

The Ontario Weekly Notes

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APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

DECEMBER 21st, 1917.

*EASTVIEW PUBLIC SCHOOL BOARD v. TOWNSHIP OF
GLOUCESTER.

Schools—Public Schools—Union School Section—Requisition of Board for Sum of Money for School Purposes—Apportionment between two Municipalities out of which Section Formed—Proportions Fixed by Assessors—Powers of Assessors—Irregularities—Method of Apportionment—Public Schools Act, R.S.O. 1914 ch. 266, secs. 29, 47—Enforcement of Apportionment—Remedy—Mandamus—Declaratory Judgment.

Appeal by the plaintiffs from the judgment of SUTHERLAND, J., 12 O.W.N. 372.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LENNOX, and ROSE, JJ.

A. H. Armstrong, for the appellants.

C. J. Holman, K.C., for the defendants, respondents.

MEREDITH, C.J.C.P., in a written judgment, said that, the defendants having refused to levy and collect for the defendants more than a part of the sum required by the plaintiffs from the defendants for school purposes, this action was brought to compel them to levy and collect or otherwise make good the deficiency.

The plaintiffs were a union school board; the supporters of the school in part resided in the town of Eastview and in part in the township of Gloucester; and the substantial question was, whether

*This case and all others so marked to be reported in the Ontario Law Reports.