

Proviso.

conducted in the manner prescribed by the first and fourth sections of the said Act hereby revived and amended: Provided always, that if the election shall take place on the said day, another meeting shall be called, presided over, held and conducted in the same manner and for the same object, between the said first Monday in December and the first Tuesday of March next, and the Chairman and Trustees chosen and elected at such meeting shall remain in office until the first Monday of June, in the year of our Lord one thousand eight hundred and fifty-four, unless they shall be then re-elected; after which the election of the said officers shall be held at the end of every second year, as provided by the fourth section of the said Act hereby revived and amended.

Assessment for defraying expenses of management of Common.

IV. And whereas, the said inhabitants interested in the said Common have represented, in and by the said Petition, that the Chairman and Trustees thereof were not authorised to levy assessments on all the parties interested for defraying the necessary costs and expenses: be it therefore enacted, That whenever it shall be necessary to incur expenses for the management, maintaining or improvement of the said Common, or for the doing of any act or thing, or the bringing of any prosecution in relation thereto, an estimate of such expenses shall be first drawn up by the said Chairman and Trustees or the majority of them, and they shall have power to impose and levy the amount of such estimate and apportion the same among the proprietors or 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 and Trustees or the majority of them, who are hereby required to impose and levy the amount of such account, and apportion 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 Maskinongé, 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 authorised to try, hear and finally determine and adjudge upon the said action, and issue a writ of 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 writ of execution shall not issue before the expiration of *eight days* from the rendering of the judgment.