

Penalties to be received by the Sheriff and paid to the Road Treasurer of the City of Montreal.

XX. And be it further enacted by the authority aforesaid, that all the fines, forfeitures and penalties by this Act imposed, shall be received by the Sheriff of the said District of Montreal, and by him paid into the hands of the Road Treasurer for the City of Montreal, and shall make part of the fund appropriated by law for the improvement of the said City.

Public Act. XXI. And be it further enacted by the authority aforesaid, that this Act shall be taken and allowed in all Courts as a Public Act, and all Judges and Justices of the Peace are hereby required to take notice thereof, as such, without the same being specially pleaded.

C A P. XLI.

An Act to authorize the Inhabitants of the Seignior of Maskinongé, in the County of Saint Maurice, to make more advantageous Regulations for the government of the Common of the said Seignior.

(14th March, 1829.)

Preamble.

WHEREAS certain inhabitants of the Seignior of Maskinongé, in the parish of Saint Joseph de Maskinongé, in the County of Saint Maurice, interested in the Common of the said Seignior, have by their petition to the Legislature prayed that they might be authorised to provide Rules and Regulations for the better government of the said Common, and for the preservation of their interests in the same, which for want of sufficient authority for that purpose are frequently infringed upon: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, intituled, "*An Act for making more effectual provision for the Government of the Province of Quebec in North America*, and for making further provision for the Government of the said Province: And it is hereby enacted by the authority of the same, that from and after the passing of this Act, it shall and may be lawful for the inhabitants of the said Seignior, interested and having right of Common in the Common of the said Seignior, in the said parish of Saint Joseph de Maskinongé, to assemble and meet at the Presbytery or Parsonage House of the said parish of Maskinongé, on the

Inhabitants of the seignior of Maskinongé interested in the common of that seignior to choose a Chairman and four Trustees.

Created a
body corporate
and politic.

the first Monday in the month of June next ensuing from the passing of this Act, or on any other Monday in the said month, between the hours of Ten o'clock in the forenoon and one o'clock in the afternoon, then and there to choose and elect by a majority of the votes of the inhabitants then present and qualified as aforesaid, a Chairman and four Trustees for the purpose of managing and directing the business relating to the aforesaid Common, in conformity to this Act; and that the Chairman and Trustees so elected as aforesaid, shall be and are hereby made and declared a body politic and corporate, by the name and style of "the Chairman and Trustees of the Common of Maskinongé," and as such shall have uninterrupted succession during the continuance of this Act, and may have a common seal, and shall and may sue and be sued, and do and execute all and whatsoever relating to the trust aforesaid, it may be necessary and lawful for them as such body corporate to do and execute.

Any one of
the Judges of
the court of
King's bench
or Provincial
Judge of Three
Rivers to ap-
point a fit per-
son to preside
at the first
meeting to be
held.

II. And be it further enacted by the authority aforesaid, that it shall be lawful for any of the Justices holding His Majesty's Court of King's Bench for the District of Three Rivers, or for the Provincial Judge of the said District, either in Term or in Vacation; and they are respectively hereby required on the Petition of any three inhabitants having right of Common in the Common aforesaid, to name and appoint some fit and proper person, being a Justice of the Peace or Officer of Militia residing in the said parish, to preside at the first meeting appointed to be held as aforesaid under this Act, and who by writing under his seal shall declare, who are the persons chosen and elected to be Chairman and Trustees of the said Common.

Chairman &
Trustees to
continue in of-
fice till a cer-
tain period.

III. And be it further enacted by the authority aforesaid, that the Chairman and Trustees so elected and chosen, shall continue in office until the first Monday in June one Thousand Eight Hundred and thirty-one and no longer, unless they shall then be reelected.

Chairman &
Trustees how
replaced or
re-elected.

IV. And be it further enacted by the authority aforesaid, that the said Chairman and Trustees shall on the first Monday in June one thousand eight hundred and thirty-one be replaced or re-elected by the persons interested at a meeting as aforesaid. And the Chairman and Trustees of the said Common, shall so thereafter, until the time of the expiration of this Act, be successively at the end of every second year replaced or re-elected on the first Monday in June. And it shall be the duty of the Chairman to give notice verbally, immediately after Divine Service in the forenoon, and in writing affixed on the doors of the churches of the parishes of Saint Joseph de Maskinongé, Saint Barthelemi, Saint Cuthbert, and Saint Geneviève de Berthier on the Sunday or holiday next preceding

ceding the day hereby appointed for the election of such Chairman and Trustees, informing the inhabitants qualified as aforesaid, that the ensuing election will take place pursuant to this Act, and requiring the attendance of all whom it may concern accordingly, and the Chairman shall preside at such election and declare who are the persons chosen and elected as Chairman and Trustees for the period then next ensuing.

Election not taking place at the time appointed, Corporation not to cease or determine, but such election may take place at any time appointed by the Chairman.

V. Provided always and be it further enacted by the authority aforesaid, that if at any time any election to be had under this Act, shall not take place at the time hereby appointed, therefore, the Corporation aforesaid shall not cease and determine, but such election may take place, at any time thereafter that the Chairman then in office shall thereunto appoint, giving due notice in the manner aforesaid of the time and place of such election, at which such Chairman shall preside and declare who are the Chairman and Trustees elected for the next ensuing period.

In case of death or removal of the Chairman or Trustees, how to be replaced.

