

William Matthews and Doctor James R. Moore, for the ninth district; Thomas Pearce and Joshua Hutchins, for the tenth district; John B. Howard and Benjamin Buck, for the eleventh district; William C. Weatherby and Joseph R. Ford, for the twelfth district of said county, be and they are hereby trustees for distribution of the school fund for the said districts respectively; and in case of the death, resignation or removal from his district, of any of the said trustees, the commissioners of Baltimore county shall appoint a person residing in the same district, to fill the vacancy thereby occasioned; and the said trustees, for each of their respective election districts, shall receive an equal portion of the school fund annually paid to the commissioners of Baltimore county, in proportion to the population of each district, as near as practicable, which such trustees shall apply, in the most beneficial way in their power, to aid in the education or instruction of the greatest possible number of the children residing in such district, giving the preference to those who are orphans, or the children of widows without any means, or with small means of support, and next to the children of poor parents; and the commissioners of Baltimore county may regulate the mode of applying and using the said fund for the purpose aforesaid, in each district, and limit the amount to be applied to the instruction of each child, from time to time, as they may deem judicious; and the said trustees shall annually exhibit to the said commissioners a full and particular account of all moneys by them distributed, and the names of the children to aid whose instruction their portion of the fund has been applied, with such other particulars, and in such form, as the said commissioners shall direct and require.

Any trustee misapplying fund to be guilty of a misdemeanor.

SEC. 3. *And be it enacted*, That if any trustee appointed as aforesaid shall appropriate any part of the school fund entrusted to him, to his own use or benefit, or in any other manner misapply it, contrary to the intent and meaning of this act, he shall be deemed guilty of a misdemeanor, and on conviction thereof, by confession or verdict of a jury, he shall be adjudged to pay treble the amount so misapplied, to the use, and in aid of the school fund of the district for which he shall be trustee at the time of such misapplication, and to be imprisoned until he shall make such payment, and he shall moreover be removed from office, and another trustee appointed in his stead.

Repeal.

SEC. 4. *And be it enacted*, That so much of any former act or acts of assembly, as may be inconsistent with the provisions of this act, shall be and the same is hereby repealed, and that all moneys now in the hands of the school fund commissioners, and not applied, shall be forthwith paid over to the county commissioners aforesaid.