

times, upon such items, and in such form and on such blanks as may be prescribed by the state board of education and the state superintendent of schools.

An. Code, 1924, sec. 59. 1912, sec. 29. 1904, sec. 28. 1888, sec. 25. 1872, ch. 377.
1892, ch. 341. 1898, ch. 445. 1916, ch. 506, sec. 29.

59. Each county board of education shall cause to be prepared and published annually, in the month of November, in sufficient quantities for distribution among the citizens of the county, an annual report addressed to the people of the county, covering the condition, current accomplishments and needs for the improvement of the schools, also a statement of the business and financial transactions of the board.

When a vacancy exists. If there is no vacancy, there can be no appointment. When Governor is authorized to fill a vacancy for balance of an unexpired term, such appointment is not within the state Constitution, art. 2, sec. 11, providing that commissions of officers appointed during recess of legislature, shall only continue in force until end of next session. Unless there is some law to contrary, an officer who is appointed for a definite term holds over until his successor qualifies. When an appointment is made to fill a vacancy, the appointee holds in same manner as person whose place he takes. *Ash v. McVey*, 85 Md. 126; *School Commissioners v. Goldsborough*, 90 Md. 204.

Mandamus is appropriate remedy to obtain possession of an office; powers and rights of a *de facto* officer. *School Commissioners v. School Commissioners*, 77 Md. 288.

The members of board of county school commissioners are not "civil officers" within meaning of art. 2, sec. 15, of the state Constitution, and hence, prior to act of 1900, ch. 29, they were not subject to removal by the Governor. *School Commissioners v. Goldsborough*, 90 Md. 198.

See secs. 6 and 11, and notes.

1927, ch. 607.

60. The County Board of Education of Washington County shall cause to be prepared and published annually, in the month of October, sufficient quantities for distribution among the citizens of the County, an annual report addressed to the people of the County, covering the condition, current accomplishments and needs for the improvement of the schools, also a statement of the business and financial transactions of the Board. The said Board shall also cause to be prepared in October each year for the County Commissioners of said County a detailed, itemized statement of all receipts and expenditures of said Board for the year preceding.

1933, ch. 151, sec. 59A.

61. It shall be unlawful for any member of the Board of Education in any county in Maryland or for any County School Superintendent to be interested for profit in any contract or purchase to which the Board of Education in that county is a party, and any member of such a Board or any County School Superintendent so interested shall be deemed guilty of a misdemeanor, and upon conviction thereof after indictment by the Grand Jury, shall forfeit his office as a member of the Board of Education or as County School Superintendent, and shall be subject to a fine not to exceed five hundred dollars, or imprisoned in the Maryland House of Correction for a term not to exceed one year; provided, however, that the provisions of this section shall not apply to any contract or other transaction involving the deposit of school funds in any authorized State or Federal Banking institution.