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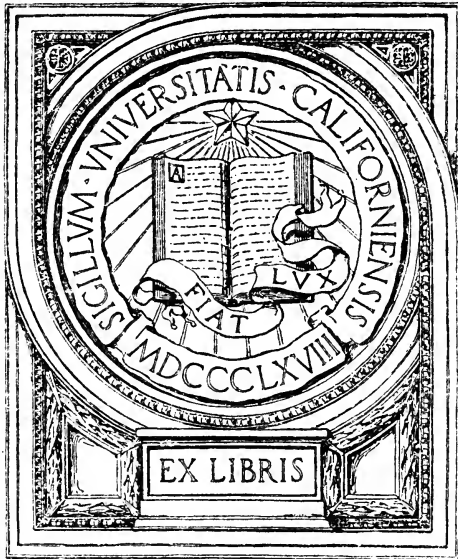
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THE
PUBLIC SCHOOL LAWS
OF MARYLAND

AS CONTAINED IN CODE OF PUBLIC GENERAL LAWS OF
1904, SUPPLEMENT OF 1906 AND THE
ACTS OF 1908 AND 1910.

PUBLISHED BY AUTHORITY OF
THE STATE BOARD OF EDUCATION.

1910

BALTIMORE
MEYER & THALHEIMER
PUBLIC PRINTER

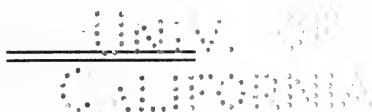


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==== 1910 ====

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HENRY C. LONGNECKER, - - - - - *Towson, Md.*

THE
PUBLIC SCHOOL LAW OF MARYLAND
AS CONTAINED IN THE MARYLAND CODE, PUBLIC GENERAL
LAWS, EDITION OF 1904, AND SUBSEQUENT AMENDMENTS.

PASSED AT THE JANUARY SESSION, 1872, AMENDED AT THE
JANUARY SESSION, 1874, 1884, 1886, 1888, 1890, 1892, 1894, 1896,
1898, 1900, 1902, 1904, 1906, 1908 and 1910.

CONSTITUTION OF 1867.

ARTICLE VIII.

EDUCATION.

Section 1. The General Assembly, at its first session after the adoption of this constitution, shall by law establish throughout the State a thorough and efficient system of free public schools; and shall provide by taxation, or otherwise, for their maintenance.

Clark vs. Md. Institute, 87 Md., 661.

Sec. 2. The system of public schools, as now constituted, shall remain in force until the end of the said first session of the General Assembly, and shall then expire, except so far as adopted or continued by the General Assembly.

Sec. 3. The school fund of the State shall be kept inviolate, and appropriated only to the purposes of education.

ARTICLE LXXVII.

(CODE OF 1904.)

PUBLIC EDUCATION.

1872, ch. 377.

1. There shall be throughout the State of Maryland a general system of free public schools, according to provisions of this article.

St. Mary's Industrial School vs. Brown, 45 Md., 311.

CHAPTER 1—*Supervision.*

1872, ch. 377.

2. Educational matters affecting the State, and the general care and supervision of public education, shall be entrusted to a State board of education.

3. Educational matters affecting a county shall be under the control of a board of county school commissioners.

94th Md. 344.

1872, ch. 377.

4. Educational matters affecting a school district shall be under the supervision of a board of district school trustees.

CHAPTER 2—*Formation of Boards.*

1904, ch. 584.

5. The governor, by and with the advice and consent of the senate, if in session, and without said advice and consent when not in session, shall appoint before the first Monday in May, next ensuing, six persons, at least two of whom shall be from the political party which at the last preceding election for governor received next to the highest number of votes, said minority representation of at least two members as aforesaid to be continued thereafter, to be members of the State board of education, two of whom shall hold office for a term of four years, from the first Monday in May next succeeding their appointment and until their successors shall qualify; the governor shall, at the time of making said appointment, designate the term of years of each of said members when first appointed under this article; the term of office of said members, after the expiration of the term for which first appointed, shall be a term of six years, and to take the places of the members of said board whose terms of office shall so expire, the governor shall, every two years after April 12, 1904, before the first Monday in May in such years, appoint two persons as members of said board to serve for terms of six years from the first Monday in May

next succeeding their appointment and until their successors shall qualify; said persons shall be of high character, integrity and capacity, these six members, together with the governor and the State superintendent of public education, shall constitute the State board of education, but principals of the State normal schools and of the normal department of any school or college under the control of the State board of education whose certificates are recognized by it shall be *ex-officio* honorary members of this board, but with no vote. In case of a vacancy by death, resignation, disqualification or otherwise, the governor shall fill such vacancies.

1906, ch. 353.

6. The governor, by and with the advice and consent of the senate, if in session, and without said advice and consent when not in session, shall appoint a board of county school commissioners for each county in this State, to be composed in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington and Montgomery of six persons, and in each of the other counties of three persons; two of whom in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington and Montgomery, and one of whom in each of the other counties shall hold their office for the term of two years; two of whom in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington and Montgomery, and one of whom in each of the other counties shall hold their office for the term of four years; and two of whom in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington and Montgomery, and one of whom in each of the other counties shall hold their office for the term of six years from the first Monday of May next succeeding their appointment and until their successors shall qualify. The governor shall at the time of making said appointments designate the term of years of each of the said commissioners when first appointed under this section; provided, however, that all county school commissioners heretofore appointed under this section, as amended by chapter 79 of the acts of 1900, shall

serve out the terms for which they were respectively appointed and designated; and provided further, that at the time of making the appointment of the three additional school commissioners for Montgomery county, as herein provided, the governor shall designate the terms of years of each of the said additional commissioners. The term of office of the said commissioners, after the expiration of the term for which first appointed, shall be a term of six years; said persons shall be men of high character, integrity and capacity. Two of said appointees for the counties of Baltimore, Carroll, Frederick, Dorchester, Washington and Montgomery and one of said appointees for each of the other counties shall be selected and appointed by the governor from the political party which at the last preceding election for governor cast next to the highest number of votes in the State, so that said minority party shall always have a proper representation upon each of said boards. The governor may remove for incompetency, neglect of duty or misconduct any person so appointed by him as commissioner of public schools after giving due notice to such person of the charges made against him and a reasonable opportunity to be heard in his own defense. In case of vacancy by death, removal from the county, removal from office by the governor, resignation or disqualification from any cause, the governor shall fill such vacancy with an appointee from the same political party as that of the person whose position shall have become vacated.

1904, ch. 584.

7. The board of district school trustees shall be composed of three persons, residents of the school district and county where said school may be located, who shall be appointed by the county school commissioners on the first day of May, or at their first meeting thereafter, which must be held during the month of May in each year, and who shall meet within thirty days after their appointment and enter upon the duties assigned them in chapter 5 of this article; at their first meeting they shall appoint a

chairman and shall give notice of their appointment to the secretary of the board of county school commissioners; when the trustees appoint a principal teacher, and the appointment shall be confirmed by the board of county school commissioners, the said principal teacher shall be *ex-officio* secretary to the board of district trustees; district school trustees shall take and subscribe the oath or affirmation of office prescribed by the constitution before the county school commissioners, county superintendent, clerk to said county school board, or any other officer duly authorized to administer oaths.

CHAPTER 3—*State Board of Education.*

1872, ch. 377.

8. The State board of education shall hold regular meetings on the last Wednesday in May, August, November and February of every year, and special meetings as occasion may require.

Duer vs. Dashiell, 91 Md., 669, 688.

1904, ch. 584.

9. The office of the State board of education shall be in Annapolis.

1906, ch. 356.

10. The members of the board shall receive no salary, but their actual expenses incurred in attending the meetings and transacting the business of the board shall be paid, and they are authorized to employ clerical assistance when necessary, and the treasurer of the State, upon the warrant of the comptroller, is hereby directed to pay to the president of the board, from the general funds for public schools, for the purpose of meeting such expenses, the sum of three thousand dollars (\$3000) per annum, in quarterly installments.

1904, ch. 584.

11. The State board of education shall, to the best of their ability, cause the provisions of this article to be carried into effect, and may, if necessary, institute legal

proceedings for that purpose with the direction and advice of the attorney-general; they shall enact by-laws for the administration of the public school system not at variance with this article, which when enacted and published shall have the force of law; they shall have the power to remove or suspend any county superintendent who may be found inefficient or incompetent for the discharge of duties assigned him, or guilty of such moral delinquency as unfits him for the office he holds; they shall explain the true intent and meaning of the law, and they shall decide, without expense to the parties concerned, all controversies and disputes that arise under it, and their decision shall be final.

School Board *vs.* Wagaman, 84 Md., 162.

1872, ch. 377.

12. They shall have the general care and supervision of the public school interests of the State; shall act as assistants and advisers of the various county boards; and shall, from time to time, issue circular letters to teachers and commissioners on topics connected with the administration of public schools.

Ibid.

13. In order to insure uniformity in the statistical reports of the public schools, they shall issue a uniform series of blanks for the use of teachers and of county boards, and shall require all accounts to be kept and returns to be made according to these forms.

Ibid.

14. They shall, when requested by the board of county school commissioners, examine candidates for the office of county superintendent, and give a certificate of qualification.

Ibid.

15. They may grant to teachers of long experience and established reputation professional certificates, which shall be valid until revoked for cause.

1904, ch. 584.

16. The members of the State board of education shall be *ex-officio* trustees of the State normal schools.

1904, ch. 584.

17. All schools and colleges and all normal school departments receiving State donations shall make a report on or before the fifteenth day of September in each year of such matters and in such form as the State board of education shall require; and said reports, or an abstract therefrom, shall be published by the president of the board in his annual report.

Duer *vs.* Dashiell, 91 Md., 669, 648.

Superintendent of Public Education.

1902, ch. 466.

18. The governor, by and with the advice and consent of the senate, shall appoint a competent person as superintendent of public education for the State of Maryland, who shall serve for a term of four years, beginning on the first Monday in May ensuing his appointment, and until his successor has been appointed and qualified according to law; and said person as superintendent of public education shall be *ex-officio* a member of the State board of education; provided, that the governor at any time may remove such person from office for misconduct or inefficiency, upon submitting his reasons for such removal in writing to such person; and provided, further, that such removal be approved and ratified by two-thirds of the members of the State board of education.

1904, ch. 584.

19. The superintendent of public education shall receive a salary from said appropriations for public schools, the amount of which salary shall be fixed by the State board of education, provided it shall not exceed the sum of three thousand dollars per annum, in addition to an allowance of five hundred dollars per annum for traveling expenses; the said superintendent of public education

shall receive annually the sum of one thousand dollars, or so much thereof as may be needed, for the purchase of stationery, office fixtures and supplies; and he shall cause to be printed and distributed to the public school teachers of the counties of the State each year a pamphlet for the proper observance of Arbor day, a teacher's manual of institute work, the proceedings of the Maryland State Teachers' Association, and such other circulars and printed matter as will encourage the work of public instruction and promote its uniformity; provided, all bills for such expenditures shall be approved by the State board of education; and said superintendent shall appoint a clerk, who shall also act as clerk to the State board of education, and who shall be paid a salary from the appropriations for public schools, the amount of which salary shall be fixed by the State board of education; provided, that it shall not exceed the sum of twelve hundred dollars; provided, further, that the office of said board shall be the office of said superintendent; and provided, that the clerk to the said superintendent of education shall not be employed as teacher or otherwise in any capacity in any of the public or normal schools of this State.

1904, ch. 584.

20. It shall be the duty of the superintendent of public education to inform himself and the State board of education as to the condition of the public schools throughout the State; to diffuse information as to the best methods of instruction; to receive and present the State board of education the reports of the various boards of county school commissioners; to examine said county boards' statement of expenditures of school funds, and submit his judgment on the same to the State board of education; to have authority to endorse such normal school diplomas from other States as he may deem proper, and when so endorsed, they shall be legal certificates to teach in any elementary public school in the State until revoked; to arrange dates for teachers' institutes, and assist the county superintendent in the preparation of the program

of the county teachers' institute, and also attend same when in session, when possible, and give instruction; he shall devote his whole time to the duties of his office, and in every way conserve the interests and promote the efficiency of the public schools of the State; the State superintendent shall also be the secretary of the State board of education.

1908, ch. 494.

20A. The State superintendent of public education, subject to confirmation by the State board of education, shall on or before the 31st day of July in each year appoint a competent person to be known as assistant superintendent of public education, who shall serve for one year, unless removed as hereinafter provided, and who shall receive a salary of \$2000 per annum, to be paid from the appropriation for public schools, and shall receive no additional pay for any services said board may require; the said assistant so appointed shall act for and in the name of the superintendent in such branches of his office and field work as shall or may, in the discretion of said superintendent, be committed to him; and faithfully and efficiently perform such duties as may be required of him by either the superintendent or the State board of education; and the said assistant superintendent shall be subject to removal by the superintendent, with the approval of the State board of education, at any time for inefficiency or misconduct in office; provided, however, that the reason for such dismissal must be submitted to him in writing.

CHAPTER 4—County School Commissioners.

1904, ch. 584.

21. The board of county school commissioners shall meet for organization on the first Tuesday in May next succeeding their appointment, or as soon thereafter as may be, and elect a person, not a member of the board, who shall serve as secretary and treasurer of the board of county school commissioners and county school superintendent of public education, and notice of such election,

signed by the president of the board, shall be transmitted to the comptroller; the person thus elected as secretary, treasurer and county superintendent shall enter upon his duties the first day of August next ensuing after his election; in counties having more than eighty-five schools the board may, at their discretion, appoint a clerk and fix his salary; the board shall meet at least once in every school term, and at other times, if necessary, for the transaction of business; each commissioner shall receive as an annual salary the sum of one hundred dollars, and he shall make no further charge or charges for any services rendered.

Co. Commrs. *vs.* School Commrs., 77 Md., 288. *Duer vs. Dashiell*, 91. Md., 669.

