

Term of office
of president
and trustees.

III. The President and Trustees, elected in virtue of this Act, shall remain in office for two years from the time of their election, and at the end of that time they shall be replaced by an equal number of persons to be selected at a meeting of the parties interested in the said Common from amongst the parties so interested; the said meeting shall be called by the retiring President by public notice, posted up and published in the manner provided in the first section of this Act. 5

President and
trustees to
make By-
laws.

IV. The President and Trustees, or the majority of them, shall draw up and prepare such By-laws concerning the said Common as they shall think necessary; but such By-laws shall not take effect until they shall be approved by the Superior Court sitting for the district within which the said Parish of Berthier is included; the application for the ratification and homologation of the By-laws shall be made to the said Court in the name of the said Corporation, after public notice duly given of such application, and posted and published at the doors of the parish churches of the said Parish of Berthier, during the three Sundays preceding the day of such application, at the issue of divine service in the morning, setting forth the day on which the said By-laws are to be submitted to the Court for ratification, in order that any persons having a right so to do, may then and there submit to the said Court their reasons for opposing the homologation of the said By-laws; Provided always, that nothing contained in this Act shall be deemed to derogate from or prejudice the rights of the seigniors of the seigniori of Berthier. 10 15 20

Penalty for
contravention
of By-laws.

V. The President and Trustees, or a majority of them, may, in and by the said By-laws, impose such penalties not exceeding ten dollars currency, as they shall deem just and expedient against all parties contravening the said By-laws; such penalties may be sued for and recovered by summary process before one or more Justices of the Peace, in the said County of Berthier, in the name of the said Corporation, and shall be levied by a seizure and sale of the moveables of the offender and paid over to the President of the said Corporation, who shall apply the same for the use and benefit of the said Common, and in default of payment of the said penalty within the period prescribed, or of the sufficiency of moveable property to satisfy the said judgment, the said offender may be imprisoned for any period not exceeding one month. 25 30 35

Further powers
of president
and trustees.

VI. The said President and Trustees, in addition to the powers hereinbefore accorded to them, may proceed in law in the name of the said Corporation, before any Court of competent jurisdiction, against any person or persons who shall encroach on the said Common, commit any act of violence therein, or who shall unlawfully claim the exercise of any right therein, for the recovery of damages from such persons or for the disallowance of any right claimed by them within the said Common. 40

Assessment
for defraying
expenses of
management
of common.

VII. Whenever it shall be necessary to incur expenses for the management, maintaining or improvement of the said Common, or for the doing of any act or thing, or the payment of any expenses in relation thereto, an estimate of such expenses shall be first drawn up by the said President and Trustees, or the majority of them; and they, or the majority of them, shall have power to impose and levy the amount of such estimate, and apportion the same among the proprietors or parties interested in the said Common in proportion to the rights or shares of each one therein; and in default of payment of any amount to be apportioned as aforesaid, the same shall be recoverable by summary process in 45 50