

Continuance
of this Act.

X. And be it further enacted by the authority aforesaid, that this Act shall be and remain in force until the expiration of the Act hereby amended and no longer.

C A P. XXXI.

AN Act to authorize the persons interested in the Common of the Parish of Sainte Anne de La Perade in the County of Champlain, to make Regulations for the government of the said Common.

[31st March, 1831.]

Preamble.

WHEREAS certain inhabitants of the Seigniorship of Sainte Anne La Perade, and of the Fief Dorvilliers, in the Parish of Sainte Anne La Perade, in the County of Champlain, interested in the Common of the said Seigniorship and Fief, have by their petition to the Legislature prayed that they might be authorized 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: 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 to make 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 Seigniorship and of the said Fief, interested and having right of Common in the Common of the said Seigniorship and Fief, in the said Parish of Sainte Anne La Perade, to assemble and meet at the Presbytery or Parsonage House of the said Parish of Sainte Anne La Perade, on 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, or in the months of July or August next, 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

Inhabitants of
the Seigniorship
of Ste. Anne
Laperade, in
the county of
Champlain,
interested in
the common of
that seigniorship
to choose a
Chairman and
four Trustees.

Created a body
corporate
and politic.

“ Common of the Seigniorie of Sainte Anne La Pérade, and of the Fief Dorvilliers,” 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 Acts whatsoever relating to the trust aforesaid, it may be necessary and lawful for them as such body corporate to do and execute.

Senior Officer of Militia to preside at the first Meeting of Persons interested in the said Common.

II. And be it further enacted by the authority aforesaid, that the senior Officer of Militia residing in the said Parish, and not interested in the said Common, shall preside at the first meeting appointed to be held as aforesaid, under this Act, and such Officer is hereby required to preside thereat, upon a requisition in writing to that effect, delivered to him and signed by three persons interested in the said Common, and shall by writing under his hand and seal, declare who are the persons chosen and elected to be Chairman and Trustees of the said Common.

Chairman and Trustees to continue in office till a certain 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-three and no longer, unless they shall then be re-elected.

Chairman and 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 of June one thousand eight hundred and thirty-three 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 Church of the Parish of Sainte Anne La Perade, on a Sunday or Holiday, at least ten days preceding 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 other 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, therefor, 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.

VI.

In case of death or removal of 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 and Fief, 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 absence, the eldest Trustee may call meetings of the Corporation.

IX. And be it further enacted by the authority aforesaid, that it shall be lawful 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 concerning 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 and Trustees to make rules.

Such rules to be approved by the Court of King's Bench for the District of Three Rivers, and to be binding on all persons interested.

X. And be it further enacted by the authority aforesaid, that it shall be lawful for the Chairman and Trustees, or a majority of them, to make and establish 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 revoke, annul, and make others in their stead, when and as often as the case may require;—Provided always, that no such Rules and Regulations shall have force and effect until approved and confirmed by the Court of King's Bench, for the District of Three Rivers, nor until sufficient proof shall be furnished to such Court, that notice for at least three weeks has been given, by an advertisement publicly posted up at the Church Door of the said Parish, containing in detail the proposed Rules and Regulations; after which they shall be binding on all persons having rights 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 Province.

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 ascertain the extent of the said Common, and the respective rights of such persons 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 Regulations, 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 and
Trustees retir-
ing to render
an account 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, &c.

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.

Continuance
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. XXXII.

AN Act to partition the Common of the Fief Gros Bois among the Co-proprietors thereof.

[31st March, 1831.]

Preamble.

WHEREAS certain inhabitants of the Fief Gros Bois, situate in the Parish of Sainte Anne d'Ymachiche, in the County of Saint Maurice, are Proprietors in common of a certain tract of Land in the said Fief, commonly called the Common of Gros Bois, and whereas the said Co-proprietors have, by petition, represented that it would be more for the benefit of all persons concerned in the said Common, that partition of the same should be made among them, according to their respective rights therein, and that each of them should hold and dispose of his ascertained and divided portion of the said Common, which they are unable to effect without the sanction of the Legislature: 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 to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that it shall be the duty of the Trustees of the said Common, or in default of them, it shall be lawful for any five of the Co-proprietors thereof, to cause to be published at the doors of the Churches of Sainte Anne d'Ymachiche, and of Saint Léon Le Grand, after Divine Service in the forenoon, notice requiring the Co-proprietors of the said Common, to meet within a space of time, which shall not be less than fifteen days thereafter, at such place as shall by such notice be appointed, in order to proceed to choose a proper person as Commissioner for the purposes of this Act, not having any right in the said Common, nor being allied to any of the Co-proprietors thereof; and at such meeting, the Chairman for the time being of the Corporation erected by an Act passed in the sixth year of His late Majesty's Reign, intituled, "An Act to authorize the Inhabitants of the Fief Gros Bois, in the County of Saint Maurice, to make regulations for the Common of the said Fief," shall preside and shall draw up a Procès Verbal, signed by himself and by two witnesses present at such meeting, of the proceedings at such meeting, and shall deposit the same of record in the office of some Notary Public residing within the said County of Saint Maurice.

Trustees or in default of them any five of the Co-proprietors to give notice in order that a proper person be chosen as Commissioner not having a right in the said Common, nor being allied to any of the Co-proprietors.

Co-proprietors to choose the Commissioner.

II. And be it further enacted by the authority aforesaid, that on the day and at the place so appointed by the said notice, it shall be lawful for the Co-proprietors

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