

1. Such *Subpœna* shall be served on the person named therein by delivering a copy thereof to him or by leaving the same for him with some grown person of his family at his residence, exhibiting to him or such grown person the original. How subpœnas may be served.
2. If the person commanded to appear by such *Subpœna* after being paid his reasonable expenses, or having the same tendered to him, refuses or neglects to appear before the Surveyor at the place and time appointed in the *Subpœna*, or to produce the writing, plan, or document (if any) therein mentioned or referred to, or to give such evidence and information as he may possess touching the boundary or limit in question, a warrant by the Justice for the arrest of such person may be issued, and he may be punished accordingly by fine not exceeding *one hundred dollars*, or imprisonment not exceeding *ninety days*, or both, in the discretion of such Justice. Consequence of disobeying subpœna.
- 101.** All evidence taken by any Deputy Surveyor as aforesaid shall be reduced to writing and shall be read over to the person giving the same, and be signed by such person, or if he cannot write, he shall acknowledge the same as correct before two witnesses, who shall sign the same, as also the Deputy Surveyor, and such evidence shall, and any document or plan prepared and sworn to as correct before a Justice of the Peace, by any Deputy Surveyor, with reference to any survey by him performed, may be filed and kept at the Registry Office of the place in which the lands to which the same relates are situate, subject to be produced thereafter in evidence in Court. Evidence taken by deputy surveyors to be reduced to writing and signed, &c.
- 102.** Any Deputy Surveyor when engaged in the performance of his duties as such, may pass over, measure along, and ascertain the bearings of any township or section line, or other Government line, and for such purposes may pass over the lands of any person whomsoever, doing no actual damage to the property of such person. When deputy surveyors may pass over private lands.

PROTECTION TO SURVEYORS.

- 103.** If any person in any part of the Dominion lands interrupts, molests, or hinders any Deputy Surveyor, while in the discharge of his duty as a Deputy Surveyor, such person shall be guilty of a misdemeanor, and being thereof lawfully convicted in any Court of competent jurisdiction, shall be punished either by fine or imprisonment, or both, in the discretion of such Court, such imprisonment being for a period not exceeding *two months*, and such fine not exceeding *twenty dollars*, without prejudice to any civil remedy which such Deputy Surveyor or any other party may have against such offender for damages occasioned by such offence. Penalty for molesting a deputy surveyor in the discharge of his duty.
- 104.** If any person knowingly and willfully pulls down, defaces, alters, or removes any mound, post, or monument erected, planted or placed in any original survey under the provisions of this Act, or under the authority of any Order in Council, such person shall be deemed guilty of felony; and if any person knowingly and wilfully defaces, alters, or removes any other mound or land mark, post or monument placed by any Deputy Surveyor to mark any limit, boundary or angle of any township, section, or other legal subdivision, lot or parcel of land in Manitoba, or the North-West Territories, such person shall be deemed guilty of a misdemeanor, and being convicted thereof before any competent Court, Penalty for pulling down original or other land marks placed by surveyor