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**ON THE
COVER**



*The Fairmont Jasper
Park Lodge and Area*

PHOTOS COURTESY OF
BRANDER KPHOTOGRAPHY

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president's message

by Jim Halliday, ALS

Within our Association and, in fact, within most land survey associations across the country, much thought and effort goes into attracting new people into the profession. The ALSA, for example, is now targeting the grade school level students to get them interested in the field of geomatics (still known as “surveying” to some of us older types). It’s never too early to start!

With all the effort going into the business of recruiting, at some point in time we have to ask ourselves if we are doing all we can to retain these bright minds once we have them employed.

The company I work for has a fairly lengthy history and, of course, with history comes a collection of stories and tales—some humorous, some not so humorous. One such tale centres around a young fellow that answered an ad for a draftsman one Friday afternoon. Upon entering the office, he didn’t immediately see anyone around but eventually noticed a man working busily behind some filing cabinets.

“I’m here about the draftsman’s job,” called out the new applicant.

“Great,” replied the voice from behind the filing cabinet, “when can you start?”

“Well,” responded the applicant, “I suppose I can start right away,” thinking that would probably translate into first thing Monday morning.

When advised that he would be required to begin work the *very next morning*, he nervously inquired if it would be possible to attend a birthday celebration with his parents on the weekend and start on Monday instead. The brusque response, now face to face, was: “do you want the f—g job or not?”

Apparently, the young fellow accepted the offer on the spot and stayed with the company for some

...I believe one thing that we can have faith in is that a new generation will be there to step up to the plate to carry the profession forward in the best interests of the public good, just as numerous generations have done since the Association’s birth in 1910.

time. It was a recruitment method that may have worked forty years ago but most certainly could backfire today. I would be appalled to think that anyone would even try it! It should raise the question, however, of how we really treat our employees. Every employee has a right to respect and dignity from the time they enter our doors until the time they leave. Of course, on the other side of the coin, there is an opportunity for workers to improve that respect and dignity.

It is now common for a person entering the work force to change jobs and even careers many times during their lifetime. This has changed from the day that I started working where the norm was to seek a position that would last a lifetime. Our challenge today is to identify the people we want to retain for a long-term career and begin to do the things that will encourage them to stick with it.

I believe the first step in the process is understanding that each succeeding generation has distinct interests and approaches to work that differ from those of the preceding generation. If we can determine what

makes each new generation tick and what their drivers are, then we should be able to employ their talents to the fullest. It does get a little overwhelming when you think you have generation X figured out, only to discover that you are now dealing with generation Y, and even more overwhelming when the discussions arise around such things as flexibility, creative benefits, and the virtual workplace. Management researcher Ken Blanchard hit the nail on the head when he wrote: “if you want people to be responsible, be responsive to their needs.”

In spite of our best efforts, people will move on and good candidates will be lost to the profession. When this happens, our goal as an Association and as individual employers should be to send people away with a feeling that they have been treated with dignity and respect and that they can speak positively of that time in their career – and even recommend the profession to someone else.

As a member of the baby boomer generation and part of the large demographic bubble that is now moving through our membership, I believe one thing that we can have faith in is that a new generation will be there to step up to the plate to carry the profession forward in the best interests of the public good, just as numerous generations have done since the Association’s birth in 1910.

This is the last issue of *ALS News* prior to our AGM. I sincerely hope to see all of you in Jasper in April! As I expected, the year has passed by quickly. I would like to take this opportunity to thank the membership for the great privilege of serving as president.



councillor's forum

by Les Frederick, ALS

Last year when I was approached to run for Council, I thought of several reasons to decline. Most of the reasons revolved around the amount of time involved with the commitment. However, after nearly a year on Council, I can say that it has been one of the most rewarding experiences I have had in my involvement in the ALSA. I have had the opportunity to meet and work with many dedicated individuals either through Council or the many committees that are working hard behind the scenes for the betterment of the Association.

I am concerned, however, about the ability of the Association to continue with the number of committees that are needed to enable the requirements and standards of the Association to be maintained (or even exceeded). A phrase that comes up in nearly every Council meeting with regards to committee work is "volunteer burnout." Other statements include, "we would like to form a committee to look into this issue because the membership has identified it as an important issue but we don't have the manpower to give it the attention it deserves" or "the committee is overloaded as it is."

In early October, Council held a think-tank on the future of the Association. This was one of the issues that was brought forward at last year's AGM and identified as a priority. There were many issues discussed, from membership demographics to educational requirements to two-tier licensing. These are complicated and controversial issues and, as a Council member, I encourage anyone who has any suggestions for terms of reference for a proposed new ad hoc committee to relay them to any Council member.

I have always been amazed at the level of participation of our members at the committee level, the regional meetings and the annual general

meetings. While our members should be commended on their participation in the affairs of the Association, we should all think about what we can do to attract future members. It has been stated many times that we may have a professional land surveyor shortage in the very near future. Our Executive Director has determined from past statistics that there could be a drop of as much as one-third of our membership.

"Whereas the rate of recruitment of young land surveyors has not for some years equalled the rate of retirement of older surveyors from active practice..."

Does this sound familiar? This resolution came from the 1946 AGM, however, it has been an issue for many of the last 95 years of the Association. We, not only as an Association, but also as individual land surveyors, need to attract the students that may be interested in a career in surveying but have never been exposed to it.

How can we reach these prospective land surveyors earlier in their education? The "surveyor in a crate," developed by the Public Relations Committee with assistance from Science Alberta, is making its way to several schools throughout Alberta. This interactive project is intended for public school students and has several hands-on activities relating to the basics of surveying. From the feedback I have heard through Council, it is a great success. This project is a great start. I feel, however, that we must approach the high school students to make them aware of what a career in land surveying is about. Attend the next career day at your son's/daughter's high school. Make students aware of what courses they require in high school and what their post high school educational options are.

How can we as individual land surveyors, increase the profile of our profession to the general public? I would like to know when the profession of land surveyor became lost in the eyes of the general public. How many times have you had to explain to a neighbour or an acquaintance what a land surveyor does?

Last fall, Council approved the request from the Public Relations Committee to have a poll conducted on the general public and certain target groups. This will give an indication of where we have gone in the last five years since the last poll, and where to concentrate the efforts of our volunteers. These are issues that won't be solved overnight and efforts may not yield results for many years, but with a little help from everyone maybe we can pull together and increase the profile of our profession.

On another note, at this spring's AGM, I would encourage the newest members, and indeed, all the members of the Association to add their name and join any committee that they feel they can contribute to. There is a committee for many different aspects of our profession, from statutory to social to public relations. Articled students and associate members may also join certain committees and I would encourage you to do so. It is a great way to meet other members of your Association and bring new ideas to the table. If you are not able to attend the AGM, please volunteer your name through the ALSA office.

I hope that many of you can pull yourselves away from your busy schedules and attend the AGM this spring in Jasper. As usual, there will be many controversial topics to discuss, seminars to attend, colleagues to meet and reminisce with, and generally have a good time.



editor's notes

by Brian Munday, Executive Director

With Apologies to Dr. Seuss

I sat there with Sharon
We sat there we two
And I said
How I wish we knew what to do

This April in Jasper
The land surveyors are meeting
We need a good program
That's more than just eating

It might be too warm
To go skiing
Or too cold
To hit golf balls
So we sat in the office
And wondered about it all.

Well, then who should come in
But the Jim from Cowtown
And he said to us both
Don't you wear those sad frowns!

I know it could rain
And the sun might not be sunny
But we can have lots of good fun
That is funny

And then he ran out
And then fast as a fox
The Jim from Cowtown
Came back in with a box

A big red wood box
It was shut with a hook
Now look at this trick said the Jim
Take a look

In this box are two sems
I will present to you now
You will like these two sems
Said the Jim with a bow

I will pick up the hook
You will see something new
Two sems
I call them Sem 1 and Sem 2

These Sems will not bite you
They want to have fun
Then out of the box
Came Sem 2 and Sem 1

The government wants us
To know 'bout public lands
So let's put on a seminar
And give them a hand

The Director of Surveys
Will talk about dispositions
But the topic's so big
We must have more than just him

We need three
We need four
The topic's so big
We could use even more

We'll start with
The application approval process
And move to water body boundaries
Whether they be more or less

There's plan rejection
And digital plan submission
Geo-referenced plans
And blue tree permission

But that is not all
O no, that is not all
Let me tell you about Sem 2
You won't mind at all if I do

I want you to know
'bout intellectual property rights
You can't give them up
Without putting up a good fight

We'll cover digital data
And digital information
Negligence and disclaimers
And new privacy legislation

Then after a while
We'll need a seminar break
We'll talk 'bout what to do
And think about goin' round the lake

But it's coffee and water
And juice to the rescue
I know where to find them
And I bet you do too

So, to the exhibits we'll go
A great place to buy and sell
Everyone will be there
Like Leica, First Order and always
Cansel

They'll have wingles and wozzles
More flingles and floozits
Ring-jinglers, ring-jumblers
And GPS units

Now after a day
Of learning and minding
Land surveyors will need
Some wine and cheese dining

The Icebreaker we'll call it
And run it from eight 'til eleven
For those who like wine
It'll be seventh heaven

A chardonnay from France
This is your chance

A German riesling
Why, that sounds so appealing

Now from the U. S. of A.
Cabernet will show you the way

And from our Canadian home
The merlot is the way to go

But this is really a chance
To meet friends old and new
Just go up to anyone and say
"How do you do"

Then you will know them
And they'll be your friends
The surveyors' kinship
Will be with you to the end

But what's a meeting without meeting
So to the business meeting we'll go
When the bell starts to ring
It'll be time for the show

You can introduce me
I will introduce you
We'll sing O Canada
Hopefully this year in tune

We'll start with Recommendation
number 1
You know that will be fun

And then Recommendation number 2
By this time, we'll know what to do

Now here comes Recommendation
number 3
Will it pass? Well, let's just wait and
see

There could be amendments
Or a challenge to the chair
But don't worry
Never despair

There's nothing wrong
With a little healthy debate
You might wonder about it, but
It makes our Association so great

And on the Friday night
We'll need an AGM party theme
I know just the one
And, oh boy, what a scheme

In Jasper this Friday
It will be hockey night
We'll have games you can play
We'll do it just right

You can test your slap shot
See how fast it will go
Or try to beat the goalie
Like Mike York or Craig Conroy

If your shot's not so hot
You want something more
There's air hockey and Xbox
You can shoot and you can score

On the TV that night
We will show the playoffs
And auction things for
A Holloway Foundation pay-off

Give it a shot
Take a try at the game
You might end up in
The ALSA Hall of Fame

The next morning
The hockey night over
We'll get up early
Hope not too hungover

We'll get up for breakfast
A great Jasper feast
Muffins and more
But sorry no roast beast

The new members will pour
The pitchers of orange juice
You can have yours just regular
Or with a touch of the sluice

We'll celebrate the past presidents
There's been Pearce, Knight and
Townsend
And in more recent times
Baker, Jaques and G. Ken Allred

But no that's not all
Oh no, that's not all
Let me show you another
Good thing that I know

MP Bridgland surveyed mountains
A long time ago
Took lots of neat pictures
They lay forgotten, and so

Now from the U of Alberta
They went back to the same spot
Took plenty more photographs
To see what has changed; what has
not

A professor name MacLaren
Will tell all about it to you
With pictures and stories
And a complete bio too.

So after a morning
Of candidates and elections
We'll need some good laughs
And I've made the selection

Herb Dixon is the man
Of all sorts of weird sounds
Like horses and planes
So real, you'll be looking around

You'll hear rootles and jingles
And funny thing-a-ma-bobs
But the best one of all
Is when he gets on his sound Hog

Yes, the members lunch will be
A treat for all of our senses
Good food and fun noises
Time to let down our defences

But soon we'll go back
To the AGM meeting
For lots of new business
The members chance for pleading

And when that's all done
We'll draw the meeting to a close
Head back to our cabins
And change into our penguin clothes

And we'll finish it off
With the President's Ball
There'll be dancing and drinking
But no, that's not all

I'll hand over the gavel
To new President Al
Then he'll be in charge
In this great Jasper locale

And then he was gone
The Jim from Cowtown
Back on the highway
And out of E-town

Well, Sharon and I
Sat back and agreed
This year's AGM meeting
Will be a great one indeed!



