

and completed within _____ days from this date; and the costs shall be paid *(state by whom to be paid, and if both, in what proportion.)*

Dated this _____ day of _____ A.D. 18

Witness :

(Signature of Fence-Viewers.)

SCHEDULE D.

AGREEMENT.

We _____ and _____, owners respectively of lots *one* and *two* in the _____ Concession of the Township of _____ in the County of _____ do agree that a ditch shall be made and maintained by us as follows *(follow same form as in award)*.

Dated this _____ day of _____ A.D. 18

Witness :

(Signature of Parties.)

An Act respecting Line Fences.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The Act, chaptered fifty-seven of the Consolidated Statutes for Upper Canada; the Act, chaptered forty-six of the Statutes of Ontario, passed in the 32nd year of Her Majesty's reign, so far as they affect line fences, and all Acts and parts of Acts, respecting the subject provided for in this Act are repealed.

2. Owners of occupied adjoining lands shall make, keep up and repair a just proportion of the fence which marks the boundary between them, or if there is no fence, they shall so make, keep up and repair the same proportion, which is to mark such boundary; and owners of unoccupied lands, which adjoin occupied lands, shall, upon their being occupied, be liable to the duty of keeping up and repairing such proportion, and in that respect shall be in the same position as if their land had been occupied at the time of the original fencing, and shall be liable to the compulsory proceedings hereinafter mentioned.

3. In case of dispute between owners respecting such proportion, the following proceedings shall be adopted :

Either owner may notify the other owner or the occupant of the land of the owner so to be notified, that he will, not less than one week from the service of such notice, cause three fence-viewers of the locality to arbitrate in the premises. Such owners so notifying shall also notify the fence-viewers, not less than one week before their services are required. The notices in both cases shall be in writing, signed by the person notifying, and shall specify the time and place of meeting for the arbitration, and may be served by leaving the same at the place of abode of such owner or occupant, with some grown up person residing thereat, or in case of such lands being untenanted, by leaving such notice with any agent of such owner; the owners notified may, within the week, object to any or all of the fence-viewers notified, and in case of disagreement, the judge hereinafter mentioned shall name the fence-viewers who are to arbitrate.

4. The fence-viewers shall examine the premises, and if required by