

- copies thereof to such persons as may require them, upon their paying the usual and legal fees; and the widow, or, if there be no widow, the heirs of such Land Surveyor so deceased, or such Land Surveyor as may have left the Province, shall be entitled to an annual correct
- 5 account of the fees received by the Local Secretary-Treasurer, for the copies so delivered, and to receive one half thereof for and during the space of five years from and after the day of the decease of such Land Surveyor, or from the day that such Land Surveyor may have left the Province; and in the event of the said Land Surveyor returning to the
- 10 Province, he may require the said Secretary-Treasurer to return to him the said minutes, registers, plans, and other papers which he may have deposited in the office of the "Land Surveyors of Lower Canada" aforesaid, in the custody of the said Secretary-Treasurer, on producing his certificate of admission to practise Land Surveying, from the Board
- 15 of Examiners, after his absence from the Province aforesaid; Provided always, that any Surveyor dying, and having a legal heir belonging to the same profession, his minutes, registers, plans, and other papers aforesaid, shall become the property of such legal heir, instead of being deposited in the office of the "Land Surveyors of Lower Canada" as
- 20 aforesaid.

Widow or heirs to receive one half the fees for five years.

Proviso.

- XXV. If any Land Surveyor practising in Lower Canada shall leave the Province and remain absent during the space and term of five years or more, during which time he shall have discontinued the practice of Land surveying aforesaid, he shall, on returning to the Province, if he
- 25 wish to resume the practice of his profession in Lower Canada, apply to the Board of Examiners for a certificate of admission to do so, which the said Board shall grant, if the Land Surveyor is, in their opinion, still qualified to receive the same.

Surveyors discontinuing practice for five years must apply to Board for certificate of re-admission.

- XXVI. Any Surveyor employed to make any survey in the Townships
- 30 of Lower Canada, shall govern himself by the surveys made under the plans and instructions issuing from the Surveyor General's office, or that of the Commissioner of Crown Lands, or other officer performing the duties of Surveyor General, as aforesaid; and whenever it shall happen that the posts or boundary marks between any lots or ranges of lots
- 35 shall be effaced, removed or lost, such Surveyor may examine witnesses on oath (which he is hereby authorized to administer) for the purpose of ascertaining the former boundaries; but, if the same cannot be so ascertained, then the Surveyor shall measure the true distance between the nearest undisputed posts, limits or boundaries, and divide such
- 40 distance into such number of lots as the same contained in the original survey, of a breadth proportionate to that intended in such original survey, as shown on the plans and field notes thereof of record in such public office as aforesaid; and when any part of any concession or range line, intended in the original survey to be straight, shall be obliterated
- 45 or lost, then the Surveyor shall run a straight line between the two nearest points or places where such line can be clearly and satisfactorily ascertained, and shall plant all such intermediate posts or boundaries as he may be required to plant in the line so ascertained, and the limits of each lot so found shall be taken to be and are hereby declared to be the
- 50 true limits thereof, as regards the front or rear of any such lot; and the posts put up at all the angles of such lot in the original survey aforesaid, or the places of such posts found by measurement or by sworn evidence

Surveys in townships to be governed by plans, &c., issuing from Crown Lands Department.

Duties of Surveyor in case boundary marks are lost or defaced.