1904, ch. 584.

22. The board of county school commissioners are hereby declared to be a body politic and corporate by the name and style of the board of county school commissioners of _____ county, and by that name shall have perpetual succession, and shall be capable to sue and be sued, to use and have a common seal, and the same at their pleasure to alter or break, and to exercise all the powers and privileges hereby granted to or vested in them; and every county superintendent or assistant county superintendent shall have power to take affidavits and administer oaths in all matters pertaining to public schools, but without charge of fee.

1872, ch. 327.

23. All the property, estate, effects, money, funds, claims and State donations, heretofore vested by law in the public school authorities of any county, for the use and benefit of public, primary, free or high schools, are transferred to and vested in the board of county school commissioners and their successors in office.

1904, ch. 584.

24. The board of county school commissioners shall have the general supervision and control of all the schools in their respective counties; they shall build, repair and

furnish school houses; they shall purchase and distribute text-books; they shall, after advising with the principal of the school to which the teacher is to be appointed, appoint all assistant teachers; they shall have authority to consolidate schools when, in their judgment, consolidation is practicable and desirable, and to arrange for and to pay charges of transporting pupils to and from such schools, and shall perform such other duties as may be necessary to secure an efficient administration of the public school system, subject to the provisions of this article.

1904, ch. 584.

25. The State school tax and free school fund are primarily intended, under this article, to pay the salaries of the teachers of the several counties and to provide school books and stationery for the children of the State; if, however, in apportioning the said school tax among the different counties and the city of Baltimore, the share of any county should prove inadequate for the purposes aforesaid, then the county commissioners of such county are hereby authorized, empowered, directed and required to levy and collect such a tax upon the assessable property of such county as the board of county school commissioners shall designate as sufficient to make good the deficiency; provided, that said tax shall not exceed fifteen cents on the hundred dollars, unless the county commissioners shall approve and sanction an additional tax; taxes so levied and collected shall be paid quarterly, on the day fixed for payment of the said school tax to the several counties (but the proceeds from special taxes may be paid oftener, upon the order of the board of county school commissioners to the treasurer of the said board of county school commissioners), in order that the schools of said counties may be kept open for the time herein set forth, and said tax shall be levied and collected as other taxes; any sums of money which may have been specially collected or levied on any election or school house district for educational purposes connected with these districts, shall be collected for and applied to the purposes so

intended originally, and shall be used for no other purposes; and if said funds have been used otherwise they shall be returned and applied as aforesaid.

1872, ch. 377.

26. In all cases where the county has not been properly divided into school districts, and full records of the boundaries thereof have not been made and recorded, the board of county school commissioners shall appoint a committee if, in their opinion, they deem it necessary, consisting of three persons of intelligence and sound judgment, who shall divide the county into suitable school districts, define and describe the boundaries of each; provided, that no school district shall contain a greater area than four miles square, unless a part of it be located in a thinly settled region. In the formation of the school districts the committee shall take into consideration the most suitable site for the school house, the general features of the country, and shall make each school district of such a size and form as will best accommodate the population within its bounds. The committee shall make an accurate description of the bounds of the school districts, accompanied by a plat, and shall report the same to the board of county school commissioners, who shall thereupon give notice in all the newspapers of the county at what time they will meet to hear applications for a change of boundaries, which applications shall be made in writing and within two months from the date of the first publication of such notice. When the applications shall have been made and considered, the board of county school commissioners may then change the boundaries of school districts and revise the description; or they may, without application, make such changes as may be deemed important, or they may ratify and confirm the report of the committee. The description of the boundaries of school districts shall be recorded in a book, kept for that purpose, by the secretary of the board of county school commissioners. In those counties where no newspaper is published, the notice of application for a change of boun-

daries shall be published in such a manner as the board of county school commissioners may decide. Whenever it may be necessary, the board of county school commissioners shall employ a surveyor to aid the committee in the performance of such duty, and they shall allow the surveyor such compensation for his services as may be just and proper, and the committee shall receive no compensation whatever for their services. The cost of dividing the county shall be paid by the county school commissioners out of the school fund of the county. If a county has already been divided into school districts, and it may be necessary to revise the same, the board of county school commissioners shall have full power to make such revision or alterations as may be necessary to accommodate the population and increase the efficiency of the schools. A full description of such changes and alterations shall also be made and recorded as aforesaid.

1904, ch. 584.

27. The board of county school commissioners shall, on or before the first day of September in every year, make a report to the State board of education, in such form as may be presented by the latter, of the schools and all matters affecting the educational interests of the county; they shall also publish annually, in the month of November, in such form and manner as they may deem proper, a statement of their receipts and disbursements, including the money received and expended on account of text-books, and a statement of the indebtedness of the board at the close of the fiscal year, and the items of expense of the individual schools and forward a copy to the State board of education.

1898, ch. 445.

28. In case of the death of any county school commissioner, or his resignation or removal from the county, or disqualification from any legal cause, during the recess of the general assembly, the governor shall have power to appoint a qualified person to fill the vacancy for the

unexpired term; in case of inefficiency, refusal to act, or breach of trust, the board may, by vote of a majority of its members, declare the office vacant and give notice to the party concerned. An appeal may be taken to the State board of education, whose decision shall be final, but if no appeal be taken within ten days, the vacancy shall be filled as hereinbefore provided.

Ash vs. McVey, 85 Md. 126.

1872, ch. 377.

29. No teacher, in actual employment as such, shall fill the position of county school commissioner.

CHAPTER 5—*District School Trustees.*

1904, ch. 584.

30. The board of district school trustees shall have the care of houses and lands connected therewith intended for school purposes; also furniture, apparatus and other school property; they shall attend to all repairs and charge the cost among the incidental expenses of the school, to be paid out of the tax levied upon the assessable property of the county as herein provided for; provided, that when repairs are to be paid out of county school taxes, the amount to be expended for said school repairs shall be determined by the board of county school commissioners before the repairs are made; the board shall employ a principal teacher, subject to confirmation by the board of county school commissioners, from among those persons who hold the certificate required by this article; they shall exercise a general supervision over their respective schools, and visit them frequently, and shall cause instruction to be given for ten months in the year, if possible.

1872, ch. 377.

31. The board of district school trustees shall see that every school house site is provided with suitable out-buildings.

1894, ch. 524, secs. 1 and 2.

32. Boards of school commissioners in every city and county of the State shall provide suitable and convenient water closets or out-houses for each of the schools under their official jurisdiction, not less than two for each school or building, when both sexes are in attendance, in their respective school districts, with separate means of access for each; and unless placed at a remote distance, one from the other, the approaches or walks thereto shall be separated by a substantial close fence, not less than seven feet high; and it shall be the duty of the said commissioners to make provisions for keeping the said water closets or out-houses in clean, comfortable and healthful condition. Any failure on the part of said public school commissioners to comply with the provisions of this section shall make them liable to be removed from office by any court of competent jurisdiction, either in the city of Baltimore or in any county where the schools may be located, upon complaint made to the court, under oath or affirmation of not less than five taxable citizens residents in the said school district in which the school complained of is located; provided, nothing in this section shall affect the counties of Caroline, Kent, Dorchester, Somerset, Baltimore, Worcester, Howard, Prince George's and Frederick.

1872, ch. 377.

33. No school house shall be used for any other purpose than public school purposes and school district meetings, unless by the consent of the board of county school commissioners, or a majority of them.

1872, ch. 377.

34. Contiguous portions of two or more school-house districts may, with the consent of the board of county school commissioners, combine and form a new school-house district; and when thus formed the said new school-house district shall be invested with all the rights and powers hereinbefore set forth as pertaining to such dis-

tricts; provided, that the new school-house district thus formed, or said district from which it may be formed, shall not contain less than thirty-five legal resident voters.

1874, ch. 463.

35. In case of neglect of duty, or refusal to act, on the part of the members of the board of trustees, their places shall be declared vacant by the board of county school commissioners, who shall fill the same by new appointment, but if it be found impossible to secure competent persons who will act in this capacity, then the duties of the board of district school trustees for the particular district shall devolve upon the board of county school commissioners.

CHAPTER 6—*Schoolhouses and Sites.*

1872, ch. 377.

36. It shall be the duty of the board of county school commissioners to select a suitable school-house site in each district whenever the necessities of the public school demand a change of site or sites already built upon, or a new school-house site to be built.

1874, ch. 463.

37. The board of county school commissioners may receive donations for such sites or locations for school houses, or of a house already built adapted to school purposes, or suitably located, or may purchase the same; but in no case shall any site be built upon or any house be occupied until a good and sufficient title shall have been obtained for the same in the corporate name of the board of county school commissioners. In cases, however, where the property owned by the board of county school commissioners in any school district proves unsuited for school purposes, the board is authorized to sell or lease the same, and to appropriate the amount obtained by such sale or lease to the purchase or lease of a proper school house at a suitable location for the said district.

1872, ch. 377.

38. When the lands shall be required for the site of a school-house, or for enlarging a school-house lot, and the board of county school commissioners shall from any cause be unable to contract with the owner thereof, the board of county school commissioners may apply for a writ of *ad quod damnum* to the clerk of the circuit court for the county, who shall forthwith issue the same, and the sheriff shall execute the said writ and return an inquisition describing the land and stating the amount of damages to be paid to the owner; and the judge of the circuit court for the county may, at any time after the return of the inquisition, in term or during recess, hear a motion to confirm such inquisition, on such notice to the parties as he may direct, and confirm or quash the same; and if he quashes the inquisition, he shall order a new one forthwith to be taken; but no lot so taken or enlarged shall exceed, in the whole, one acre, including the land occupied by the school building.

1872, ch. 377.

39. In all cases when school-house sites are thus purchased or condemned the cost thereof shall be paid as other school-house property is paid for.

1872, ch. 377.

40. Every school house shall be built and furnished according to plans and drawings issued from the office of the county school commissioners.

CHAPTER 7—*Schools.*

1872, ch. 377.

41. The schools under the charge of the board of county school commissioners for each county shall respectively be designated school No. 1, 2, 3, and so forth, of their respective election districts.

1872, ch. 377.

42. In every school-house district in each county, established as hereinbefore provided, there shall be kept for ten months in each year, if possible, one or more schools, according to population, which shall be free to all white youths over six and under twenty-one years of age.

1904, ch. 584.

43. In every district school there shall be taught orthography, reading, writing, subjects for language training, English grammar, geography, arithmetic, history of the United States, good behavior, the constitution of the United States, constitution and history of Maryland, vocal music, drawing, physiology, laws of health and domestic economy, civil government; and the elements of agricultural science may, in the discretion of the State board of education, be added to the branches required to be taught in the State normal school and in the public schools of the various counties of the State.

1904, ch. 584.

44. The nature of alcoholic drinks and narcotics, with special instruction as to their effects upon the human system, in connection with the several divisions of the subjects of physiology and hygiene, shall be included in the branches of study taught in the common schools, and shall be taught to and studied by all pupils whose capacity will admit of it, in all departments of the public schools of the State, and in all educational institutions supported wholly or in part by money from the State; and said study shall be taught to and studied by pupils in said schools as thoroughly and in the same manner as other like branches are there taught and studied, with text-books in hands of pupils, where other like branches are thus studied.

1886, ch. 495.

45. It shall be the duty of boards of county school commissioners, and of the board of commissioners of public schools of Baltimore city, county superintendents, super-

intendents of public schools of Baltimore city, and boards of all educational institutions receiving aid from the State to enforce the provisions of the preceding section.

1904, ch. 584.

46. Whenever a school numbers more than forty children in the average attendance, an assistant may be employed by the board of county school commissioners, in their discretion; and for every additional forty children, one teacher may be appointed.

1904, ch. 584.

47. Whenever the average attendance in any school for any two consecutive terms is less than ten pupils, the said school may be closed by the board of county school commissioners; provided, that the board of district school trustees may keep the school open in part at the expense of the district, and shall receive their proportion of the school fund for said school, rating a full school at twenty scholars.

1872, ch. 377.

48. Public examinations shall be held in each school twice a year, of which due notice shall be given, that parents and others interested in education may attend.

Ibid.

49. Schools shall be kept open each week day, except Saturday, for six hours; and the hours for teaching shall be regulated by the several boards of county school commissioners.

Ibid.

50. Any person who shall disturb any public school in session shall, upon conviction thereof before a justice of the peace, be deemed guilty of a misdemeanor, and shall forfeit and pay twenty dollars, to be collected as other fines, to be paid to the board of district school trustees

for the benefit of the school-house district; or said offender shall be imprisoned not exceeding thirty days, or both, in the discretion of the justice of the peace.

1904, ch. 584.

51. The school year shall be divided into four terms, which shall be designated fall term, winter term, spring term and summer term; and the time of beginning and closing each term shall be regulated by the board of county school commissioners; provided, that the financial reports of the schools of the State shall be made up and rendered to the thirty-first day of July, inclusive, of each and every year; and provided, further, that there be no change in or encroachment upon the holidays and vacations set forth and established in the following paragraph:

The months of July and August shall be vacation throughout the whole State, and the following days shall be holidays, viz: Thanksgiving Day, from Christmas Eve to the first day of January, inclusive, and from the Friday before Easter to the Monday after Easter, inclusive; on Washington's birthday the schools shall devote a portion of the day to exercises bearing on the life and services of "The Father of Our Country;" Maryland Day shall be observed at such a time and in such manner as the State board of education may direct.

In case it may be necessary to open school for a fraction of a term, it shall close at the end of the term, and all accounts shall be settled at the meeting of the board of county school commissioners held at the end of the term.

CHAPTER 8—*Teachers.*

1904, ch. 584.

