

to repeal an Ordinance of the Province of Quebec, passed in the twenty-fifth year of His Majesty's reign, intituled an Ordinance concerning Land Surveyors and the Admeasurement of Lands, and also to extend the provisions of an Act passed in the thirty-eighth year of His Majesty's reign, intituled an Act to ascertain and establish on a permanent footing the boundary lines of the different townships of this Province, and further to regulate the manner in which lands are hereafter to be surveyed." This Act extends the previous Act with regard to the front angles of lots, and declares that all lines run and all monuments planted in the first survey shall be the true and unalterable boundaries. It also declares that the governing lines of all division lines or side lines shall be the boundary line of each and every concession, on that side of the township from which the lots are numbered, when such lines "are required to go the same course," (Section 51 and following ones of present Act). Here provision is first made for examination of surveyors. The Act provided that every surveyor thenceforth was to be examined by the Surveyor General, or Deputy Surveyor-General, as to his fitness and capacity and competent knowledge of the theory and practice of surveying in all its branches.

An appointment to act and a licence had to be obtained from the Governor, also a bond with two sufficient sureties in the sum of £500 had to be entered into, and the surveyor had to subscribe to the following oath: "I, A. B., do solemnly swear that I will well and truly discharge the duty of a surveyor of lands agreeably to the law, without favour, affection, or partiality, when and as often as I may be required thereto by any person or persons, or by the rule or order of any Court of Justice, and which I will faithfully and without unnecessary delay submit to the party requiring the same, or the Court directing my duty; also a plan of survey if required. So help me God."

For the first time, also, provision is made for swearing chain-bearers, but no distinction is made as to who may act.

The front of each concession is declared to be that end or boundary which is nearest the boundary of the township from which the concessions are numbered, and that when several lots in different concessions have been granted in one patent they are to be surveyed separately. (Sec. 63 present Act.)

Here we first find the provision for dividing up between the nearest undisputed monuments into the same number of lots as the same contained in the original survey. (Sec. 65 present Act.) There is also a provision in the case of lands entered into and improved through unskilful survey.

The next legislation on surveying is in the year 1839, when the Legislature of Upper Canada passed an Act (2 Vic., Chap. 17) to extend the provisions of the previous Act. This was a very short one, dealing chiefly with the cases of ejectment or compensation through unskilful survey. It is also the last as to surveyors passed before the Union Act of 1840; the preceding Acts, therefore, refer entirely to Upper Canada.

We will now pass on to (4 and 5 Vic., Chap. 9,) 1841-42, "An Act to grant authority to licensed surveyors in that part of this Province called Upper Canada, to administer oaths in certain cases and to protect them while in discharge of their duty in surveying lands."