

XXXVIII. And be it enacted, That every Land Surveyor, when and as often as he is employed in Upper Canada to run any division line or side line between lots, or any line required to run parallel to any division line or side line in the concession in which the land to be surveyed lies, shall, if it has not been done before, or if it has been done, but the course cannot at such time be ascertained, determine by astronomical observation, the true course of a straight line between the front and rear ends of the governing boundary line of the concession or section, and shall run such division line or side line as aforesaid, truly parallel to such straight line, if so intended in the original survey, or at such angle therewith as is stated in the plan and field notes as aforesaid, which shall be deemed to be the true course of the said governing or boundary line for all the purposes of this Act, although such governing or boundary line as marked in the field be curved or deviate otherwise from a straight course; and the same rule shall be observed, if a line is to be run at any angle with a front line or other line, which may not be straight.

Rule when a line is to be drawn parallel to a governing line, U. C.

XXXIX. And be it enacted, That in all cases when any Land Surveyor shall be employed in Upper Canada to run any side line or limit between lots, or lines between concessions, and the original post or monument from which such line should commence cannot be found, he shall in every such case, obtain the best evidence that the nature of the case will admit of, respecting such side line, post or limit: but if the same cannot be ascertained, then the Surveyor shall measure the true distance between the nearest undisputed posts, limits or monuments, and divide such distance into such number of lots or concessions as the same contained in the original survey, assigning to each a breadth or depth proportionate to that intended in such original

Case where the original post or monument cannot be found, provided for, U. C.