

vince, or shall die, or become incapable of acting, it shall then be lawful for the Co-proprietors to proceed to the election of another Commissioner in the manner hereinbefore provided.

Commissioner to call on proprietors for their titles, &c. IV. And be it enacted, That it shall also be the duty of the said Commissioner within one month after his appointment, to give public notice 5 by an advertisement posted up at the church doors of the Parishes of Saint Joseph de Maskinongé, Saint Barthélemy and Saint Cuthbert, during at least two consecutive weeks, and by public notice on two consecutive Sundays, immediately after Divine Service in the forenoon, at the doors of the Churches aforesaid, of the place where and the days on which his office 10 will be opened, and to require each and every of the said Co-proprietors to exhibit at his office within fifteen days after such notice, all deeds of concession, judgments or other titles establishing their respective rights in the said Common, in order that their rights may be clearly established as hereinafter provided. 15

Commissioner to transmit titles to Judge of Superior Court, who shall pronounce judgment on them. V. And be it enacted, That it shall be the duty of the said Commissioner, immediately after the expiration of the time fixed for the deposit of the titles herein ordered to be made with him, to transmit them to one of the Judges of the Superior Court of Lower Canada, in the Town of Three Rivers, who is hereby authorized and required to examine the same and 20 pronounce judgment thereon, either during the term of the Circuit Court in the Circuit of Three Rivers, or in vacation, declaring the validity or invalidity of such titles respectively, and to give notice to the Commissioner, of the day on which such judgment will be pronounced, and further, to order a plan of the said Common to be made by a sworn Surveyor, if a majority of the Co-proprietors present shall require it, at a meeting summoned and presided over in the same manner as the one above mentioned, for electing the said Commissioner, and a minute of the proceedings of the said meeting shall in like manner be prepared and deposited as aforesaid; Provided always, that the boundaries and limits 30 of the said Common as they are at present established and determined, shall be the limits and boundaries of the said Common, for all the purpose of this Act.

Proviso.

Commissioner to give notice of the judgment and to divide the Common in conformity to it. VI. And be it enacted, That the said Commissioner on the receipt by him of the said notice from one of the Judges of the said Superior Court, 35 shall forthwith cause public notice to be given of the time fixed for the rendering of such judgment, by a notice in writing posted upon the doors of the Churches of Saint Joseph de Maskinongé, Saint Barthélemy and Saint Cuthbert, on the Sunday previous thereto, after Divine Service in the forenoon, in order that all parties interested may be present, if they 40 think proper, and after the said judgment shall have been rendered, he shall proceed to determine and establish the number of the persons having rights to shares in the said Commons and the share which each Co-proprietor has a right to have and ought to obtain therein, and this whether such right be in virtue of deeds of concession of the lands which the 45 Co-proprietors shall be then in possession of, or by virtue of judgment establishing such rights, or by any other legal title transferring property, of all which it shall be the duty of the said Commissioner to make a report in detail.

By what considerations VII. Provided always, and be it enacted, That if it shall appear to the 50 Commissioner who shall be appointed under this Act, that any stipu-