

CHAP. 353.

clerk of Montgomery county, and liable to be sued by the levy court for any breach of the condition thereof.

And annual report

SEC. 5. *And be it enacted*, That every commissioner shall, on or before the first Monday in June, in every year, report, in writing, to the treasurer of the school fund aforesaid, with an oath or affirmation of the truth thereof annexed, a statement of the number, names and ages of the children educated under his charge, the name of the teacher, length of time, and the branches of education, and the sums of money paid to every teacher for every child; and the treasurer of the school fund shall annually report to the General Assembly the number of children taught, their sexes, and the amount of money paid therefor.

Meetings authorized

SEC. 6. *And be it enacted*, That for the purpose of ascertaining what mode or system of education the several districts of said county may prefer, it shall be lawful for the school commissioners to call a meeting of the voters in their several districts, giving at least six weeks public notice, and to take the ballots of the qualified voters of said district, in the usual manner; and the said school commissioners shall be judges of said election, and take an oath or affirmation truly to ascertain the same; and on the said ballots shall be printed or written "common schools" or "primary schools;" and if the majority of said votes be in favor of the common schools, the same shall be continued, or if the majority be in favor of primary schools, they shall be adopted in the respective districts so choosing them.

Elections

Repealing clause

SEC. 7. *And be it enacted*, That all such parts of the act passed the thirty-first March, eighteen hundred and thirty-six, entitled, a supplement to an act, entitled, an act to provide for the public instruction of youth in primary schools throughout this State, passed December session eighteen hundred and twenty-five, chapter one hundred and sixty-two, so far as relates to Montgomery county, inconsistent with this act, be, and the same are hereby repealed.