

Laws of His Majesty's Province of Upper Canada, passed in the year 1857. Toronto: Stewart Derbshire & George Desbarats, 1857.

20 Victoria – Chapter 73

An Act to provide for ascertaining unknown Boundaries in all cases in which the Concession Lines were not run in the original survey. Assented to 10th June, 1857.

Whereas the division or side lines of the lots in certain townships in Upper Canada were drawn in the original survey, and the proprietors of the lands have taken possession, and have regulated their improvements by such division or side lines; And whereas under the provisions of the Act of 1849, intituled: *An Act to repeal certain Acts therein mentioned, and to make belter provision respecting the admission of land surveyors and the survey of lands in this Province*, Surveyors in cases of dispute as to the boundaries of lots, are required, with the view of ascertaining such boundaries, to measure the true distance along the concession line between the nearest undisputed posts, limits or monuments, and to divide such distance into such number of lots as the same contained in the original survey; but whereas, owing to the incorrectness of the original surveys of the Townships aforesaid, such subdivision does not agree with the division or side lines drawn in the original survey, and consequently the disputed boundaries cannot be decided to the satisfaction of the parties interested, and it is therefore necessary to provide a remedy: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

- I. Notwithstanding any thing contained in the Act before cited, or in any other Act, it shall be lawful for Provincial Land Surveyors, and they are hereby required, when called on to determine disputed boundaries in the said Townships, to ascertain and establish the division or side lines of the lots, by running such side lines as they were run in the original survey, whether the same were run from the front of the Concession to the rear, or the rear of the Concession to the front thereof, in the original survey, and to adhere to all posts, limits or monuments, planted on the division or side lines in the original survey, as being or designating corners of lots under such original survey.
- II. This Act shall be deemed a Public Act.