond, when executed, shall be filed in the office of the Clerk of the Court for the county; he shall be present at every meeting of the Board, and may debate any question before them, but shall have no vote; he shall keep the minutes and conduct the correspondence; and shall duly file away and safely keep all letters, reports and other papers pertaining to the business of the Board; he shall prepare and submit to the Board for their adoption the annual report to the State Board of Education.

Sec. 7. The person or persons acting as Secretary, Treasurer and Examiner, under the provisions of this Act, shall devote their whole time to public school business, and shall receive such compensation as the Board of County School Commissioners may direct.

Sec. 8. The Examiner of each county shall, on or before the fifteenth day of January in every year, notify the Comptroller how many months the schools of his county have been kept open.

CHAPTER XII

State Normal School.

Sec. 1. There shall be located in the City of Baltimore a State Normal School, for the instruction and practice of teachers in the science of education, the art of teaching and mode of governing schools; it shall be under the control of the State Board of Education, who shall appoint a Principal at a salary of twenty-five hundred per annum; the Principal of the Normal School shall not vote upon the subject of his appointment or removal

Sec. 2. The sessions of the State Normal School, until otherwise provided for by the State, shall be held in such building as the State Board of Education may select, the rent to be paid out of the fund provided for its maintenance.

Sec. 3. The faculty of the State Normal School shall consist of the Principal, and two male and female professors, who shall be appointed by the State Board of Education, and have such salaries and perform such duties as said Board may direct.

Sec. 4. The sessions of the State Normal School shall be determined by the State Board of Education; provided, that the school shall be open for not less than nine months in each year.

Sec. 5. Students of both sexes shall be admitted to the State Normal School; females at the age of sixteen years, and males at the age of seventeen years; the students shall be apportioned by the State Board of Education, among the several counties and the city of Baltimore, in proportion to their respective representation in the General Assembly of this State; the students shall be selected by the several Boards of County School Commissioners, and the Board of Commissioners of Public Schools of the City of Baltimore from among persons having the scholastic qualifications hereinbefore required for teachers; before any appointment shall be made the applicants shall procure the certificate of the County Examiner, or the City Superintendent, in testimony of their scholastic proficiency, and shall also file a written declaration, that their object in obtaining admission is to qualify themselves as public school teachers, and that it is their intention to engage in the profession of teaching within the State; and in case any students shall fail to fulfill the condition upon which they were admitted, they shall forfeit and pay thirty dollars for each session they have attended the Normal School, to be collected as other debts are collected, and to be applied for the benefit of the Normal School; if there be not applicants sufficient from any county or the city, then the State Board of Education may fill all vacancies, by selecting applicants possessing the requisite qualifications from any other portion of the State in the proportion aforesaid.

Sec. 6. In addition to the students admitted from the counties and the City of Baltimore, who shall enjoy all the privileges of the schools, and be furnished with the use of the text-books free of charge; there may be admitted in the proportion of one to two of the scholars selected by the Board of City and County School Commissioners, other persons having the requisite qualifications, who shall pay the sum of twenty-five dollars per session, and purchase their own text-books, and be subject in every respect to the same rules and regulations as the other students; provided, that the number of students sent by the State shall not exceed two hundred, and as long as this number is not exceeded by the State, or after it shall have been reached by the State, all remaining vacancies may be filled by pay scholars, to the full capacity of the school.

Sec. 7. She State Board of Education shall prescribe the course of study, and supervise the school in every particular not provided for in this law; they shall make provisions for Model and Experimental, Primary and Grammar Schools, under qualified teachers in which the students of the Normal School shall have opportunity to practice the modes of instruction and discipline inculcated in the Normal School; the salaries of the teachers of the Model and Experimental Schools shall be paid in part from the tuition fees derived from the pupils of said Model Schools.

Sec. 8. The annual sum of ninety-five hundred dollars is hereby appropriated for the support of the Normal School, to be paid in quarterly instalments by the Treasurer, on the warrant of the Comptroller to the State Board of Education and to be applied to the payment of the teachers's salaries, and the purchase of educational aparatus for the salary of the Principal of the Normal School, for text-books, stationery, fuel, light and other incidental expenses of the school.

Sec. 9. All donations or bequest of money or personal property, and all grants or devises of lands for the benefit of the State Normal School shall be held in trust by the State Board of Education.

Sec. 10. The State Board of Education shall, on or before the fifteenth day of January in each and every year, make a report to the Governor of the condition of the schools of the State, a statement of the apportionment of money in the counties and the City of Baltimore, for the support of schools, an abstract of the reports received from the Board of County School Commissioners, together with such suggestions for the improvement of schools and the advancement of public education as the State Board of Education shall deem expedient.

