

school section are all capable of being farmed with profit, but those on the north end, are better lands than those on the south, the latter being to a considerable extent black and not so fertile or productive as those to the north; that of children actually attending the present school, there are 11 to the south and 14 to the north of the proposed site; that there is proof of intention to build several houses in the near future on the southern end of said road; that the municipal valuation of the lands on the north end is much superior to that of those on the south end of said road;

“Considering that the present school house is situate at a distance of nearly a quarter of a mile to the north of the center of said road;

“Considering that the resolution of the respondent was adopted as a result of petitions on the part of rate-payers on the southern end of said road;

“Considering that there is no proof that the number of children of school age will permanently remain more on the north end of said school section than on the south.

“Considering that the resolutions of the respondents from which appeal has been taken were not unjust, nor oppressive, nor informal nor illegal;

“Considering that although this Court can make the order in the matter, which the respondents should have made yet the Court acting as upon an ordinarily appeal upon a question of fact, will only interfere when it is clear that the school commissioners have exercised a wrong discretion, which is not the case in this matter.

“Considering therefore that the appeal taken by the appellants is unfounded; doth quash and set aside said appeal and doth authorize respondents to proceed in ac-