

56. All replevin bonds and retorno habendo bonds may be given by the plaintiff or defendant, as the case may be, or on their behalf, and the clerk shall have power to swear all parties executing such bonds, whether as principals or securities, as to their pecuniary sufficiency, and may also interrogate under oath the plaintiff in any replevin touching the value of the goods and chattels proposed to be replevied, **in order to determine the proper penalty to be named in the replevin bond.** [The court, upon return of any writ of replevin, shall have power, upon motion being made by the defendant for a return of the property taken under the writ, to inquire into the circumstances and manner of the defendant's obtaining possession of such property; and if it shall appear that such possession was forcibly or fraudulently obtained, or that the possession being first in the plaintiff was got or retained by the defendant without proper authority or right derived from the plaintiff, the court may refuse to order a return to the defendant until a judgment is given in the action.]

SEC. 48. *And be it further enacted,* That sub-section (d) of Section 12 of Article 77 of the Code, title "Public Education", sub-title "Chapter 2. Formation of Boards", and sub-section (b) of Section 25 of Article 77 of the Code, title "Public Education", sub-title "Chapter 3. State Board of Education" be and they are hereby repealed and re-enacted, with amendments, to read as follows:

12(d) The Montgomery County council may remove any member of the Board elected or serving under the provisions of this section for immorality, misconduct in office, incompetency, or wilful neglect of duty, giving to him a copy of the charges against him, and an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten days notice. If any member of the Board of Education shall be so removed, he shall have the right to a review by the Circuit Court for Montgomery County in a proceeding de novo. [Upon the initiation of such proceedings for review in the Circuit Court, the county council shall forthwith file in the office of the clerk of the Circuit Court for Montgomery County a complete statement of all charges made against such member, and the findings of the council thereon, together with a complete record of the proceedings.]

25 (b) The State Superintendent of Schools shall issue a certificate of approval to any applicant operating or proposing to operate such a private school or educational institution whose conditions of entrance, scholarship, educational qualifications, standards and facilities are adequate and appropriate for the purposes, program, training and courses to be taught or given therein. Any such certificate may be revoked at any time for cause by the State Board of Education but only in the manner herein described. Before any such certificate may be revoked the State Superintendent of Schools shall first give the school involved a written notice of his intention to require such school to show cause before the State Board of Education why such certificate of approval should not be revoked. Such notice of intention shall clearly specify the grounds for his proposed action and shall give such school thirty days in which to correct the conditions complained of therein. If at the end of said thirty day period, or such extensions thereof as may be granted