CHAP. 285. and an half per centum thereof; to the fifth election district, Dublin, nineteen and an half per centum thereof; to the sixth election district, Havre de Grace, ten and an half per centum thereof.

To whom to be paid.

SEC. 2. *And be it enacted*, That the said court shall pay to the commissioners to be appointed for each district as hereinafter stated the sum to which such district may be entitled, and it shall be the duty of said commissioners to apply said money in paying for the teaching of such poor children of their districts, not under six years of age, as may from the condition of their parents, guardians or otherwise, require the aid of the school fund.

Annual report to be made by commissioners

SEC. 3. *And be it enacted*, That each of said commissioners shall annually, and within one month after the expiration of each year, exhibit an account to the register of wills, shewing how the money placed as aforesaid in the hands of said commissioner has been disbursed, and such account shall shew the names and ages of such children and the period for which, and the person by whom they were taught.

Commissioners named.

SEC. 4. *And be it enacted*, That the following persons are hereby appointed school commissioners under this act, to wit: for the first election district, John Fulton, Doctor S. H. Birkhead and James Spicer; for the second election district, Noble Cannon, Everitt S. Hughes and Daniel Michael; for the third election district, Oliver Amos, David Tucker and T. Archer; for the fourth election district, Nicholas H. Nelson, J. W. Rutlidge and Doctor F. Butler; for the fifth election district, Doctor Sappington, D. G. McCoy and Samuel Whiteford; for the sixth election district, S. J. Magraw, William Williams and George Wareham.

Vacancy—how to be filled

SEC. 5. *And be it enacted*, That if any vacancy occurs in the office of commissioner in any district the orphans Court shall appoint some competent person to fill such vacancy, and if any commissioner shall fail to account as hereinbefore directed, or shall misapply the funds placed in his hands, he shall be liable to removal and suit by the orphans court, which said court may recover in an action for money had and received in the name of said court any money which may be misapplied or withheld by any commissioner.

Surplus—how disposed of.

SEC. 6. *And be it enacted*, That if at the taking of the annual accounts there shall be in the hands of any commissioner any unexpended balance of money, the same shall be paid over by said commissioner to the orphans court aforesaid, by said court to be added to