

(45) *Payment by the Town Council of a part of the Trustees' Estimate a recognition of the whole.*

When an estimate of the sum required for school purposes was sent to the Municipal Council, by the Board of School Trustees, and the Council recognized the presentation of such estimate by paying a portion of the amount, and submitted to court their reasons for refusing to pay the balance.

*Held.* That by such recognition of the Trustees' estimate, they were precluded from pleading that it had not been laid before them as the law required.—(*Idem.*)

(46) *A resolution of a Board of School Trustees is not the Estimate required by law.*

The communication by a Board of School Trustees to the Municipal Council of a town, of a resolution of the Board, that the chairman do order the Town Council to furnish the Board with a sum of money immediately, for the purpose of purchasing a site and erecting a school-house—a copy of which resolution was sent to the Town Council—is not a compliance with the sixth clause of the twenty-fourth section of the School Act of 1850, requiring the Board to prepare an *estimate* of the sums it may require; and consequently does not render the Town Council liable to be compelled to pay the amount by mandamus.—*In re Board of School Trustees v. Municipality of Port Hope*, 4 C. P. R. 418.

(47) *A vote of the school rate-payers not necessary in Cities, Towns, and Villages, as in school sections.*

A vote of the rate-payers is not necessary in cities, towns, and villages—although it is in school sections—to authorize an application to the Town Council, or a rate by the Board.—(*Idem.*)

(48) *Ward School Assessments of a City or Town illegal.*

A Board of School Trustees applied to a Municipal Council to levy a distinct sum in each of the wards of the Municipality, and the Council passed a By-law for that purpose :