52. No person shall be employed as a teacher under this article unless such person shall hold a certificate of qualification (a) issued by the superintendent of the county in which he or she proposes to teach; (b) a certificate from a principal of a State normal school of Maryland, or of the principal of the normal department of Washington

college; (*c*) a diploma of a State normal school of Maryland, or of the principal of the normal department of Washington college; (*d*) a normal school diploma of another State endorsed by the State superintendent of public education, or a diploma from the normal department of a school or college of this State, recognized as such by the State board of education; or (*e*) a certificate from the State board of education, as herein provided.

School Board *vs.* Waganan, 84 Md., 161.

1904, ch. 584.

53. Principal teachers shall be appointed by the board of district school trustees, subject to confirmation by the board of county school commissioners; and said teachers may be removed at any time said board of district school trustees may think proper, after thirty days' notice in writing; provided, further, that the said board of district school trustees shall furnish, in writing, when required by the teacher so notified, the reasons for dismissal; provided, further, that the right of appeal shall lie to the board of county school commissioners, whose action in confirming or rejecting the action of the district trustees shall be final.

1874, ch. 463.

54. Teachers shall enter into their quarterly reports an accurate account of the attendance of pupils, of text-books used and branches taught, and such other statistics as may be required, and make due returns thereof to the board of county school commissioners at the end of each term; and no teacher shall be entitled to receive payment for services until the quarterly report, properly filled up and completed, shall be so returned. The quarterly reports shall be filed by the board of county school commissioners for the purpose of making the annual returns to the State board of education.

School Com. *vs.* Adams, 43 Md., 349.

1872, ch. 377.

55. The board of county school commissioners shall examine any charge preferred against the moral character of any teacher within their county; they shall give the teacher reasonable notice of the charge in writing, and an opportunity to defend himself; and if the charge be sustained, they shall annul the teacher's certificate, and shall give notice thereof to the State board of education; provided, that an appeal shall lie to the State board of education, whose decision shall be final.

1904, ch. 584.

56. Any person holding a first-class teacher's certificate, or diploma of a respectable college, or of a State normal school, who has been a teacher for seven years, of which five shall have been spent in the State of Maryland, may apply to the State board of education for a life certificate, which, if granted, shall exempt him or her from any further examinations; said certificate may be annulled by said board at any time on account of immoral or unprofessional conduct.

1904, ch. 584.

57. The salaries of the teachers of each county shall be fixed by the board of county school commissioners; provided, that no white teacher regularly employed in a public school of the State of Maryland, having an average attendance of fifteen pupils or more, shall receive as salary less than three hundred dollars per school year.

1910, ch. 420.

122½E. All white teachers regularly employed, holding a first-class teacher's certificate and having taught for a period of three years in any of the public schools of the State of Maryland, shall receive as salary not less than three hundred and fifty dollars (\$350) per annum; and provided further, that if such teacher hold a first-class

teacher's certificate and has taught in the public schools of Maryland for a period of five years, he or she shall receive an annual salary of not less than four hundred dollars (\$400); and provided further, that if a teacher holds a first-class teacher's certificate and has taught in the public schools of Maryland for a period of eight years, he or she shall receive as an annual salary not less than four hundred and fifty dollars (\$450); and provided further, that if a teacher holds a second-class teacher's certificate and has taught in the public schools of the State of Maryland for a period of eight years, he or she shall receive as an annual salary not less than three hundred and fifty dollars (\$350). The county commissioners of each county shall levy a sufficient amount to meet the increase of salaries provided for in this act.

Note.—Section 122½E is placed out of its numerical order on account of continuity of subject matter.

1908, ch. 605.

58. Whenever any person in this State has taught in any of the public or normal schools thereof twenty-five years, and has reached the age of sixty years, and his or her record as such teacher has been without reproach, and by reason of physical or mental disability or infirmity is unable to teach longer, and who, moreover, is without the means of comfortable support, the said teacher may lay his or her case before the State board of education, supported in all cases by the recommendation of the board of county school commissioners of the county in which said teacher has last taught, and the said board shall proceed to consider the same, and if the facts are found as above stated, the said teacher shall be placed on a list, a record of which shall be kept by the said board, to be known as the "Teachers' Retired List," and the names upon the teachers' retired list shall be, on or before the first day of October of each and every year, certified to by said board to the comptroller of the treasury of this State; and every person so placed upon said retired list shall be

entitled to receive a pension from the State of two hundred dollars per annum, to be paid quarterly by the treasurer of this State, upon the warrant of the comptroller, so long as the said pensioner is without other means of comfortable support; provided, that after October 1, 1907, any person whose name is placed on said list for the first time shall receive pay from the date of approval of application by the State board of education; that the sum of twenty-five thousand dollars per annum, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to carry into effect the provisions of this act.

CHAPTER 9—*Pupils.*

1872, ch. 377.

59. All white youths between the ages of six and twenty-one years shall be admitted into the public schools of the State, the studies of which they may be able to pursue; provided, that whenever there are grade schools, the teachers and board of district school trustees shall determine to which school pupils shall be admitted.

1872, ch. 377.

60. The board of district school trustees shall have power to suspend and expel pupils for cause; provided, that an appeal shall lie to the board of county school commissioners, whose decision shall be final.

1872, ch. 377.

61. Children living remote from the school of the district in which they reside may attend school in an adjoining district, with the consent of the boards of the respective school districts.

1872, ch. 377.

62. Every child, before being admitted to any public school, shall produce a certificate from a regular physician that he has been properly vaccinated.

CHAPTER 10—Text-Books.

1872, ch. 377.

63. School books shall contain nothing of a sectarian or partisan character.

1904, ch. 584.

64. The board of public school commissioners of Baltimore city and each board of county school commissioners shall adopt and purchase text-books for use in the public schools of said city and of the several counties of the State, as such new text-books are required, and when so purchased the necessary text-books shall be furnished free of cost for use in the public schools of the State, subject to the order of said boards; but said boards shall have the right at any time to change any series of text-books already in use or hereafter adopted; provided, that text-books shall be furnished under the provisions of this article to the several grades in the public schools successively, beginning with the first grade; and provided, that the said board shall not be required to expend during any school year for said text-books more than the several amounts of money received by said boards respectively under the provisions of this article; and provided, that indigent pupils of all grades shall receive text-books free of cost, as provided under provisions of existing laws; and provided, the said respective boards shall adopt means for the purchase of text-books by competitive bidding, and at the lowest possible price; and provided, that parents or pupils may purchase their own text-books where they may think proper; and provided, further, that the several boards of county school commissioners shall furnish annually to the State board of education the title, the name of the publisher and the net price paid for each text-book so purchased, which information shall be set forth in full in the annual report made to the State board of education.

School Commrs. *vs.* State Bd. Education, 26 Md., 513.

1896, ch. 135.

65. The said several boards shall authorize the delivery of text-books to the various public schools under their supervision respectively, and shall provide for the issuing, safe keeping, care and return of the same under such rules and regulations as they may severally adopt.

1904, ch. 584.

66. The said several boards shall keep an account of all moneys expended under the provisions of this act, and report the same in the annual financial account, as required by law; and no money so received by them shall ever be used for any other purpose than for the purchase of school books, as provided by the two preceding sections; except in such counties where there may remain a surplus after the purchase of necessary text-books, the boards may expend such surplus amounts in the purchase of maps of the State of Maryland and supplementary reading books for pupils.

1908, ch. 635.

67. The sum of one hundred and fifty thousand dollars is hereby appropriated to be paid by the State treasurer upon the warrant of the comptroller on the first day of October, 1908, and annually thereafter, to be expended, or so much thereof as may be necessary, for the purchase of text-books, as provided in this article. The whole of said sum shall be apportioned by the comptroller in the month of September of each and every year, according to and based upon the total number of different pupils enrolled, as disclosed by the statistics of the report of the State board of education for the fiscal year ending July 31, 1907, and every succeeding odd year, and he shall immediately thereafter notify the treasurer of the several boards of county school commissioners of the counties and the city of Baltimore of the amount thus found to be due to each, and the same shall be paid to the treasurer of the board of school commissioners of Baltimore city

and the several counties upon the draft of the president and secretary of the several boards of county school commissioners and the city of Baltimore aforesaid.

CHAPTER 11—*County Superintendent.*

1872, ch. 377.

68. It shall be the duty of the county superintendent to examine candidates for the profession of teacher, in the presence of at least one member of the board of county school commissioners, or one or more of the district trustees, and to give to such persons as are found qualified, under the sanction of the board at its next meeting, a certificate setting forth the branches such persons are competent to teach; but no certificate shall be granted without satisfactory evidence of the moral character of the applicant.

1904, ch. 584.

69. The certificate issued by each county superintendent shall be numbered and registered in a book kept by the board of county school commissioners, and be delivered to their successors in office, and shall be denominated first or second grade, as the case may be, and the State board of education shall keep a book in the same manner as the county superintendent; certificates of the first grade shall embrace orthography, reading, writing, arithmetic, geography, United States history, English grammar, bookkeeping, algebra, natural philosophy, physiology, plane geometry (four books), general history, national and State constitutions, theory and practice of teaching, and the laws and by-laws of the public school system of Maryland; and those of the second shall embrace orthography, reading, writing, arithmetic, geography, United States history, English grammar, history of Maryland, constitutions of United States and of Maryland, physiology, algebra (to quadratics), theory and practice of teaching, the laws and by-laws of the public school system of Maryland; such a certificate held by a person who ob-

tains a school within six months from the time the certificate was issued shall not continue in force longer than six months after acceptance of the position of teacher, unless the persons holding the same shall satisfy the county superintendent of his or her fitness for governing a school, and his or her ability to impart instruction in the various branches taught in the public schools; but when the county superintendent shall satisfy himself upon these points, he shall be empowered to issue a certificate, which shall continue in force for five years, unless revoked for cause; a person holding such certificate, who fails to obtain a school within six months after issuance of same, shall not be required to pass another examination in the same county for fifteen months from date of granting the certificate.

1894, ch. 378.

70. No certificate of qualification as a teacher shall be issued to any male under nineteen years of age, or to any female under eighteen years of age.

1872, ch. 377.

71. The county superintendent shall hold regular examinations of teachers at such times as the board may direct, of which due notice shall be given in the newspapers, or otherwise. No superintendent shall be allowed to charge any fees for the issuing of certificates to teachers; and if any superintendent shall be found guilty of charging or receiving any fee or reward directly or indirectly for issuing any certificate to a teacher, he shall be dismissed from office.

1910, ch. 420.

122 $\frac{1}{2}$ F. On or before the first day of October of each year the county superintendent shall submit to the county school board a list of all teachers employed, together with a classification of their certificates. In determining the

class of the certificates the following points are to be considered: (a) scholarship; (b) executive ability; (c) personality, and (d) teaching power. The county superintendent may add such other requirements as may be approved by the State board of education.

Note.—Section 122½F is placed out of its numerical order on account of continuity of subject-matter.

1904, ch. 584.

72. It shall be the duty of the county superintendent, or his assistant, at least three times in each year, to visit the schools in his county, if it contains sixty teachers or less, and twice a year in counties having more than sixty and less than one hundred and seventy-five teachers, and once a year in counties where there are more than one hundred and seventy-five; he shall observe the methods of the teachers and give him or her such practical suggestions as circumstances may prompt; he shall, whenever possible, attend public examinations and report quarterly in detail the result of his observation through the board of county school commissioners. In counties where the number of teachers shall exceed one hundred and seventy-five, the board of county school commissioners may, in their discretion, appoint an assistant county superintendent.

1910, ch. 147.

72A. The board of county school commissioners of any county may, in their discretion, appoint a grade supervisor; provided, that in counties where the number of teachers shall exceed one hundred and fifty, one additional supervisor may be appointed; and for every additional one hundred teachers, one additional supervisor may be appointed, who, in each case, shall have had at least five years' experience as a teacher of elementary grades, and such special preparation for this work as may, hereafter, be determined by the State board of education.

1872, ch. 377.

73. The secretary and treasurer of the board of county school commissioners shall give bond to the State of Maryland, with at least two securities to be approved by the said board, in such penal sum as the said board shall determine, with the condition that he will faithfully perform the duties of secretary and treasurer, pay over and apply all moneys that shall come to his hands or care as treasurer to such persons and in such manner as said board may, under the provisions of this article, direct; and that he will keep a full account of all moneys received and paid by him, and all matters relating to the duties of his office, and preserve the same and all vouchers relating thereto, and deliver up all books and vouchers relating to his office to his successor, which said bond, when executed, shall be filed in the office of the clerk of the court for the county. He shall be present at every meeting of the board, and may debate any question before them, but shall have no vote. He shall keep the minutes and conduct the correspondence, and shall duly file away and safely keep all letters, reports and other papers pertaining to the business of the board. He shall prepare and submit to the board for their adoption the annual report to the State board of education.

Howard *vs.* Hill, 88 Md., 119.

1890, ch. 511.

74. In lieu of the security provided for in the last preceding section, the said bond may have the security of any deposit or trust company, or other similar company, duly incorporated under the laws of this State, and having by law the power to act as such security.

1872, ch. 377.

75. The person or persons acting as secretary, treasurer and county superintendent, under the provisions of this article, shall devote their whole time to public school business, and shall receive such compensation as the board of county school commissioners may direct.

1872, ch. 377.

76. The superintendent of each county shall, on or before the fifteenth day of January in every year, notify the comptroller how many months the schools of his county have been kept open.

CHAPTER 12—*State Normal Schools.*

1904, ch. 584.

77. There shall be located in each of the cities of Baltimore and Frostburg a State normal school for the instruction and practice of teachers in the science of education, the art of teaching, and the mode of governing schools; the said schools shall be under the control of the State board of education, who shall appoint the principals and necessary assistants; the salary of the principal of the Maryland State normal school of Baltimore shall be twenty-five hundred dollars per annum.

1904, ch. 584.

78. The faculty of each State normal school shall consist of a principal and as many teachers as shall be determined by the State board of education, who shall be appointed by said board, and have such salaries and perform such duties as said board shall direct.

