

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 districts; 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.

1888, art. 77, sec. 31. 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. School Houses and Sites.

Ibid. sec. 32. 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 schools demand a change of site or sites already built upon, or a new school house to be built.

Ibid. sec. 33. 1870, ch. 311. 1872, ch. 377, sub-ch. 6, sec. 2. 1874, ch. 463.

37. 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; 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.

Ibid. sec. 34. 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