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for the year 1901, and upon the adoption of these estimates by the Board with the appendix containing the names of the teachers and the salaries to which they were to be respectively entitled for the year, it was assumed on all hands that the salaries so fixed were those which the teachers were to be entitled to receive and the Board was to be bound to pay.

It is the difference between the salaries named in the schedule to the agreement and the salaries thus fixed by the Board that my learned brother Street has treated as a bonus to the teachers beyond the sums which the Board was legally entitled to pay them for their services.

It is, I think, unnecessary to decide whether the view of my learned brother as to the strict legal right of the teachers on this state of facts is correct (though my inclination of my opinion is the other way), for, in my opinion, it is only when it is made to appear that an expenditure for which provision is made in the estimate of the School Board submitted to the Municipal Council would be clearly an illegal one, that the Municipal Council is justified in refusing to raise the sum required by the Board to be provided to meet that expenditure, unless the purpose for which it is intended to be made is one ultra vires the School Board, in the sense that it is a purpose for which in no circumstances would it be lawful for the School Board by its own authority to apply the money of the ratepayers, in which latter case the Municipal Council, I do not doubt, would not only be justified in refusing, but bound to refuse, to raise the money.

The impracticability of working out the provisions of the Act which are under consideration and which afford the only means by which the money required for enabling school trustees to perform the statutory duties imposed upon them of providing for the public school education of all the children of school age, not being those of supporters of separate schools, can be raised, if the view insisted on by the Corporation as to the powers of municipal councils is to be adopted, is manifest, I think, when the effect of it is considered.