Sec. 11. And the Governor shall cause three thousand copies of said report to be printed and distributed to the members of the Legislature in those years in which there is no session of the Legislature.

CAAPTER XIII.

Teachers' Institute.

Sec. 1. A Teachers' Institute, to continue five days, shall be held during vacation in each county once a year, and the County Examiner shall be present and shall give normal instruction to the teachers each day.

Sec. 2 The Principal of the State Normal School shall fix the time of the meeting of the Institute, and it shall be the duty of the County Examiner to notify each teacher of the time and place of meeting.

Sec. 3. These Institutes, being designed as temporary Normal Schools, shall be presided over by the Principal or one of the Professors of the State Normal School, if he can be present, assisted by the County Examiner, and any member of the Board of County School Commissioners who may choose to attend.

Sec. 4. The President of the Board of County School Commissioners shall select the place of meeting.

CHAPTER XIV.

Teachers' Association.

Sec. 1. District, County and State Teachers' Associations are recommended as important means of elevating the standard of public education by mutual conference, interchange of views, and suggestions as to systems of teaching and discipline.

Sec. 2. It shall be the care of the County Examiner to aid in the organization of these associations, to encourage attendance, to secure competent lecturers, and to impart such information as will encourage teachers in their work, and fit them for the performance of their duties.

Sec. 3. These associations may occupy any of the school houses.

CHAPTER XV.

District Libraries.

Sec. 1. For the further encouragement of education, District Libraries ought to be established in each school house district, under the care of the teacher as Librarian; for this purpose the sum of ten dollars per annum is ordered to be paid by the Board of County School Commissioners out of the State School Fund, to any school house district as library money as long as the people of the district raise the same amount annually; the books must be selected by the Board of District School Trustees.

CHAPTER XVI.

The City of Baltimore.

Sec 1. The Mayor and City Council of the City of Baltimore, shall have full power and authority to establish in said City, a system of free public schools, under such ordinances, rules and regulations as they may deem fit and proper to enact and prescribe; they may delegate supervisory powers and control to a Board of School Commissioners; may prescribe rules for building school houses, and locating, establishing and closing schools, and may, in general, do every act that may be necessary or proper in the premises.

Sec. 2. The Board of Commissioners of Public Schools of Baltimore City, or by whatever name the body may be known, that has supervisory powers and control over the Public Schools of Baltimore city, shall have power to examine, appoint and remove teachers, prescribe the qualifications, fix the salaries, subject to the approval of the Mayor and City Council, and select text books for the schools of said city; provided such text books shall contain nothing of a sectarian or partizan character; the Board of Commissioners of Public Schools of said city shall annually make a report to the State Board of Education of the condition of the Schools under their charge, to include a statement of expenditures, the number of children taught, and such other statistical information as may be necessary to exhibit the operation of the Schools.

Sec. 3. The Mayor and City Council of Baltimore shall have power and authority to make all ordinances for the protection of the school houses and property, and to punish any person who may disturb the sessions of said Public Schools.

Sec 4. And the said Mayor and City Council are hereby authorized and empowered to levy and collect upon the assessable property in said city, as other taxes are levied and collected, such amount of tax as may be necessary to defray all the expenses incurred for educational purposes by said Mayor and City Council.

CHAPTER XVII.

High Schools.

Section 1. It shall be the duty of the Board of County School Commissioners when any election district or any contiguous election districts shall present a building for a High School in said district or districts, to the Board of County School Commissioners, to accept the same, (if in the judgment of the Board there is any necessity therefore,) and thereafter provide for maintenance of a High School in said district or districts and the salary of teachers out of the general school fund.

Section 2. If the High School be established by a district or districts, the Board of County School Commissioners shall appoint three persons, who shall constitute a Board of High School Commissioners, and exercise like authority over said School as hereinbefore provided for Boards of District School Trustees, but High Schools established by the county shall be under the direct control of the Board of County School Commisioners.

Section 3. Each High School shall be visited and examined annually by the Principal of the State Normal School or a Professor thereof; such High School shall also be visited at least once in each school term by the County Examiner, who shall report quarterly to the Board of County School Commissioners the result of his observations.

Section 4. If practicable, military tactics may form a department in every High School.

CHAPTER XVIII.

Schools for Colored Children.

Section 1. It shall be the duty of the Board of County School Commissioners to establish one or more Public Schools in each election district for all colored youth between six and twenty years of age, to which admission shall be free and which shall be kept open as long as the other Public Schools of the particular county, provided the average attendance be not less than fifteen scholars.

