

New Commis-
sioner may be
appointed if
the other
Commissioner
should resign,
&c. &c.

II. And be it further enacted by the authority aforesaid, that if the person chosen as Commissioner shall not accept the said Office, or having accepted it shall afterwards resign it or shall absent himself from the Province, or shall happen to die, it shall in such cases be lawful for the Co-proprietors of the said Common to proceed to the election of another Commissioner in the manner herein above prescribed.

Duty of the
Commissioner
when appoint-
ed.

III. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Commissioner to give public notice within two months after his appointment, immediately after Divine Service in the forenoon, on two Sundays or holidays at the door of the said Church of the place where and of the days on which his office will be open, and to require each and every of the said Co-proprietors to exhibit at his said office within the fifteen days following such notice, all the deeds by concessions, judgments or other acts whereby their respective rights in the said Common are established, after the expiration of which said fifteen days the said Commissioner shall not receive any such title.

In case a
agreement hav-
ing been made
between the
Seignior and
the Co-pro-
priators, Com-
missioner to be
guided by
such agree-
ment.

IV. Provided always and be it further enacted by the authority aforesaid, that if it shall appear to the Commissioner who shall be appointed under this Act, that an agreement or convention has been made and passed between the Proprietors of the Seigniory in which the said Common is situated, and a majority of the Co-proprietors interested in the said Common, determining the rights of the said Seigniors, he shall be guided by the said agreement or convention with respect to the rights of the said Seigniors in the partition of the said Common to be made by him by virtue of this Act, but if there be no agreement or convention, he shall be guided in respect to the rights of the parties by what they may appear to him to be according to the titles that may have been exhibited by him and the statements of the parties who are interested in such rights, which the said Commissioner shall be empowered to require if he thinks proper to do so when thereunto requested by any person who may have claims to any such rights in the said Common.

Commissioner
to examine the
title of the Co-
proprietors,
and to ascer-
tain the num-
ber of persons
entitled to
shares.

V. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Commissioner after the expiration of the period appointed for the exhibition of the titles in virtue whereof the persons who have exhibited them claim to have a right in the said Common to examine the same and to proceed to determine and establish the number of undivided rights and the persons possessing them, whether the same be by deeds of concession, judgments or of any other legal title by which property may be conveyed, of all which it shall be the duty of the said Commissioner to draw up a detailed report, together with his reasons for admitting or rejecting the titles against which contradictory claims shall have been set up, and he shall afterwards deposit the said Report in the Prothonotary's office of the Court