

of the fifth concession by which he determined the limits of the lots, and they had been settled on accordingly. In 1821 the remaining concessions were surveyed, under instructions from the Surveyor-General, which directed the several concession lines to be produced beginning with that between the fifth and sixth concessions, and from the centre of each line at the distance of 50 links each way, right and left, at right angles thereto, the several lots of the width of 29 chains 37 links were to be posted. The surveyor, under these instructions, double posted the line between the fifth and sixth concessions, making the lots 29 chains 37 links wide and patents were afterwards granted for half lots in the concession. It was contended that this made the fifth concession double-fronted, having the lots 29 chains 87 links wide in the front, and 29 chains 37 links in rear. One of these patents however made the rear half 29 chains 87 links wide, and the Government plans shewed no jog in the side lines of the fifth concession.

*Held*, that the concession was not double-fronted, for the evidence shewed that the whole of it had been surveyed as a single fronted one in 1797, and the surveyor in 1821 had no authority to change it, if he so intended. *Murphy v. Healey* 30 Q.B., 192.

SINGLE OR DOUBLE FRONT CONCESSION — HOW TO RUN  
SIDE LINE. TOWNSHIP OF CUMBERLAND.

Holmes vs.  
McKechin.

The township of Cumberland is bounded to the north by the Ottawa, and has a range of lots on the river, with their rear boundaries irregular, corresponding to the course of the stream in front, the remainder of it being laid out into concessions running north and south, numbering from the east, and into lots running east and west numbering from the north.

The instructions for the original survey were to leave one chain as an allowance for road between each concession, to be double posted at the distance of 50 links right and left from the centre of the road. The surveyor however planted only a single row of posts in rear (*i.e.*, at the west side) of each concession, and he stated in his evidence that the west halves of lots in the concession were to be measured from these posts, and the east halves of lots in the next concession westward by beginning at the distance of one chain from each post westerly, parallel to the side line of the township. No line therefore was run or posted at the front of the eighth concession.

The plaintiff sued for trespass on the west half of lot B, in the eighth concession, and the question was how the course and starting point of his side line were to be de-