

said Court such seat vacant, and to give judgment against the defendant with costs.

Circuit Court to be governed in its proceeding by 12 V., c. 41.

IV. That the said Circuit Court shall be governed in its proceedings in any such matter by the rules laid down for the Superior Court by the Act intituled, "*An Act to define the mode of proceeding before the Courts of Justice in Lower Canada in matters relating to the protection and regulation of corporate rights, and to writs of prerogative, and for other purposes therein mentioned,*" and is hereby invested with the same powers and authority as the said Superior Court, for the purposes of this Act as aforesaid. 5 10

Electors may proceed to elect another Councillor.

V. That it shall be lawful for the inhabitants of any parish or locality who, in consequence of any such judgment or judgments, shall find themselves not fully represented in the Municipal Council, to proceed at any time of the year to the election of a Councillor or Councillors for their parish or locality, in the manner prescribed by the laws relating to Municipalities; provided that it shall be lawful for the Governor in Council, to appoint such Councillor or Councillors, if during two months after such judgment, no such election shall have been had as aforesaid. 15

Decisions, &c. of any Council carried by votes of pretended Councillors to be void

VI. That all proceedings, decisions or appointments of or by any Municipal Council, which shall have been carried by a majority made up by the votes of such Councillors or pretended Councillors as aforesaid, shall, upon the rendering of such judgment as hereinbefore mentioned, be null and of no effect, and an appeal may be brought from such decisions, proceedings, or appointments, to the Circuit Court, in the manner and form prescribed by those clauses of the said "*Act to make better provision for the establishment of Municipal authorities in Lower Canada,*" which constitute the Court of Review in Municipal matters; Provided that, if independently of the votes of the Councillors declared to have wrongfully assumed or detained their seats, such decisions, proceedings and appointments as aforesaid shall have been carried by the votes of a majority of the other Councillors, then the same shall not be made void by such votes as hereinbefore mentioned. 20 25 30 35

Act 12 Vic., c. 44, to apply to usurpations, &c., of the office of the Councillor.

VII. And be it enacted, That the said Act, intituled, "*An Act to define the mode of proceeding before the Courts of Justice in Lower Canada, in matters relating to the protection and regulation of corporate rights, and to writs of prerogative, and for other purposes therein mentioned,*" applies, and shall apply, to all questions of wrongful assumption of the office, or detention of seats 40