

Department of Education to maintain order and discipline in these schools and to permit and facilitate their inspection and the Defendant Board neglected and violated their statutory obligations in this regard.

And there will be judgment for:

5. An injunction in the terms, generally and to the purport and effect, of the Interim Injunction granted in this action by the Honourable the Chief Justice of the Kings Bench on the 29th day of April, 1914, and in addition restraining the Defendant Board from directly or indirectly obstructing or retaining in its employment or paying the salary of any teacher who shall so obstruct the Inspectors appointed by the Department from visiting and inspecting the schools in its charge, and ordering the Board to provide for and facilitate the orderly and efficient inspection of the schools from time to time according to law.

I will delay the endorsement of the Record for a week. There will be a stay of 30 days from that date. In the meantime, before endorsement, I may be spoken to by counsel as to any additional provision or formal alteration proper to be made.

13. Since the issue of the Writ in said action, (April 29th, 1914) the Board of Trustees so controlled by the Representatives of the French race, with the object of closing the English schools and thus coercing the English ratepayers, refused and neglected to pay the salaries of teachers engaged in purely English schools for the months of May and June, 1914, and on or about the 1st of July, 1914, introduced and passed the following Resolution.

RESOLVED.—That in the event of the INJUNCTION proceedings instituted by R. MacKell and others against this Board, and which are now pending, being maintained and Regulation N. 17 of the Department of Education being upheld and its enforcement insisted on, the Chairman of the Board, if in his discretion he should deem it proper and advisable in the interest of this Board so to do, he and he is authorized to dispense, as soon as he may deem advisable, with all or any of the lay teachers at present employed by the Board upon proper notice being given to such teachers, and that the Chairman be also authorized in the event of so dispensing with such lay teachers, to retain the services of such other teachers, as may be qualified to teach in the schools under the control of this Board in accordance with the requirements of the situation which may result from the maintenance of such Injunction proceedings and the upholding of such Regulation No. 17.

The Authority conferred herein on the Chairman shall be by him exercised at his discretion at such time or times as he may deem necessary in the interests of this Board notwithstanding anything to the contrary in the Rules and Regulations.

14. On or about the 1st of July, 1914, the said Chairman paid the salaries of the teachers in the English schools for the months of May and June and thereupon notified all the duly qualified lay teachers engaged in the English schools some forty-five in all, that their services were no longer required.

15. The Defendant Board subsequently neglected and refused to make any provision for the opening of the schools in the month of September, 1914, and neglected and refused to supply teachers, and refused to permit the duly qualified teachers who had been in charge in the month of June, 1914, to re-open the schools until compelled so to do by a Mandatory Order granted by His Lordship Mr. Justice Lennox on the 11th of September, 1914. The following are the reasons of the learned Judge.

“The plaintiffs are a minority of the school board. It will be sufficiently accurate to say that this action is brought to compel the board, represented for the most part by Chairman Genest, to conduct the schools according to the Departmental regulations, to engage and employ a teaching staff composed exclusively of legally qualified persons, to prevent the payment of school moneys to unqualified teachers, and the sale or disposal of certain debentures.

The Court has so far recognized the Plaintiffs status, the importance of the issues raised, and the plaintiffs *prima facie* right to relief, by enjoining