1872, ch. 377.

79. The sessions of the State normal school shall be determined by the State board of education; provided, that the school shall be open for not less than nine months in each year.

1904, ch. 584.

80. There shall be maintained in each State normal school and normal department receiving State aid a two years' normal or professional course, in which common school branches may be studied and reviewed and in which special emphasis is given to professional subjects, including history of education, school organization, meth-

ods of teaching and such other pedagogical subjects as the State board of education may prescribe. Students of both sexes shall be admitted to the normal course—females at the age of sixteen years and males at the age of seventeen years; provided, such applicants satisfy the requirements of admission and hold scholarships from a board of city or county school commissioners, or receive appointment from the State board of education, as hereinafter provided; the State board of education is authorized and empowered to arrange and prescribe for each State normal school or normal department receiving State aid, an academic or preparatory course, and shall prescribe such qualifications of age and scholastic attainments as it may deem proper. The students of the State normal schools and normal departments receiving State aid shall be apportioned by the State board of education, among the several counties and the city of Baltimore, in proportion to their respective representation in the General Assembly of the State; the students shall be selected by the several boards of county school commissioners and the board of commissioners of the public schools of Baltimore city from among worthy persons who desire to make teaching their profession, and who may possess the necessary scholastic qualifications, namely scholarship equal to graduation from approved high schools for the normal course, and scholarship equal to completion satisfactorily of the seventh year grade of our public school curriculum for the academic course; applicants for scholarships must file their application for scholarship, and also with the State board of education, a written declaration that their object in obtaining admission is to qualify themselves as public school teachers, and that it is their intention to engage in the profession in this State; whenever it is possible to do so, the board of county school commissioners and the board of school commissioners of Baltimore city shall appoint an alternate for each person who may receive a scholarship, and if for any reason such person who was awarded the scholarship does not use or

accept the same, or for any reason fails to become a student of the normal school or normal department, then the person appointed as alternate shall be entitled to the privileges of such scholarship. If there be not applicants sufficient from any county or the city of Baltimore, then the State board of education may fill all vacancies by selecting applicants possessing the requisite qualifications from any portion of the State, in the proportion aforesaid.

1904, ch. 584.

81. In addition to the students admitted from the counties and the city of Baltimore, who shall enjoy the privileges of the school and be furnished with the use of the text-books free of charge, there may be admitted, in the discretion of the State board of education, to the full capacity of the State normal schools or normal departments, such other persons as may possess the requisite qualifications, who shall pay the sum of twenty-five dollars per session and be subject to the same rules and regulations as the other students.

1904, ch. 584.

82. The State board of education shall prescribe the course of study for the State normal schools and normal departments receiving State aid, which shall be uniform as far as is practicable, and supervise such schools and departments in every particular not provided for in this article; they shall make arrangements for practice teaching, and may organize and maintain model and experimental schools as a part of the normal school or normal department when deemed best, in which students of the normal course shall have opportunity to teach and practice the modes of instruction and discipline inculcated in the normal school or normal departments.

1904, ch. 584.

83. The annual sum of twenty thousand dollars is hereby appropriated for the support of the Maryland State normal school, located in the city of Baltimore; the

annual sum of seven thousand dollars is hereby appropriated for the support of State normal school No. 2, located at Frostburg—these appropriations to be paid in quarterly instalments by the treasurer, on the warrant of the comptroller, to the State board of education, and to be applied to the payment of teachers' salaries, clerical assistance, the purchase of school apparatus, text-books, fuel, stationery, light and other necessary expenses in maintaining such schools and normal departments; a further sum of one thousand dollars annually for repairs is hereby appropriated for the Maryland State normal school of Baltimore.

1904, ch. 584.

84. All donations or bequests of money or personal property, and all grants or devices of lands for the benefit of any State normal school or normal department, shall be held in trust by the State board of education.

1904, ch. 584.

85. The State board of education shall, on or before the first day of January, in each and every year, make a report to the governor of the condition of the schools of the State; a statement of the apportionment of money to the counties and the city of Baltimore, for the support of schools; an abstract of the reports received from the board of county school commissioners, together with such suggestions for the improvement of schools and the advancement of public education, as the State board of education shall deem expedient.

1904, ch. 584.

86. The governor shall cause three thousand copies of said report, five hundred to be bound in cloth, to be printed and distributed during every year.

CHAPTER 13—*Teachers' Institutes.*

1906, ch. 356.

87. A teachers' institute, to continue not less than five days, shall be held for each county once a year, and in the absence of the State superintendent the county superintendent shall preside. Two or more counties may combine and hold a joint institute.

1904, ch. 584.

88. The State superintendent of public education shall fix a time of the meeting of the institute, and it shall be the duty of the county superintendent to notify each teacher of the time and place of meeting, and when so notified, each teacher in actual employment is required to attend; the president of the school board shall select the place for the institute to meet.

1904, ch. 584.

89. These institutes, being designed as temporary normal schools, shall be attended by the State superintendent, when possible to do so, and by one or more instructors of a State normal school or normal department faculty, to be selected by the State superintendent and the principal of the school, and any member of the board of county school commissioners who may choose to attend.

1904, ch. 584.

90. The members of the State board of education and the members of the county school boards shall encourage the work of the Maryland State teachers' reading circle, which was organized by the Maryland State teachers' association, and which is a body politic and with power to organize, manage and direct a State teachers' reading circle.

CHAPTER 14—*Teachers' Associations.*

1890, ch. 323.

91. District, county and State teachers' associations are recommended as important means of elevating the

standard of public education by mutual conference, interchange of views and suggestions as to systems of teaching and discipline.

1872, ch. 377.

92. It shall be the care of the county superintendent to aid in the organization of these associations, to encourage attendance, to secure competent lecturers, and to impart such information as will encourage teachers in their work and fit them for the performance of their duties.

1872, ch. 377.

93. These associations may occupy any of the school houses.

CHAPTER 15—*District Libraries.*

1904, ch. 584.

94. For the further encouragement of education, district libraries ought to be established in each school house district under the care of the teacher, as librarian; for this purpose the sum of ten dollars per annum is ordered to be paid by the board of county school commissioners out of the State school fund, to any school house district as library money, as long as the people of the district raise the same amount annually; the books must be selected by the board of district school trustees and teachers from a list to be furnished by the State board of education.

1910, ch. 505.

95. The governor shall biennially appoint four persons, at least two of whom shall be women, who, with the State librarian, the superintendent of public instruction and the librarian of the Enoch Pratt Free Library, shall constitute the Maryland public library commission.

96. Said commission shall annually elect from their own number a president and a secretary, who, with the other members of the commission, shall serve without pay,

but the necessary traveling expenses of the commissioners in attending upon the meetings of the commission or its business away from their homes may be paid out of the appropriation for the commission. The secretary shall also act as treasurer of the commission and shall give bond with approved security for the proper performance of his duties.

97. Said commission shall give advice and counsel to all public libraries and public school libraries in the State and to all persons proposing to establish them, as to the best means of their establishment and maintenance, the selection of books, cataloguing and other details of management. Said commission shall annually report to the governor in the month of November a full and complete account of its doings and of its receipts and expenditures.

98. Said commission shall organize and conduct traveling libraries throughout the State, shall formulate such reasonable regulations for the use and care of the books of such traveling libraries as they may deem proper; and shall from time to time send out and distribute such books throughout the State, and at suitable intervals change such distributions so as to secure the greatest advantage.

99. The State treasurer shall annually on the first day of October, pay to the treasurer of the commission the sum of \$1500 for the use of the commission.

100. Said commission, upon application of the library directors of a county, municipality or election district which has complied with the provisions of this law relative to the establishment of such library, may expend not more than one hundred dollars for books to be selected and purchased by said commission and delivered to said directors for the purpose of establishing a free public library.

101. The boards of county commissioners shall have power to establish and maintain central free public libraries at the county seats of their respective counties,

with branches in such places within the limits of said counties as the demand of the people of the vicinity may justify, so as to give them convenient access to the free libraries and reading-rooms, and the legislative authority of any incorporated municipality shall have power to establish public libraries in like manner for said municipality.

102. The board of county commissioners of any county in the State, for the establishment and maintenance of said free public libraries and reading-rooms in their respective counties, may levy an annual tax not exceeding five cents on each one hundred dollars of the assessed valuation of taxable property, such tax to be levied and collected in like manner as other general taxes of said county, and when collected to be known as the public library fund.

103. In case a majority of the voters in any election district shall petition the board of county commissioners to establish a public library in said district, the said board shall establish and control such public library in the same manner as the legislative authority of an incorporated municipality may establish and control a library under this act, and said board of county commissioners may levy a tax on the election district for the said library in like said free public libraries and reading-rooms in their manner as is done for the library of an incorporated municipality and to the same amount, and said election district library shall be managed in the same manner as the library of an incorporated municipality.

104. The legislative authority of any municipality may levy a tax for public library purposes upon the assessed valuation of the taxable property within said municipality, not exceeding seven cents on each one hundred dollars, to be collected in like manner as the other taxes of said municipality. The money so collected by the governing boards of the incorporated municipalities shall be

paid over to the trustees or board of directors, to be appointed as hereinafter provided, and shall be expended by them as in their judgment they may deem best.

105. Whenever any board of county commissioners or legislative authority of an incorporated municipality shall have determined to establish and maintain public libraries and reading-rooms under this act, such board of county commissioners or legislative authority of an incorporated municipality shall appoint for such county, election district or incorporated municipality, a board of nine directors, who shall be chosen at large with reference to their fitness for such office; said directors shall hold office, one-third for two years, one-third for four years, and one-third for six years, from the first of January following their appointment and until their successors are chosen. At their first regular meeting they shall cast lots for their respective terms, and biennially thereafter the board of county commissioners or legislative authority of the municipality shall appoint, as before, three directors to take the place of the retiring directors, who shall hold office for six years and until their successors are appointed. The board of county commissioners or legislative authority of the municipality may remove any director for inefficiency, misconduct or neglect of duty.

106. Vacancies in the said board of directors occasioned by removal, resignation or otherwise, shall be reported to the board of county commissioners or legislative authority of the municipality, and shall be filled forthwith by them for the unexpired portion of the term.

107. Said directors shall, immediately after their appointment, meet at the call of the county commissioners or legislative authority of the municipality, and organize by the election of a president and vice-president from their own number, and a person or persons to act as secretary and treasurer. The treasurer so elected shall give bond for the faithful performance of his trust in such sum

as said library board shall determine; the said bond to be approved by the said library board and the expense thereof paid out of the library fund. Directors shall receive no compensation. They shall make and adopt by-laws, rules and regulations not inconsistent with this act, for their own guidance and for the government of the libraries and reading-rooms. They shall have exclusive control of the expenditure of all moneys collected to the credit of the library fund under this act, but such expenditures and all contracts made by them shall not exceed the appropriations provided and made under sections 3 and 4 of this act. They shall also have control of the construction of any library building, and of the supervision, care and custody of the library grounds, rooms or buildings constructed or set apart for that purpose; and they shall have power to purchase or lease grounds, to occupy, lease or erect an appropriate building or buildings for the use of said library, to appoint a suitable librarian and assistants, to fix the compensation of such appointees and to remove them if unsatisfactory, and shall in general carry out the spirit and intent of this act in establishing and maintaining public libraries and reading-rooms.

108. All moneys collected for such libraries and reading-rooms by the county commissioners or governing boards of incorporated municipalities as hereinabove provided, shall be deposited in the treasury of said county or of the said municipality respectively, to the credit of the library fund, and shall be kept separate and apart from other moneys of such county or municipality, and paid over to the treasurer of the library board upon the demand of the board.

109. Every library and reading-room established under this act shall be forever free to the use of the inhabitants of the county, election district or municipality where it is located; subject, however, to such reasonable rules and regulations as the library board may adopt, and said board may exclude from the use of said libraries and read-



ing-rooms any and all persons who shall wilfully violate such rules, and may extend the privilege of said library to persons living outside of the county or municipality, upon such terms and conditions as said board may from time to time by its regulations prescribe.

110. Every person who shall steal or unlawfully take or detain, or who shall mutilate, injure or disfigure by writing, marking, cutting, tearing, or otherwise, any book, map, picture, engraving, manuscript or other property of any public library or circulating library, or library belonging to the State of Maryland, or to any municipality or public body or incorporated institution, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not more than one hundred dollars, said fine to be used for the benefit of the library, or be imprisoned for not more than three months, or, in the discretion of the court, may be both fined and imprisoned as aforesaid.

111. Each library board established under this act shall make an annual report to the county commissioners or legislative authority of the municipality on or before the twentieth day of January, stating the condition of their trust on the first day of January in that year, the various sums of money received from the library fund and from other sources, and how such moneys have been expended and for what purpose, the number of books and periodicals on hand, the number added by purchase, gift or otherwise during the year, the number lost or missing, the number of books loaned out, and the general character and kind of such books, with such other statistics and information and suggestions as they may deem of general interest. All such portion of said report as relates to the receipt and expenditure of money shall be subject to the audit of the county commissioners or legislative authority of the municipality. A copy of said report shall be sent annually to the Maryland public library commission.

112. The said library board may receive, hold and possess, or sell and dispose of all such gifts, donations,

devises, bequests and legacies as may be made to the county commissioners, to the municipality, or to the library board for the purpose of establishing, increasing or improving such public library. In such cases, the library board shall act as trustees, and have control of such gifts, donations, devises, bequests and legacies, and may apply the proceeds, interests, rents and profits accruing therefrom, in such manner as will best promote the prosperity and utility of such library; provided, such application be according to the terms of the gifts, donations, devises, bequests and legacies.

113. Every public library established under this law shall receive from the State a copy of the laws, journals and all other books published by the authority of the State except the Maryland law reports, and in return therefor shall transmit a copy of its annual report to the State library.

