

Proviso.

of the said Co-proprietors; of all which the Commissioner aforesaid shall prepare a *procès verbal* duly attested as aforesaid, which *procès verbal* shall be deposited in the office of the said Notary; Provided that the said Commissioner may, if he shall deem necessary, require the services of a sworn land surveyor, and require him to be present at the said meeting, and the cost of his services shall form part of the costs to be paid to the said Commissioner by the Co-proprietors of the said Common in the manner hereinafter mentioned. 5

Mode in which the lot of each proprietor shall be determined and assigned to him.

XI. And be it enacted, that so soon as a majority of the said Co-proprietors present at the said meeting, shall have agreed as to the manner in which the said Common shall be divided, the said Commissioner shall forthwith proceed, in the presence of the said Co-proprietors present at the said meeting, or of so many of them as shall think proper to remain for that purpose at the place of meeting, to determine by lot, what lot or lots shall thereafter belong to each of the said Co-proprietors respectively, without favor or partiality, according to the general practise in like cases in this Province, and shall prepare a *procès verbal* of the whole duly certified before witnesses, which said *procès verbal* he shall deposit in the office of the Notary aforesaid, and the said *procès-verbal* shall forever thereafter be a good and valid title to each of the said present Co-proprietors for each share of the said Common which shall be described in the said *procès verbal* as having fallen to his share by lot. 10 15 20

Rights of the Seigniors saved.

XII. And be it enacted, That none of the provisions of this Act shall extend, or be construed to extend, to prevent the Seigniors of the said Seigniorie of Maskinongé, or their heirs and assigns from requiring, having and exercising all and every the rights of *cens et rentes, lods et ventes corvées, retrait* and other rights, which may be or shall become due to them, by virtue of the deed of concession of the said Common, or by virtue of the deeds of concession of the lands or dwelling places of the said Proprietors or by virtue of the deed of concession of the said Seigniorie, all and every of which said rights generally whatsoever are hereby wholly reserved, and such reservation shall be expressly stipulated in the *procès verbal* of distribution by lot above mentioned, which shall be prepared and deposited in conformity with this Act. 25 30 35

Expenses to be apportioned among the Co-proprietors.

XIII. And be it enacted, That it shall be the duty of the said Commissioner to cause a just and exact appointment to be made, determining the proportion of the sum or sums which the said Proprietors shall be bound to pay, in order to the levying of the moneys which may be due to the Surveyor or Surveyors employed by the said Commissioner for the purposes of this Act, as well as to defray all other necessary expenses and disbursements which the said Commissioner may incur in the execution of his duty in conformity with this Act, and for the payment of the costs of application for the homologation of his report after such costs of homologation shall have been duly taxed, and for the payment of all other just and lawful expenses whatsoever incurred in carrying this Act into effect. 40 45

Proprietors to pay each his share of expenses.

XIV. And be it enacted, That the said Proprietors shall pay to the said Commissioner on demand at any time after the *procès verbal* of the distribution of the lots shall have been duly prepared and deposited as 50