*Brian Munday will be reading more
Cat in the Hat in the years to come to
sons Connor, 5, and Sean, born
December 30, 2003.*



letters

SPR Corner

Hello Lyall,

I read with interest your Case Study No.18 in *ALS News*. I agree that the dates of survey shown on a plan should provide a clear indication of when the survey was performed. However, some practitioners take liberty with the dates, as you have mentioned.

Date Survey Started

In urban areas where a practitioner might visit the same monument over a period of years and be required to show it on a number of plans over those years, he/she might be tempted to backdate the plan to cover the time when he/she first found it, then show it found on all future plans without ever visiting the monument again. I think this is reasonable for RPRs but it is certainly unprofessional to do so on registered plans.

For registered plans, the practitioner should show the start date of the survey as the first day of work for the current survey, and if the current survey is a phase of a large project, the start date should be shown as the first day of work for the current phase. The practitioner should ensure that the condition of evidence in the field accurately reflects the condition of evidence as shown on the plan.

In my practice, we have built up a record of what we call "block files." For each block file, we have tied in all the evidence for a block and calculated the boundaries of all the lots within that block. The evidence is tied to traverse points (drill holes, and the like) in the sidewalks. We use the traverse points over and over again to do RPRs, stakeouts, fence surveys, and sometimes legal plans such as subdivisions. We usually do not revisit the evidence unless the traverse points are destroyed (in which case we resurvey the block

from scratch) or we are preparing a legal plan.

If we are preparing a legal plan (and the traverse points are still undisturbed) we revisit ALL the evidence required to be shown on the plan. The start date of the survey is shown as the date we start the revisit of the evidence for the purposes of the plan, usually a few weeks or less prior to the survey completion date. But we often use our old information to re-establish evidence that we previously found in good condition but has subsequently been destroyed. In this case, we put a note on the plan like "Found no mark. Re-est from June 2, 1995 field notes by P.

Stoliker, A.L.S., P.I.I." The plan would be dated, for example January 1, 2004 to January 10, 2004, and we would typically show our re-establishment as a tie from traverse points to reflect how we surveyed it in 1995.

This method clearly shows the actual dates of the survey, ensures that the evidence as shown on the plan accurately reflects the condition of evidence on the ground and provides the very best precision when re-establishing lost and disturbed monuments.

Date Survey Completed

The date shown on plans as the survey completion date brings up other issues. I believe that the survey completion date should be the date that the *field survey* was completed (i.e. all required posting is done and all checks are complete). However, not all practitioners agree. Some practitioners think that the survey completion date is the date that the *plan* is completed or signed off by the practitioner. This brings up the discussion of Sections 44 and 46 of the Surveys Act and Part C, Section 3.8 of the MSP.

Surveys Act

Sections 44(3) and 46(3) state that if a Part 2 or Part 3 monument is re-established, then "within 90 days after the completion of the survey" a plan must be submitted to Land Titles for registration. The following questions arise:

- (a) is "the completion of the survey" the date shown on the registered plan as the last "surveyed between" date, or
- (b) is it the date the monument was re-established, or
- (c) is it the date the field survey for the project was completed, or
- (d) is it some other date?

If (a) is correct, the 90 day period could be delayed indefinitely. If (b) or (c) is correct, most practitioners are probably in violation of the Act because often many months go by between the date the field survey is completed and the date the plan is sent to Land Titles for registration. This poses a problem for our Association which needs to be dealt with.

Manual of Standard Practice

I believe that Section 3.8 relates to the establishment of new monuments, that is, monuments that are placed at points never before posted. It states that if a statutory monument is established but *is not shown on a plan registered in the Land Titles Office*, an Establishment of Monuments plan must be registered within two years of the monument establishment. I believe that the highlighted phrase means a plan *already* registered at Land Titles and thus means that Section 3.8 does not refer to re-establishments.

Another interpretation could be that the highlighted phrase means a plan *anticipated to be* registered at Land Titles. The first interpretation can sometimes cause a practitioner to

be in violation of the MSP for the same reason as they might be in violation of the Act. While I believe that the second interpretation is not correct, I believe that where the practitioner continues to anticipate that the plan will be registered within a reasonable time frame, an Establishment of Monuments plan is not practical.

The above discussion relates to “re-establishments” and “establishments” neither of which is the same as the *restoration* of a monument.

Our obligation to society and the ALSA, if any, in reporting restorations is another topic worthy of debate.

PAUL C. STOLIKER, ALS, CLS

Trek to Lake Magog Basin

I'm sure you have more important articles to fill the pages of *ALS News*, however, I have included the following material in the event that you are ever struggling to complete one of your future editions.



In August, 2003, an intrepid (decrepit?) group of adventurers, including (from left to right) Doug MacAulay, Christy Thompson, Hal Janes and Dave McArthur, completed a week-long trek into the Lake Magog basin at Mount Assiniboine. Commencing at the Sunshine Trail head and finishing at Mount Shark in Kananaskis Country, the route generally paralleled the continental divide, criss-crossing the Alberta/British Columbia border while passing in and out of Banff National Park and Mount Assiniboine Provincial Park.

The photo was taken at Wonder Pass on the provincial boundary, as we started our descent into Marvel Lake on the outbound portion of the trek. The picture of our party (packs removed) was taken with Mount Cautley shown in the background.

Mount Cautley was named in 1917 in recognition of Richard W. Cautley, ALS, DLS. Cautley (ALS #006) who was one of 45 Alberta Land Surveyors who became the first members of the Alberta Land Surveyors' Association, each receiving their commissions on January 1, 1911.

Mount Cautley (elevation 2,880 metres or 9,450 feet) was first ascended in 1916 by members of the Interprovincial Boundary Commission. Richard W. Cautley was the Alberta representative on the boundary survey. He was responsible for boundary determination work in 24 major passes which resulted in the placement of concrete survey monuments to mark the interprovincial boundary.

Cautley did not believe that mountains should be named after people but seemed pleased that the Geographic Board of Canada named the peak near Mount Assiniboine in his honour.

In his memoirs he wrote, “in theory, I know that it is perfectly absurd that one of the Creator's stupendous mountains should be named after any man, but I was awfully pleased at this particular negation of my theory.”

H. DOUG MACAULAY, ALS, CLS

Editor's Notes

I read your article about the need for today's society to be in control. Couldn't agree with you more.

It is along that same philosophy that I saw the new role of a land surveyor as a facilitator providing access to a legislative framework to resolve boundary uncertainties. This framework would empower land owners to have the ability to engage their neighbour in resolving their mutual uncertainty or disputed boundary. Much like a lawyer walks

you through the mazes of law, the land surveyor would walk adjacent owners through this process, enabling them with the interpretive tools and knowledge they need, to come to their own conclusions as to the most defensible location of their property boundary at law.

A property owner wants what is his and needs piece of mind in that what he has is his to have. That piece of mind is achieved when understanding is achieved. Land surveyors can demystify the law on boundaries for their clients, they have the expertise and the experience to engage them in the boundary uncertainty resolution process—after all, they, not the surveyor, will have to live with it. Keep it simple. No need for a big tribunal or panel of experts. As you contemplate Section 9 of your Surveys Act, hand the tools to the experts closest to the truth. They will find the true and unalterable boundary. That, I believe, is today's role of a land surveyor as it applies to resolving uncertain boundaries.

Lobbying should be made to have our legislators entrench this framework to make these true boundaries immutable.

Food for thought.

SERGE BERNARD, PEELS

Query

We have old existing overhead power lines that were built on a handshake. Now we need to obtain easements and would like to know if we have any legal rights to keep our lines where they are currently located. Your website is very interesting.

RICHARD SMITH, DISTRIBUTION SUPERVISOR,
ORRVILLE UTILITIES, ORRVILLE, OHIO

Thank You

Thank you for the beautiful flowers sent to the hospital while John was there and for the flowers for the funeral. Our family has been touched by the thoughtfulness of so many of you.

DEANNA DEYHOLOS AND FAMILY

Historical Bearings

In visiting some old files, I noted a few facts that may be of interest to the readers of *ALS News*.

1. The 1948 tariff of fees covered oil well surveys for "Location of Well Sites and Plans" at \$100 with "Levels" at \$20 per mile for closed circuit. If I remember correctly, we sometimes went quite a few miles to find two benchmarks. More money!
2. The Alberta Land Surveyors' Association Annual Report for January 1954 referred to the 45th annual meeting in the MacDonald Hotel in Edmonton with 46 in attendance. President was C.W. Lester, Vice President was J.H. Webb, Secretary Treasurer was J.H. Holloway and Council consisted of D. Usher, C. Weir, R. McCutcheon, G. Hamilton, S. Pearce and L. Harris. Our membership stood at 96.
3. The same report discussed the idea of commission numbers being stamped on all survey posts planted.
4. The joint "Western Surveyors' Organization" was being discussed by the prairie provinces.
5. Reciprocity of commissions between the three prairie associations and standardization of the syllabus was under discussion. We are still in limbo.
6. In April 1952, a two-week course of instruction, through the Department of Extension was held at the School of Fine Arts in Banff. The course covered examinations that were not included in the normal university engineering course. Twenty-five students took the course at a cost of \$35 per student with board and room at \$5 per night. These students, mostly engineering graduates, were to take their ALS finals in 1952. You may remember that the Alberta Government of the day, made it clear to our Association that we

obtain more land surveyors in a hurry or they would alter our Act. How times have changed.

J.H. WEBB, ALS (HON. LIFE)

U of C Department of Geomatics Celebrates 25 Years

On behalf of the Department of Geomatics Engineering at the University of Calgary, we would like to thank you for your generous contribution to the 25th Anniversary Celebrations.

You will be recognized as a Partner at the Celebration Banquet/Open House as well as recognition in a special issue of Geomatics, on the Department's website and in our Annual Progress Report, as well as a Donor to the 25th Anniversary Scholarships. As a Partner, you will also receive four tickets to the Celebration Banquet, to be held October 28th. Tickets will be mailed to you in May, with more details on the celebration.

Thank you for your continued support in building our Department.

*DR. M. ELIZABETH CANNON, PENG, CLS, FCAE
INCOMING HEAD (2004-2009)*

It is my pleasure to write and thank you for your generous corporate donation of \$5,000 to the University of Calgary. Your gift has been designated in support of the Department of Geomatics Engineering 25th Anniversary Celebration.

Each year, more than 24,000 students choose the U of C for its innovative curricula, experiential teaching methodologies and unique learning resources. Our award-winning team of 1,700 faculty members embraces a vision of teaching and research that reflects the needs—skills, attitudes and discoveries—of Calgary's thriving business and cultural communities.

In many instances, achieving our goal as "Calgary's university" is possible only by virtue of the generosity and vision of benefactors like

you. Your gift is a direct investment in the learning experiences of U of C's students.

Thank you again for choosing to invest in U of C.

*LYNN VAN HYFTE, DIRECTOR OF DEVELOPMENT
LEADERSHIP GIVING, U OF C*

Scholarships

Thank you for your ongoing support of advanced education at SAIT. It is my pleasure to inform you that the Alberta Land Surveyors' Association award for 2003-2004, valued at \$1,250, has been presented to Gordon Linnell, a student of the Geomatics Engineering Technology program.

We at SAIT are fortunate to see the impact your award has on students. Knowing the assistance you provide to our students helps them to obtain their present and future goals. You are a vital link to the success of SAIT and we truly appreciate your involvement.

On behalf of the students, faculty and administration, thank you for your continued support of advanced education.

*MARIE HOLDER
STUDENT AWARDS COORDINATOR*

FIG Article of the Month

FIG has started to publish the "Article of the Month." These are high-level papers focusing on interesting topics to all surveyors. It can be picked up from an FIG conference or another event.

