

Judge shall forthwith order a writ to issue causing such other person to be admitted ; and in case the Judge determines that no other person was duly elected instead of the person removed, the Judge shall by the writ cause a new election to be held ;

If all the Members ousted, &c., writ for new election to go to the Sheriff.

11. In case the election of all the members of a Council be adjudged invalid, the writ for their removal and for the election of new members in their place, or for the admission of others adjudged legally elected, and an election to fill up the remaining seats in the Council, shall be directed to the Sheriff of the County in which the election took place ; and the Sheriff shall have all the powers for causing the election to be held which a Municipal Council has in order to supply vacancies therein ;

Defendant may disclaim.

How to proceed.

12. Any person whose election is complained of may, within one week after service on him of the writ, transmit post paid, through the Post Office, directed " To the Clerk of the Judges' Chambers, at Osgoode Hall, Toronto," or to " The Judge of the County Court," of the County of _____ (as the case may be) or may cause to be delivered to such Clerk or Judge, a disclaimer signed by him, to the effect following :

Form of disclaimer, &c.

" I, A. B., upon whom a writ of summons, in the nature of " a *Quo Warranto*, has been served for the purpose of contesting my right to the office of Township Councillor, (or as the " case may be,) for the Township of _____, in the " County of _____, (or as the case may be,) do " hereby disclaim the said office, and all defence of any right " I may have to the same."

Dated the _____

day of _____,

(Signed,)

A. B.

Posting and Registry of disclaimer.

13. Such disclaimer, or the envelope containing the same, shall moreover be endorsed on the outside thereof, with the word " Disclaimer " and be registered at the Post Office where mailed ;

Duplicate disclaimer to be delivered to Clerk.

14. Every person so disclaiming shall deliver a duplicate of his Disclaimer to the Clerk of the Council ; and the Clerk shall forthwith communicate the same to the Council ;

Costs provided for.

15. No costs shall be awarded against any person disclaiming as aforesaid, unless the Judge is satisfied that such party consented to his nomination as a candidate or accepted the office, in which cases the costs shall be in the discretion of the Judge ;

When discretionary.

16. In all cases, not otherwise provided for, costs shall be in the discretion of the Judge ;