

of an apportionment at the rate of not less than four hundred dollars per annum to be made to such additional school, without diminishing the fund which was available for High Schools during the next preceding year: Sec. 40.

5. Powers of Boards in High School districts.

The High School or Collegiate Board of any district formed by the County Council possesses all the powers within the district "for the support and management" of the High School or Institute, and in respect to the County Council, as are possessed under the Act by High School Boards generally in respect to "the support and management" of the High Schools under their care: Sec. 41.

6. High School districts in cities and towns separated.

Every city and every town separated for municipal purposes from the county in which it is situated, and the High School district of every town separated, is for all High School purposes a county, and its Municipal Council is invested with all the High School powers possessed by County, City, or Town Council: Sec. 42.

In the case of High Schools situated in towns separated from the jurisdiction of a County Council, the council of the county and the council of the town, by such joint action as may be agreed upon, may unite the whole or any part of an adjoining township, or adjoining townships, with such town, so as to form a High School district upon such terms and conditions, and for such period, as may be mutually concurred in: Sec. 43.

Next comes the heading,

Part IV. Municipal Councils and their duties.

The following are the sub-divisions of this head:—

1. Obligatory municipal assessments for High Schools.

- (1) County and city.
- (2) County town, town separated, village and township.
- (3) High School districts.

2. Voluntary municipal assessments.

3. Moneys to be paid to treasurer.

4. Treasurer's accounts to be audited.

1. Obligatory municipal assessments for High Schools:

(1) A sum equal to one-half of the amount paid by the Government to any High School or Collegiate Institute, in a city or town withdrawn from the jurisdiction of the county, together with such other sums as may be required for the accommodation and support of such school, shall be provided by the Municipal Council of such city or town, upon the application of the High School Board: Sec. 44.

(2) In the case of a High School in a town not withdrawn from the county, or in an incorporated village, or township, one-half of the amount paid by the Government shall be paid by the Municipal Council of the county in which such High School or Collegiate Institute is situated, upon the application of the High School Board, and such other sum as may be required for maintenance and accommodation shall be raised by the council of the municipality in which the High School is situated, upon the application of the High School: Sec. 45.

(3) In the event of the County Council forming the whole or part of a county into one or more High School districts, then such other sums as may be required for the maintenance of such school shall be provided by the High School district upon the application of the High School Board: *Id.*

The foregoing sums, so far as the municipalities are concerned, are to be raised as in the manner provided in the next section.

It provides that the council of any municipality, or the councils of the respective municipalities out of which the whole or part of such High School district is formed, shall, upon the application of the High School board, raise the proportion required to be paid by such municipality, or part of the municipality, from the whole, or part of the municipality (as the case may be): Sec. 46.

The object of these three sections (from sec. 44 to sec. 46, both inclusive) is to provide for the accommodation and support of the High Schools. The words "accommodation and support" are of wide significance. They, I think, embrace the procuring of sites, building, repairing, furnishing, warming, and keeping the high school houses and their appurtenances in order; for all these things are necessary for the accommodation and support of the High Schools.

These things cannot be done without money, and so provision is made in the three sections for the procurement of the money necessary.

The government grant is available, but not enough, and so provision is made for supplementing it.

If the High School be situated in a city or town withdrawn from the jurisdiction of the county, a sum equal to one-half of the amount paid by the government, together with such other sums as may be required for the accommodation and support of the school, is to be provided by the council of the corporation of the city or town.

If the High School be situated in a town not withdrawn from the county, or in an incorporated village or township, one-half of the amount paid by the government shall be paid by the municipal council of the county in which the High School is situated, and such other sum as may be required shall be raised by the council of the municipality in which the High School is situated, upon the application of the High School board: Sec. 45.

This section uses the words "maintenance and school accommodation," instead of the words "accommodation and support," used in the preceding section; but as there is no difference in signification between the words "support" and "maintenance," and as the word accommodation is used in each section, there can be no doubt that both phrases mean one and the same thing.

It is to be regretted that the Legislature has not in each section used precisely the same words to denote precisely the same thing.

We do not, however, look upon the difference in language as indicating anything more than the carelessness of the framers of the Act.

But we regret to say that the carelessness of the framers of the Act is still more obvious the further we proceed in the reading of the Act.

In the event of the county council forming the whole or part of a county into one or more High School districts, then such other sums as may be required for the maintenance (dropping the word accommodation) shall be provided by the High School district upon the application of the High School board: Sec. 45.

The Legislature throughout these sections is evidently providing the ways and means for the accommodation and support of the High Schools.

The basis of the expenditure in every case is, the government grant.

The next source of supply is, an amount equal to one-half of the government grant, to be provided by the council of a city, or town separated from the county, or by the council of the county where the school is situated in a town not withdrawn from the county, or an incorporated village.

The balance necessary in each of the foregoing cases is to be provided by the council of the city, or town withdrawn from the jurisdiction of the county, county council, or High School district respectively, as the case may be.

This was unquestionably the object of the Legislature, and as long as that object can be attained consistently with the language used, we are bound to effectuate the intention.

It is plain that the Legislature did not intend that any High School should be without proper accommodation and support.

To read the word "maintenance," used in the latter part of section 45, as meaning only support, might be to leave a High School in a High School district, formed by the county council, in whole or in part of a county entitled to support, but without accommodation, which would be absurd.

If the framers of the Act, besides omitting the word "accommodation," had made any other provision as to accommodation, we might have said that the omission was designed, but in the absence of such a provision we must read the words "accommodation and support," used in section 44, as the words "maintenance and school accommodation," used in the first part of section 45.

The general rule is, that nothing is to be added to or to be taken from a statute unless it furnishes adequate grounds to justify the inference that the Legislature intended something which it has failed precisely to express: Per Tindal, C. J., in *Everett v. Wells*, 2 M. & G. 269, 277.

It is a canon of interpretation of statutes that all words, if they be general, are to be restricted to the fitness of the subject matter, and are to be construed as particular if the intention be particular; that is, they must be understood as used in reference to the subject matter in the mind of the Legislature, and to it only: *Maxwell on the Interpretation of Statutes*, 55.

And it is an elementary rule that construction is to be made of all the parts together, and not of one part only by itself: *Id.* 25.

We must read the word "maintenance," as used in the latter part of section 46, in the same sense as it was read by Mr. Justice Wilson, and for that reason agree with him in thinking that the rule should, as against the only objection raised by the municipality, be made absolute for a mandamus.

"The proportion" meant by section 46 of the Act is the proportion of the "other money," in other words, the balance of money required by the High School board for "the accommodation and support" of the High School, after deducting the government grant and the grant from the county council.

The only reported case as to the meaning of the word "maintenance" and "maintenance and school accommodation" used in this Act—*Re Trustees of the Port Rowan High School and the Corporation of Walsingham*, 23 C. P. 11—has not much, if any, bearing