Section 2. These Schools shall be under the direction of the Board of District School Trustees of the respective school districts within the limits of which they are established; they shall be subject to the same laws and furnish instruction in the same branches as the Schools for the white children.

Section 3. The Comptroller shall apportion the sum appropriated for the support of the colored schools of the several counties and the City of Baltimore, in proportion to their respective colored population between the age of five and twenty years, said apportionment to be made at the time he apportions the levy for the white schools.

Section 4. The total amount of taxes paid for school purposes by the colored people of any county, or in the City of Baltimore, together with any donations that may be made for the purpose, shall also be devoted to the maintenance of the schools for colored children.

CHAPTER XIX.

Sources of Income.

Secion 1. A State tax of ten cents on each one hundred dollars of taxable property throughout the State, shall be levied annually for the support of free public schools and the Maryland State Normal School, which tax shall be collected at the same time and by the same agents as the general State levy, and shall be paid into the Treasury of the State, to be distributed by the Treasurer to the Boards of School Commissioners of the City of Baltimore and the several counties.

Section 2. The Treasurer, on the warrant of the Comptroller shall pay, as heretofore, to each of the counties and the City of Baltimore, the proportion of the Free School Fund to which such city or county is entitled, under the provisions of the laws and resolutions existing at the time this Act is adopted, and shall pay the same to the Treasurer of the Board of School Commissioners of Baltimore City, and the several counties; and the several Colleges and Academies shall respectively receive the donations granted to them by any laws or resolutions of the General Assembly, subject to the conditions annexed thereto.

Section 3. Real and personal estate granted, conveyed, devised or bequeathed for the use of any particular county or school district, shall be held in trust by the Board of County School Commissioners for the benefit of such county or school district; and such grants and bequests shall be exempt from all State and county taxes.

Section 4. Moneys invested prior to the passage of this Act, in trust for the benefit of the public schools for any county or city shall be exempt from State, county or local tax.

Section 5. As soon as the Comptroller shall have received from the City of Baltimore and the several counties, returns of the amount of the State school tax levied in each county and the City of Baltimore, he shall immediately thereafter apportion the amount of the whole levy to the several counties and the City of Baltimore, in proportion to their respective population, between the ages of five and twenty years.

Section 6. On the fifteenth day of June, the first day of October, the first day of January, and the fifteenth day of March, in each year, the Comptroller shall apportion the amount of school tax received by the Treasurer, among the several counties and the City of Baltimore, in proportion to the whole amount apportioned to each, by the Comptroller, and he shall notify the State Board of Education and the Treasurer of the several Boards of the County School Commissioners of the counties and the City of Baltimore, of the amount of tax due to each county and the City of Baltimore, on the several days aforesaid, and the Treasurer shall pay the several amounts within ten days after said notification upon the draft of the President and Secretary of the several Boards of County School Commissioners, aforesaid; provided, also, that if in any county the schools shall be kept open less than seven and a half months of the year ending December thirty-first, the Comptroller shall withhold from such county the April instalment of the State school tax.

Section 7. When the levy of any year shall have been collected the Comptroller shall apportion among the several counties and the City of Baltimore, the amount allowed on the levy for insolvencies and abatements, and shall transmit a statement of the same to the State Board of Education.

Miscellaneous.

Section 1. The present Boards of County School Commissioners, and the Secretaries, Treasurers, Examiners and District School Trustees appointed under them, shall serve out the full term for which they were severally appointed, unless now or hereafter disqualified under the provisions of this Act; the Judges of the Circuit Courts in the respective counties are empowered to fill any vacancies which may exist or which may occur in the present Boards of County School Commissioners.

Section 2. Schools on or near the dividing line of two counties shall be free to the children of each county, and the Boards of County School Commissioners of the respective counties shall have power to provide jointly for the maintenance of said school.

Section 3. And be it enacted, That all the sections of the several Articles of the Code of Public General Laws relating to schools, inconsistent with the provisions of this Act and all Acts of Assembly passed since the adoption of said volumes of the Code relating to schools inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Sec. 4. And be it enacted, That this Act shall take effect from and after the date of its passage.

We hereby certify that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

JOSH BILLINGS says that the difference between a blunder and a mistake is this: When a man puts down a bad umbrella and takes up a good one he makes a mistake; but when he puts down a good one and takes up a bad one then he makes a blunder. Josh knows.

THE ladies of Cambridge gave a leap year party to the gents last week, and at the commencement of the hop they came into the room masked and the gents didn't know their escorts.