The "Article of the Month" in December 2003 is Ian Greenway's paper *Standards—Are They Relevant in a Surveyor's World?* Ian Greenway is the Chair of the FIG Network on Standards. His paper was presented for the first time at the FIG Working Week and 125th Anniversary in Paris, France on April 13-17, 2003. It was updated in November 2003 for the FIG series.

The article can be obtained from:
www.fig.net/figtree/pub/monthly_articles/december_2003/greenway_december_2003.



nominations for council



Al Nelson
(Edmonton)



Stephen Green
(Calgary)



Vic Wolchansky
(Olds)



Clayton Bruce
(Strathmore)



Barry Fleece
(Calgary)



Grant Cross
(Edmonton)



David Marquardt
(Calgary)



Larry Pals
(Edmonton)

For President:

A.W. (Al) Nelson, ALS

- Born in Winnipeg, Manitoba.
- Graduate of the Manitoba Institute of Technology—1969.
- Articled to J.A. Chute, MLS, E.I. Carefoot, ALS, N.R. Mattson, ALS and J.W. Christenson, ALS.
- Received ALS Commission in 1977.
- President and General Manager of Meridian Surveys Ltd.—1977-1986.
- Co-owner of Noralta Meridian Consulting Group Inc. —1986-1992.
- Employed with Reid Crowther—1992-1993.
- Served on Legislation, Expanded Profession, Continuing Professional Development Program Subcommittee, Vision 2000, Professional Development, Registration committees and Council.
- Director of Practice Review at the Alberta Land Surveyors' Association—1993-1997.
- Former member, Kananskis Country Citizen's Advisory Committee, 1997-2002.
- Presently employed by Stewart, Weir & Co. Ltd.
- Married to Nancy.

For Vice President:

Stephen Green, P.Eng, ALS, CLS

- Born in Calgary, Alberta 1955.
- Graduated from Ernest Manning High School, 1973.
- Received Honours Diploma in Surveying Technology from SAIT, 1978.
- Articled to C.H. Weir, ALS from 1978 to 1980 and to W.H. Jones, ALS from 1980 to 1983.
- Graduated B.Sc. in Surveying Engineering from University of Calgary 1982.
- Received ALS Commission in January 1984.
- Served on SAIT Advisory Committee (1984-1986).
- Received CLS Commission in 1987.
- Member of APEGGA, CIG, IRWA, SPE, AGG.
- Member of the Board of Directors, Calgary Geomatics Cluster (CGC).
- Served on Public Relations Group (1986-87).
- Served on Systems and Procedures Group (1987-88).
- Served on Registration Committee (1988-94), Chairman (1992-94)
- Served on ALSA Council (1995-97).

- Served on U of C - Geomatics Industry Awareness Committee (1996-2002).
- Served on Ad Hoc Committee Oil & Gas Group (Chairman) (1997-present).
- Served on APEGGA Examining Committee (Experience) (1998-present).
- Served on Standards (1999-present), Chairman (2000-02).
- Served on Dispositions Subcommittee, Chairman (2003-present).
- Served on Ad Hoc Legislation Committee (2000-present); served as chairman (2003-present).
- Representative on CAPP Geomatics Committee (2003-present).
- Worked for Stewart, Weir and Co. (1978-79).
- Worked for All-Can Engineering & Surveys (1976) Ltd. (1980-1988).
- President and General Manager for The Cadastral Group Inc. (1988-present).
- Coached Little League Baseball (8 yrs).
- Current president, Crowchild Hockey Association (Calgary).
- Married, wife Janet, one son, Jeffrey.

V. (Vic) Wolchansky, ALS, CLS, NSLS

- Born NE 13-54-12-5.
- Began survey career in 1956.
- Articled to I.Pals ALS (1963-65); R.Baker ALS (1965-66); J.W.Hill ALS (1966-68).
- Received ALS commission, 1968, CLS commission, 1971 and NSLS commission, 1972.
- Employed as survey technologist, Alberta Transportation, 1956-61 and 1963-66: External Aid, Federal Government 1962.
- In private practice with Canadian Engineering Surveys Co. Ltd., 1966-84 and with Challenger Surveys and Services Ltd., 1984-2004.
- Served ALSA as: Auditor, 1971-73, Legislation Group Member 1971-72, Special Committee—The Survey System Member 1974-75, Public Relations Group Member, 1984-87, Consulting Practice Group Member 1984-85, Systems & Procedures Group Member 1985-86, Councillor 1985-87, ALSA representative on CCLS 1987-92, Association Finances Ad Hoc Committee Chairman (ongoing).
- Active in community; serving on the Edmonton Petroleum Club Board of Directors and President in 1997-98. Chairman of Edmonton Petroleum Golf and Country Club 1998.
- Presently on the Olds and District Chamber of Commerce Board as Vice-President.
- Live in Sundre, Alberta with wife Judy and have two children Kevin and Jackie and four grandchildren.
- Enjoy golf, travel and fishing when time allows.

For Council:

D.C.J. (Clayton) Bruce, ALS, CLS

- Raised on a farm near Forestburg, Alberta.
- Graduated from Heisler High School.
- Graduated from SAIT in Land Surveying.
- ALS Commission, 1963.

- CLS Commission.
- Employed by Alberta Transportation for 34 years conducting road boundary surveys in Southern Alberta.
- Sole practitioner located in Strathmore for the last 12 years.
- Served on a number of ALSA committees over the years—more recently the RPR Task Force and Practice Review Board (4 years).
- Married, wife Diana, four sons, one daughter, four grandchildren.
- Also operate a small non-profit horse farm and enjoy the company of Greyhound dog while doing chores. Enjoy watching sports, hockey, football and rodeo events.

B.G. (Barry) Fleece, ALS

- Born in Broadview, Saskatchewan in 1948.
- Graduated from Broadview High in 1966.
- Graduated from Saskatchewan Technical in 1968.
- Articled to R.J. Fulton, ALS and received ALS commission in 1978.
- Served on various ALSA committees including Registration (2001-04), and Council (1994-96).
- Member of ACSM, IRWA, and CSSE.
- Member of Prominence Hills Condo Board.
- Involved in various areas of surveying over the past 36 years.
- Hobbies and other interests include reading, golf, hiking and travel.
- Married to Brenda, 4 children (Lisa, Brandon, Michael and Kelly).

G.D. (Grant) Cross, ALS, CLS

- Born in Meadow Lake, Saskatchewan.
- Graduated from NAIT, Survey Technology, 1972.
- Articled to L.R. Vanderford and G.C. Walker, 1973 to 1975.
- Obtained ALS Commission, 1975.
- Obtained CLS Commission, 1982.
- Employed by Walker Consulting Group, 1972 to 1998; Stantec Geomatics Ltd., 1998 to present.
- Past member of Legislative and Education committees.

- Past Director of Alberta Home Builders Association.
- Past Director of Highway 14 Hockey League.
- Reside in Fort Saskatchewan with wife Bev.

D.N. (David) Marquardt, ALS

- Born Edmonton, Alberta (of all places) August 7th 1955.
- Graduated from Chippewa Secondary School (Honours), North Bay Ontario, 1974.
- University of Alberta (Bach. Physical Ed), 1974-1978.
- Southern Alberta Institute of Technology (Surveying), 1981-1983.
- McElhanney Land Surveys, 1983-84.
- Can-Am Surveys (Calgary), 1984-1987.
- SESL 1987-1990, and 1995-1999.
- Cam-Alta Surveys (Camrose), 1990-1993.
- Coordinate Surveys/Stanley, 1993-1995.
- Served articles under Don George ALS, Terry Hudema PEng, ALS, and Jim Stuart ALS, CLS.
- Received ALS commission, 1994.
- Member of Commemorative Survey (South Field Crew).
- Midwest Surveys, 1999-present.
- Education Committee, 1990-1994.
- Convention and Social Committee, 1994-1996.
- Practice Review Board, 1998-2002.
- Statutory Boundary Committee, 2001-2003.
- Hobbies include golf, hockey, skiing. Passions include Church and family.
- Reside in Okotoks with wife Dana, and five kids; Michael, Ashli, Nathan, Aimee, Jennifer, one exchange student and two cats.

For Secretary-Treasurer:

L.M. (Larry) Pals, ALS

- Born in Castor, Alberta in 1951.
- Graduated from Theresetta High in 1969.
- Graduated from SAIT, Survey Technology in 1971.
- Began survey career with Alberta Transportation (1971-74).
- Employed by Walker, Newby & Associates (1974-83).
- Articled to L.R. Newby, ALS
- Received ALS commission in July 1976.
- President of Pals Surveys and Associates Ltd. (1983 to present).
- Served on ALSA Council (1984-86, 1993-97).
- ALSA Vice President (1999-2000).
- ALSA President (2000-2001)
- ALSA Past President (2001-2002)
- Served as Chairman Section 9 Ad Hoc Committee (2002-2004)
- Served on ALSA Standards Committee (1990-91).
- Served as Northern Regional Chairman (1992-93).
- Served as Convention Committee Chairman (1979 and 1983).
- President of Knights of Columbus Hockey (1997-1999).
- Member of RPR Task Force (1997-2000).
- Member of UDI, EHBA.
- Married to Judy; three children and one granddaughter.



book review

by Ken Allred, ALS

Epic Wanderer

David Thompson and the Mapping of the Canadian West

by D'Arcy Jenish

"one of the most remarkable figures in Canadian history."

D'ARCY JENISH

"Another book on David Thompson" you say. Well yes, but this is not just another book on David Thompson, but a real gem—a true biography of David Thompson. This volume does not concentrate on any one aspect of Thompson's life but tells the whole story from his formative years at Grey Coat School in London to his death in Longueuil, Québec in 1857 at the age of 87 years.

In just under 300 pages, Jenish chronicles Thompson's life of adventure and intrigue, communicating with natives in several different tongues, of hostilities and of near starvation, a tale of betrayal by the powers that be in England taking his life work for a pittance and publishing it without so much as an acknowledgment. Thompson was never totally recognized during his lifetime for his accomplishments but a hundred years later, his memory has been revived by a plethora of great books extolling his

greatness, and finally recognizing the injustices done to this great Canadian surveyor and explorer who died nearly blind and in poverty.

The book starts out with the story of the shock and hardship experienced by fourteen year old David, who had been taken from Grey Coat School in London and transplanted to the desolate shores of the Hudson Bay to work as a clerk for the Hudson's Bay Company. He fell and broke his leg just before Christmas and was replaced by Peter Fidler, missing out on an opportunity to explore the Athabaska country. But misfortune turned to fortune when Philip Turnor, the Hudson's Bay Company surveyor impressed by Thompson's interest and talent, took him under his wing and taught him his craft. Thompson was enthralled with surveying taking every opportunity to make astronomical observations, staying up into the wee hours of the morning reducing his calculations to latitude and longitude.

The most heart-wrenching chapters are the last chapters which detail the hardship of Thompson's later years. After spending 30 years exploring the wilderness of western Canada as surveyor and astronomer to the Hudson's Bay Company and then the North West Company, David

Thompson and his family were brought in from the field, to chart his observations and produce the great map of the Northwest Territory of the Province of Canada. Once finished this task, he moved on to other activities, as surveyor and astronomer on the Canada-United States Boundary, as a commissioned land surveyor in both Upper and Lower Canada, as a designer and builder of canoes, as a designer of a frame to cushion the recoil of cannons used in the War of 1812, as a justice of the peace, a farmer, businessman and land developer. But hard times hit in the 1830s and Thompson was unable to collect his accounts and unable to find gainful employment. He could not sell his maps or the tales of his adventures. He had to rely on the goodwill of his children to survive in his later years.

This book reads like Robinson Crusoe—an adventure not a history book. It is, however, filled with the history of Western Canada, just told in an exciting personal, free flowing style. The book contains a number of interesting illustrations ranging from scenic pencil sketches to maps and copies of journals and field notes.

The book, published in 2003, should be available in most book stores for the retail price of \$37⁹⁵.



association notes

New Members

#706 AMUNDRUD, Arlin O.



