

records of the election to be brought before him, and may inquire into the facts on affidavit or affirmation, or by oral testimony, or by issues framed by him, and sent to be tried by jury by writ of trial directed to any Court named by the Judge, or by one or more of these means, as he deems expedient; subject, however, to the provisions of section 212. 46 V. c. 18, s. 195.

**198.** In case the election complained of is adjudged invalid, the Judge shall forthwith, by writ, cause the person found not to have been duly elected to be removed; and in case the Judge determines that any other person was duly elected, the 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. 46 V. c. 18, s. 196.

**199.** In case the election of all the members of a council is 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. 46 V. c. 18, s. 197.

**200.** Any person whose election is complained of may, unless such election is complained of on the ground of corrupt practices on the part of such person, within one week after service on him of the writ, transmit, postpaid, through the post office, directed to "The Clerk in 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:

"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

day of

(Signed)

"A. B."

46 V. c. 18, s. 198.