114. All real estate acquired for the use and benefit of any library and reading-room, established as aforesaid, and all property that shall be a part of any such library and reading-room, shall be exempt from all State, county and municipal taxation.

114A. The provisions of sections 95-115 shall not apply to Baltimore county.

CHAPTER 16—*The City of Baltimore.*

1884, ch. 2.

116. The mayor and city council of Baltimore shall have full power and authority to establish in said city a system of free public schools, which shall include a school or schools for manual or industrial training, under such ordinances, rules and regulations as they may deem fit and proper to enact and prescribe; they may delegate supervisory powers and control to a board of school commissioners; may prescribe rules for building school houses

and locating, establishing and closing schools, and may in general do every act that may be necessary or proper in the premises.

M. and C. C. of Baltimore *vs.* Wetherby, 52 Md., 442.
Hooper *vs.* New, 85 Md., 581.

1872, ch. 377.

117. The board of commissioners of public schools of Baltimore city, or by whatever name the body may be known that has supervisory powers and control over the public schools of Baltimore city, shall have power to examine, appoint and remove teachers, prescribe the qualifications, fix the salaries, subject to the approval of the mayor and city council, and select text-books for schools of said city; provided, such text-books shall contain nothing of a sectarian or partisan character. The board of commissioners of public schools of said city shall annually make a report to the State board of education of the condition of the schools under their charge, to include a statement of expenditures, the number of children taught, and such other statistical information as may be necessary to exhibit the operation of the schools.

Hooper *vs.* New 85 Md., 581.

1872, ch. 377.

118. The mayor and city council of Baltimore shall have power and authority to make all ordinances for the protection of the school houses and property, and to punish any person who may disturb the sessions of said public schools.

1872, ch. 377.

119. The said mayor and city council are hereby authorized and empowered to levy and collect upon the assessable property in said city, as other taxes are levied and collected, such amount of taxes as may be necessary to defray all the expenses incurred for educational purposes by said mayor and city council.

CHAPTER 17—High Schools.

1910, ch. 386.

120. The board of county school commissioners of any county shall have authority to establish high schools, subject to the approval of the State board of education, in their respective counties, when, in their judgment, it is advisable to do so. All high schools so established and those now in operation shall be under the direct control of the several boards of county school commissioners, subject to the provisions of this article, provided that when instruction below that of the high school grades is given in the same building, or on the same premises, such grade work may also be under the direct control of the board of county school commissioners, and the principal of the high school shall also be principal of the elementary department.

1910, ch. 386.

121. For the encouragement of secondary education in Maryland, the State shall extend aid to such groups of high schools as shall be herein designated and described, and in such amounts and in such manner as shall hereinafter be set forth. All high schools of the counties of the State of Maryland receiving State aid shall be arranged by the State board of education into two groups, to be designated first group and second group, according to the number of pupils enrolled, teachers employed, and years of instruction given. High schools of the first group shall fulfill the following minimum requirements: (a) an enrollment of not less than eighty pupils; (b) employ not less than four teachers for the regular high school work, exclusive of instructors of special subjects named under (e); (c) four years' course of instruction of not less than thirty-six weeks in each year, same to conform to the standard required by the State board of education; (d) the annual salary of the principal to be not less than \$1200, and the salary of each assistant teacher regularly employed to be not less than \$500 per annum; (e) provision

to be made for manual training and domestic science courses, and also a commercial or an agricultural course, as may be determined by the board of county school commissioners. High schools of the second group shall fulfill the following minimum requirements: (a) an enrollment of not less than thirty-five pupils; (b) employ not less than two teachers for the regular high school work, exclusive of instructors of special subjects named under (e); (c) a three years' course of instruction of not less than thirty-six weeks in each year, same to conform to the standard required by the State board of education; (d) the annual salary of the principal to be not less than \$1000, and that of each assistant to be not less than \$500; (e) provision to be made for a manual training or an agricultural or a commercial course, as may be determined by the board of county school commissioners, provided that no high school, which fulfills the conditions under (b), (c), (d) and (e), and is now on the list of approved high schools, shall be excluded from this group within two years from the first day of June, 1910. The course of instruction in schools of the second group may be extended to four years by the board of county school commissioners by the employment of such additional teacher or teachers as may be required by the State board of education, provided that the salary of such additional teacher or teachers shall be paid wholly by the said board of county school commissioners; and in the schools of the second group, where the course of instruction has been so extended to a four-year course, the graduates shall receive the same recognition as graduates of schools of the first group. No promotions of high school pupils from one grade to another, or graduation, shall be made without the approval of the principal and the county superintendent.

1910, ch. 386,

122. It shall be the duty of the State superintendent of education, or some person designated by him, to make an

annual inspection of all high schools receiving State aid, and also such other schools as make application, through their respective county superintendents, to receive said State aid. He shall, on or before the 15th day of August of each year, prepare a list of high schools, designating the group to which each belongs, the amount of said State aid to which each is entitled, and to whom same should be paid. The preparation of said list shall be based on information obtained through the annual inspection, written reports of the principal or county superintendent, or other reliable sources. The superintendent's report of such schools shall be submitted to the State board of education for approval, and when approved, said board shall certify same to the comptroller of the treasury, on or before the first day of October of each year, and said comptroller of the treasury shall issue his warrant upon the treasurer of the State in equal quarterly instalments in each and every year at the time when the public school tax is now or may hereafter be, distributed, payable to the order of the treasurers of the respective boards of county school commissioners, or the board of commissioners of public schools of Baltimore city, for such sum or sums as they are entitled to receive under the provisions of this article, and shown by the certified list of high schools as aforesaid; same to be paid out of the levy for public schools, provided, however, that the apportionment authorized in this section for October 1, 1910, and January 1, 1911, shall be paid out of the ordinary receipts of the treasury; and provided further, that any high school receiving State aid, under the provisions of this article, shall forfeit its right to receive State aid under the provision of any other act or resolution of the General Assembly of Maryland, provided that nothing in this section shall be construed to repeal any appropriations made prior to the year 1872 and chargeable to what is known as the academic fund; nor shall any school now receiving an appropriation from the State lose same until such time as it should receive an appropriation under the provisions of this act.

1910, ch. 386.

123. Each high school in the first group in the counties of Maryland shall receive State aid on the basis of the cost of instruction, and in the following manner: The sum of six hundred dollars on account of the principal, and the sum of \$300 on account of each of the first three assistants employed for regular high school work; the sum of \$400 on account of each of two special teachers, who shall spend not less than two-fifths of their time in the school receiving said amounts; and the sum of \$100 on account of each additional regular grade teacher, provided the total amount does not exceed the sum of \$2500. In this article the term special teacher shall be construed to mean a teacher of commercial, manual training, domestic science or agricultural branches. Each high school in the counties of Maryland of the second group shall receive State aid on the basis of the cost of instruction, and in the following manner: The sum of \$600 on account of the principal; the sum of \$400 on account of one assistant teacher employed for regular high school work; and the sum of \$400 on account of the instructor of special subjects to be designated by the county school board; provided that if an instructor in manual training or agricultural work be required to divide his or her time among not more than four schools of this group, \$150 shall be allowed on account of each of such schools; provided also that the amount to be received by each of the four high schools of Baltimore city shall be equal to the maximum amount received on account of any high school in the counties of the State; provided further, that the board of county school commissioners of each county shall submit annually to the county commissioners of their respective counties, at least thirty days prior to the date for making the usual county levy for school purposes, a list of all high schools of the county, including those not entitled to State aid, as well as those classified in this article, and an itemized statement of the estimated cost of maintaining same, and the said boards of county commissioners shall make a separate levy for high schools, publishing same once a week for three successive weeks prior to date of making said levy, in one or more county papers.

1910, ch. 386.

123A. All certificates or diplomas issued to students having completed a course of study in a high school of the counties of Maryland shall show the group to which said high school belongs, the course taken by the student, and the number of years of instruction given, and the graduates of any approved high school providing a four years' course shall be admitted without examination to the freshman class of any college of Maryland receiving financial aid from the State.

1910, ch. 386.

123B. The State board of education shall prepare the course of study to be used by the several groups of high schools described in this article, and have authority to make any by-law for their government not at variance with the provisions of this article.

1908, ch. 635.

122E. Any graduate of the department of pedagogy, of any reputable college or university, maintaining a department of pedagogy that has been approved by the State board of education of Maryland, shall be entitled to teach in the public elementary or high schools of the State of Maryland without examination. The diploma of said graduate shall be rated as a first grade teacher's certificate and be subject to classification by the county superintendent of the county in which said graduate may be employed to teach.

Note.—Section 122E is placed out of its numerical order on account of continuity of subject-matter.

CHAPTER 18—*Schools for Colored Children.*

1904, ch. 584.

124. It shall be the duty of the board of county school commissioners to establish one or more public schools in each election district for all colored youths, between six

and twenty years of age, to which admission shall be free, and which shall be kept open as long as the board of county school commissioners shall determine; provided, the colored population of such district shall warrant said board in establishing said schools.

1874, ch. 463.

125. Each colored school shall be under the direction of a special board of school trustees, to be appointed by the board of county school commissioners, and shall be subject to the same laws for its government and furnish instruction in the same branches as the schools for white children.

1904, ch. 534.

126. The comptroller shall not apportion any separate fund for the colored schools; but colored schools shall be supported and maintained from the general school fund, the apportionment of which shall be hereinafter provided for.

1872, ch. 377.

127. The total amount of taxes paid for school purposes by the colored people of any county, or in the city of Baltimore, together with any donations that may be made for the purpose, shall also be devoted to the maintenance of the schools for colored children.

CHAPTER 19—*Sources of Income.*

Note.—The acts of 1910 make the following provisions for the support of schools for the years of 1911 and 1912:

128. The county commissioners of the several counties and the mayor and city council of Baltimore are directed to levy a State tax, for the years of 1911 and 1912, of sixteen and one-eighth cents on each one hundred dollars to aid in the support of public schools, to be distributed

according to law among the several counties and the city of Baltimore. The following sums of money are hereby appropriated for the system of free public schools (white and colored) in the several counties and the city of Baltimore, and for the State normal schools, the State board of education, superintendent of public education, assistant superintendent of public education, clerk to the State board of education, the Maryland State normal school, Baltimore; State normal school No. 2, at Frostburg; State normal school No. 3, for colored students; retired teachers' pensions as provided by chapter 605 of the acts of 1908, for the purchase of free text-books, and for the aid of approved high schools, the sum of one million four hundred and fifty thousand dollars, or whatever sum may be paid into the treasury on account of the tax for public schools; provided, however, that the appropriations for all of the foregoing purposes mentioned in this subtitle "schools" shall be paid out of the receipts from the public school tax, and shall be apportioned by the comptroller quarterly, viz: On the first day of October, the first day of January, the fifteenth day of March and the fifteenth day of June, in the proportion to which they are respectively entitled, and shall be paid by the treasurer, upon the warrant of the comptroller, quarterly, to wit: On the tenth day of October, the tenth day of January, the twenty-fifth day of March and the twenty-fifth day of June; together with the further sum of thirty-four thousand and sixty-nine dollars and thirty-six cents, to be placed to the credit of the free school fund, in accordance with the provision of the act of the December session of 1839, chapter 33, and substituted for the interest on the surplus revenue as provided in said act, and shall be apportioned and paid in the manner now provided by law; provided, however, that this sum shall also be paid out of the receipts from the public school tax; also, such sum or sums as may be received to the credit of the free school fund from the interest on stocks standing to the credit of said fund, or from other sources; for donations to colleges, academies

and schools, as set forth in acts and resolutions of the General Assembly heretofore passed, forty-four thousand five hundred dollars, or so much thereof as may be necessary; provided, however, that none of the appropriations to colleges, academies and schools shall be paid to any of said institutions, excepting to such as shall have made a full report as required by section 17 of article 77 of the code of public general laws; for the instruction of the indigent blind to be applied under the direction of the governor, in accordance with the provisions of the acts of 1868, chapter 215, as amended by the acts of 1910, twenty-one thousand dollars, or so much thereof as may be necessary.

1872, ch. 377.

129. The treasurer, on the warrant of the comptroller, shall pay to each of the counties and the city of Baltimore the proportion of the free school fund to which such city or county is entitled under the apportionment to be made by the comptroller, as hereinafter provided; and he shall pay the same to the treasurer of the board of school commissioners of Baltimore city and the several counties; and the several colleges and academies shall respectively receive the donations granted to them by any laws or resolutions of the General Assembly, subject to the conditions annexed thereto.

1902, ch. 306.

130. As soon as the comptroller shall have received from the city of Baltimore and the several counties returns to the amount of the State school tax levied in each county and the city of Baltimore, he shall immediately thereafter apportion the amount of the whole levy to the several counties and the city of Baltimore, in proportion to their respective population between the ages of five and twenty years.

1904, ch. 584.

131. On the first day of January, the fifteenth day of March, the fifteenth day of June, and the first day of Oc-

tober, in each year, the comptroller shall apportion the amount of school tax received by the treasurer among the several counties and the city of Baltimore, in proportion to the whole amount apportioned to each by the comptroller; and he shall notify the State board of education and the treasurer of the several boards of county school commissioners of the counties and the city of Baltimore, on the several days aforesaid; and the treasurer shall pay the several amounts within ten days after said notification, upon the draft of the president and secretary of the several boards of county school commissioners aforesaid; provided, also, that if in any county the schools shall be kept open less than nine months of the year ending December 31, or any white teacher regularly employed receiving an annual salary of less than three hundred dollars, as hereinbefore provided for, the comptroller shall withhold from said county the March instalment of the State school tax; that the provisions of this section shall apply to Garrett county only in so far as to oblige that county to keep its schools open seven and one-half months, and pay its teachers a minimum salary of two hundred dollars per year.

1904, ch. 584.

