

MARYLAND



GAZETTE,

AND STATE REGISTER.

ANNAPOLIS, THURSDAY, JUNE 1, 1826.

No. 22.]

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JONAS GREEN,
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Law of Maryland.

BY COUNCIL,

Annopolis, April 21st, 1826.

Ordered, That the several acts of

the Assembly, proposing alterations in or

amendments to the constitution, which

were passed at December session last;

also the act entitled, "An act to

provide for the public instruction of

the children of the State," be published once a week

for four weeks in the Maryland Re-

publican, and Maryland Gazette, An-

napolis; The Patriot, American, Ga-

zette and Chronicle, Baltimore; Po-

pular Examiner, Frederick Town;

the Maryland Herald, and Torch Light,

Washington; Maryland Advocate,

Philadelphia; True American, Rock-

ville; Elkton Press; Chester Town

Journal; Centerville Times; Star,

and Gazette, Easton; Cambridge Chro-

nicle, and Bond of Union, Harford

County.

By order, THO. CULBRETH, Clk.

AN ACT

To provide for the Public Instruction

of Youth in Primary Schools

throughout this State.

Sec. 1. Be it enacted by the Gen-

eral Assembly of Maryland, That there

shall be constituted and appointed by

the Governor and Council, an officer

to be known and distinguished as the

Superintendent of Public Instruction.

2. And be it enacted, That it shall

be the duty of the said Superintend-

ent to digest and prepare a plan or

system for the public instruction of

the children of the State, for the

organization, improvement and man-

agement of such system as may be

devised, and of such revenues as may

be required for the execution of the

same, and to report thereon to the

Assembly at each session; and to

prepare and report estimates and

expenditures of the said revenues;

and to superintend the

execution thereof; to apportion the

said revenues; to perform such duties

as may be required of him; to give

information to the Legislature on all

matters referred to him; and to

execute the duties of his office; and

generally to attend to all concerns in

relation to the administration of his

department; and before entering upon

the duties of his office, he shall take

an oath or affirmation, to execute

the duties of his office faithfully

and to the best of his ability.

3. And be it enacted, That the jus-

tices of the levy court in each of the

several counties of this State, in the

month of April, or at any special

meeting for that purpose to be called,

shall annually appoint nine of the in-

habitants of their respective counties,

to be commissioners of primary schools

for the said county; also a suitable

number of discreet persons, not ex-

ceeding eighteen, who, together with

the commissioners, shall be inspectors

of primary schools for the said county,

and shall hold their offices for one

year, and until others shall be appoint-

ed in their places; and in case any

of the said officers so appointed or to be

appointed as aforesaid, shall refuse to

serve, or die, or remove from the coun-

ty, or become incapable of serving, the

vacancies shall be supplied at the next

meeting of the levy court.

4. And be it enacted, That each of

the said officers, so to be chosen or

appointed as aforesaid, shall, before he

enters upon the execution of his office,

take and subscribe an oath before some

justice of the peace, in the form fol-

lowing, to wit: "I, _____, do

solemnly and sincerely promise and

swear or affirm, as the case may be,

that I will do all things, to the best of

my knowledge and ability, well and

truly execute the trust reposed in me

as commissioner or inspector, as the

case may be, of primary schools for the

county without favour or partiality,

and every justice of the peace before

whom such oath shall be taken and

subscribed as aforesaid, shall, without

fee or reward certify the same in writ-

ing, the day and year when the same

oath be taken, and subscribe his name

thereto, and then deliver such writ-

ing to the person taking such oath,

who shall, within eight days thereafter,

transmit or deliver the same to the

clerk of the county for which such of-

ficer so taking such oath, was elected

or appointed, and if any such officer,

so chosen or appointed, as aforesaid,

shall not take and subscribe such oath

as aforesaid, and transmit or deliver

the same as aforesaid, within the time

for that purpose limited as aforesaid,

such neglect shall be deemed a refusal

to serve in such office; and if any per-

son so chosen or appointed, to such

office as aforesaid, shall refuse to serve

in such office, or shall serve there-

in before he shall have taken and

subscribed such oath as aforesaid, then,

and in every such case, such person

shall forfeit and pay the sum of ten

dollars, to be recovered with costs of

suit, before any justice of the peace

having jurisdiction thereof, by action

of debt, the one moiety thereof to the

use of the primary schools of the county

for which such officer was chosen or

appointed as aforesaid, and the other

moiety thereof, with costs of suit, to

the use of any person who shall prose-

cute for the same to effect.

