

What the report of the arbitrators shall contain.

V. The report of the said arbitrators shall set forth the separate value of each lot respectively, and the average value of all the lots in the said Common as calculated upon the separate value of each lot, the said report duly certified and sworn to before a magistrate shall be delivered to the said Chairman and Trustees, and thereupon it shall be their duty to give public notice in the manner hereinbefore provided, that on a certain day, at a certain place and hour to be stated in such notice, they will proceed in the presence of such of the said co-proprietors as may be present at such meeting to determine by lot, what lot or lots in the said Common shall thereafter belong to each of the said co-proprietors respectively without favour or partiality according to the general practice in like cases in Lower Canada, subject, however, to the following condition, that is to say, that such of the co-proprietors as shall by lot become the owners of lots, the estimated value of which shall exceed the average value of all the lots, shall be bound to pay the excess over the average value, into the hands of the said Chairman and Trustees, and it shall be the duty of the said Chairman and Trustees to pay out of the said moneys to those of the co-proprietors the value of whose lots shall be less than the average value, the difference between the value of their lots respectively and the said average value.

Distribution by lot.

Process-verbal of proceedings duly certified to be a valid title to lots.

VI. Upon the completion of the said division in the manner and subject to the conditions hereinbefore provided, the said Chairman and Trustees shall prepare a *procès-verbal* of the whole duly certified before witnesses, which shall be deposited in the office of a notary residing in one of the aforesaid Parishes, and the said *procès-verbal* shall thereafter be a good and valid title to each of the said co-proprietors for each share of the said common, which shall be described in the said *procès-verbal* as having fallen to his share or lot; Provided, however, that any person who shall deem himself aggrieved by such division, or may be desirous of contesting the right or title of any of the said co-proprietors to their property in the said Common, may take proceedings and be heard in the matter before any Judge of the Superior Court for Lower Canada, or of the Circuit Court for the Circuit of Yamaska, and the Judge shall have full power in a summary way and out of Court, to hear witnesses and the parties, order pleadings in writing and the production of papers, appoint *arbitres* and *experts*, and determine any matter or cause arising out of any proceedings taken under this Act.

Proviso.

Expenses of division provided for.

VII. It shall be the duty of the said Chairman and Trustees to cause a just and exact apportionment to be made, determining the amount of the sum or sums which each of the proprietors shall be bound to pay, in order to the levying of the moneys which may be due to the surveyor employed by the said Chairman and Trustees for the purposes of this Act, and to defray the expenses incurred in and about the passing of this Act, and for arbitration and all other necessary expenses which the said Chairman and Trustees may incur in the execution of their duties in conformity with this Act, and all other just and lawful expenses whatsoever, incurred in carrying this Act into effect.

Co-proprietors to pay in accordance with apportionment.

VIII. The said co-proprietors shall pay to the said Chairman and Trustees at any time after the *procès-verbal* of the distribution of the lots shall have been prepared and deposited as aforesaid, the amount which each of the said proprietors shall be bound to pay, in accordance with the apportionment which shall have been made as aforesaid.