

Given at the city of _____ under the seal of the
 said board, and the signature of one of our secretaries, this
 day of _____ eighteen hundred
 (L. S.) _____ F. E.,
 Secretary.

CAP. XXXIV.

An act to amend chapter 77 of the consolidated statutes of Canada, respecting land surveyors and the survey of lands.

[Assented to 24th December, 1875.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

C. S. C., c. 77,
 s. 6, repealed.

Knowledge
 required of
 surveyors'
 clerks.

Examination.

1. Section 6 of chapter 77 of the consolidated statutes of Canada is repealed ; and in future, no person shall be admitted as a surveyor's clerk unless he has previously undergone, before the board of examiners of surveyors, an examination with respect to his knowledge of the French or English language, according as the candidate is of French or English origin ; in the first instance the examiners shall require of him a knowledge of the elements and syntax of the French language, and his capacity of translating correctly from English into French ; in the second case a knowledge of the elements and syntax of the English language and his capacity of translating correctly from French into English ; in either case, candidates for the study of land surveying must be able to write correctly from dictation, each in his mother tongue ; and further no person shall be admitted as a surveyor's clerk, unless he possess a fair knowledge of the geography of the globe in general and of Canada in particular, nor unless he is well versed in vulgar and decimal fractions, the extraction of square and cube roots, the rules of proportion and progression, the elements of geometry and of plane trigonometry, the mensuration of superficies and solids, and the use of logarithms.

Id. s. 9,
 amended.
 Other know-
 ledge requir-
 ed of survey-
 ors.

2. In addition to the matters required by section 9 of chapter 77 of the consolidated statutes of Canada, in the examination which every surveyor's clerk must undergo before being admitted to practise as a land surveyor, the candidate shall be examined and shall reply in a satisfactory manner, on the elements of mineralogy and botany, (on the forest flora of Canada in particular,) on the mode to be pursued in conducting a *bornage*, on all questions referred to in this act, and in chapter 77 of the consolidated statutes of Canada, on the investigation of titles to pro-

perty, and generally on all fundamental questions of law connected with the admeasurement and bounding of land, before being entitled to the diploma specified in the ninth section aforesaid.

3. No member of the board of examiners of surveyors shall be permitted to prepare a student for undergoing the preliminary examination required for admission to the study of surveying. These members are only permitted to prepare their own clerks for undergoing the necessary examination to be admitted to practice; and the commissioner of crown lands, on satisfactory evidence, may dismiss from his functions any member of the board of examiners who may act in contravention of this enactment.

An examiner; cannot prepare for admission to the study.

4. The privileges granted by section 17 of chapter 77 of the consolidated statutes of Canada, to those who have followed a course of study in a university, and have there received their degree or diploma in the manner therein specified, are extended to those who have followed a regular and complete course in a college or school where surveying and civil engineering are taught, and who have received a certificate or diploma from the said college or school; provided that the said college or the said school has been previously approved for this purpose by the lieutenant-governor in council.

Privileges of universities extended to other colleges, &c.

5. The words "surveyors clerk" are substituted for the word "apprentice" wherever the latter occurs in chapter 77 of the consolidated statutes of Canada.

C.S.C., c. 77, amended.

Name of the surveyor's clerk.

6. Hereafter, and notwithstanding the usage that may have prevailed in certain parts of the province, all the side lines of lots of land of regular form, in the townships of this province, shall be established and traced on the bearing or course of the exterior lines of the township whereof such lots form part, when they are parallel to the lines of such sub-divisions as set forth on the plan and in the description contained in the proclamation erecting such township.

Mode of establishing side lines.

7. When the exterior lines of a township are not parallel to the internal sub-division of the lots, the guiding line shall be the centre line drawn on the course or bearing of the side lines of the said lots, in each range which it affects, as set forth on the plan and in the description aforesaid.

Guiding lines in certain cases.

8. The said division lines shall be drawn on the said course or bearing from the posts or division pickets planted or established on the front of each range or concession.

Division lines

Front of a range.

9. The front of each range shall be understood to be the lowest range line in the series of numbers designating the several ranges of a township. Thus the front of the first range of a township shall be the division line which separates it from the township, seigniorly or river, upon which it rests; the front of the second range shall be the division line between the first and the second range; the front of the third range shall be the line between the second and the third ranges, and so on.

Front line, how referred in certain cases.

10. When the front of the first range happens to be a line on which no sub-division posts have been planted, (for the township which may be in question), or should it be formed by the shore of a lake or water-course, on which there is no post marking the said lots, the front line shall be referred to the range line next above the first, and the side lines of the lots shall be traced from the posts planted thereon, (or from those which have been lawfully substituted for them,) on either side in opposite directions, for the first and the second ranges, the front being common to both.

If the posts are destroyed.

