

Provide for Salaries and Expenses, as authorized by School Electors.

(10) To provide for the salaries of teachers* and all other expenses† of the school, in such manner as may be desired by a majority of the [assessed Roman Catholic] freeholders and householders [and supporters of the separate school] of such section, at the annual school meeting, or at a special meeting called for that purpose, and to employ all lawful means to collect the sums required for such salaries and other expenses;

Deficiencies to be made up by rate on property.

And should the sums thus provided be insufficient to defray all the expenses of such school, the trustees may assess and cause to be collected an additional rate, in order to pay the balance of the teacher's salary, and other expenses of such school;

Make out rate-bill and Collector's Warrant.‡

(11) To make out a list of the names of all persons rated by them for the [Roman Catholic separate] school purposes of such section,||

**No rate can be imposed for the payment of an Unqualified Teacher.*

The Court of Queen's Bench has decided that no rate can legally be imposed by trustees for the salary of an unqualified teacher.—*Stark v. Montague et al.* 14 Q. B. R. 478.

† These "expenses" may be "for any lawful purpose whatsoever" (see *twenty-first* clause of this section, page 40.) and may therefore include collector's fees, law costs incurred in maintaining or defending *successful* suits,§ or any other incidents connected with the office of Trustees. While Trustees are bound to carry out the lawful decision of their constituents, as explained in note †, page 22, no public meeting can limit, or deprive them of the authority conferred upon them by the latter part of this (*tenth*) clause.

‡ Form of, and number of Signatures to Warrant.

The Court of Queen's Bench has decided that the warrant may be signed by two trustees [but see the *seventh* section of the School Act of 1860, as note † on page 27]. In making cognizance under such warrant, it is sufficient to state that the plaintiff was duly assessed and that the collector was duly appointed. It is not necessary to state therein that the rate was decided upon at a meeting, as required by statute, or how the appointment was made.—*Gillies v. Wood.* 13 Q. B. R. 357.

|| Trustees mode of collecting School Rates.

The Court of Queen's Bench has decided that trustees are bound to collect by warrant from the *residents* of the school section; and to sue for and recover by their name of office from persons residing without the limits of the section and

§No rate can be imposed by Trustees for the re-imbursement of costs in defending illegal acts.

The Court of Queen's Bench has decided that school trustees cannot impose a rate to reimburse themselves for costs incurred in defending unsuccessfully a suit brought against them for levying an unauthorized rate, or for travelling expenses incurred in order to consult with the Superintendent; but a rate may be levied to reimburse school trustees for the costs of defending a *grundless* action brought against them.—14 Q. B. R. 478, and 15 Q. B. R. 87.