

JOSEPH KENT, ESQUIRE, GOVERNOR.

Dec 5th 1833.

make returns thereof within three days, to the judges of the levy court, and the clerk of said county, whereupon the clerk aforesaid, shall immediately and severally thereof notify the persons elected; and if it shall appear upon counting the ballots at the close of an election of commissioners of public free schools, that two or more persons have an equal number of votes, so as to make it impossible to decide which of them is elected, the names of said persons shall be written on similar pieces of paper, which shall then be placed in the ballot box, and afterwards be separately drawn by a judge of the election, in a way that shall not permit him to discriminate; and the person or persons shall be considered elected or not, as may be necessary to make the whole number of commissioners in the order of priority, in which their names may thus have been drawn.

Organizing
the board.

3. *And be it enacted*, That the commissioners of public free schools who may be hereafter elected, according to the provisions contained in the first section of this act, shall assemble at the usual place of holding elections in their district, on the third Monday after their election, at the hour of three o'clock, P. M. to organize their board; and every commissioner before he enters upon the duties of his office, shall solemnly promise to fulfil the same with fidelity and impartiality, and the qualified commissioners, if a majority of their whole number be present, shall then, or at their next meeting, choose from their own body, one member to be president, and another to be secretary of their board, whose appointments shall be certified to the judges of the levy court by the attending commissioners; and it shall be the duty of the board of commissioners to fill any vacancy that may exist or occur from time to time in their own body; they shall also determine as soon after they have formed a board as may be found practicable, what number of public schools shall be opened in their district, what buildings and furniture shall be provided therefor; and in like manner, what branches of study shall be pursued, and what books used therein; who shall be the teachers of the several schools, and what their pay, and being thus enabled to form an estimate of the probable aggregate expense of public free schools in their district for the current civil year, or year next ensuing their election, they shall inform the levy court of its amount, by a formal requisition, which, if within the limits prescribed by this act, shall be payable by the treasurer of said court on and after the first Monday of the months of January, April, July and October, next ensuing, in the proportion and to the extent of quarter yearly instalments, on the entire expense of a year; but such payments shall only be made by the treasurer aforesaid, out of the funds collected or received, as a school fund for the account of said district and upon the presentation and delivery of drafts to him aforesaid, signed by the president, secretary, and another member