

*The Provincial Statutes of Canada*, passed in the year 1841. Kingston: Stewart Derbishire & George Desbarats, 1841.

4 & 5 Victoria – Chapter 9

**An Act to grant authority to Licensed Surveyors in that part of this Province called Upper Canada, to administer an oath in certain cases, and to protect them while in the discharge of their duty in Surveying lands. 27th August, 1841.**

Whereas great inconvenience and delay are often experienced, and much unnecessary trouble and expense occasioned to the land holders, in that part of this Province called Upper Canada, in consequence of Licensed Surveyors not having authority to administer an oath to persons called upon to prove original land marks: and whereas it is expedient and necessary to remedy these evils by granting authority to legally authorized Surveyors to administer an oath in certain cases, and also to protect them in the discharge of their duty in surveying any lands; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that from and after the passing of this Act, every licensed Surveyor within that part of this Province called Upper Canada, shall be and he is hereby authorized and required to administer an oath, or be and he is hereby authorized and required to administer an oath, or oaths, to every person or persons who may be called upon from time to time, to prove any boundary post, or monument, or to shew any original landmark, or corner of any township, concession, Lot, or Tract of land, winch such Surveyor may be called upon to survey in any Town or Township within that part of this Province called Upper Canada.

II. And be it enacted, that if any person or persons shall wilfully or corruptly swear falsely in any matter deposed under this Act, such false swearing shall be deemed wilful and corrupt perjury.

III. And be it enacted, that from and after the passing of this Act, if any person or persons shall interrupt, molest, or hinder, any Licensed Surveyor while in the discharge of his duty of a Surveyor of lands, practising under the several Laws now in force in that part of this Province aforesaid prescribing his duty, or under the authority of any Boundary Line Commissioners, such person or persons shall be deemed to have been guilty of a misdemeanor, and being thereof lawfully convicted in any Court of competent Jurisdiction, may be punished either with fine or imprisonment in the discretion of such Court.

IV. And be it enacted, that all evidence to be taken by any Surveyor as aforesaid shall be reduced into writing, and shall be read over and signed by the persons giving the same; and that all such evidence shall be filed in the Registry Office of the County in winch it shall be taken, subject to be produced thereafter as evidence in any Court of Law within that part of this Province aforesaid.