

Order of Circuit Court of Loudoun County, June 18, 1926.

This matter was this day heard upon the petition of Mercer Love and others for an appeal from the action of the county trustee electoral board in denying jurisdiction in the matter of the appeal to it from the action of the county school board in determining to replace a certain high school building destroyed by fire at Lincoln rather than at Purcellville both in Mt. Gilead district in Loudoun County and the court being of the opinion that the action of the county school board of April 10, 1926 as shown by said petition was appealable to the trustee electoral board but that the action of the trustee electoral board in declining action thereon for the reasons stated in its order of April 26th was unwarranted and did not amount to such a decision of the questions at issue by reason of said appeal as to warrant an appeal to and an exercise of the jurisdiction of this court under section 666 of the Code at this time. The court doth so determine and on motion of the county school board doth dismiss the said appeal to this court and remand this case and the record therein to the county trustee electoral board for such further action as it may deem proper in the premises the court being of opinion that it should consider and determine said appeal on its merits.