

CHAP. 212.

Pay over

in their hands, or to pay over what may remain unexpended in their hands, the said justice may sue for and recover by action of debt in the name of the State, in the County Court or before any justice of the peace and for the use of the district for which such commissioners were appointed, against such delinquent commissioners, any balance of said funds which may remain in their hands unexpended, in which action the same proceedings may be had as in actions for the recovery of small debts before a single justice of the peace or the County Court, as the case may be.

Ascertain what has been paid

Sec. 3. *And be it further enacted*, That at the next June session of the Orphans' Court of Caroline county, or as soon thereafter as practicable, it shall be the duty of the justices of said court, to ascertain and determine what amount of the said Free School Fund, for Caroline county, which was received in any year preceeding the year eighteen hundred and thirty four, remains unappropriated and uninvested, and also in what proportions the same is due to the several districts of said county, under the distribution of said fund, as directed by the eighth section of the act of eighteen hundred and twenty one, chapter one hundred and thirty nine; and if the said fund remains in their hands, the said justices are hereby authorised and directed to place the amount due to the several districts, subject to the order of their respective commissioners under this act; and if the said fund is not under the immediate control of the said justices, but has been lent to or placed in the hands of any one of the justices or of any other person, the said justices are hereby authorised and required to call in the same immediately, and place it to the credit of the said commissioners as above directed, and if necessary for that purpose, to sue for and recover the same with interest as hereinafter allowed, in the name of the State, by action of debt, in Caroline County Court; and if said fund or any part of it has been retained by any judge of said court, when any proportion of it was actually wanted by any of said districts to which it was due, such judge shall pay interest thereupon, from the time when he was apprised that it was so wanted, and neglected or refused to pay it over.

Place the funds

Call in

Sue for

Recover interest

Ascertain claims

Sec. 4. *And be it further enacted*, That it shall be the duty of the several boards of district commissioners appointed under this act, at their first meeting after their appointment, or as soon thereafter as may be practicable, to ascertain and determine the amount of unsettled claims, if any such exist upon the said Free School Fund at any time before their appointment, and which are properly chargea-