Arlin was born in Lloydminster, Alberta on July 23, 1975. He graduated from Ernest Manning High School in Calgary in 1993 and went on to obtain a B.Sc. in Geomatics Engineering from the University of Calgary in 1999.

Articles were served under Robert M. Wallace, ALS until he received his commission on January 8, 2004.

Arlin served on the ALSA RPR Task Force from 2000 to 2003. He is also an Engineer in Training with APEGGA.

Surveying experience includes internship with Challenger Geomatics at the Gregg River Coal Mine. Arlin also worked for the City of Winnipeg and is employed by Global Surveys Corp. in Calgary.

Skiing (both water and snow), wine and beer making and hiking are some of Arlin's leisure activities.

Arlin is married to Sandy Kennedy.

#707 JOHNSTON, Jeffrey H.



Jeffrey Hamilton Johnston is a native Calgarian and was born on April 7, 1970. He graduated from John G. Diefenbaker High School in 1988 and went on to receive a B.Sc. in Geomatics Engineering from the University of Calgary in 1997.

N.R. Woolgar, ALS served as Jeffrey's principal until he received his commission on January 29, 2004.

Jeffrey has been involved in construction, subdivision and oil and gas surveying and is an Engineer in Training with APEGGA.

Hockey, squash, hiking and watching movies are activities that Jeffrey enjoys in his spare time.

Jeffrey is engaged to Cindy Wong.

#708 MOLONEY, Patrick



Patrick Moloney was born on October 14, 1969 in Ontario and graduated from the Mabou Consolidated High School of Nova Scotia in 1988. He attended the B.C. Institute of Technology in the surveying and mapping program. Patrick received a B.Sc. in Geomatics Engineering from the University of Calgary in 1999.

Articles were served under Alberta Land Surveyors S.M. Loeppky and M.D. Prevost. Patrick received his ALS commission on January 29, 2004.

Surveying experience includes five years of field experience in both civil engineering surveys and legal surveys. In addition, Patrick has two years of office experience in legal surveying.

Patrick is employed with Maltais Geomatics Inc. in their Calgary branch office.

Patrick enjoys camping, travel, and many sports including ultimate frisbee, hockey, running and cycling.

Patrick is married to Amanda and they make their home in Calgary. They have a son, Thomas, born February 15, 2004.

Changes to the Register

Dave Armstrong, ALS—new e-mail: dave@foothillssurveys.com.

Tim Chan, ALS: new address—804A Cook Street, Whitehorse, Yukon Territory Y1A 2S1.

Focus Surveys Inc. was approved as a surveyor's corporation on January 27, 2004.

Foothills Surveys Ltd.—new website: www.foothillssurveys.com.

Ian Emmerson, ALS—new e-mail: iemerson@calgary.ca.

Shaun Ewen, ALS has taken employment with Raymac Surveys Ltd. in Calgary effective December 3, 2003. Shaun's e-mail address is: shaun.raymac@shaw.ca.

Jones Geomatics Ltd.—new mailing address: 1323 - 44 Avenue NE, Suite #20, Calgary, AB T2E 6L5

Kevin Jones, ALS—new e-mail address: jonesgeo@telus.net.

Derrick Lipinski, ALS—e-mail: dlinpinski@nrcan.gc.ca.

Jim MacLeod, ALS has taken employment with the Calgary office of The Cadastral Group Inc. effective February 19th. Jim's e-mail address is jim.macleod@cadastralgroup.ca.

David McArthur, ALS has taken employment with Midwest Surveys Inc. in Edmonton effective February 2, 2004. David's direct e-mail address is: dmcarthur@midwestsurveys.com.

Jason Paziuk, ALS has taken employment with Precision Geomatics Inc. at their new branch office in Calgary. Jason's new e-mail is: jpaziuk@precisiongeo.ca.

Connie Petersen, ALS is now employed with Stantec Geomatics Ltd. in Calgary. Connie's e-mail address is cpetersen@stantec.com; direct phone: (403) 716-8245.

Precision Geomatics Inc. has opened a branch office in Calgary under the direct supervision and control of Jason Paziuk, ALS. Address: 707 - 10 Avenue SW, Suite 304, Calgary T2R 0B3; Tel: (403) 266-6647 or (877) 266-6649; Fax: (403) 266-6847.

Fred Welter, ALS (Ret.)—e-mail address: fred.welter@nwgeo.com.

Line Fence Act Amended

During the spring sitting of the Alberta Legislature an amendment was passed which basically removed the application of the Line Fence Act from urban communities.

The Line Fence Act is a short, simple and rather innocuous statute designed primarily as a simple mechanism to resolve disputes regarding the sharing of costs for the erection and maintenance of fences built along common boundaries. The Act establishes a system whereby each party can appoint an arbitrator to resolve the dispute between the parties and, in the event that the two cannot resolve the matter, an umpire is appointed jointly by the two arbitrators to resolve the dispute. The order of the arbitrators is binding on the parties and is enforceable in the courts similar to any other arbitration award under the Arbitration Act.

The Act had been used in the past to resolve disputes over the cost of common fence lines in both urban and rural situations. The Act was amended in the spring sitting presumably because of municipal liability over the cost of repair of fences bordering onto municipally owned land.

G.K. ALLRED, ALS

Changes to Requirements For Environmental Field Reports for Dispositions and Reservations/Notations for Permanent Sample Plots and Research Sample Plots

Alberta Sustainable Resource Development (SRD) is responsible for the effective and efficient management of many types of dispositions that are used to allocate natural resources on public lands to users. A disposition is a legal instrument (such as a sale, lease, license or permit) that allows the Government of Alberta to convey a benefit from public land to any person. Many Alberta Land Surveyors are familiar with dispositions on public lands through their day-to-day work on behalf of clients in the oil and gas industry and other industries that work on public lands in Alberta.

On March 31st of this year, SRD is anticipating the implementation of a change to the Public Lands and Forests Division's (PFLD) Environmental Field Report (EFR). This report is submitted to PLFD as a part of the disposition application process. Given the involvement of ALSs with dispositions, I would like to make them aware of the new EFR requirement for the location of proposed disposition(s) relative to disposition reservations or notations for Permanent Sample Plots (PSPs) and Research Sample Plots (RSPs). Specifically, disposition applicants will now be required to determine if they are within 100 metres of a PSP(s) or RSP(s), and if so, indicate the location of the PSP(s) or RSP(s) in relation to the boundary of the disposition being applied for. As such, the revised wording for the EFR will be:

Are Permanent/Research Sample Plots located within 100 metres of the lands applied for?

Yes No

If "yes" (see www3.gov.ab.ca/srd/forests/fric_proj/html/), indicate location (GPS coordinates) of all plots in relation to the disposition boundary:

To facilitate the application process, I recommend that the website be utilized by ALSs prior to submitting any disposition application to PLFD. There are three ways to search for PSPs and/or RSPs on this site. Users can search by the PSP number, reservation number or by an Alberta Township System description. This site also includes detailed information (coordinates and maps) for PSPs/RSPs that are administered by the Forest Management Branch (FMB), Public Lands and Forests Division and other agencies. An online pamphlet discussing what PSPs and RSPs are, and why they are protected, can be obtained at www3.gov.ab.ca/srd/land/lad/dl_li.html#PSPBrochure.

FMB has approximately 1,100 PSPs and approximately 44 RSPs on public lands protected by a disposition reservation (DRS), consultative notation (CNT) or a protective notation (PNT). In the future, other agencies such as Canadian Forest Service (CFS) and Foothills Growth and Yield Association (FG&YA) will also be utilizing this website. It is important to note that any public lands covered under a DRS reservation automatically restrict any surface activity and/or disturbance on those lands. Further to this, PNTs state that no surface disposition is allowed. This condition has the same penalties associated with it as if it was a DRS. Also, Alberta Land Surveyors should be aware that PNTs are not mapped on Technical Services (Dispositions and Technical Services Branch PFLD) disposition township plans. In the field, the blue-painted trees that mark the buffer surrounding a PSP and a RSP may identify the boundary of the PSP or RSP. Alberta Land Surveyors can check the Land Standing Automated System (LSAS) land

standing remarks for additional comments on how the PSP(s) and/or RSP(s) are identified.

What this means to an Alberta Land Surveyor is that no activity that involves the cutting of trees or otherwise damaging of trees is permitted within PSPs and/or RSPs, including the associated buffer zones. Additionally, if a disturbance occurs, a monetary penalty may be assessed for the unauthorized activity as well as potential public disclosure of the penalty.

DARYL GILDAY, RPF
FORESTER, FOREST MANAGEMENT BRANCH
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(780) 422-5257

Report on the 2002 Survey of Surveying and Mapping Services

The surveying and mapping industry is composed primarily of two different activities, namely geophysical surveying, which provides services to the mineral, oil and gas industry, and land surveying. This industry generated \$1.9 billion in operating revenues in 2002, up 3.8% over 2001.

Land surveying revenues rose as housing starts saw a significant surge in 2002, triggering increased demand for land surveying services. Land surveying's share of operating revenues jumped to \$738 million in 2002, from \$678 million in 2001.

The year 2002 was characterized by a slowdown in oil and gas exploration, development and production activities. This impacted geophysical surveying and mapping services revenues which dropped marginally to \$1,015 million in 2002, from a high of \$1,028 million in 2001.

Alberta continues to lead all provinces in total surveying and mapping services, accounting for 64% of operating revenues earned in 2002, or \$1.2 billion – down from 68% in 2001, which translates into a \$50 million drop in total annual revenues.

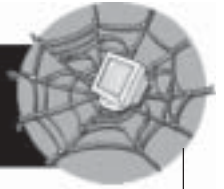
Geophysical surveying activities are the bread and butter of Alberta-based firms, generating 83% of all sales of geophysical surveying services in Canada. This includes work performed in Alberta proper, and work conducted by Alberta-based companies in other provinces, offshore, and in other countries.

The industry's before-tax operating profit margin was 9.8% in 2002, a slight decrease from 11.1% in 2001.

Because the top firms in the industry provide geophysical services, which slowed in 2002, expenses remained relatively high as revenues diminished, bolstered by salaries and wages. The top twenty firms generated only 37.5% of operating revenue, a significant decrease from 49.3% in 2001, when they accounted for 49.3%. These firms also accounted for 29.8% of salaries and 38.4% of all operating expenses. Their share of operating profits plummeted from 52.3% in 2001 to 29.3% in 2002.

MICHEL SAVARD, STATISTICS CANADA
613-951-3175; michel.savard@statcan.ca

**net
notes**



Virtual Museum of Surveying
www.surveyhistory.org

Calculating Machines
www.webcom.com/calc

Surveying Instrument Collection
[www.gmat.unsw.edu.au/
final_year_thesis/f_pall/html/
index.html](http://www.gmat.unsw.edu.au/final_year_thesis/f_pall/html/index.html)

Survey Chains
www.surveychains.com

The Compleat Surveyor
www.uzes.net

Antique Surveying
www.antiquesurveying.com

Ames Instrument Company
www.amesinstrumentcompany.com



spr director's message

by Lyall Pratt, ALS

When is a quarter section considered surveyed?

A few times now I have been asked when is a quarter section considered surveyed? I am unaware of any hard and fast rules and, it turns out, none really exist. Recently however, Natural Resources Canada, Legal Surveys Division sent out their policy on what constitutes surveyed and unsurveyed territory for Indian Oil and Gas Canada survey plans in Western Canada. Stephen Howard, ALS, CLS, Head of Cadastral Services Unit Western Region did the research and put together the paper and policy. I think the policy makes a great deal of sense as it outlines the generally accepted interpretations of Alberta Land Surveyors based on Stephen's research. I have been given permission to reprint their policy for the benefit of all Alberta Land Surveyors. Here is their discussion paper and policy:

Western Regional Operations Centre Policy with respect to What Constitutes Surveyed and Unsurveyed Territory for Indian Oil and Gas Canada (IOGC) Survey Plans in Western Canada

The Problem:

In the Alberta land surveying community, there is debate in some cases as to whether particular quarter sections are surveyed or unsurveyed. The debate centres on whether two posts define a quarter section or whether three posts are needed.

