

Proviso.

shall be liable to be punished by fine or imprisonment, or both, at the discretion of such Court, such fine not to exceed *one hundred dollars*, and such imprisonment not to be for a longer period than *three months*, without any prejudice to any civil remedy which any party may have against such offender or offenders for damages 5 occasioned by reason of such offence: Provided that nothing in this Act shall extend to prevent Deputy Surveyors, in their operations, from taking up posts or other boundary marks when necessary, after which they shall carefully replace them as they were before.

Deputy surveyors to keep journals and field notes, and furnish copies to parties concerned.

**105.** Every Deputy Surveyor shall keep exact and regular 10 journals and Field Notes of all his surveys of Dominion lands, and file them in the order of time in which the surveys shall have been performed, and shall give copies thereof to the parties concerned when so required, [for which he is hereby allowed the sum of *one dollar* for each copy, if the number of words therein do not exceed 15 four hundred, but if the number of words therein exceed four hundred, he is allowed *ten cents* additional for every hundred words over and above four hundred words.]

Allowance to deputy surveyor for attendance as a witness.

**106.** [There shall be allowed to every Deputy Surveyor summoned to attend any Court, civil or criminal, for the purpose of 20 giving evidence in his professional capacity as a Surveyor, for each day he so attends, (in addition to his reasonable travelling and living expenses), and to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such Court, *five dollars*.] 25

#### GENERAL PROVISIONS.

Governor in Council may withdraw Indian Reserves and half-breeds, lands from the operation of this Act, and may alter price of lands and terms of sale and settlement thereof.

**107.** The Governor in Council may, at any time hereafter, subject to then existing rights, as defined or created under this Act, withdraw from the operation of this Act, such lands as have been reserved for Indians or may be required to satisfy the Half Breeds claims created under section 31 of the Act 33 Victoria, chapter 3, 30 and also land to such extent as may be required for Railway purposes, and further, may, from time to time, make such Orders as he may deem necessary to carry out the provisions of this Act according to their true intent, or to meet any cases which may arise and for which no provision is made by this Act, and may, 35 from time to time, alter or revoke the same and make others in their stead, and further, may, by Order in Council, alter the price of Dominion Lands, and alter and amend the terms and conditions of sale and settlement thereof, and such Orders shall be published in the *Canada Gazette*, and in such newspapers as the Secretary 40 of State may direct, and shall be laid before Parliament within the first ten days of the session next after the date thereof.

Before whom affidavits &c., may be taken.

**108.** All affidavits, oaths, solemn declarations or affirmations required to be taken or made under this Act may be taken before the Judge or Clerk of any County or Circuit Court, or any Justice 45 of the Peace, or any Commissioner for taking affidavits, or any Dominion Lands Agent or Officer, or any person specially authorized to take such affidavits by the Secretary of State.

Affirmations in lieu of oaths.

**109.** In any case where an affidavit or oath is required by this 50 Act, a solemn affirmation may be administered and made instead