

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.

Chapter 5. District School Trustees.

An. Code, sec. 31. 1904, sec. 30. 1888, sec. 27. 1870, ch. 311. 1872, ch. 377, sub-ch. 5, sec. 1. 1874, ch. 463. 1904, ch. 584. 1916, ch. 506, sec. 31. 1918, ch. 381, sec. 31.

60. Every District Board of School Trustees shall hold an annual meeting each year on the third Saturday in May, or as soon thereafter in May as possible. At this meeting the Board shall each year appoint one of its members as Chairman, and shall give notice of such appointment to the Secretary of the County Board of Education. Other regular meetings shall be held at least one each school term, and such special meetings shall be held as the duties and business of the Board shall require. The principal teacher of the school district shall be the secretary for the Board and shall attend all meetings of the Board except when the Board is in executive session; and shall with the consent of the majority of the members of the Board present have the right to speak upon all questions, but shall have no right to vote; shall prepare for adoption all reports required by the County Board of Education, shall keep all records and accounts; shall keep the minutes of the meetings of the Board in a record book provided by the County Board of Education, and shall conduct the correspondence of the Board. Any teacher of the school district shall have the right to appear before the Board and speak upon any question, but no teacher or principal teacher shall be entitled to be present before the said Board when the Board is in executive session.

The District Board of School Trustees shall have the power, by unanimous vote, to refuse to accept the original assignment of any teacher who is provided for in any school under the Board's jurisdiction, and upon the notification of such refusal, the County Superintendent shall name another teacher for each teacher so refused by the District Board. Provided, however, that the County Superintendent shall not be required to name more than three teachers for any one place in said school.

No teacher shall have the power to dismiss pupils or close the school during school hours unless in case of emergency without the consent of the District Board of Trustees or the County Superintendent or the County Board of Education.

A majority of the Board of School Trustees shall have the power to appoint a janitor for schools under their jurisdiction. One or more of the District Board of School Trustees may visit the schools under their jurisdiction at least one each month and consult with the teachers and principal of the school as to the progress of pupils, condition and cleanliness of the school, and the grounds belonging to same, and give such aid as in their power for the advancement of said school.

If a teacher is not confirmed by the county board, his appointment is not valid. *School Board v. Wagaman*, 84 Md. 161.

See sec. 8, and notes to secs. 8 and 11.