11. If it happen, that at the same time, both on the front and rear lines of any range, the entire series of posts marking out the lots has been destroyed, either by lapse of time, or by fire, or from any other cause, the sub-division of such lots shall be made *de novo*, in conformity with section 47 of chapter 77 of the consolidated statutes of Canada, and with the official plan of the original survey, and the side lines of the lots in such range shall be established and drawn from the posts so planted, as above prescribed.

Limits of the lots.

12. These side lines thus established from the posts which mark out a lot on the front line of a range, and drawn parallel to the lateral lines or to the centre line of the township in which such lot is included, in conformity with the proclamation erecting such township, or with the plan annexed to the official description of the erection of the township, produced to meet the rear line of the said range, shall, together with the portion of such latter line, comprised between such side lines, and that part of the front line between the posts aforesaid, form the boundaries of the said lot.

Lines drawn according to a certain special system.

13. If before the passing of the present act the lateral lines of one or of several lots comprised in the range of a township should have been traced in accordance with the system adopted in certain parts of the province, from a post on one range line to the corresponding post on the range line immediately above or below, all the lots in the said range whose lateral lines remained to be drawn on

the ground shall be drawn in accordance with the same system, and on the same principle ; as the division lines between the said lots are not affected by the provisions of the present act.

14. The commissioner of crown lands, when he shall deem it necessary in the interests of his department, may exact from any provincial land surveyor, any certified copy of plans or minutes of any survey, which the latter may have performed at the request of any person ; and if such surveyor refuses to deliver certified copies thereof as requested, he shall be liable to the penalties set forth in section twenty-five of chapter 77 of the consolidated statutes of Canada.

Copies of plans or minutes of survey may be exacted by the Com. C.L.

15. From and after the coming into force of this act, any provincial land surveyor who may be called upon to grant a certificate setting forth that the conditions of settlement required by the act 32 Vict., chap. 11, and by the regulations of the crown lands department, have been complied with, on any lot purchased from the crown, the purchaser whereof desires to take out letters patent therefor, shall grant such certificate in the form A, hereunto annexed.

Certificate of the performance of the conditions required by 32 v., c. 11, &c.

16. Any surveyor, wilfully inserting in the said certificate any untrue statement, may under and in virtue of the act hereinbefore cited, be condemned by the board of examiners to the loss of his diploma.

Untrue statement in the certificate.

17. Any surveyor who, in any report of inspection or valuation respecting crown lands, whether vacant or held under location ticket, shall wilfully lead into error the commissioner of crown lands, or his representatives, by means of false information, shall be also liable to the penalties set forth in section twenty-five of the act aforesaid.

False information given in any report of inspection or valuation.

18. After the word " government " in the third line of section twenty-six of chapter 77 of the consolidated statutes of Canada, are added the following words, " or a member of the legislature."

C. S. C., c. 77, s. 26 amended.

19. Paragraph 5 of section 108 of chapter 77 of the consolidated statutes of Canada is hereby amended, by substituting the figure 5 in place of the figure 4, which occurs in the column of figures in the said paragraph.

Id. s. 108 § 5 amended.

FORM A.

I, the undersigned provincial land surveyor, certify that on the 18 , I visited lot No. of the range of the township of , in the county of , where I ascertained that the purchaser M. or his (or her) representatives M. (or MM.) has (or have) been resident upon the said lot during the years last past, and that M. is at present in the locality, the recognized possessor of the said lot.

I further certify, upon inspection, that there are upon the said lot acres under cultivation, and that a habitable house occupied by the said or his (or her) representatives, the dimensions whereof are at least 16 feet by 20, has been erected on the same.

Signature, A. B.

Provincial Land Surveyor.

C A P . X X X V .

An Act to amend the act of this province 38 Vict., chap. 29.

[Assented to 24th December, 1875.]

Preamble.

WHEREAS by section four of an act of the legislature of this province, 38 Vict., chap. 29, intituled: "An act to amend chapter 18 of the consolidated statutes for Lower Canada," it was enacted that meetings for the election of church-wardens, for the rendering of accounts and for all purposes requiring a general parish meeting, in the five parishes civilly recognized by such act, should be composed of the old and new church-wardens and of persons elected in compliance with the ordinance of the bishop, to form the board or body of the *fabrique*;

And whereas it is advisable that such provisions should apply to all other parishes detached from, or which may hereafter be detached from, the old parish of *Notre-Dame de Montréal*, which are or may hereafter be formed, either in whole or in part, out of the territory of the said parish of *Notre-Dame de Montréal*, so that the mode of holding the said meetings be uniform throughout such parishes; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

38 v., c. 29, s. 4, shall apply to parishes to be erected. **1.** The provisions of section four of the act of this province, 38 Vict., chap. 29, intituled: "An act to amend chapter 18 of the consolidated statutes for Lower Canada," and