132. In making the apportionments required by the preceding section, it shall be the duty of the comptroller to equalize as far as may be possible the sums to be apportioned, so as to apportion and distribute the same amount, as far as may be practicable, on each of said days; and until otherwise expressly directed by law, the comptroller shall charge to said fund and pay therefrom the annual appropriations that have been or may hereafter continue to be made for said State normal schools; and also the appropriation for the colored normal school; the salary of the State superintendent of public education; the salary of the clerk of the State superintendent of public education, and the expenses of the State board of education.

1872, ch. 377.

133. When the levy of any year shall have been collected the comptroller shall apportion among the several counties and the city of Baltimore the amount allowed on the levy for insolvencies and abatements, and shall transmit a statement of the same to the State board of education.

1882, ch. 429.

134. The treasurer, upon the warrant of the comptroller, shall annually pay, on the first day of April, to the school commissioners of Anne Arundel county, the sum of four hundred dollars as an academy fund, in addition to the apportionment now received by them for such purpose; the said sum, when received by said commissioners, to be paid to the trustees of "Anne Arundel county academy."

CHAPTER 20—*Colored Industrial Schools.*

1910, ch. 210.

139. It shall be the duty of the board of county school commissioners of each county in this State, whenever a suitable building or room, or rooms, connected with one of the colored schools of said county shall be provided by the county, to accept the same, if, in the judgment of the board of county school commissioners, there is any necessity therefor, and thereafter to provide for the maintenance of such colored industrial school or schools where instruction shall be given daily in domestic science and such industrial arts as may be outlined by the county school board, and a part of the appropriation—about one-half—to be hereinafter provided shall be used for maintaining such a department or school.

1910, ch. 210.

140. Whenever any such colored industrial school is opened in any county the president and secretary of the board of county school commissioners of said county shall

report the fact to the secretary of the State board of education, and the State board of education shall, without delay, proceed to appoint a proper person, well qualified for such inspection, to visit the said school and give a certificate of approval of its condition and the plan upon which it is conducted to the said State board of education on or before the tenth of September following the inspection; and said colored industrial school shall be inspected annually thereafter by the State superintendent of public education, or by some person to be designated by him, and the result of such inspection shall be submitted to the State board of education not later than the fifteenth day of July of each year. The State board of education shall submit annually to the comptroller of the State on or before the twentieth day of September a list of such schools entitled to receive the special appropriation for industrial education.

1910, ch. 210.

141. The comptroller of the treasury, upon receiving the certificate of approval from the State board of education, is hereby authorized and directed to issue his warrant upon the treasurer of the State for the sum of fifteen hundred dollars, payable to the order of the treasurer of the board of county school commissioners having inaugurated such a colored industrial school and same approved by the State board of education, out of any money in the State treasury not otherwise appropriated, on the first day of October of each year; one part of said appropriation—about one-half—to be used for the support of one colored industrial school in the county, and the other part—about one-half—shall be used by the board of school commissioners of the county where said colored industrial school is located, for the employment of a capable and trained supervisor of colored schools, who shall be required to visit, under the direction of the county superintendent, all the colored schools of the county as often as said county superintendent may direct, and cause instruction of an industrial character to be made a daily

part of the work of every colored school. The management and control of such an industrial school and the employment of a supervisor shall be in the hands of the board of county school commissioners of the county where such school is located.

1910, ch. 210.

143. No appropriation for the full amount of fifteen hundred dollars, hereby authorized for the support of one central colored industrial school and for the employment of a colored school supervisor in such county where the colored industrial school may be located, shall be paid as authorized after the first annual appropriation, unless said colored industrial school shall have had for the preceding year an average attendance of thirty pupils and as many as ten colored schools in the county where such industrial school is located. If in any county where there are less than ten colored schools, a colored industrial school shall be established, the State board of education, in its discretion, may recommend the payment of a part of said appropriation, not to exceed one-half the amount, or seven hundred and fifty dollars; and when such recommendation is made to the comptroller, he is authorized and directed to issue his warrant upon the treasurer for said amount, provided it does not exceed one-half of the whole appropriation.

1910, ch. 386.

144. The superintendent of public education shall supervise and inspect the work of industrial and agricultural training done in the several counties of the State under the provisions of this article; collect all necessary statistics pertaining thereto, and annually, on or before the 20th day of August of each year, certify to the comptroller the names of such counties as shall have complied with the provisions of this article relating to such training; and upon the receipt of said certificate from the superintendent of public education, but not otherwise, the

comptroller shall draw his warrant upon the treasurer, payable to the order of the treasurer of the board of county school commissioners of the county so certified as entitled to receive the same, for the full amount of money so certified to be due to such county under the provisions of this article; and the superintendent of public education shall, on or before the 20th day of August of each year, submit to the State board of education a full report of all matters pertaining to industrial and agricultural training in such counties, and attach thereto a copy of the certificate filed by him with the comptroller.

1910, ch. 386.

145. The several boards of county school commissioners are hereby authorized to make manual training, domestic science and agriculture a part of the course of instruction in any of the schools of their respective counties that they, in their judgment, may think advisable, provided that said instruction shall conform to the course prescribed by the State board of education.

1910, ch. 386, sec. 2.

144A. *Be it further enacted,* That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed in so far as they are at variance herewith, provided that nothing in this act shall be construed to repeal the provisions of sections 16, 17 and 18 of chapter 275 of the acts of 1896 applying to the Annapolis public and high schools; and providing further that nothing in this act shall be construed to repeal the annual appropriation of \$1500 for the maintenance of manual training in Charles county, payable to the trustees of the McDonough Institute.

Farmers' Institutes.

1896, ch. 102.

146. A department of "farmers' institutes" shall be established for the State of Maryland; the purpose of these institutes shall be to bring before the farmers of the

State such information as will effectually remedy many of the existing evils now prevalent in every department of agriculture as now pursued in Maryland; and at said institutes, men competent to instruct shall be present, and such topics shall be discussed as pertain to the principal agricultural interests of the several sections.

1896, ch. 102.

147. One such institute shall be held in each year in each county of the State, and an additional one in each county, if deemed necessary and desirable.

1896, ch. 102.

148. Said institutes shall be under the direction of a director, to be appointed by the trustees of the Maryland agricultural college, who shall be a person well versed in the profession of agriculture, and of practical experience, whose title shall be "director of farmers' institutes," whose salary shall be fixed by said board of trustees and paid out of the appropriation hereinafter provided, and whose duties shall be defined by said board; the said institutes shall be a department of said college similar to the experiment station; all expenses of said institutes shall be paid out of said appropriation; and said board of trustees is invested with all powers necessary to carry into effect the provisions of this subtitle, but no expenses shall be incurred beyond the amount appropriated.

1904, ch. 557.

149. The sum of six thousand dollars per annum is hereby appropriated for the formation and support of farmers' institutes in this State; and the comptroller is hereby authorized to issue his warrant annually upon the treasurer for the said sum of money out of any fund not otherwise appropriated; the said sum shall be payable to the order of the Maryland agricultural college on or after the first of October of each fiscal year, and the first yearly payment shall be made during the fiscal year ending September 30, 1904.

1896, ch. 102.

150. Accurate accounts of the expenditures of the money received under this subtitle shall be kept by the registrar of the Maryland agricultural college separate from the general college accounts; and an itemized and detailed report of such expenditures shall be made annually and published in such manner as the board of trustees of the Maryland agricultural college shall direct.

School Attendance.

Note.—The provisions of sections 151-165 apply only to Baltimore city and Allegany county.

1902, ch. 269.

151. Every child between eight and twelve years of age shall attend some day school regularly as defined in section 158 of this subtitle during the entire period of each year the public day schools in the city or county in which such child resides are in session, unless it can be shown that the child is elsewhere receiving regularly thorough instruction during said period in the studies usually taught in the said public schools to children of the same age; provided, that the superintendent or principal of any school, or person or persons duly authorized by such superintendent or principal, may excuse cases of necessary absence among its enrolled pupils; and provided, further, that the provisions of this section shall not apply to a child whose mental or physical condition is such as to render its instruction, as above described, inexpedient or impracticable. Every person having under his control a child between eight and twelve years of age shall cause such child to attend school or receive instruction as required by this section. Children over twelve years of age and under the age of sixteen years, and every person having under his control such a child, shall be subject to the requirements of this section, unless such children are regularly and lawfully employed to labor at home or elsewhere.

1902, ch. 269.

152. Any person who has a child under his control and who fails to comply with any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and be fined not exceeding five dollars for each offense.

153. Any person who induces or attempts to induce any child to absent himself unlawfully from school, or employs or harbors while school is in session any child absent unlawfully from school, shall be deemed guilty of a misdemeanor, and be fined not more than fifty dollars.

1902, ch. 269.

154. The board of school commissioners of Baltimore city and the board of county school commissioners for Allegany county shall appoint, and may remove at pleasure, persons to be known as attendance officers. The number to be appointed for the city of Baltimore shall not exceed twelve, and the number for said county shall not exceed three. Their compensation shall be fixed and paid by the county commissioners of Allegany county, or the mayor and city council of Baltimore, as the case may be.

1902, ch. 269.

155. It shall be the duty of each attendance officer, and he shall have full power, within the city or county for which he may be appointed, to arrest without warrant any child between eight and sixteen years of age found away from his home and who is a truant from school, or who fails to attend school in accordance with the provisions of this subtitle. He shall forthwith deliver a child so arrested either to the custody of a person in parental relation to the child or of the teacher from whose school such a child is then a truant; but if the child be a habitual or incorrigible truant, he shall bring him before a justice of the peace for commitment by him to a "parental school," as provided for in the next section, or to some other institution to which disorderly children may

be committed. The attendance officer shall promptly report every such arrest, and the disposition made by him of the child so arrested to the school commissioner's of the said city or county, respectively, or to such person or persons as they may direct.

1908, ch. 241.

156. The mayor and city council of Baltimore, and the several boards of county commissioners may establish schools, to be known as parental schools, for children between eight and sixteen years of age who are habitual truants from school or from instruction. They may also provide for the confinement, maintenance and instruction of such children in such schools, for such period and under such rules and regulations as they may prescribe. Justices of the peace may commit such children to such parental schools, but no person convicted of any crime, or of any offense other than truancy, shall be committed thereto.

1902, ch. 269.

157. It shall be the duty of the police commissioners of Baltimore city, at the same time that the census of legal voters in said city is taken under their direction, as provided by section 18 of article 33 of the code of public general laws, also to cause to be made by the members of the force under their control, annually, a separate record of the full name, age, color and sex of every child between six and sixteen years of age in each precinct of the said city, and the place where, and the year and month when such children last attended school, together with the name and address of the parents, guardians or persons in parental relation, and of employers of such children, which record shall be furnished by said police commissioners to the board of school commissioners of Baltimore city; whosoever has under his control a child between said ages and withholds information in his possession from any officer demanding it, relating to the items aforesaid, or makes

any false statement in regard to the same, shall be deemed guilty of a misdemeanor, and be fined not more than twenty dollars.

1902, ch. 269.

158. It shall be the duty of the principal or head teacher of every public or private school in Allegany county and Baltimore city to report immediately to the school commissioners of said county or of Baltimore city, if located therein, or to an attendance officer or other official designated by such commissioners, the names of all children enrolled in his or her school who have been absent or irregular in attendance three days, or their equivalent, without lawful excuse, within a period of eight consecutive weeks.

1902, ch. 269.

163. In any city or county where attendance officers may have been appointed, it shall be the duty of the school commissioners to designate an attendance officer, who shall once or more frequently in every year examine into the situation of the children employed in such mills and factories in said city or county, and to ascertain whether all the provisions of this subtitle are duly observed and report all violation thereof to the grand jury of the said city or county.

1902, ch. 269.

164. Attendance officers may visit all establishments where minors are employed in said city or county and ascertain whether any minors are employed therein contrary to the provisions of this subtitle. Attendance officers may require that the certificates provided for in this subtitle of minors employed in such establishments shall be produced for their inspection.

1902, ch. 269.

165. Any person violating any provision of this subtitle, where no special provision as to the penalty for such

violation is made, shall be deemed guilty of a misdemeanor, and be fined not exceeding fifty dollars for each offense; provided, however, that the provisions of this act shall be restricted to the city of Baltimore and Allegany county.

1906, ch. 236.

166. Every deaf or blind child between six and sixteen years of age shall attend some school for the deaf or blind for eight months, or during the scholastic year, unless it can be shown that the child is elsewhere receiving regularly thorough instruction during the said period, in studies usually taught in the said public schools to children of the same age; provided, that the superintendent or principal of any school for the deaf or blind, or person or persons duly authorized by such superintendent or principal, may excuse cases of necessary absence among its enrolled pupils; and provided, further, that the provisions of this section shall not apply to a child whose physical condition is such as to render its instruction, as above described, inexpedient or impracticable. Every person having under his or her control a child between six and sixteen years of age shall cause such child to attend school or receive instruction as required by this section.

1906, ch. 236.

166A. Provided that where the parent, guardian or any other person having control of a deaf or blind child, is not financially able to pay for the transportation of the child to and from such school, the same shall be paid out of the State appropriation for the school which the child attends; provided, that three reputable male citizens over the age of twenty-one years, residents of the school district in which the said child resides, shall certify under oath that to the best of their knowledge and belief the parent, guardian, or other person having control of such child is not financially able to pay the expense of the child to and from school.

1906, ch. 236.

167. Any person who has such a child under his or her control, and who fails to comply with any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before a justice of the peace, be fined a sum not exceeding five dollars for each offense.

1906, ch. 236.

168. Any person who induces or attempts to induce any deaf or blind child to absent himself or herself unlawfully from school, or employs or harbors any such child absent unlawfully from school, while said school is in session, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before a justice of the peace, be fined a sum not exceeding fifty dollars for each offense.

1906, ch. 236.

