

What is claimed by the Corporation is that the Municipal Council has the right to call for the production of all contracts and agreements between the School Board and its teachers and employees, and to require it to be shewn that the sums included in the estimates to provide for the payment of these salaries are payable under the terms of contracts entered into with all the formalities required by law to make them binding on the School Board, notwithstanding that, though not so entered into, they are being treated and acted on by teachers and employees and by the School Board as valid contracts, and services provided for are being faithfully rendered under them. It was not, in my opinion, intended that any such enquiry should be entered upon by the Municipal Council. Such enquiries might and probably would involve the consideration of difficult questions of law and fact in order to reach a conclusion, and if, as it is not unreasonable to assume might happen, it were wrongly concluded that with regard to all the teachers and employees, or as to particular ones, the contracts were not binding, and the Municipal Council had, therefore refused to provide for payment of the salaries, the result would necessarily be either that the School Board would be under a legal obligation without the means of discharging it, or be forced to apply for a mandamus to compel the Municipal Council to provide what it had estimated to be necessary, with the possibility that a final decision might not be reached as to its rights until after the year for which the estimate is made had expired.

It would seem to me, therefore, a much more reasonable construction to give to the Act to hold, as I think we should hold, that all that the Municipal Council has a right to ask is that which the Legislature has termed an "estimate" shall shew that that the School Board has estimated the amounts required to meet the expenses of the schools for the current year, and the purposes for which the sums are required, in such a way as to indicate that they are purposes for which the School Board has the right to expend the money of the ratepayers, and that when that has been done the duty is imposed upon the Municipal Council of raising by taxation (except in the special cases for which provision is made by sec. 74), the sums required according to the estimate to meet the expenses of the schools for the current year.