The Practical Effects:

If a quarter section is deemed to be surveyed, then a separate area must

It would be my observation that members should adopt this same policy for their use in determining when a quarter is in surveyed or unsurveyed territory.

be computed and shown on survey plans for lands dealt within it. In unsurveyed territory, an area for lands dealt with need only be computed by township. In some cases, the extra work involved with computations and drafting is substantial. If two posts are deemed to make a quarter section surveyed for instance, then areas adjoining baselines and range lines need to be computed.

Background:

The case supporting two posts defining the quarter section probably is founded on a passage contained in Section 139 of the Ninth Edition of the Manual of Instructions for the Survey of Dominion Lands (1918) and retained verbatim in the same section of the Tenth Edition of the same manual (1946) which was reprinted in 1956. The passage is as follows:

“...When it is impossible to reach two corners of a quarter-section, the corner or corners which cannot be reached are indicated by witness monuments so as to comply with *the rule adopted by the Department, that a quarter-section is sufficiently surveyed to be homesteaded, sold or otherwise disposed of when two of its corners are indicated upon the ground. The rule is an arbitrary one but in general is found satisfactory.*”

Present Situation:

The following cases are believed to illustrate the generally accepted

interpretations of the Alberta land surveying community on this subject. It is to be noted that the northeast section corner on a blind line would be considered a “third” corner for these cases.

1. If three corners of a quarter section are posted on the ground and shown on the township plan and / or field notes (or other official subdivision plan), then the quarter section is deemed to be within surveyed territory.
2. If two corners of a quarter section are posted on the ground and shown on the township plan and/or field notes (or other official subdivision plan), and a title has been issued, then the quarter section is deemed to be within surveyed territory.
3. If two corners of a quarter section are posted on the ground and shown on the township plan and/or field notes (or other official subdivision plan), and if an area for the quarter section is shown on the township plan, then the quarter section is deemed to be within surveyed territory.
4. If two corners of a quarter section are posted on the ground and shown on the township plan and/or field notes (or other official subdivision plan), and if *no* area for the quarter section is shown on the township plan and if *no* title has been issued for the quarter section, then *there are differences of opinion on whether the quarter section is deemed to be within surveyed territory.*

Discussion:

From the above, it seems that the “two post rule” was adopted around 1918. It was a time when homesteading and settlement on

farmland were high priorities. Given these high priorities and the expectations that many quarter sections would soon be occupied, titled and sold, the “two post rule” was probably a sound one. The need for a separate area to be computed and shown on survey plans for any lands dealt within a surveyed quarter section was, and is, a sound one as well. That is, if the land is or will be titled, then the owner will need to know how much of the land is utilized by third parties.

In many parts of Alberta, both on and off of Indian reserves, there are many cases where quarter sections that are marked by only two posts are not settled by individuals and probably never will be. In these cases, provided no title has been issued and no area is shown on the township plan, it does not seem to make practical sense to compute and show separate areas if the information has only a small chance of being utilized. The chance is even smaller on Indian reserves in Alberta because of the small number of certificates of possession.

Policy:

Taking all of the above into account, the Western Regional Operations Centre will hereafter administer in the following way:

Items 1 to 3 (above) will apply. In the case of item 4 (above) and in the absence of other compelling evidence, the lands will be administered as if they are located in unsurveyed territory.

Please note that on Indian reserves, “titles” do not exist as under a land titles system. When title is referred to above, the equivalent disposition for Indian lands is implied.

It would be my observation that members should adopt this same policy for their use in determining when a quarter is in surveyed or unsurveyed territory.

Thanks to Natural Resources Canada for their research and granting permission to reprint their research and policy document.

Monumenting Cutoffs on Unmarked Side of Right-of-Ways

In 2003, the ALSA Standards Committee was asked to investigate requirements for monumenting cutoffs for right-of-ways. The result of the investigation is this article which was reviewed by Council and the Practice Review Board.

The Surveys Act requires the monumenting of any change of direction or width of a right-of-way plan.

“45(1) If a surveyor does a survey for a plan that is required to be registered at the Land Titles Office or filed at the Metis Settlements Land Registry, the surveyor shall (a) mark the positions of the boundary lines to be established by placing monuments

(i) at every change of direction and the beginning and end of every curve, and

(3) Notwithstanding subsection (1), a surveyor;

(a) when surveying a right of way that is to be bounded by parallel lines that are not more than 150 feet apart, need mark only one boundary line of the right of way, and the unmarked boundary shall be determined from the marked boundary and the width shown on the plan,”

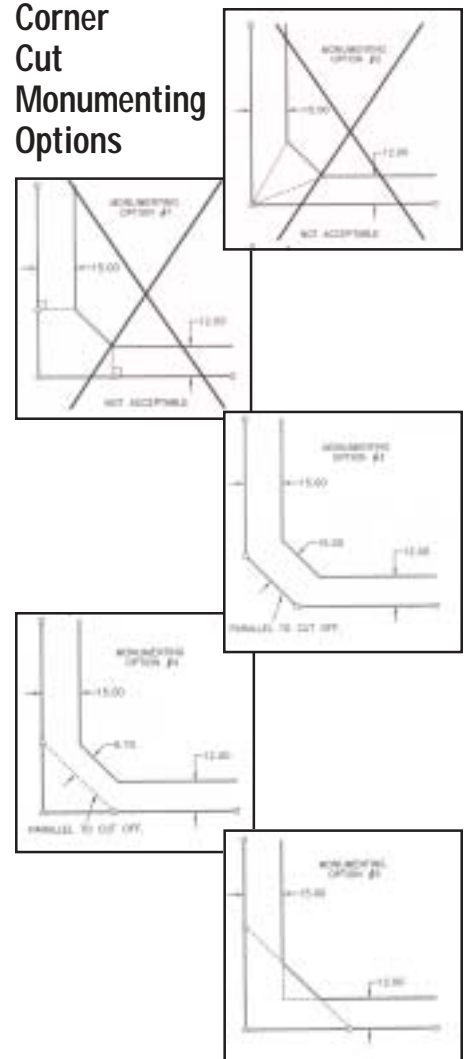
Marking changes in the direction or width of the right-of-way on the marked boundary is straightforward, and accomplished by placing monuments on the marked boundary at the change of the direction or width. Changes in width occurring on the unmarked boundary are also correctly marked by placing a monument on the marked boundary, opposite the change in width.

Corner cutoffs appearing on the unposted side of the right-of-way also require monumenting to comply with the Surveys Act. In this situation, the boundary of the unmarked side of the right of way is not bounded or defined by a line that is parallel to a marked boundary of the right-of-way

as required by the Surveys Act. In this respect, corner cutoffs constitute a change in width of the right-of-way, and must be defined by monumentation established on a marked boundary in order to be acceptable.

It is the surveyor’s responsibility to ensure that all boundaries of right-of-ways are defined in accordance with the provisions of the Surveys Act as stated above. The following examples suggest some methods of acceptable corner cut off monumentation that the surveyor may want to consider when having to incorporate a corner cut off in their survey. These examples are not intended to be exhaustive.

Corner Cut Monumenting Options



STANDARDS COMMITTEE 2003-2004

Case Study No. 19: What is Governing Evidence?

This is the nineteenth in a series of articles featuring problems or issues commonly encountered in Systematic Practice Review. The purpose of these articles is purely educational, so no names or identifying legal descriptions are included. Opinions expressed are those of the author.

A Look Back

This topic was partially dealt with in Case Study No. 3 published in the December 1999 Issue of *ALS News*. That article dealt with a specific project and primarily with governing survey evidence for Part 2 boundaries. It is the intent of this article to expand the discussion to include boundaries established under Part 3 of the *Surveys Act*. This article is not specific to any one case, but rather common to several over the past few years.

The Issue

The *Surveys Act* requires land surveyors conducting surveys under Part 3 of the Act to intersect the boundary lines of every surveyed boundary of the parcels affected by the new survey. This requirement is spelled out under Part 3 Section 45(1)(a)(ii) of the Act. There are two distinct types of parcel boundaries, those surveyed under Part 2 of the Act and those surveyed under Part 3 of the Act. So the question now becomes, what defines those boundaries. This too is spelled out in the legislation.

What is a Parcel?

Section 45(1)(a)(ii) says the “parcels” affected by the survey. There is, however, no definition of parcel in the Act. This has been recognized for

some time now and has been addressed. In a legal opinion published in the December 1997 issue of *ALS News* the ALSA solicitor said in his conclusions: “*Should the Association wish to have absolute clarity on the point, the Association should lobby the government to change the *Surveys Act* to provide a definition for ‘parcel’ or alternatively to make it clear whether or not rights-of-ways are ‘parcels’ for the purposes of Section 41(1)(a)(ii).*”

Note that with RSA 2000, Section 41(1)(a)(ii) is now renumbered as Section 45(1)(a)(ii). Also noted in the December 1997 article was that the issue was discussed at the November 17, 1997 ALSA/LTO/DOS meeting and an agreement was reached that land surveyors should use the definition of parcel shown in the Manual of Standard Practice in interpreting the requirements of the Act.

According to the definition of parcel in the Manual of Standard Practice: “*A parcel is an area of land that has one or more boundaries surveyed in accordance with the *Surveys Act*, and which is capable of having an interest or right granted and registered in the Land Titles Office or filed in the Métis Settlements Registry.*”

Part 2 boundaries

Under Part 2 of the Act, Section 36 says: “*All boundary lines of a survey in accordance with section 29 or 32 are determined by the monuments placed for that purpose as shown on the official plan, whether or not the dimensions between them or the areas expressed on the official plan are found by re-measurement to be different.*” As Part 2 of the Act deals with surveys of public land and Métis patented land in unsurveyed territory, Section 36 (under Part 2) refers to the boundaries created by the original surveys in unsurveyed territory.

Essentially, these would be the surveys shown on official plans such as township subdivision surveys, settlement surveys, and would include any surveyed baselines, range lines or meridians. I interpret this to mean that only the original monuments placed by these surveys define the boundaries that require intersection under section 45(1)(a)(ii). Should these monuments be lost, when an intersection is necessary, Section 44 requires that the monuments be re-established. Part C Section 3.4 of the Manual of Standard Practice expands on this requirement by saying that all lost section and quarter section corners between the survey evidence utilized to re-establish the required corners must also be re-established.

Subsequent surveys that have intersected the boundary required may provide secondary evidence that must be considered if the governing evidence is lost. However, this secondary evidence can never govern the boundary. Some practitioners have used road survey monuments or other survey monuments placed under Part 3 to define the boundary of a section or quarter section when the original monuments are lost. This is wrong. These monuments only govern the limits of the survey they were placed to define, not the boundary of the survey may have intersected. The governing monuments are the original monuments placed, and if they are lost, re-establishment is required. This would include any section corner that may fall within a road widening, subdivision, or other subsequent division of land. If it is physically impossible to place a monument at the re-established corner, the Land Titles Procedures Manual requires, under SUR-1.18, that the reason for the omission be

stated on the plan. This is fairly straight-forward, either post it or show on the plan why you could not.

Part 3 boundaries

Under Part 3 of the Act, Section 45(4) says: “*All of the boundaries surveyed and established in accordance with subsection (1) shall be defined by the monuments placed for that purpose as shown on the plan of survey registered at the Land Titles Office or filed at the Métis Settlements Land Registry, whether or not the dimensions or areas expressed on the plan are found by re-measurement to be different.*” This is completely consistent with the Part 2 definition and extends the exact same principle into Part 3 surveys. So if the requirement is to intersect a boundary established under Part 3 of the Act, only the original monuments placed can be

considered governing monuments. Monuments from subsequent surveys can not be used to define the boundary being intersected. Only the monuments placed by the original survey govern the boundary according to the Surveys Act.

The failure to use governing survey evidence for required intersections of Part 3 boundaries is a relatively common finding in the reviews conducted by the Systematic Practice Review program. The legislation tells us what monuments govern boundaries, and also that we are required to intersect them. In my view, it is obvious that if a survey does not intersect a parcel boundary as required or uses survey evidence that does not govern the boundary for an intersection, the requirements of the Surveys Act have not been adhered to.

