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No. 46.

HIGH COURT OF JUSTICE.

MIDDLETON, J.

JULY 23RD, 1912.

RE WEST NISSOURI CONTINUATION SCHOOL.

*Schools—Township Continuation School—Establishment of—
Duty of School Board—Requisition for Funds—Mandamus.*

Motion by W. B. Harding and John Macfarlane, ratepayers, for an order directing the West Nissouri Continuation Board and the several members thereof forthwith to take such proceedings as may be necessary in order that the school may be established and made available to such persons as shall desire and be entitled to attend the same, and further directing the school board (within the time limited by the statute) to make request or demand upon the council of the township of West Nissouri for such money as the school board may in its discretion deem necessary in order to open and maintain the school.

The motion was heard at the London Weekly Court on the 22nd June, 1912.

W. R. Meredith, for the applicants.

G. S. Gibbons, for Simon Blight, John Salmon, and Ernest McCutcheon, three of the trustees.

MIDDLETON, J.:—This motion is a continuation of the litigation which has been pending in the Courts for some considerable time. (See 25 O.L.R. 550.) It has already been determined that the continuation school district has been validly established; and a mandatory order has been granted, at the instance of the school board, directing the payment by the township corporation to the school board of the sum of \$1,000 for maintenance pur-