

it may be formed, shall not contain less than thirty-five legal resident voters.

CHAPTER V.

*School House Sites.*

SECTION 1. It shall be the duty of the School District Board, with the consent of the Board of County School Commissioners, to select a suitable school house site in each district whenever the necessities of the public schools demand a change of site or sites already built upon, or a new school house to be built. District Board select site.

Sec. 2. The Board of County School Commissioners may receive donations of such sites, or locations, for school houses, or of houses 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. Sites donated.

Sec. 3. When lands shall be required for the site of a school house, or for enlarging a school house lot, and the School District Board 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 buildings. Condemn sites.

Sec. 4. 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. Cost of sites.