Surveyors Affidavit

Every plan of survey that is to be registered in the Land Titles Office or filed in the Métis Settlements Registry must be certified by the land surveyor in the prescribed form. That prescribed form of course is Form 11 of the Forms Regulation pursuant to the Land Titles Act. All land surveyors are familiar with this form. It requires that the land surveyor swear in front of a commissioner for oaths to three main points. One of these is: “*2 that the survey was made in accordance with good surveying practices and in accordance with the provisions of the Surveys Act.*” I would suggest that if you have not used governing survey evidence for the required intersections as outlined by the Surveys Act, you should not swear an oath that you have done the survey in accordance with the provisions of the Act.



guardpost

by Brent Murray, ALS

My Favorite Whine— Field Notes

Well, it's down to the eleventh hour and I've been wracking my brain trying to establish a meaningful or thought-provoking topic on which to write a Guardpost article. Or, at least, not rehash something that has been recently discussed in this forum. As someone named John said in a previous article, "no one told me I would have to become a writer when I accepted a position on the Practice Review Board" and just being here doesn't make you a Hemingway. But there is one thing I get emotional about which is truly our achilles heel, and that is field notes.

You remember the good old days; I was told of five mile walks to school, uphill, both ways, and four hours of chores before that. Snow up to the roof of the house, for nine months of the year! Two pairs of shoes to wear to school, for three brothers. Unbelievable hardships!

Now it's my turn. In my 'good old days' we had to make field notes that were clear, accurate, representative of what the site or project looked like and were actually made *in the field*, on the job, in real time! After all, that's where the name 'field notes' came from. And the response I've gotten from field crews has gradually gotten worse over the years, to the point where all I get is a glazed over "Yeah – yeah – yeah."

So now I am on the Practice Review Board and I get to see what other surveyors are up to. One common recurring problem is the quality of field notes and sketches.

We are at a crossroads, where new technology is overshadowing traditional methods of recording data, and that's not necessarily a bad thing. With data collectors, PDAs, digital

...it goes without saying, we all could stand to make improvements in our field notes. Don't let down your guard, keep hounding those party chiefs. Field notes and sketches are going to be around for a while yet, so keep the ball rolling. In the end, it will make the task of the Practice Review Board an easier one.

cameras, wireless, Bluetooth and on and on, an amazing amount of data can be plunked down on the draftsman's desk in short order. But where is the north arrow? Explain in detail "found no mark," or even "Fd. I." What's the point of saving four hours of field time by logging data, only to have somebody in the office spend eight hours trying to make some sense of it?

And what about legal descriptions, post markings, weather conditions, crew members and so on? Some of this stuff is fairly trivial, and could easily be noted on a pre-printed cover page. Regardless, it is invaluable information and embarrassing in its absence when the Practice Review Board is grilling you in dispute of some point.

Common sense goes a long way when it comes to preparing sketches and neatness is a major factor. Always use a pencil and a straight edge. Cigarette packages, used in error for years as field notes, make a reasonable straight-edge. However, don't

take up smoking to improve field notes, as you can buy about three good pocket rulers for the price of one pack of smokes.

Another flaw in preparing field notes is the opposite of not enough information and that's trying to squeeze too much data onto one little page. Go ahead, use three or four sheets, rest assured they are making more. Unless you've failed in the common sense department and left all the field note paper at the office, then now is a good time to be packing some smokes.

Another aspect losing ground in field notes, is neat printing as opposed to writing. Maybe your Palm Pilot has character recognition, but your draftsman probably doesn't. Details, like origin of coordinates or what number of picture is looking in what direction, means nothing if the person in the office can't figure out your scribble. Neatness really is next to cleanliness, and next to godliness too, as the old saying goes.

I just checked—there were over three million hits on the Internet under "good field notes." These likely aren't all referring to surveyors' field notes. But everybody does them: geologists, bird watchers and farmers, amongst others. And most likely what is the one profession, other than policemen, that potentially will be called upon to present those field notes in a court of law? You guessed it—surveyors.

So it goes without saying, we all could stand to make improvements in our field notes. Don't let down your guard, keep hounding those party chiefs. Field notes and sketches are going to be around for a while yet, so keep the ball rolling. In the end, it will make the task of the Practice Review Board an easier one.



public relations

by Damian Gillis , ALS

Developing and promoting good public relations begins at the individual level. This can start at the simplest level with our own family and friends.

Reflecting back to the recent holiday season, we have all probably spent time explaining to family and friends what it is we do as surveyors. As the explanation continues, one starts to inject tales of adventure in the wilds of Alberta (that only another surveyor could relate to) in hopes that it will help explain the passion we have for the profession. Before long, the tales and explanation of our profession are lost on the audience and they have no better understanding about what the surveying profession is about.

The early surveyors of this country were explorers and adventurers and played an important role in the development of this country. Geographical landmarks are named after them, monuments were built to honour them, and they are studied in school.

However, surveyors of today do not hold the same public image. A survey crew in action is featured in a current television advertisement for an investment company. The survey crew features an overweight chainman with a dazed look and a party chief having a poetic moment. Is this the image of the modern surveyor that we have portrayed to the public?

The role of the Public Relations Committee is to enhance the role of the surveyor and the profession. Outside of the ongoing programs of the Public Relations Committee (i.e. events with the University of Calgary, publication and distribution of brochures, publication of survey articles) there are a number of other initiatives being undertaken. A brief summary of some of these programs range from: participation in Scouts Alberta Extreme Adventure Program;

As individual surveyors, our participating in activities with the public will not only improve our own image but the Association's image as well.

developing geocaches; monument destruction poster; promotion of the RPR Index System and polling of the public and key interest groups.

Four geocaches being developed by the Public Relations Committee provide a direct link to the history of surveying in Alberta. Participation in Scouts Alberta Extreme Adventure Program and developing geocaches allows children and families to experience adventure and exploration as a modern surveyor.

Monument destruction is a never-ending battle for all surveyors. To raise awareness of the needless destruction of monuments, a poster is being developed and the plans are to distribute it to a variety of groups.

The major project currently being initiated by the Public Relations Committee is the polling of the public and key interest groups. Ten years ago, the first polling of the public was performed and used to provide direction to the Committee. The time has come to evaluate the effectiveness of the programs and initiatives undertaken over the past ten years and to provide guidance for the future. The polling will target: the general public, the energy sector, legal profession, municipalities, real estate profession, developers and home builders, career councillors, surveyors, and students.

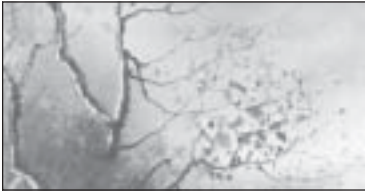
Of the diverse services and technologies offered by today's surveyors, the real property report remains at the forefront of our public image.

For the general public, this is the product they most readily associate with surveyors. It is usually the least profitable product offered, but is often perceived as expensive by the public. All of us receive the e-mails looking for a survey crew that caused recent damage to a yard. All of these factor into a poor public image.

All of us should know about the improvements our Association has done to improve our public image in this area: the Real Property Report Index System and the addition of the Alberta Land Surveyor's Commitment to Property Damage Mitigation in the Manual of Standard Practice. However, there are still complaints from the public about yard damage and only sixteen survey firms have subscribed to the RPR Index system. Before the Public Relations Committee can promote the RPR Index System externally to the public there needs to be a stronger level of support from the surveyors. The public polling will be asking questions with regards to this system and it should provide us with the feedback required on where the future of the index system will be.

The best public relations start at the individual level with family, friends and the local community. One can start by adopting one of the Public Relations Committee programs/initiatives and promoting it on a smaller scale. Perform a geocaching activity with one's family, school, or local children's group. Volunteer to assist with the local school when they are using the Surveyor in a Crate. The excitement and joy the children receive from these activities is well demonstrated in Mr. Partridge's article "GPS and Geocaching with the Scouts" September 2003, and Mr. Abbey's article "Made to Measure"

....continued on page 33



a moment of silence

by Clayton Bruce, ALS

John Deyholos, ALS 1931 to 2004

I first met John in the fall of 1955 when we entered the Land Surveying Course at the Provincial Institute of Technology and Art (now SAIT). It was a tough go for a couple of farm boys. We studied together some, which helped.

At the end of the first year, we took jobs with the B.C. Forest Service. John worked on road construction of logging roads. He stayed on all that year and returned to SAIT in the fall of 1957, receiving his diploma in 1958. He returned to the Forest Service for a year, then found employment with Alberta Transportation in Calgary where I also was employed.

John articulated to Albert Tonsoo, ALS and worked on highway boundary surveys. He received his Dominion Land Surveyor commission in April of 1963 and his Alberta Land Surveyor's commission on June 13th of that same year.

John worked on road surveys in the Lethbridge and Crowsnest Pass areas. He also worked on control surveys in the Zama Lake area.

John served as Assistant Director, Property Services Branch of Alberta Transportation and President of the ALSA in 1976. He worked for Stanley and Associates in Edmonton and Calgary and for Canadian Engineering Surveys.

He operated his own practice in Calgary, Frontier Surveys Services Inc., until his passing. John was a member of the ALSA Registration and Discipline committees. He was also one of the founding members of the J.H. Holloway Scholarship Foundation.

John leaves behind his wife Deanna, three sons and eleven grandchildren.

During our years with Alberta Transportation we, for the most part, did our field work in the summer and finalized our plans during the winter months. We had a hockey team and John was the goaltender.

John and I often talked about our early life on the farm. John came from a farm in Beulah, Manitoba and I from Forestburg, Alberta. Farm life was pretty well the same, that is except for the rats in Manitoba. John had a great story on this.

As a background to the story, farm families would spend most of the

daylight hours working in the fields and would return home in the evening.

After supper, they would light up the coal oil lanterns and go out to feed the livestock and milk the cows. It was indeed a great event when power was installed. Most farms had a yard light which could be turned on and off as needed by a switch in the farm house. John said when they turned the yard light on they could see rats scurrying everywhere. A short time later, he and his dad went to an auction sale and bought a gunny sack full of cats for their farm. John remarked that a few months later when they turned on the yard light, they could see cats scurrying everywhere.

John passed away on January 9, 2004. He was a good member of the Association and was always willing when called upon for help or advice. I will sure miss him and I know of lot of you will too.



Public Relations continued from page 31

December 2003. This can be passed onto their family and friends and may one day turn into a passion for the profession of surveying.

Other simple tasks to boost the surveyor's image on a local level is to distribute some of the variety of brochures produced by the Association. The new monument destruction brochure will require distribution to construction shacks and any other local business that may be involved in monument destruction.

As individual surveyors, our participating in activities with the public will not only improve our own image but the Association's image as well. These activities can not be a only a very rewarding experience, but also benefit one's business.

I must now conclude as my wife has started going into labour. I've asked her to wait until I finish this article as the deadline for submission of this article is tomorrow. *"Never do today what you can put off till*

tomorrow"...I'm sure a surveyor said this. I guess I will soon have another son/daughter to spend a lifetime explaining and participating in activities that let them know exactly what a surveyor does. I can only hope that they don't think of me as one of the surveyors in the television advertisement.

P.S. Our third daughter (Veronica Louise) was born on February 1, 2004.



A narcissistic surveyor: book goes to print in daily paper

The *Scotsman* is printing the novel by Alexander McCall Smith, creator of the No 1 Ladies' Detective Agency. The book, 44 Scotland Street, explores the lives of a group of people living in the New Town area of Edinburgh.

Many Victorian novelists serialized their work in papers on a weekly basis, but it is thought this is the first to appear on a daily basis.

The book will appear in the Edinburgh-based broadsheet five days a week in 850-word instalments over the next six months.

Its characters include a gap year student, a narcissistic surveyor, a freelance anthropologist and a furniture-maker.

The publishing of McCall Smith's work in a newspaper echoes the practice of novelists including Charles Dickens, William Thackeray and Wilkie Collins.

