

the Court of Appeals, will have upon the Treasury, and what legislation, if any, will be necessary in order to enable the Treasurer to carry such decision into effect, if affirmed by the Court of Appeals," I have the honor to report to your Honorable Body, that said decision is to the effect that all payments made from the revenue derived from the public school tax, from the year 1865 to the present time, to the State Board of Education were improperly made from said revenue, but that the same should have been made from the revenue derived from other sources. The several payments made to the State Board of Education in pursuance of the provisions of the Act of 1865, Chapter 160, providing a uniform system of free public schools in the State of Maryland, which Act also provides the sources of income for the support of such free public schools, and the several Acts amendatory of that Act, commencing with the year 1865, to the present time, aggregate the sum of \$3,204.38. These payments were directed to be made by the 4th Section of the 2nd Chapter of the said Act of 1865, Chapter 160, Section 3, of Chapter 3, of the Act of 1870, Chapter 311, and Section 3 of Chapter 3, of the Act of 1872, Chapter 377.

Said decision is also to the effect, that all payments made out of the revenue derived from the public school tax, for and on account of the State Normal School, prior to the passage of the Act of 1868, Chapter 407, were improperly made from said revenue, but that the same should have been made from the revenue derived from other sources. These several payments aggregate the sum of \$37,195.77.

Said decision is also to the effect, that the free public colored schools established in pursuance of the provisions of the Act of 1872, Chapter 377, providing a general system of free public schools for the State of Maryland, which Act also provides the sources of income for the support of such free public schools, are not a part of the system of free public schools established in this State, and that appropriations made for the support of such free public colored schools, and the colored Normal School were not payable out of the income provided by said Act, for the support of free public schools, but were payable out of the revenue derived to the Treasury from other sources. The several payments made on account of said colored schools, amount in the aggregate to the sum of \$450,000.

The said decision is also to the effect that it was the duty of the Comptroller on each of the four apportionment days provided in said Acts, to apportion the whole amount of school tax in the Treasury, on such day, whether levied for that school year or not, and that the whole amount is to be