

parties interested in the said Common, in proportion to the rights or shares of each one therein; and if at the date of the coming into force of this Act, any costs or expenses have been incurred for the management, maintaining or improvement of the said Common, or for any act, thing, or prosecution relative thereto, a faithful account thereof shall be drawn up by the said Chairman or Trustees, or the majority of them, who are hereby required to impose and levy the amount of such account, and apportion of the same in the manner above prescribed with respect to costs and expenses which it may be necessary to incur hereafter; and in default of payment of any amount to be apportioned as aforesaid, the same shall be recoverable by summary process in the name of the Chairman and Trustees of the Common of the Isles du Dumoine and des Barques, before a Justice of the Peace not interested in the matter, nor related, nor of kin to the party sued within the degrees prohibited by law, and such Justice is hereby authorized to try, hear, and finally determine and adjudge upon the said action, and issue execution against the goods and chattels of the defendant for the payment of the amount of the judgment and costs of suit and other subsequent costs: Provided always, that such execution shall not issue before the expiration of eight days from the rendering of the judgment.

Apportionment among those interested.

Proviso.

XI. Whenever it shall be necessary to ascertain the persons who have or pretend to have a right in the said Common, and the rights or shares which each one now holds or hereafter may hold, for the purpose of making any apportionment of the costs and expenses which may be now or hereafter incurred, as provided in the preceding section, or for any other object, it shall be lawful for the said Chairman and Trustees, or the majority of them, to require all such persons to produce and exhibit their respective titles to such rights or shares, at the time and place which they shall mention, one month's public notice or sufficient private notice having been given by them for that purpose; and if any person interested in the said Common, shall refuse or neglect to produce and exhibit his titles at the time and place by them mentioned, he shall incur a penalty of *ten shillings* currency, and of *one shilling* currency for each day on which he shall refuse or neglect to do.

Mode of ascertaining the persons having rights in the said Common.

XII. If any person who shall be lawfully called upon to accept any office or perform any duty under this Act, shall refuse to accept such office or refuse to perform such duty, or shall in any manner contravene the provisions of this Act, he shall incur, for every such offence, whether of commission or omission, a penalty of *forty shillings* currency.

Penalty on persons refusing to perform any duty under this Act.

XIII. All fines and penalties imposed by this Act, as well as by any By-laws or Regulations which may be now or hereafter made or passed by the Chairman and Trustees of the said Common, or by a majority of them, shall be recoverable on summary prosecution by any party interested in the said Common, before a Justice of the Peace not interested therein, nor related nor of kin to the party sued within the degrees prohibited by law; and such Justice of the Peace may issue execution eight days after judgment, against the goods and chattels of the contravening party, for the levying of the amount of the penalty, together with the costs of suit and subsequent costs; and all fines and penalties shall be paid to the said Chairman and Trustees, and by them applied to the general purposes of the said Common.

Recovery of fines and penalties.

Application thereof.

XIV. This Act shall be deemed a public Act.

Public Act.