

11. Any person dissatisfied with the award made, may appeal therefrom to the Judge of the County Court of the county in which the lands are situate, and the proceedings on the appeal shall be as follows :

Appeals

1. The appellant shall serve upon the fenceviewers, and all parties interested, a notice in writing of his intention to appeal, within one week from the time he has been notified of the award : which notice may be served as other notices mentioned in this Act.

Notice of appeal.

2. The appellant shall also deliver a copy of the notice to the clerk of the Division Court of the division in which the land lies, and the clerk shall immediately notify the Judge of such appeal, whereupon the Judge shall appoint a time for the hearing thereof, and, if he thinks fit, order such sum of money to be paid by the appellant to the said clerk as will be a sufficient indemnity against costs of the appeal.

To clerk.

3. The Judge shall order the time and place for the hearing of the appeal, and communicate the same to the clerk, who shall notify the fenceviewers and all parties interested, in the manner hereinbefore provided for the service of other notices under this Act.

Notice of hearing

4. The Judge shall hear and determine the appeal, and set aside, alter, or affirm the award, correcting any error therein and he may examine parties and witnesses on oath, and, if he so pleases, may inspect the premises : and may order payment of costs by either party, and fix the amount of such costs.

Powers of the Judge.

5. His decision shall be final : and the award, as so altered or confirmed, shall be dealt with in all respects as it would have been if it had not been appealed from.

Decision of Judge to be final.

6. The practice and proceedings on the appeal, including the fees payable for subpoenas and the conduct money of witnesses, shall be the same, as nearly as may be, as in the case of a suit in the Division Court. R. S. O., 1887, c. 219, s. 12.

Procedure.

12.—(1) The fenceviewers shall be entitled to receive \$2 each for every day's work under this Act : Ontario land surveyors and witnesses shall be entitled to the same compensation as if they were subpoenaed in any Division Court. R. S. O., 1887, c. 219, s. 11.

Fees to fenceviewers, surveyors and witnesses.

(2) The municipality shall at the expiration of the time for appeal, or after appeal, as the case may be, pay to the fenceviewers their fees, and shall, unless the same be forthwith repaid by the person awarded or adjudged to pay the same, place the amount upon