168A. The principal teacher of every public school in the counties and the truant officers of the city of Baltimore shall, within thirty days from the beginning of the school year succeeding the passage of this subtitle, shall furnish the board of county school commissioners, or the board of education of Baltimore city, as the case may be, with the names of all children who are deaf, blind or feeble-minded, between the ages of six and sixteen years, inclusive, living within the boundaries of his or her school district who do not attend school. And the board of county school commissioners, or board of education of Baltimore city, shall certify forthwith the names of all such deaf, blind or feeble-minded children to the respective principals of the State schools for such children.

Miscellaneous.

1904, ch. 584.

169. Wherever the word "examiner" occurs in this article it shall be construed to mean "county superintend-

ent;" and wherever the words "assistant examiner" occur they shall be construed to mean "assistant county superintendent."

1872, ch. 377.

170. Schools on or near the dividing line of two counties shall be free to the children of each county; and the board of county school commissioners of the respective counties shall have power to provide jointly for the maintenance of said schools.

1872, ch. 377.

171. Real and personal estate granted, conveyed, devised or bequeathed for the use of any particular county or school district, shall be held in trust by the board of county school commissioners for the benefit of such county or school district, and such grants and bequests shall be exempt from all State and county taxes.

1872, ch. 377.

172. Moneys invested in trust for the benefit of the public schools of any county or city shall be exempt from State, county or local tax.

1906, ch. 217.

172A. The assent of the State of Maryland is given to the purposes of the grant made by act of congress, approved March 2, 1887, of the first session of the fifty-ninth congress, and the Maryland agricultural experiment station, a department of the Maryland agricultural college, is designated as the institution entitled to receive the moneys appropriated for Maryland, and the treasurer of the said institution is designated as the proper person to receive the said appropriations.

1906, ch. 217.

172B. The assent of the State of Maryland to the grants of money for the purposes, upon the terms and in accordance with the several conditions and provisions contained

in section 172A is hereby signified and expressed, and the secretary of the State is directed to transmit a certified copy of said section to the treasurer of the United States and to the secretary of agriculture of the United States.

Maryland Agricultural College.

1904, ch. 537.

173. The board of trustees of the Maryland Agricultural College shall be constituted as follows: There shall be eighteen trustees, five of whom shall be elected by a majority of the private stockholders of said college, in the manner now provided by law, and the following six named persons shall represent the State interest in said board, namely, the governor, comptroller, treasurer, president of the senate, speaker of the house of delegates, and the attorney-general; and the United States secretary of agriculture shall be *ex-officio* one of said board, and one person from each of the congressional districts of this State who shall be a practical farmer, or immediately interested in agricultural pursuits, who shall be appointed by the governor, by and with the consent of the senate, to be classified as follows: Two for the term of two years, two for the term of four years, and the remainder for the term of six years, all to date from the first day of February, 1888, and thereafter the term of all such appointments shall be for the term of six years, except that appointments to fill vacancies occurring otherwise than by expiration of term, shall be only for the unexpired portion of the term so vacated.

FREE SCHOLARSHIPS.

ST. MARY'S FEMALE SEMINARY, ST. MARY'S COUNTY.

1898, ch. 379.

174. One scholar shall be taken from each of the counties and each of the three legislative districts of Baltimore city; and shall be selected by the county superintendent and boards of county school commissioners of the respective counties, and the board of commissioners of public schools in Baltimore city, for the four legislative districts of said city, respectively, without recourse to a competitive examination, so that the most worthy and charitable may be selected; each pupil as selected to remain for the space of three years, if not dismissed by the trustees.

ST. JOHN'S COLLEGE, ANNAPOLIS.

1878, ch. 315.

175. One scholar from each senatorial district of the State shall be educated free of charge for tuition, board, fuel, lights and washing, and shall be appointed by the board of county school commissioners of the several counties and city of Baltimore, by and with the advice and consent of the senator in their respective counties and senatorial districts, after a competitive examination of the candidates for such appointments, who shall produce before the said commissioners satisfactory evidence of their moral character, and of their inability or the inability of their parents or guardians to pay the regular college charges; provided, that no one of the said appointments shall be held by the same student for more than four years, unless the time of holding such appointment be extended by the faculty of the college, and that each student receiving such appointment shall pledge himself upon entering the college that he will continue a student thereof

for the full term of four years, unless prevented by unavoidable necessity, and that he will teach school within the State for not less than two years immediately after leaving college, or as soon thereafter as may be practicable.

WESTERN MARYLAND COLLEGE. WESTMINSTER.

1898, ch. 106.

176. One male student from each senatorial district of the State shall be educated free of charge for tuition, board, fuel, lights and washing, and shall be appointed by the school commissioners in said senatorial district, by and with the advice and consent of the senator in their respective senatorial districts after a competitive examination of the candidates; provided, that the said appointment shall not be held by the same student for more than four years, and that each student receiving such appointment shall give his bond to the State of Maryland for such amount, with such security as may be approved of by the president of said college, that he will teach school within this State for not less than two years after leaving college.

1898, ch. 106.

177. One female student from each senatorial district of this State shall be educated free of charge for board and tuition, and shall be appointed by the school commissioners in said senatorial district, by and with the advice and consent of the senator in their respective senatorial districts, after a competitive examination of the candidates; provided, that the said appointment shall not be held by the same student for more than four years, and that each student receiving such appointment shall give bond to the State of Maryland for such amount, with such security as may be approved by the president of said college, that she will teach school within the State for not less than two years after leaving college.

MARYLAND INSTITUTE, BALTIMORE CITY.

1902, ch. 512.

178. One free scholar shall be received from each county of the State and one from each legislative district of Baltimore city to be selected by the school commissioners of the counties and Baltimore city, respectively.

WASHINGTON COLLEGE.

1906, ch. 204.

181. The visitors and governors of Washington College may, in their discretion, and in accordance with the provisions of sections 11 and 12 of the original act of incorporation, of which this act is intended to be a supplement, authorizing the issuing to the graduates of this department who may have satisfactorily completed the prescribed course, and who have attained the age which is now or may be hereafter prescribed for teachers, under the public school law of Maryland, a certificate which, when signed by the State board of education, shall authorize the said graduate to teach for one year from the date thereof in any of the public schools of the State, established under the authority of the public school law of Maryland, and which said certificate, at the expiration of one year, upon the recommendation of any county superintendent of public schools, under whose supervision the graduate may have taught for eight months, shall become a permanent diploma, authorizing the holder thereof to teach in any of the public schools of the State, subject to the approval and regulation of the State board of education, in the manner governing diplomas issued by the other State normal schools of this State.

1896, ch. 188.

182. The visitors and governors of this college shall supply free tuition and books in the normal department to one indigent female student from each county of the Eastern Shore of Maryland, and such student shall present a certificate of appointment from the board of county

school commissioners of the county from which she comes, and that she is a graduate of a public school, and that she enters the college for the purpose of qualifying herself for a teacher in the public schools, and that she intends to engage in teaching within this State; and she shall sign an agreement to pay said college the sum of twenty-five dollars for each session she attends the normal department of said college, should she fail to teach in the public schools of this State, after having received a normal school education at said college.

1896, ch. 188.

183. Any female graduate of any public school on the Eastern Shore of Maryland shall have the privilege of competing for appointment to said scholarship by filing her written application to the board of county school commissioners for such appointment, together with a certificate that she is a graduate of a public school of that county, and that she desires such scholarship for the purpose of qualifying herself for a teacher in the public schools, and her intention to engage in the profession of teaching within this State; and in case any such scholar should, after having received such normal school education, fail to fulfill the conditions upon which she was admitted, she shall forfeit and pay the sum of twenty-five dollars for each session she attended the normal department of said college, to be collected as other debts are collected, and to be applied for the benefit of the normal department of said college.

1898, ch. 293.

184. That the visitors and governors of Washington College are authorized and directed to supply free tuition and free books to one male or female student from each and every county on the Western Shore of the State of Maryland, either in the normal or collegiate department of said college.

1898, ch. 293.

185. Students wishing to secure the benefit of this act shall file a written application for such scholarship with the board of county school commissioners of which county he is a resident, together with a certificate of his or her good physical health and good moral character; and said board of county school commissioners shall cause all such applicants to be examined on such subjects or studies as the principal of Washington College may suggest, and shall make the appointment after such competitive examination is held, and shall certify such appointment to the principal of said college in writing.

1910, ch. 542, sec. 2.

185A. The sum of forty-five hundred dollars is annually appropriated to Washington College, payable to said college upon the warrant of the comptroller in quarterly instalments on the first day of January, April, July and October of each year, in consideration of which appropriation the visitors and governors of said college shall educate free of charge for board, room rent, tuition and text-books, one male student from each senatorial district of the Western Shore, who shall be appointed by the school commissioners in each said senatorial district by and with the advice and consent of the senator in said district, after a competitive examination; provided, that the appointment shall not be held by the same student for more than four years and that each student receiving such appointment shall give his bond for such amount and with such security as may be approved by the president of said college that he will teach school within the State of Maryland for not less than two years after leaving college.

CHARLOTTE HALL SCHOOL.

1898, ch. 321.

186. Charlotte Hall School shall receive and give board and tuition, free of charge, to at least one student from each legislative district of the State during each scholas-

tic year after the first day of September, in the year 1898, all such students to be received subject to the rules and regulations of said school, and subject to dismissal therefrom for cause, in the discretion of the board of trustees thereof.

1898, ch. 321.

187. On or before the first day of September, in the year 1898, the several boards of county school commissioners shall each select one student from their respective counties, and the board of commissioners of public schools of the city of Baltimore shall select one student from each legislative district of Baltimore city, all such selections to be made by competitive examinations from among the youths who reside in the legislative districts for which they are respectively chosen, and who are or have been students in the public schools of such district, and the students so selected shall be entitled to the scholarships above provided for in Charlotte Hall School for terms of three years; and when the terms of such appointee, or any of them, have expired, or for any cause a vacancy occurs, or vacancies occur, in said scholarships, said respective boards shall in like manner and from like classes choose other students to fill such vacancy or vacancies.

State Normal School No. 3.

1908, ch. 599.

189. There shall be located in the city of Baltimore or elsewhere (if the board of education deem best), a State normal school for the instruction and practice of colored teachers in the science of education, the art of teaching and the mode of governing schools, to be known as State normal school No. 3; the said school shall be under the control of the State board of education, who shall appoint the principal and necessary assistants; and the faculty shall consist of a principal and as many teachers as the board shall appoint. The sessions of the school shall be determined by the State board of education, who shall

prescribe the curriculum of study, which, however, shall include courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts, provide necessary quarters, supplies and apparatus, fix the qualification for admission as students, the salary of the principal, assistant teachers and employes.

190. And be it enacted that the sum of five thousand dollars, or so much thereof as may be necessary, be and the same is hereby annually appropriated for the support of said school, "to be paid out of the appropriation for the system of free public schools."

ARTICLE XLIII.

(CODE OF 1904).

HEALTH.

31. No teacher in any of the public schools of this State shall receive into such school, as a pupil, any person who has not been successfully vaccinated; and it shall be the duty of all teachers in the public schools, within ten days after the beginning of the fall term of said schools, and thereafter as new pupils shall enter such school, to ascertain and enroll on the vaccine register of said school the names of those pupils who may produce a certificate of a regular practicing physician of the county or city, as the case may be, certifying that the pupil has been successfully vaccinated, and also the names of those pupils who have been enrolled at any previous term in any school of the county or in the city of Baltimore, as the case may be, as successfully vaccinated pupils, whenever any such pupil shall present a certificate of such enrollment from the teacher of any such school. If any person shall apply for admission as a pupil in any of the public schools of this State who has not been successfully vaccinated, the teacher shall give the parents or guardian or other person having control of such pupil an order directed to any physician in the county or city, as the case may be, and requiring any regular physician to whom it may be pre-

sented to vaccinate such pupil and return a certificate of such vaccination when successful to the teacher giving such order. The county commissioners of the several counties and the mayor and city council of Baltimore city, as the case may be, shall pay or cause to be paid to the physician performing the service on such order the sum of fifty cents for every such successful vaccination on the presentation of the order and certification of the teacher that such vaccination has been performed; provided, that in the counties or in the city of Baltimore, when vaccine physicians are appointed or contracts made with certain physicians by the proper authorities for the vaccination of all children or persons who may apply free of charge to the person applying, the provisions of this section providing for the payment of physician's certified orders of teachers shall not apply. Any teacher neglecting or refusing to comply with the provisions of this section shall, on conviction thereof, before any justice of the peace having jurisdiction over said offense, be fined ten dollars for each and every offense. And no public school trustee or commissioner shall grant any permit to any person who has not been successfully vaccinated to enter as a pupil any public school under the same penalty.

Act Providing for Maryland State Normal School Building Commission.

1910, ch. 325.

An act to provide for the appointment of a commission to select and obtain an option upon a lot of land in the vicinity of Baltimore or elsewhere in this State, and for the preparation of tentative plans and estimates for the erection thereon by the State of Maryland of suitable buildings to be used by the Maryland State normal school, now located in the city of Baltimore, and to provide for an appropriation of money therefor.