McCall Smith is best known for his novels featuring Botswana private detective Precious Ramotswa, which Hollywood is planning to bring to the big screen.

[HTTP://NEWS.BBC.CO.UK](http://news.bbc.co.uk)

Ombudsman to probe 'altered' report

January 27, 2004

Victoria's public sector watchdog is investigating claims that the Bracks Government doctored an annual report from the state's former surveyor-general and forged his signature on another document.

Acting Ombudsman Robert Seamer has decided to investigate why former surveyor-general Keith Bell's final annual report was substantially altered before being tabled in State Parliament last November.

Mr Seamer, who was asked to look into the issues by the State Opposition, is also examining accusations that the Department of Sustainability and Environment used an electronic version of Mr Bell's signature to sign off on a section of another report that he said he had not written.

Auditor-General Wayne Cameron has told Opposition planning spokesman Ted Baillieu he would "maintain a watching brief" on what transpired from those inquiries.

Mr Bell finished as surveyor-general in July 2003. He told *The Age* last month that his final report had been altered.

The original version featured criticisms of Land Victoria and raised concerns about administrative procedures that were having a negative effect on his role.

Planning Minister Mary Delahunty was also criticised over a lack of consultation on an issue in his original report. But more than a dozen paragraphs and sentences were edited out of the version tabled in Parliament. They referred to Land Victoria and Ms Delahunty.

It was revealed that the Government had ignored advice from its Deputy Solicitor, James Ruddle, who said that officials should not interfere with the report.

The Government has also been criticised for the unauthorised use of Mr Bell's signature in a report late last year. Mr Bell said he had not written material published under his name.

Mr Baillieu yesterday called on the Government to release all documentation regarding the decision to alter Mr Bell's report. He said Victorians were entitled to know who ordered the report to be changed, and why.

"At best, this is a gross impropriety and, at worst, a serious contempt," Mr Baillieu said.

Premier Steve Bracks defended the changes, saying the department had to be satisfied with the report before submitting it to Parliament.

BY RICHARD BAKER
STATE POLITICAL REPORTER - AUSTRALIA
WWW.THEAGE.COM

Neighbors mad about tree removal land owner claims he didn't know where property line was

January 27, 2004

PORT WASHINGTON, Wis. —

The owners of some property along Lake Michigan have filed suit against a man who had a number of trees and bushes removed and now has a gorgeous panoramic view of the lake and a marina from land on which he plans to build a home.

John and Jan Lanser filed the suit against Mike Schmit, saying Schmit had 44 trees and bushes removed from what was actually the neighbours' property.

"The problem was that I misunderstood where the property line was," said Schmit, who co-owns Schmit Brothers Ford and Dodge with his brother, Jim. "It was just a mistake."

Schmit said he had a topographical survey done of the property across the street from the Light Station Museum. The surveyor put down a line of flags that Schmit said he thought delineated the southern boundary line, but did not do so. Schmit hired a company to cut down the trees and clear the underbrush in late December and, when the Lansers complained, he said he was sorry.

The Lansers' attorney, Timothy Knurr, said Schmit had tried to buy an easement on the Lansers' property to allow him to clear away some of the trees.

But the Lansers instead offered to sell Schmit their entire property,

which includes a two-story building, for about \$300,000 and Schmit declined the offer. Schmit confirmed Knurr's account.

Schmit has also received a citation contending the trees were razed without first getting an erosion control permit from the city.

And Port Washington police have asked the Ozaukee County district attorney's office to charge Schmit with criminal damage to property, a misdemeanor, Police Chief Ed Rudolph said.

City employees are also trying to determine whether some trees may also have been removed from land belonging to the city, Randolph said.

WWW.THEMILWAUKEECHANNEL.COM/NEWS

Over the line:

*boundary issue bogs down
Autumn Woods*

January 15, 2004

What began as a ZBA hearing over the proposed Autumn Woods development last Thursday, quickly dissolved into an extended battle of words, as a pair of dueling attorneys, a property owner, and two Norwell abutters all tried to prove their version of a particular property line was the most accurate.

The property in question—three parcels making up 16 acres—is located off of Summer Street at the Scituate/Norwell border. Owner Stephen Bjorklund has plans to sell the land for development as the proposed over-55 community Autumn Woods. Bill Snowden, the principal for the company is planning to build the 59-unit condominium development housed in eight buildings on the parcel. Twenty-eight of the units would be constructed in Scituate, 31 will be built in Norwell.

As a chapter 40B proposal, 25 percent of the development, or 14 of the units - seven in each town - would be affordable to low-to-moderate income families.

But two abutters, George and Genevieve Davis of Norwell, contend

Bjorklund's delineated property line may be inaccurate.

Representing the Davis', attorney John Woods of Duxbury argued that the site plan showed to the ZBA by one of the developer's attorneys - Edward Casey of Hanson - represents the "surveyor's opinion," of the 1,200 foot property line and might not be correct.

Although Woods and Casey had argued similar points at the last hearing date in November, and afterwards met with the town's real estate expert to discuss their title differences, they have not come to an agreement on the issue.

Bjorklund had local engineer Neil Murphy of Cohasset's Murphy & Associates, survey his property, and Murphy's signed and stamped plans were presented to the board for review.

But Woods also questions the accuracy of Murphy's survey. Land surveyors must often make "judgment calls," when they translate property deeds into tangible site plans, in order to "put the property on the ground," Woods said.

He added that Bjorklund may not even own all the acreage he claims to possess and, therefore, may not have the right to sell the property. According to Woods, one of the parcel's previous owners, the late George Wagner, deeded out approximately 14 more acres than he actually owned, and therefore some of the land on Bjorklund's deed is actually owned by Davis.

"It's my opinion that her land comes over that line," Woods said, citing the Davis' deeds and pointing out land lines he says are distinct from the developer's plans.

But Casey adamantly disagreed. "You are clearly in error," he said. Clearing up the property lines won't stop the hearing from proceeding, even though Woods had requested it be postponed until his clients can conduct their own survey.

Woods said his client is planning to hire a surveyor, but as of last week had not been able to schedule one.

"The ZBA is not an adjudicatory board in this matter," Sullivan said. "It's not uncommon that old deeds were inaccurate," he added. Town Counsel Barbara St. Andre told Davis the board will review any evidence presented by the Davis, provided it's submitted before the proposal's public hearing is closed.

Consultants for both the Scituate and Norwell ZBAs will meet to update each other on the other town's progress with the proposal, Sullivan added.

MATTHEW J. GILL
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THE SCITUATE MARINER
NORWELL, MASSACHUSETTS

Land commissioner sides with property owners in survey dispute

January 16, 2004

Texas's land commissioner today sided with hundreds of property holders in Upshur County in an ownership dispute.

Commissioner Jerry Patterson, who was part of a hearing last month in Gilmer, said the state has no right to about 4,600 acres of land and minerals in the Gilmer area.

The dispute stems from a claim by rancher William Dixon, who claimed historic documents showed some Upshur County land known as the "William King Survey" was never properly surveyed in 1838 and should be returned to the state.

Property owners fought back, saying land had been in their families for generations and was valuable to them for timber and ranching.

Patterson ruled the evidence presented by Dixon and his attorneys didn't support their arguments.

"The King Survey is exactly where it's supposed to have been all these years," Patterson said.

Patterson's decision is expected to be appealed in state district court.

WWW.KTBS.COM



Promoting Land Surveying as a Career

by Al Hanert, P.Eng., Advisor,
Engineering Internship Program, Faculty
of Engineering, University of Calgary
www.eng.ucalgary.ca/eip

Is there a shortage of land surveyors in Alberta and the rest of the country and, if so, can anything be done about it?

The goal of the Engineering Internship program is to produce “superior graduates through engineering internship.” We do this by working with students to assess their interests. We meet with employers to develop appropriate jobs, and with industry associations to ensure their members are aware of our students’ competencies, interests and availability.

How does this, then, relate to the ALSA and your concern for attracting students to land surveying? We frequently see good opportunities remaining vacant, while good students go without jobs. Specifically, when we discuss employment interests with Geomatics Engineering internship candidates, the majority are fixed on “exotic” applications of geomatics, such as global positioning systems, aircraft landing systems, image processing systems, and so on. They either are unaware of the challenges they could find as land surveyors or have decided, in the absence of better information, that these roles are not exciting enough.

There is also the issue of where the work is. In this, geomatics students are no different than students of many other disciplines. When we ask students about any restrictions they may have on work location, many have a clear preference for “an office in Calgary.” It’s only after we explain

that the real work takes place in the field that they begin to realize the benefits of being exposed to field operations, be it in the oil and gas industry, infrastructure development, or in surveying.

In the final analysis, we cannot force students into specific positions. Interns are responsible for selecting their own work roles from among the available opportunities. This then brings us to “how can interns make informed and appropriate choices?” We believe that the Alberta Land Surveyors’ Association and sister organizations can do a great deal to educate potential members and promote the opportunities in this field.

What are some initiatives or actions that could help convince student engineers to select land surveying as a career?

1. The opportunity to become independent.

Many students, when asked, “where do you see yourself five to ten years after graduation?” They answer, “having responsibility for major projects or running my own operation.” Most surveyors are independent entrepreneurs. Students may not realize there is a potential opportunity to run their own business.

2. Rotational work assignments.

Some students, even after understanding that field work is worthwhile, hesitate to accept a position that commits them to 12-16 months of field work, say in northern Alberta or in north eastern BC. Small survey firms cannot independently offer a student a lot of flexibility or a pre-programmed variety of work. However, a consortium of firms could among themselves lay out a program to offer students different types of

work over the 12-16 month work term. In other words, a rotational type of assignment.

This is what a consortium comprising the Consulting Engineers of Alberta, Alberta Transportation, and Road Builders Association of Alberta has done. Civil engineering students are scheduled for three different work terms during 16 months. They work, in turn, for a consulting engineering firm; Alberta Transportation; and a road building contractor. Some work is in the field, some in the office. It is a complete experience for the students, and they promote the opportunities to fellow students when they return after internship.

3. Combine “high-tech” geomatics and land survey skills opportunities.

We try to manage students’ expectations by pointing out that their real role is to be problem solvers. They must acquire and be able to use the most appropriate tools for the job at hand. For geomatics-related work, depending on the application, it might require high tech computer support; it might require cadastral surveying, or a combination of skills.

4. Promote professionalism to students.

Publicize to students that the internship experience is a credit toward their Alberta Land Surveyor’s commission and Professional Engineer’s qualification. Provide a visible contact for students who do have an interest, someone who is available to answer questions or even meet in person if necessary.

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legal notes

Court of Appeal for Ontario Morden, Gillese and Armstrong JJ.A. between Association of Ontario Land Surveyors—Applicant (Appellant) and William Van Loon and Van Loon Construction Surveys & Layout Inc.—Respondents

Robert J. Fenn and Izaak De Rijcke for the appellant

James Branoff for the respondents

Heard: October 23, 2003

On appeal from the judgment of Justice T.L.J. Patterson of the Superior Court of Justice dated September 4, 2002.

Armstrong J.A.:

[1] The issue raised in this appeal is whether the applications judge, Justice Patterson of the Superior Court of Justice, erred in failing to find that the respondents had engaged in the practice of cadastral surveying contrary to the Surveyors Act, R.S.O. 1990, c. S. 29 (the "Act").

[2] The appellant, the Association of Ontario Land Surveyors (the "Association") had sought an order prohibiting the respondents from engaging in the practice of cadastral surveying and restraining them from holding themselves out to the public as engaging in the practice of cadastral surveying on the basis that neither of the respondents is licensed nor authorized pursuant to the provisions of the Act to engage in the practice of cadastral surveying.

[3] The applications judge dismissed the application on September 4, 2002. For the reasons which follow, I have concluded that the applications judge was in error and I would allow the appeal.

The Governing Legislation

[4] The Association is the regulator of professional land surveyors in Ontario pursuant to s. 2(2) of the Act which provides:

The principal object of the Association is to regulate the practice of professional land surveying and to govern its members and holders of

certificates of authorization in accordance with this Act, the regulations and the by-laws in order that the public interest may be served and protected.

