

**BILL.**

**An Act to prevent the effect of Fraudulent Elections of  
Municipal Councillors in Lower Canada.**

**W**HEREAS Elections of Municipal Councillors have been  
carried by surprise and fraud, with the intention of pre-  
venting the free exercise of the election franchise by the Municipal  
Electors, and for the attainment of private ends; Be it therefore  
5 enacted, &c.,

Preamble.

That the Circuit Court sitting as a Court of Review under the pro-  
visions of the Lower Canada Municipalities Act, intituled, "*An*  
"*Act to make better provision for the Establishment of Municipal*  
"*Authorities in Lower Canada,*" is and shall be a competent tri-  
10 bunal for the purposes of this Act, and the said Court is hereby  
required to hear, try and determine all complaints that may be  
brought before it under this Act.

Circuit Court  
to try cases  
under this Act.  
10 and 11 Vic.,  
c. 7, cited.

II. That any Municipal Councillor whose election shall have  
been carried by fraud or surprise, and contrary to the intention, of  
11 the Municipal Act above cited, and the other Laws regulating the  
constitution and conduct of the Municipal Institutions in Lower  
Canada, or any person usurping the functions of Municipal Coun-  
cillor, or detaining the office of Municipal Councillor, and by detain-  
15 ing the same, preventing, actively or passively, the election of a  
Councillor or Councillors in any Parish or locality, may be proceeded  
against by any rate-payer in the Municipality concerned, before  
the Circuit Court at the place of sitting thereof nearest to his resi-  
dence, for the purpose of obtaining against such Councillor or  
pretended Councillor a judgment declaring his election, or his  
20 detention of the office of Municipal Councillor illegal and fraudu-  
lent, and his seat vacant, which Judgment shall be rendered  
with costs against the unsuccessful party.

Persons  
usurping the  
office of  
Municipal  
Councillor  
may be  
proceeded  
against at law.

III. That the default to appear, or the verbal admission of such  
25 Councillor or pretended Councillor, shall be deemed to be to all  
intents and purposes a confession of Judgment, authorizing the

Default, &c.,  
to be a  
confession of  
judgment.