5. And be it enacted, That it shall

be the duty of the commissioners of

primary schools, or the major part of

them, to divide their respective coun-

ties into a suitable and convenient

number of school districts, and to alter

and regulate the same as hereafter

provided, and it shall be the further

duty of the commissioners of the pri-

mary schools aforesaid, immediately

after the formation or alteration of any

such school district in their respec-

tive counties, to describe and number

the same, and to deliver the descrip-

tion and number thereof, in writing,

to the clerk of the county, who is hereby

required to receive and record the

same in the county records, without

fee or reward.

6. And be it enacted, That the said

commissioners may alter and change

the school districts, with a view to

their better arrangement, and the

more general convenience of the peo-

ple; *Provided, however,* That no such

alteration or change shall be made be-

fore the first day of April, or after

the first day of June in each year, unless

the trustees of the district, so to be

altered or changed, shall assent ther-

eto.

7. And be it enacted, That it shall

be the duty of the several constables

in their respective counties, to notify

the different officers, to be appointed

in virtue of the provisions of this act,

of their appointments, having received

notice from the appointing power,

whose duty it shall be to give such no-

tice to the constables aforesaid.

8. And be it enacted, That whenever

any school districts shall be formed

in any county, by the commissioners

of primary schools as aforesaid, it shall

be the duty of the said commissioners,

within twenty days thereafter, to make

a notice, in writing, describing such

districts, and appointing a time and

place for the first district meeting, and

notify the taxable inhabitants residing

in such district aforesaid, by public

advertisements, to be put up at the

most public places of the said dis-

trict, at least six days before the time

of such meeting, and in case such no-

tice shall not be given as aforesaid,

or the inhabitants of such district, when

so notified, shall neglect or refuse to

assemble or form a district meeting,

in pursuance of such notice, or in case

any district, having been formed or

organized in pursuance of such notice,

shall, in the opinion of the commis-

sioners aforesaid, be dissolved by ad-

journing without day, or from any

other cause whatever, it shall and may

be lawful for the commissioners aforesaid,

or any of them, at any time there-

after, to renew such notice, and the

inhabitants of such district, liable to

pay taxes as aforesaid, shall assemble

together in pursuance of such notice;

and when so assembled in district

meeting, it shall and may be lawful

for them or a majority of such of

them as shall be present at such

district meeting, to adjourn to any

other time or place; and at such first,

or any future legal district meeting, it

shall and may be lawful for them, or

a majority of such of them as shall

be present as aforesaid, to ad-

jour from time to time as occasion

may require, to fix on a time and place

for holding their future annual meet-

ings, which annual meetings they are

hereby authorized and required to hold;

to choose by ballot, one district clerk,

who shall give bond to the satisfaction

of the trustees, to keep the records and

proceedings of such meetings; also

three trustees to manage the concerns

of such district, and one district collec-

tor; also to designate a site for their

school house; to vote a tax on the re-

sident inhabitants of such district, as

they, or a majority of such of them as

shall be present as aforesaid, shall

deem sufficient to purchase a suitable

site for the school house, and to build,

keep in repair, and furnish such school

house with necessary fuel, books, sta-

tionary and appendages, and to repair,

alter, regulate and modify all such

proceedings, or any part thereof, from

time to time, as occasion may require;

Provided, however, That no alteration

as to the site of a school house, shall

take place, but by consent of at least

four commissioners of the county; and

it shall and may be lawful for the

trustees of such districts, or a majority

of them, whenever they shall deem it

necessary, to call a special meeting of

the said inhabitants of such district,

notice thereof being given as hereinaf-

ter provided, and no district meeting

held as aforesaid shall be taken or

deemed illegal for defect or want of

due notice to any of the said inhab-

itants of such district; provided the

omission to give such notice be not

willful and designed.

9. And be it enacted, That the clerk,

trustees, and collector of each school

district, shall hold their respective

offices until the annual meeting of such

district next following the time of their

election, and a new election shall have

been made, and in case such offices,

or any of them, shall be vacated by

death, refusal to serve, removal out of

the district, or incapacity of any such

officer, and such vacancy shall not be

supplied by the district at a special or

other district meeting, within one

month thereafter, it shall and may be

lawful for the commissioners of primary

schools for the county in which such

district shall be situated, to supply