

An Act to provide for a proper Survey of a certain Concession Line in the Township of Hamilton.

WHEREAS the Municipal Council of the Township of Hamilton Preamble
 have petitioned for a proper survey of the concession line between
 the sixth and seventh concessions of the Township of Hamilton; and it
 is expedient to grant the prayer of the said petition and to provide for
 5 such survey; Therefore Her Majesty, &c., enacts as follows:

I. The Commissioner of Crown Lands shall and he is hereby author- Commissioner
 ized to appoint a Deputy Provincial Surveyor to make a survey accord- of Crown
 ing to law of the concession line between the sixth and seventh con- Lands to ap-
 10 cessions of the Township of Hamilton, and to ascertain the true bounda- point a Sur-
 ries of all the lots upon the north and south sides of the said concession veyor to make
 line, and to fix and place permanent monuments thereat within twelve his Survey.
 months after the passing of this Act, and upon completion of such sur-
 vey to report in writing the result of such survey to the Commissioner
 of Crown Lands.

15 II. Upon the said Commissioner of Crown Lands receiving such re- Survey when
 port, and upon payment to him of all expenses of such survey, he shall approved to
 approve such survey, and thereupon the said survey and the line ascer- be valid.
 20 tained thereby, and the monuments fixed and placed as before mention-
 ed shall be and are hereby declared to be the legal and binding survey,
 and the permanent, fixed and unalterable line of the said concession and
 the boundaries of the said lots.

III. If any action of ejectment shall be brought against any person or Provision in
 persons who, after the said line shall be established by virtue of this Act case of any
 shall be found to have improved on land of which the said survey would action of
 25 deprive him, it shall and may be lawful for the Judge of Assize before ejectment for
 whom such action is tried, to direct the jury to assess such damages for land improved
 the defendant for any loss he may sustain in consequence of any im- by Defendant
 30 provement made before the passing of this Act, and also to assess the and lost by
 value of the land to be recovered; And if a verdict should be found for such Survey.
 the plaintiff no writ of possession shall issue until such plaintiffs shall
 have tendered or paid the amount of such damages as aforesaid, or shall
 have offered to release the said land to the defendant provided the de-
 fendant shall pay or tender to the plaintiff the value of the land so as-
 35 sessed before the fifth day of the ensuing term, and the defendant shall
 have failed so to pay or tender the same.

IV. This Act shall be deemed a public Act.

Public Act.