

the name of the President and Trustees of the said common before one or more Justices of the Peace within the said County of Berthier; and such Justice is hereby authorized to try, hear and determine and decide 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 at least from the rendering of the judgment.

VIII. 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 foregoing section, or for any other object, it shall be lawful for the said President and Trustees, or the majority of them, to require all such persons to produce and exhibit their respective titles to such rights or shares, or to make known their rights as aforesaid, at the time and place which they shall appoint, public notice having been given by them for that purpose, and posted up and published on the two consecutive Sundays preceding the day so appointed, at the door of the Parish Church of the said Parish of Berthier, at the issue of divine service in the morning; and if any person interested in the said Common shall refuse or neglect to produce and exhibit his titles at the time and place mentioned or to give information as to how and in what manner and under what title these rights or shares came into his possession, he shall incur a penalty of two dollars currency, and twenty cents currency for each day on which he shall refuse or neglect so to do; the said penalties to be sued for and recovered by the said President and Trustees in the manner prescribed in the fifth section of this Act.

Exhibition of titles to common.

Penalty for default.

IX. 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 neglect 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 eight dollars currency, which shall be recoverable by any person who shall prosecute, either in his own name or in the name of the said Corporation, in the manner prescribed in the fifth section of this Act, and one half of the said penalty shall belong to the prosecutor, and the other half to the Corporation, to be employed for the use and benefit of the said Common.

Penalty for refusal to accept office, &c.

X. In case of the death or absence for any period longer than three months from the County of Berthier, either of the President or of any of the Trustees, their offices shall become vacant, and the President and remaining Trustees, or the remaining Trustees, as the case may be, shall select and appoint, by a vote of the majority, one from amongst the parties interested in the said Common, to replace the President or Trustee, as the case may be.

Vacancies by death or absence how filled up.

XI. At each general election, the retiring President and Trustees shall, at the meeting called for the said election, and before the election of their successors, present a clear and detailed statement of their administration, showing the receipts and expenditure; and they shall hand over to their successors any balance remaining in their possession at that time, together with all books, titles, plans and papers whatsoever, having reference to the said Common, then in their possession,

Statement of the accounts by retiring president and trustees.