VI. And be it further enacted by the authority aforesaid, that if the Chairman or any of the Trustees should die or remove from the said Seignior, he or they may be replaced by an election as aforesaid, called for that purpose at the instance of any one of the Corporation, the formalities herein before mentioned first duly observed, and the person or persons so elected shall continue in office only until the time of the next periodical election as aforesaid to be made.

Corporation may appoint a Clerk with an allowance or stipend.

VII. And be it further enacted by the authority aforesaid, that the said Corporation may appoint a Clerk for the business of the said Corporation, and grant him such allowance or stipend out of the funds thereof as may be agreed upon by a majority of votes, at any meeting of the inhabitants assembled as aforesaid for the purposes of this Act, and this appointment may revoke or annul, and appoint another in the stead of the said Clerk, as often as the case may require.

Corporation to fix the limits, of the Common.

VIII. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Corporation to ascertain and mark the proper limits and boundaries of the said Common, and to employ for that purpose a sworn Land Surveyor at the expence of the Corporation; and in case of encroachment by any person made upon the Common aforesaid, it shall be the duty of the said Corporation to pursue speedy and effectual measures at law to obtain redress against such encroachment, and to extend the said Common to its ancient and just limits.

Chairman
or in his ab-
sence, the ol-
dest Trustee
may call meet-
ings of the
corporation.

IX. And be it further enacted by the authority aforesaid, that it shall be law-
ful for the Chairman for the time being, or in his absence or illness for the oldest
of the Trustees to summon and call meetings of the said Corporation concern-
ing the trust in them hereby reposed, when and as often as he may deem the same
necessary, or when he shall be thereunto required by any of two of the Trustees.

Chairman &
Trustees to
make Rules.

X. And be it further enacted by the authority aforesaid, that it shall be law-
ful for the Chairman and Trustees, or a majority of them, to make and esta-
blish such Rules and Regulations as they may deem expedient and advantageous
for the interests of those having right of Common as aforesaid, and the same re-
voke, annul and make others in their stead, when and as often as the case may
require; which Rules and Regulations being approved and confirmed by the
Court of Quarter Sessions for the District of Three-Rivers or by the Provincial
Judge of the said District during Term or Vacation, shall be read, published and
posted up on the doors of the Churches aforesaid, after Divine Service in the
forenoon, at least two Sundays before they shall have force and effect, after
which they shall be binding on all persons having right of Common as aforesaid
in so far as regards the same, and upon all others whom they may concern, and
being specially pleaded shall be taken notice of by all Courts of law in this Pro-
vince.

Such Rules
to be approv-
ed by the
Quarter Ses-
sions or Pro-
vincial Judge,
& to be bind-
ing on all per-
sons interested.

Corporation
may require
those interest-
ed to exhibit
their Titles.

XI. And be it further enacted by the authority aforesaid, that it shall be
lawful for the said corporation, when they shall deem it expedient, to cause the
said Common to be bounded, to require the several persons having or claiming
right of Common therein, to produce and exhibit to the said Chairman and
Trustees, their respective title deeds, in order that they may be enabled to as-
certain the extent of the said Common, and the respective rights of such per-
sons therein; and all such persons when so required by public advertisement or
private notice to that effect, to produce and exhibit their respective title deeds
as aforesaid, are hereby commanded to comply therewith without delay.

No penalty
imposed by the
said Rules, to
exceed 10s. &
how appropri-
ated.

XII. Provided always, and be it further enacted by the authority aforesaid,
that no penalty which shall be imposed by any of the said Rules and Regula-
tions, shall in any case exceed the sum of Ten shillings, currency; and that all
and every penalty collected in virtue thereof, shall be used and appropriated by
the said corporation for the improvement of the said Common, and in such
manner as a majority of the said corporation shall deem most expedient for that
purpose.

Chairman &
Trustees
retiring to
render an ac-
count at
the meeting of
the Inhabi-
tants.

XIII. And be it further enacted by the authority aforesaid, that at every general election held in virtue of this Act, the Chairman and Trustees retiring or about to retire from office shall, previous to the election of their successors in office, lay before the meeting of the electors, held for the purpose, a full and clear account of all monies and things received or disbursed by them as such Trustees and Chairman; and shall deliver over to their successors in office, all monies and other things then remaining in their hands, belonging to the said corporation, together with all books of accounts or entry, or other books or papers kept by them or their clerk, concerning the said corporation.

Saving of His
Majesty's
Rights.

XIV. And be it further enacted by the authority aforesaid, that nothing herein contained shall in any wise affect the rights of His Majesty, his heirs and successors, or of any body politic or corporate, or of any person or persons, such only excepted as are herein mentioned.

Public Act.

XV. And be it further enacted by the authority aforesaid, that this Act shall be deemed a public Act, and as such shall be judicially taken notice of by all Judges, Justices of the Peace, and all other persons whomsoever, without being specially pleaded.

Continuation
of this act.

XVI. And be it further enacted by the authority aforesaid, that this Act, and the powers and authorities thereby conferred, shall continue in force until the first day of May, one thousand eight hundred and fifty, and no longer.

C A P. XLII.

An Act relating to the Fisheries in the County of Gaspé.

(14th March, 1829.)

Preamble.

WHEREAS an Act passed in the fourth year of His Majesty's Reign, chapter first, for regulating the Fisheries in the Inferior District of Gaspé, and in the counties of Cornwallis and Northumberland, will expire on the first of May next, and whereas it is expedient that certain provisions to take effect immediately after the expiration of the said Act, should again be made to be in force for a limited time thereafter, for the preservation and promotion of the Fisheries in the said county of Gaspé: Be it therefore enacted by the King's Most Excellent