

observed in their election or appointment, it shall be competent for the Board of Education to make such orders from time to time as it may deem necessary respecting the constitution of any such Trustee Corporation.

70. No Teacher while employed as such shall be a Trustee, and a continuous non-residence of six months by a Trustee shall cause the vacation of his office.

71. No Trustee shall be directly or indirectly interested otherwise than in his corporate capacity, in any contract provided for herein, except that a Trustee may, with the consent of the Inspector, contract with the Board of Trustees for the sale or purchase of a School site or buildings.

72. The Board of Trustees shall exercise all the corporate powers vested in them for the fulfilment of any contract or engagement made by them; and in case they or any of them wilfully neglect or refuse to exercise such powers, the Trustee or Trustees so neglecting or refusing shall be personally responsible for the non-fulfilment of such contract or agreement.

DUTIES AND POWERS OF TRUSTEES—

With respect to School Property.

73. It shall be the duty of the Board of Trustees, and they are hereby empowered—

(1) To acquire, take and hold for the Corporation, any real or personal property, moneys or income for School purposes, and to apply the same according to the terms on which the same were acquired or received, with power, when so authorized by the School District in annual meeting, or in meeting called for such purpose, to sell or dispose of the same, and apply the proceeds towards payment of charges against the District for purchase or erection of School property, if such charges exist:

(2) To purchase or rent lands or buildings for School purposes, contract for the erection and furnishing of School buildings, repair and keep in order and insure the buildings and furniture, procure maps, apparatus, and books, and generally to provide for all School services as authorized by the School meeting:

(3) To borrow, when authorized by the School meeting, money for the purchase or improvement of grounds for School purposes, or for the purchase or building of School houses, or for the furnishing of the same; and such amounts shall be repaid by equal yearly instalments, not exceeding seven, with any interest accruing, to be assessed upon the District; and the moneys so borrowed shall be a charge upon the District, and for money so borrowed the Board of Trustees shall have power to give certificates of indebtedness:

(4) To determine the site of the School houses, subject to the sanction of the Inspector, and when the location for the erection of a School house and necessary buildings has been so selected, ten rods at least from any dwelling house in Districts other than Cities, Towns, or Villages, and the Board of Trustees are unable to agree with the owner thereof for the purchase, they may lay out a School lot, not exceeding forty square rods, and cause the same to be appraised in manner following, that is to say:—The Trustees shall apply to a Justice of the Peace for a Warrant, who is hereby required to grant the same, directed to either the Sheriff, Deputy Sheriff, or any Constable within the County, commanding him to summon five disinterested freeholders of the County, not resident in the District, at a certain time to be named in such Warrant, to examine such land, the said Trustees, or

any one of them, to be present; and the said jury, who are to be sworn by any Justice of the Peace, shall proceed to assess the same, provided it appears to them that the Trustees had given personal notice to such owner of such inquisition, or that notice thereof had been posted in two public places of the District six days before the day of such inquisition; and shall return the amount of such assessment to the Clerk of the Peace, and on payment or tender of such damages the Board of Trustees may take and hold such lot. In case the land so taken should at any time not be required for School purposes, the Trustees may, with the sanction of the Inspector, sell the same by private sale to the original owner at the price paid for it by the Trustees together with interest at six per cent., or at public sale to the highest bidder, in case the original owner declines to purchase as aforesaid:

(5) When the land of any infant, femme covert, idiot, or lunatic, is required for a School lot, if the Board of Trustees cannot agree with the guardian of such infant for the purchase thereof, or with such femme covert and her husband, or with the committee of such idiot or lunatic, the Trustees may lay out such School lot, and cause the same to be appraised as in other cases where appraisements are made for a School lot taken under this Chapter; provided that notice of the taking of any inquisition shall be personally served on the guardian of such infant, the committee of such idiot or lunatic, or the said femme covert and her husband; or in case the said infant have no guardian, or the said idiot or lunatic have no committee, then the Clerk of the Peace shall act as guardian for such infant, or as committee for such idiot or lunatic; and in either of these events it shall be imperative to value such land by a jury, and the damages found by the jury shall be paid to the County Treasurer, and remain in the County funds on interest at five per cent. until application is made therefor by such guardian or committee, or of such infant himself when of full age, or in case of his death, his representatives:

(6) When land required to be taken for a School lot is under mortgage, if an agreement for purchase cannot be made with the mortgagor, with the consent of the mortgagee or mortgagees, it shall be lawful for the Trustees to lay out such School lot, and cause the same to be appraised as in other cases where appraisements are made for a School lot under this Chapter; provided that notice of the taking of any inquisition shall be served on the mortgagee or mortgagees as well as the mortgagor, and in such cases the damages found by the jury shall be paid to the mortgagee or mortgagees according to their priority, and be by him credited on such mortgage, and the land so taken shall be held to be thereupon released from any such mortgage or mortgages.

With respect to Schools, School Teachers, Books, &c.

74. It shall be the duty of the Board of Trustees and they are hereby empowered—

(1) To provide School privileges free of charge for all children from five to twenty years of age, inclusive, who may be resident in the District, and when authorized by the School meeting, improved accommodation, as far as possible in accordance with the provisions of Section fifty nine, with power to admit to School privileges pupils from other Districts, and if the Trustees shall deem it necessary, they may exact from such pupils such reasonable tuition fee as may be sanctioned by the Inspector. Persons above twenty years of age who desire to attend School in the District in which they reside,