

An Act to amend the School Laws of Lower Canada.

WHEREAS it is necessary to provide more effectually for re- Preamble.  
moving the difficulties which sometimes arise with respect to  
the election of School Commissioners in Lower Canada ; Be it  
therefore enacted, &c.,

5 That any School Commissioner whose election shall have been  
obtained by fraud or stratagem, or by the votes of persons not  
qualified as electors, contrary to the intention of the Acts 9 Victoria, Proceedings  
against per-  
sons illegally  
holding the  
office of School  
Commissioner.  
10 shall be liable to be summarily prosecuted at the instance of any  
party interested or of several collectively interested, before one  
or more Judges of the Circuit Court or one of the Judges of the Su-  
perior Court for Lower Canada in the Circuit or District respectively  
15 or may have taken place, for the purpose of declaring such election  
or such detention of office illegal and such seat vacant.

II. For all the purposes of this Act, the procedure to be adopted Procedure to  
shall be that prescribed by the Act passed in the twelfth year of be that pre-  
scribed by 12  
Her Majesty's Reign, intituled, "*An Act to define the mode of* V. c. 41.  
20 "*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."*

III. In case the office shall be declared vacant, or a legal election Proceeding if  
the office is  
declared  
vacant.  
25 shall not have been had, thereby preventing the operation of the  
School Laws, it shall be lawful for the Superintendent of Education  
for Lower Canada to appoint School Commissioners to fill the vacant  
office, or to replace those who shall have been illegally elected.