

It has been proved that more than forty persons have signed this declaration at the time of the formation of the Society, which was sufficient to give a legal existence to the Society, and besides it has been shown to have been in operation for a number of years. Wherefore I conclude that the Officers and Directors of the said Society have been legally elected, and that the resolutions of the 30th June and of the 1st Aug., were also legally passed. Besides what right has the Court to go out of the limits circumscribed by the Municipal Code? None, I think. The Agricultural Society of the County of Argenteuil has performed its functions for a number of years, all its acts and proceedings are presumed to be *bona fide* and in conformity to the law so far.

But, says the Petitioner, the resolution of the 1st August, 1883, at least is null, because one hundred and thirteen persons who had conformed to the requirements of the law to become members, and who were consequently members of the Society, were prevented illegally from voting on the said resolution, although they offered their votes.

Unless the contrary be shown, such questions cannot be raised on such a proceeding as the present one, unless these defects or illegalities be apparent on the face itself of the proceedings.

The jurisdiction of the Court in such a case as this is quite special, limited to certain matters; and the Court has not the right, under the pretext of inquiring into the legality of a By-law of a Council, as in the present case, to scrutinize the legality of the elections of the said Society, or of its proceedings, unless as I have said, all these proceedings of the Society be evidently null and illegal on their face, which is not so in the present case. Of all the illegalities invoked by the Petitioner against the acts and proceedings of the said Agricultural Society and of its Board of Officers and Directors, if there be any illegality, however, there is only one which would appear on the face itself of the proceedings of the meeting of the members of the said Society, that is to say, the resolution of the said meeting of the 1st August, 1883.

It consists as pretended in that the meeting instead of choosing a particular piece of land

in the County whereon to construct permanent buildings for the exhibitions, chose by its resolution, "Lachute," to wit an extent of land comprising the whole Parish of St. Jerusalem d'Argenteuil.

If the law actually authorises the meeting of members of the Society to make choice of a particular piece of land for the exhibitions and buildings, I am then with the petitioner, and I say that it is one of those defects or apparent illegalities which have the effect of vitiating the act of the Council, that is to say the By-law approving such choice; the reason therefor is evident, the Council is indeed authorized to approve by By-law of the choice that the law permits the members of the Society to make, but if the choice so made, instead of being that authorized by the law, is contrary to the law, on the face itself of the resolution making this choice, the authority of the Council is at an end; and in that case the nullity of the one imports the nullity of the other.

But unfortunately, I believe that the petitioner is deceived in the interpretation of the law, and even of the resolution of the members of the Society.

Section 44, Cap. 15, 32 Vic. ordains that "each Agricultural Society organized in a County shall be a corporation under the name of The Agricultural Society of the County of ———," and shall have power "acquire and possess lands whereon to hold exhibitions, to establish thereon a model school of agriculture or a model farm, and it may sell, lease or otherwise dispose of them, but it shall not possess more than two hundred acres at one time."

Sec. 2, Cap. 5, 37 Vic., amends this section by adding the following paragraphs, "2nd: "When the Board of Officers and Directors of an Agricultural Society of a County or part thereof, shall determine to establish a permanent place where the exhibitions of such Society shall be held, it shall call a special meeting of the members of the Society, by giving fifteen days' notice thereof, mentioning the object of such meeting, and the said meeting thus called shall make choice of the place, which in the opinion of such meeting is the most central and most convenient in such County or part of