Section 1. Be it enacted by the General Assembly of Maryland, That a special commission be and the same is hereby constituted, to be known as "The Maryland State Normal School Building Commission." Said commission to consist of the governor of the State, the comptroller of the treasury, the State treasurer, the State superintendent of public education, the principal of the Maryland State normal school, Honorable J. Charles Linthicum, Honorable John S. Biddison, Honorable W. Mitchell Digges, and Honorable Carville D. Benson. The members of said commission shall continue in office until the work for which it is established, as herein set forth, shall have been completed; provided, however, that the governor shall have the power, in his discretion, to remove any member thereof, or to fill any vacancy caused by death, resignation, or otherwise. This commission shall meet within sixty days after the passage of this act and organize by the election of a secretary, who may be one of its members. It shall be the duty of said secretary to keep an accurate record of all acts, orders, or transactions of the commission and perform such other duties as may

be prescribed by the commission and shall receive such salary as said commission may think proper, not in excess of five hundred dollars per annum. The members of said commission, except the secretary, shall serve without compensation, and the sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the ordinary receipts of the treasury for each of the years 1910 and 1911 to defray the necessary expenses of said commission or its members in attending to their duties as such; and the comptroller is hereby authorized to draw his warrant, on the receipt of the draft of the chairman of said commission, upon the treasurer of the State in favor of the secretary of said commission for such sum or sums as may be necessary not in excess of one thousand dollars for each of the years of 1910 and 1911 as aforesaid. It shall be the further duty of the secretary to keep an accurate account of all moneys received and expended and make a report of same annually, or at such other time as the commission may direct. He shall also give bond for the safe keeping of all moneys or records belonging to the commission in such sum as said commission may require. The office or meeting place of said commission may be that of the State board of education at Annapolis, at the normal school building in Baltimore, or elsewhere.

Section 2. Be it further enacted, That it shall be the duty of the commission created by this act to select and obtain an option for the State of Maryland upon a suitable site and to have prepared tentative plans and estimates for the necessary buildings for new normal school buildings, which shall include dormitories for the students of the Maryland State normal school, now located in the city of Baltimore; and the commission is hereby given authority to perform all acts necessary to accomplish this purpose.

Section 3. The work of the commission created by this act shall be completed as soon as feasible, provided, however, that the date of completion shall not be later than

November 1, 1911, and the aggregate and total expenditure of said commission for said purpose shall not exceed, nor shall it incur any obligation for any amount in excess of, the appropriations.

Section 4. And be it enacted by the General Assembly of Maryland, That this act shall take effect from the date of its passage.

Approved the 13th day of April, 1910.

AUSTIN L. CROTHERS,
Governor.

A. P. GORMAN, JR.,
President of the Senate.

ADAM PEEPLES,
Speaker of the House of Delegates.

The above approval was with the exception of the item contained in section 1 of the above bill, to wit: "the sum of one thousand dollars or so much thereof as may be necessary is hereby appropriated out of the ordinary receipts of the treasury for each of the years 1910 and 1911 to defray the necessary expenses of said commission or its members in attending to their duties as such," which provision or item is approved to the extent of the appropriation of \$500 or so much thereof as may be necessary for the year 1910, and is disapproved to the extent of \$500 for said year, and is further disapproved with respect to the said appropriation of \$1000 for the year 1911.

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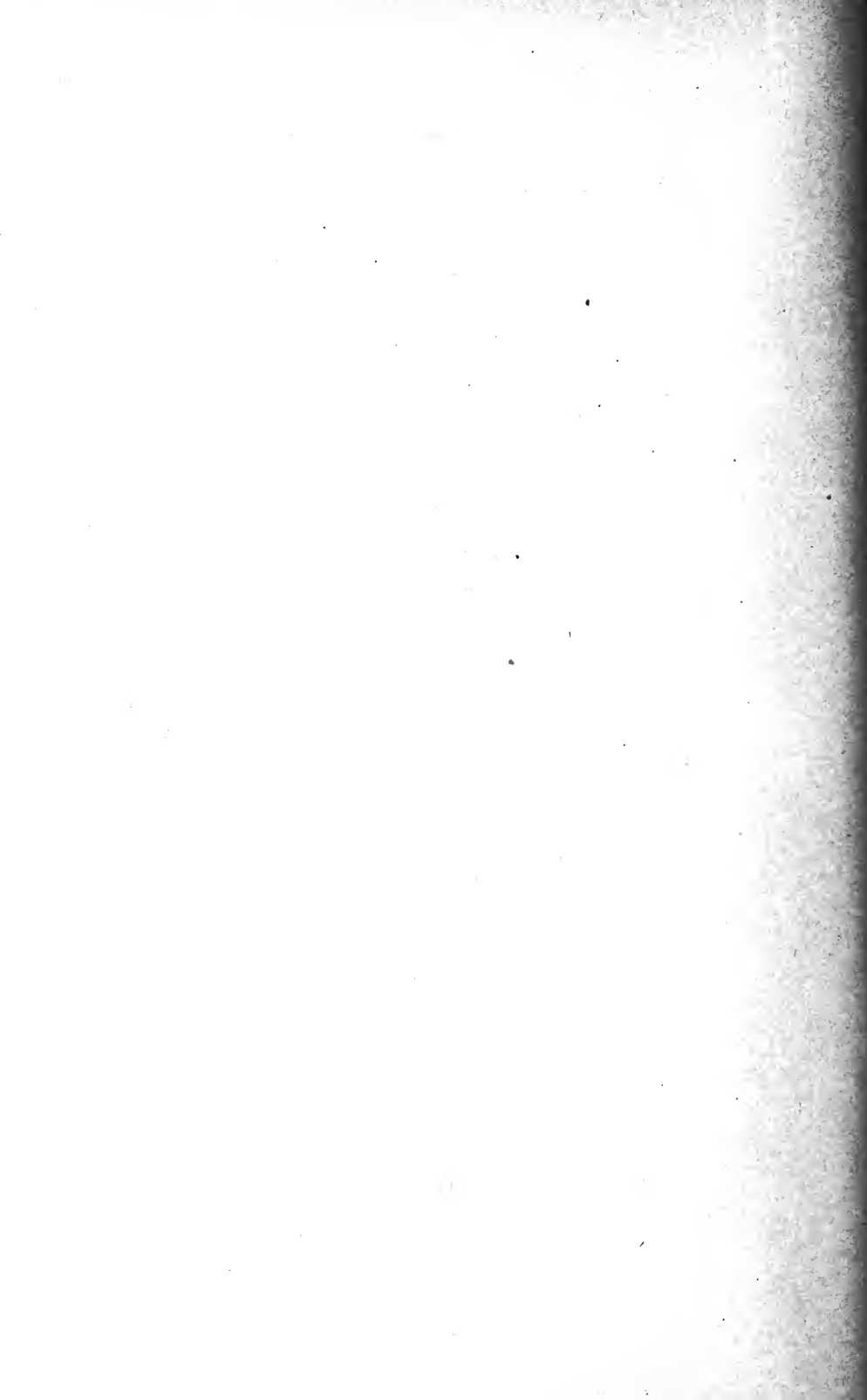
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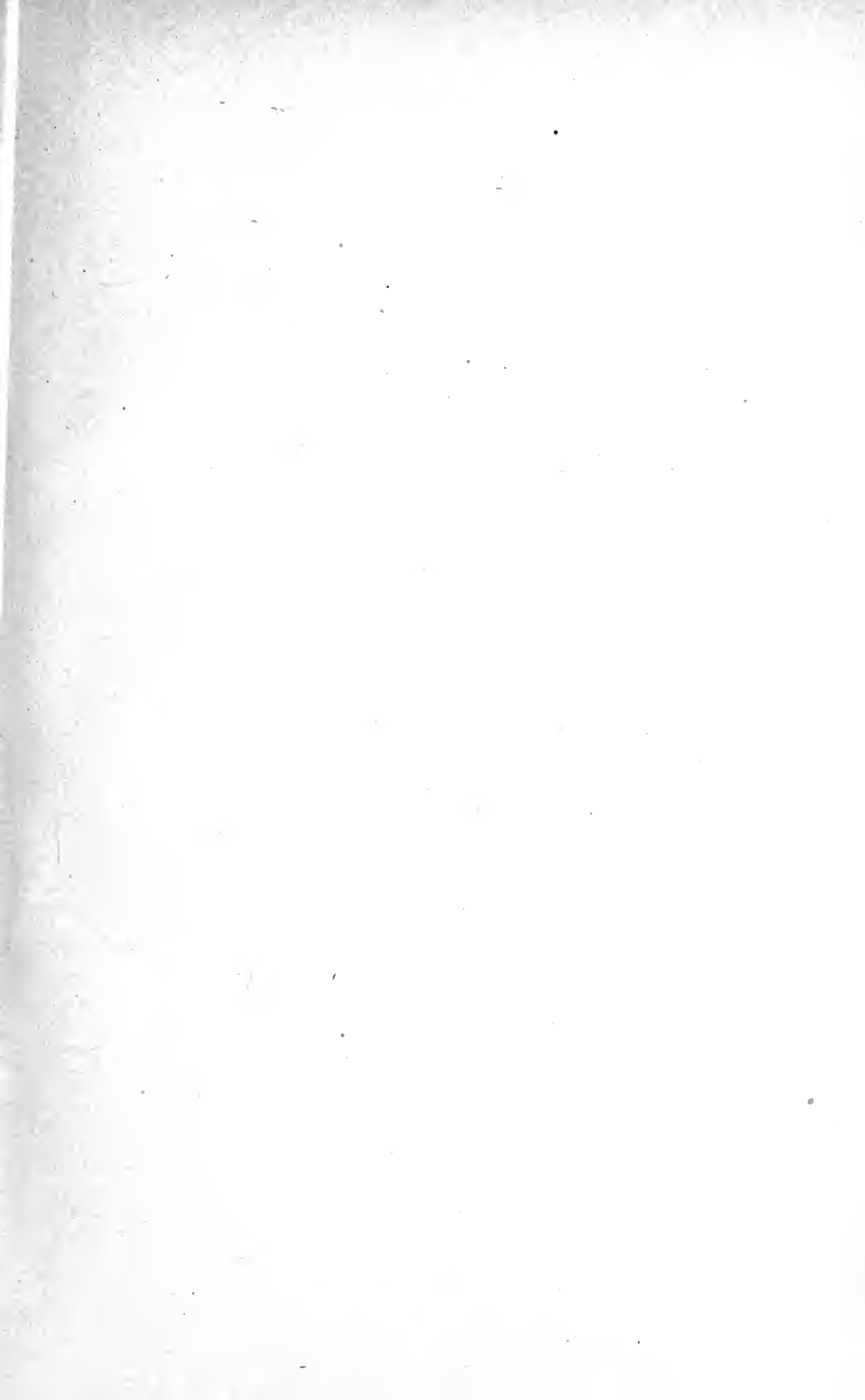
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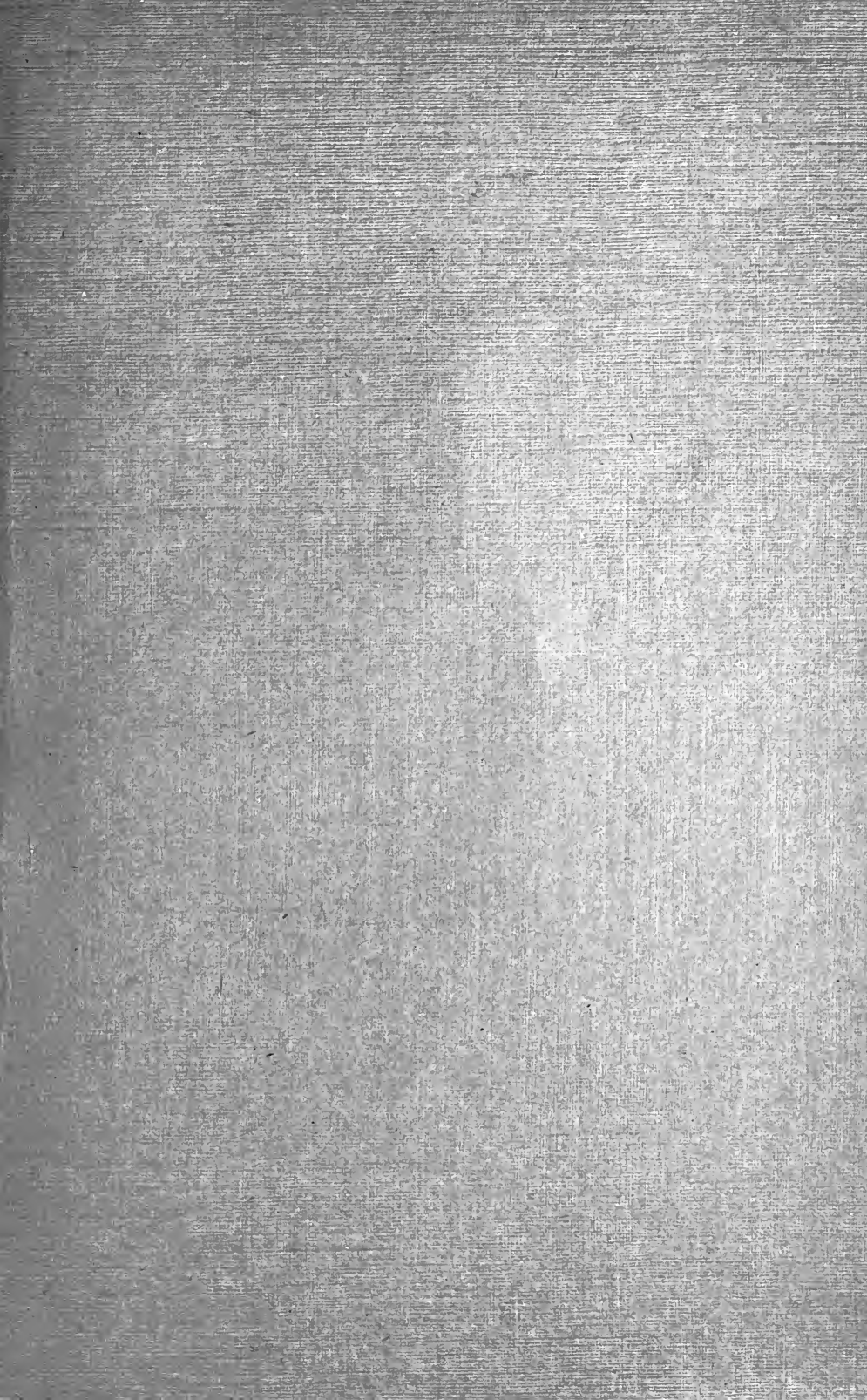
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