

Provision in cases where any association shall act as a Corporation without having been legally incorporated.

XIII. And be it enacted, That after the time this Act shall come into force, whenever any Association or number of persons shall act within Lower Canada as a Corporation, without having been legally incorporated, or without being recognized as such Corporation by the Common Law of Lower Canada, and whenever any Corporation, Public Body or Board shall offend against any of the provisions of the Act or Acts creating, altering, removing, or re-organizing such Corporation, Public Body or Board, or shall violate the provisions of any law in such manner as to forfeit its charter by mis-user,—and whenever any such Corporation, Public Body or Board shall have done or omitted any act or acts, the doing or omitting of which shall amount to a surrender of its corporate rights, privileges and franchises; and whenever any such Corporation, Public Body or Board shall exercise any franchise or privilege not conferred on it by law,—it shall be the duty of Her Majesty's Attorney General in and for Lower Canada aforesaid, for the time being, whenever he shall have good reason to believe that the same can be established by proof, in every case of public interest, and also in every other such case in which satisfactory security shall be given to indemnify the Government of this Province against all costs and expenses to be incurred by such proceeding, to apply for and on behalf of Her Majesty to the Superior Court sitting in the District in which the principal office or place of business of such persons so unlawfully associated together, or of such Corporation, Public Body or Board shall be, or to any two or more of the Justices of such Court in vacation, by an information, declaration or petition, (*requête libellée*,) supported by affidavit to the satisfaction of such Court or of such Justices, complaining of such contravention of the law, and praying for such order or judgment thereon as may be allowed or authorized by law,—whereupon it shall be lawful for such Court or for such Justices, to order the issue of a Writ commanding the persons, Corporation, Public Body or Board so complained of, to be summoned to appear before the said Court or the said Justices, to answer such declaration or petition, (*requête libellée*,) upon such day as the said Court or the said Justices may think proper to fix, and the like proceedings shall be had upon such declaration or petition, (*requête libellée*,) and Writ of Summons, as to service, appearance, entering default, pleading, proof and all other matters, as are hereinbefore provided for the determination of cases in which any person shall have usurped, intruded into or unlawfully detained any public office or franchise; Provided nevertheless, that the service of any such Writ of Summons and of any such declaration or petition, (*requête libellée*,) may be made by serving the same on such persons so unlawfully associated together, or on such Corporation, Public Body or Board, by leaving true copies of such Writ of Summons, and of such declaration or

Proviso.