

cluded within
their bound-
aries.

the whole width included between the several mounds, posts, monuments, or boundaries respectively so erected, marked, placed or planted as aforesaid, at the several angles thereof, and no more or less, any quantity or measure expressed in the original grant or patent thereof notwithstanding.

5

As to aliquot-
parts of town-
ships, &c.

97. Every patent, grant, or instrument purporting to be for any aliquot part of any section, or other legal sub-division, block, gore, common, lot or parcel of land, shall be construed to be a grant of such aliquot part of the quantity the same may contain on the ground, whether such quantity be more or less than that expressed 10 in such patent, grant, or instrument.

Road allow-
ances in
towns, &c. to
be public
highways.

98. In every town and village in Manitoba, or the North-West Territories, which may be surveyed and laid out under the provisions of this Act, all allowances for any road, street, lane, lot, or common, laid out in the original survey of such town or village, 15 shall be public highways and commons; and all mounds, posts, or monuments, placed, or planted in the original survey of such town or village, to designate or define any allowance for a road, street, lane, lot or common, shall be the true and unalterable boundaries of such road, street, lane, lot, or common; and all Deputy Sur- 20 veyors, employed to make surveys in such town or village, shall follow and pursue the same rules and regulations in respect of such survey, as are by law required of them when employed to make surveys in townships.

Deputy
surveyors may
examine wit-
nesses on oath.

99. For better ascertaining the original corner or limits of any 25 township, section, or other legal subdivision, lot or tract of land, every Deputy Surveyor of Dominion lands acting in that capacity, may administer an oath or oaths to each and every person whom he may examine concerning any corner-mound, post, monument or other boundary, or any original land mark, line, limit, or angle, of 30 any township, section, or other legal subdivision, lot or tract of land which such Deputy Surveyor is employed to survey.

EVIDENCE BEFORE SURVEYORS.

Course to be
adopted by
deputy sur-
veyors to
ascertain
boundaries
whendoubtful.
Subpœnas may
be issued.

100. When any Deputy Surveyor is in doubt as to the true corner boundary or limit of any township, section, lot, or tract of land which he is employed to survey, and has reason to believe 35 that any person is possessed of any important information touching such corner, boundary, or limit, or of any writing, plan or document tending to establish the true position of such corner, boundary, or limit, then if such person does not willingly appear before, and be examined by such Deputy Surveyor, or does not 40 willingly produce to him such writing, plan, or document, such Deputy Surveyor may apply to any Justice of the Peace for an ordinary *Subpœna* as witness, or a *Subpœna duces tecum*, as the case may require, accompanying such application by an affidavit or solemn declaration to be made before such Justice of the Peace, 45 of the facts on which the application is founded, and such Justice may issue a *Subpœna* accordingly, commanding such person to appear before the Deputy Surveyor at a time and place to be mentioned in the *Subpœna*, and (if the case require it) to bring with him any writing, plan, or document mentioned or referred to 50 therein.