

CHAPTER 154.

CHAP. 154.

*A supplement to an act entitled, an act to provide for the Public Instruction of Youth in Primary Schools, throughout this State, passed at December session, eighteen hundred and twenty-five, chapter one hundred and sixty-two, and its several supplements, so far as relates to Frederick County.*

Passed Feb. 18, 1846.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That from and after the passage of this act, the trustees of primary schools in Frederick county, elected or appointed under and by virtue of the provisions of said original act, and its several supplements, to which this is a supplement, shall, on the expiration of the term for which they shall have been elected or appointed, or on refusal to serve, or removal out of the district, or any other incapacity, within twenty days thereafter, pay over to their successors, all primary school funds of every kind whatsoever in their hands at the time, received under the provisions of said original act and its several supplements; *provided,* that said successors are within the twenty days, elected or appointed, and if not so elected or appointed, said trustees shall pay over within twenty days ensuing said election or appointment, on demand of said successors.

Trustees of primary school to pay over, &c.

Proviso.

SEC. 2. *And be it enacted,* That each and every trustee so as aforesaid appointed, in possession of such funds, and refusing to comply with the provisions of the first section of this act, shall be liable to a presentment by the grand jury of the county, and after conviction thereof, shall be fined not exceeding twenty-five dollars and costs, unless it shall appear to the court, that said refusal was for good and sufficient cause.

Trustees refusing, &c.

SEC. 3. *And be it enacted,* That each and every trustee, or person who has been a trustee of a school district so as aforesaid, in possession of such funds, who shall refuse to comply with the provisions of the first section of this act, or shall retain the said funds, and fail for twenty days after the passage of this act to pay the same to his or their successors, shall be liable to presentment and to be fined as provided by the second section of this act.

Liable to presentment.

SEC. 4. *And be it enacted,* That said successors shall have power to recover said funds before a justice of the peace, district court or the county court, as the case may be.

Power to recover.