

business of the board shall be paid, and they are authorized to employ clerical assistance when necessary, and the treasurer of the State, upon the warrant of the comptroller, is hereby directed to pay to the president of the board, from the general funds for public schools, for the purpose of meeting such expenses, the sum of three thousand dollars (\$3,000) per annum, in quarterly instalments.

See note to sec. 8.

See art. 19, sec. 36.

1904, art. 77, sec. 11. 1888, art. 77, sec. 11. 1870, ch. 311. 1872, ch. 377, sub-ch. 3, sec. 4. 1874, ch. 463. 1898, ch. 221. 1904, ch. 584.

11. The state board of education shall, to the best of their ability, cause the provisions of this article 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 enact by-laws for the administration of the public school system not at variance with this article, which when enacted and published shall have the force of law; they shall have the power to suspend or remove any county superintendent who may be found inefficient or incompetent for the discharge of duties assigned him, or guilty of such moral delinquency as unfits him for the office he holds; 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 arise under it, and their decision shall be final.

This section confers a comprehensive visitatorial power upon the state board which is summary and exclusive. Where such power is sufficiently comprehensive, the courts will not interfere. *Wiley v. School Commissioners*, 51 Md. 405; *Shober v. Cochrane*, 53 Md. 549.

While in matters involving the proper administration of the public school system, the courts will not interfere with the jurisdiction of the state board, such is not the case if the determination of purely legal questions is involved. In the latter case, remedy may be had by mandamus. *Duer v. Dashiell*, 91 Md. 669; *Underwood v. School Commissioners*, 103 Md. 189.

The state board has power to advise the county board, and it is the duty of the latter to act accordingly. The legislature has a right to confer upon the state board the powers mentioned in this section. *Underwood v. School Commissioners*, 103 Md. 188.

A by-law adopted by the state board assumed, but not decided, to be a valid exercise of the power conferred by this section. Construction of such by-law. *School Commissioners v. Wagaman*, 84 Md. 162.

This section referred to as showing that the members of the board of county commissioners are not "civil officers" within the meaning of article 2, section 15, of the state constitution. *School Commissioners v. Goldsborough*, 90 Md. 209.

Cited but not construed in *School Commissioners v. Adams*, 43 Md. 354.

See notes to sections 8 and 55.

Ibid. sec. 12. 1888, art. 77, sec. 12. 1872, ch. 377.

12. 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.

The state board has power to advise the county board, and it is the duty of the latter to act accordingly. The legislature has a right to confer upon