

Location of
fence.

(3) Where, from the formation of the ground, by reason of streams or other causes, it is found impossible to locate the fence upon the line between the parties, it shall be lawful for the fenceviewers to locate the said fence either wholly or partially on the land of either of the said parties, where to them it seems to be most convenient; but such location shall not in any way affect the title to the land.

Employment
of surveyor.

(4) If necessary, the fenceviewers may employ an Ontario land surveyor, and have the locality described by metes and bounds. R. S. O., 1887, c. 219, s. 7.

Deposit of
award.

8.—The award shall be deposited in the office of the clerk of the council of the municipality in which the lands are situate, and shall be an official document, and may be given in evidence in any legal proceeding by certified copy, as are other official documents; and notice of its being made shall be given to all parties interested. R. S. O., 1887, c. 219, s. 8.

Award may be
evidence.

Notification of
award

Award, how
enforced

9.—(1) The award may be enforced as follows: The person desiring to enforce it shall serve upon the owner or occupant of the adjoining lands a notice in writing, requiring him to obey the award, and if the award is not obeyed within one month after service of the notice, the person so desiring to enforce it may do the work which the award directs, and may immediately take proceedings to recover its value and the costs from the owner by action in any Division Court having jurisdiction in the locality: but the Judge of the Division Court may, on application of either party, extend the time for making the fence to such time as he may think just. R. S. O., 1887, c. 219, s. 9. 59 v. c. 65, s. 1.

Collection of
debt, and
costs as taxes.

(2) Instead of requiring execution to be issued upon such judgment the party entitled to enforce the judgment may obtain a certificate from the clerk of the division court of the amount due for debt and costs in respect of such judgment, and shall be entitled, upon lodging the same with the clerk of the municipality to have the amount so certified placed upon the collector's roll, and the same may be collected in the same manner as taxes are collected and shall, until so collected or otherwise paid, be a charge upon the lands liable for the payment thereof, and in such case execution shall not thereafter issue on such judgment. 59 V. c. 65, s. 1.

Award to be a
charge on
lands, if
registered.

10.—(1) The award shall constitute a lien and charge upon the lands respecting which it is made, when it is registered in the registry office of the registry division in which the lands are.

How regis-
tered.

(2) Such registration may be in duplicate or by copy, proved by affidavit of a witness to the original, or otherwise, as in the case of any deed which is within the meaning of *The Registry Act*. R. S. O., 1887, c. 219, s. 10.

Rev. Stat. c.
136.