[5] The Association, through its Registrar, issues licences to individuals who meet the qualification provided in s. 12(1) of the Act:

12.-(1) The Registrar shall issue a licence to a natural person who applies therefore in accordance with the regulations and,

- (a) is a citizen of Canada or has the status of a permanent resident of Canada;*
- (b) is not less than eighteen years of age;*
- (c) has complied with the academic requirements specified in the regulations for the issuance of the licence and has passed such examinations as the Council has set or approved in accordance with the regulations or is exempted therefrom by the Council;*
- (d) has complied with the experience requirements specified in the regulations for the issuance of the licence; and*
- (e) is of good character.*

[6] Pursuant to s. 11 (1), only persons who are licensed under the Act are entitled to engage in the practice of cadastral surveying or hold himself, herself or itself out as engaging in the practice of cadastral surveying. Section 11 (3) provides that proof of

one act in the practice of cadastral surveying on one occasion is sufficient to establish engaging in the practice of cadastral surveying.

[7] The practice of cadastral surveying is defined in s. 1 of the Act: *"practice of cadastral surveying" means advising on, reporting on, conducting or supervising the conducting of surveys to establish, locate, define or describe lines, boundaries or corners of parcels of land or land covered with water;*

[8] The Act does not provide for the licensing of corporations. However, pursuant to s. 13 of the Act, a corporation is permitted to provide services that are within the practice of cadastral surveying if it holds a certificate of authorization. Section 14(2) of the Act provides as follows:

14.-(2) The Registrar shall issue a certificate of authorization to a corporation that applies therefore in accordance with the regulations and meets the following requirements:

- 1. The primary function of the corporation must be to engage in the business of providing services that are within the practice of cadastral surveying.*
- 2. At least one director or full-time employee of the corporation must be a licensed member of the Association who holds a certificate of authorization and who agrees to personally supervise and direct the practice of cadastral surveying for the corporation.*
- 3. At least 50 per cent of the members of the board of directors of the corporation shall be members of the Association.*

[9] It is common ground that the respondent, William Van Loon, is not licensed under the Act and that the corporate respondent does not hold a certificate of authorization.

[10] Section 38 of the Act enables the Association to make application to

the court to prohibit the continuation or repetition of activities which contravene the Act:

38. *Where any provision of this Act or the regulations is contravened, despite any other remedy or any penalty imposed, the Association may apply to a judge of the Ontario Court (General Division) for an order prohibiting the continuation or repetition of the contravention or the carrying on of any activity specified in the order that, in the opinion of the court, will result or will likely result in the continuation or repetition of the contravention by the person committing the contravention, and the judge may make the order and it may be enforced in the same manner as any other order or judgment of the Ontario Court (General Division).* S.D. 1987, c. 6, s. 38, revised.

The Background

[11] In February 2000, Curtis Reid and Michelle MacLellan purchased a house in a new subdivision in Windsor, Ontario. In the spring of 2001, they decided to fence in their back yard. In order to construct the fence within the property line of their land and not encroach on their neighbours' property, they retained the services of the respondents.

[12] The initial contact with the respondents was made by Ms. MacLellan. She obtained the corporate respondent's name and telephone number in the Windsor telephone directory. She spoke to a man whom she assumed was the respondent, William Van Loon. Ms. MacLellan testified in cross-examination by counsel for the respondents as follows:

I explained to him that we wanted to put a fence up and that we needed to find our four corner posts and our property line.

[13] Mr. Reid, also under cross examination by the respondents' counsel, testified that he wanted Mr. Van Loon to "stake out where my property line was."

[14] Mr. Van Loon in an affidavit filed in response to the application stated:

10. *My business received a telephone call from an individual who identified "herself" as Michelle MacLellan of 10400 little River Blvd. She wished to erect a fence and was unable to locate the iron bars which would depict her lot lines and property boundaries.*

11. *Two members of my staff and crew attended the site. I never met Michelle MacLellan or a Curtis Reid.*

12. *I am advised by the crew and I verily believe that they were successful in locating existing iron bars which would depict the lot lines and property boundaries. They did not set any bars or locate any lot lines that were not already identifiable by existing iron bars.*

[15] Mr. Van Loon is the president, sole director and sole shareholder of the respondent corporation.

[16] A two-man field crew was dispatched to the MacLellan/Reid property to carry out the requested work. The crew chief, Philip Somr, testified that he took his instructions from Mr. Van Loon.

[17] Mr. Van Loon testified in cross-examination that his crews use typical survey field equipment such as an instrument, a tripod, a shovel, a hammer and a device to locate buried iron monuments. His crews measure angles and distances between survey monuments. Mr. Van Loon reviewed the field notes prepared by a member of the field crew who did the work on the MacLellan/Reid property. He concluded that the field notes depicted the lot lines and property boundaries.

[18] Ms. MacLellan testified that the work crew put wooden stakes along "our property line."

[19] The appellant filed affidavits of Brian Coad, OLS who practises professional land surveying and William Buck, OLS who is the Registrar of the Association. It was Mr. Goad's opinion that placing a pin or a marker at the corners of the property, previously marked by an Ontario Land Surveyor, is tantamount

to giving an opinion as to the location of a corner of the property. Mr. Buck reviewed the field notes prepared by the respondents' crew. It was his opinion that the notes indicated that the crew had carried out cadastral surveying on the MacLellan/Reid property.

The Applications Judge's Endorsement of his Reasons

[20] The following is the entire judge's endorsement of the applications judge's reasons:

- Application denied.
- Van Loon merely located existing installed OLS iron bars.
- Van Loon did not hold himself out as an OLS.
- Van Loon gave no opinion as to the lot line.

[21] The applications judge made no reference to any of the evidence of the seven witnesses who testified in this case.

The Position of the Parties

[22] The appellant submits that the activities of Mr. Van Loon and his corporation in respect to the MacLellan/Reid property constituted cadastral surveying. In particular, the appellant submits that the respondents:

- i) took measurements of distance between found legal survey monuments and compared these measurements with the expected distances shown on a plan of subdivision;
- ii) took measurements of angles between them and compared these measurements with the expected angles derived from bearings shown on a plan of subdivision;
- iii) adjusted and restored the position of the monuments which were found bent or disturbed;
- iv) marked the location of buried monuments on the surface of the ground;
- v) trespassed onto lands which neighboured the respondents' customers' property to locate

- other iron bars and to then also measure angles and distances to them;
- vi) marked the lot line of the customers' property on the ground with painted wooden markers to guide the placement and location of new fencing;
 - vii) collected money from the customer for work performed; and
 - viii) ensured that surveying evidence and monuments were correct because the customer was relying on it and the accuracy of their work.

[23] The respondents submit that the appellant seeks to argue the case de novo without demonstrating that the applications judge committed any error which would justify appellate interference. The respondents further submit that the appellant is attempting to take advantage of the applications judge's reasons which are bereft of any reference to the evidence. The respondents argue that the appellants should have joined the respondents in a request to the applications judge to provide more fulsome reasons for the purposes of the appeal. The appellant declined the suggestion and no such request was made to the applications judge.

[24] The respondents also deny that they were engaged in the practice of cadastral surveying. The respondents argue that cadastral surveying refers to using reference points to locate and mark boundaries that have not been previously established. Finding existing iron bars and marking the location does not constitute cadastral surveying. They further submit that the respondents only located existing iron bars and marked them so as to show the apparent boundary lines of the MacLellan/Reid property. They did not locate any corners that were not already established by iron bars and they did not give any opinion as to the accuracy of the apparent boundary.

[25] Finally, the respondents submit that the burden of proof which should

apply to a proceeding to enforce compliance with the Act should be the criminal standard. It is argued that these proceedings are quasi-criminal in nature and therefore ought to attract the criminal standard of proof. The respondents rely upon *Canada Metal Co. Ltd. v. Canadian Broadcasting Corp.* (No. 2) (1975), 8 O.R. (2d) 375 C.A.).

ANALYSIS

[26] I will deal first with the respondents' contention that the appellant should have accepted the respondents' suggestion that they jointly request the applications judge to provide expanded reasons to enable this court to engage in meaningful appellate review. The respondents rely upon *Bacon v. Stonehouse* (1990), 25 R.F.L. (3d) 71 (Ont. Div. Ct.). In that case, the judge of first instance gave no reasons at all. Justice Reid in the Divisional Court held that if no reasons are given then counsel for the appellant should request the judge to give reasons to facilitate the appeal. While the approach of Reid J. was appropriate in that case, I am not persuaded that there is any general rule or practice in this respect. In the case at bar, although the reasons are extremely sparse and it would have been preferable for the judge to have related his conclusions to the evidence, I do not agree that there was any obligation on counsel for the appellant to accept the suggestion made by counsel for the respondents to re-attend upon the applications judge and request him to expand his reasons.

[27] With respect to the respondents' argument that the criminal standard of proof should apply in this case, I disagree. This is neither a criminal proceeding nor a quasi-criminal proceeding. This is a civil proceeding in which the appellant seeks a statutory prohibition order. The only case relied on by the respondent, *Canada Metal Company*, is a contempt case in which it was sought to commit the appellant to jail. Understandably, in *Canada Metal Company* the court

held that the matter was a quasi-criminal proceeding. The case at bar is not such a case.

[28] I now turn to the real issue in this appeal: did the applications judge err in failing to find that the respondents had engaged in the practice of cadastral surveying?

[29] For convenience, I refer again to the findings of the applications judge:

- (i) *Van Loon merely located the existing installed OLS iron bars;*
- (ii) *Van Loon did not hold himself out as an OLS; and*
- (ii) *Van Loon gave no opinion as to the lot line.*

[30] The field notes indicate that the Van Loon crew did much more than simply locate the existing iron bars. They measured distances and angles and compared them to a plan of subdivision. They marked the corners of the property and placed wooden stakes along the property line. In my view, the marking of the corners and the staking of the property line was tantamount to offering an opinion to Ms. MacLellan and Mr. Reid as to the location of the corners of their property and the boundary with their neighbours' property. I am satisfied that the respondents were engaged in the practice of cadastral surveying as defined in s. 1 of the Act. This they were not entitled to do by reason of the fact that Mr. Van Loon was not licensed under the Act and the corporation did not hold a certificate of authorization under the Act. Needless to say, I do not accept the respondents' submission that cadastral surveying is limited to using of reference points to locate and mark boundaries that had not been previously established.

[31] I am also satisfied that when Mr. Van Loon accepted the retainer in this matter and agreed to provide the services requested by Ms. MacLellan, it constituted a holding out by him and his corporation to a member of the public that they were engaged in the practice of cadastral surveying. The evidence indicated that while this

kind of activity did not constitute a major part of the respondents' business, they did undertake such activities from time to time for other customers. It would appear certain that the respondents would accept such retainers in the future when the opportunity to do so is presented unless otherwise prohibited. There was nothing in the evidence of Mr. Van Loon to suggest the contrary.

[32] In conclusion, it is my view that the briefly stated endorsement of the trial judge is simply contrary to the evidence and he erred in dismissing the application.

[33] There is a further issue which was not raised by either counsel. Neither counsel made any distinction between the conduct of Mr. Van Loon in his personal capacity and the conduct of his corporation. No effort

was made to analyze whether Mr. Van Loon personally or the corporation were engaged in the activities related to the MacLellan/Reid property. The argument before us proceeded on the basis that Mr. Van Loon and his corporation, of which he was the sole officer, director and shareholder, were engaged in the same enterprise. The evidence of Mr. Van Loon reflects that approach when he referred to the enterprise as "my business." In view of the way the case was presented to the court, I do not regard it as either necessary or appropriate to make any distinction, particularly when we were not asked to do so.

DISPOSITION

[34] In the result, I would allow the appeal, set aside the order of the

applications judge, and make an order, under s. 38 of the Act, prohibiting both respondents from the continuation or repetition of engaging in the practice of cadastral surveying and from holding themselves out to the public as engaging in the practice of cadastral surveying.

COSTS

[35] I would award costs of the proceeding before the applications judge to the appellant on a partial indemnity basis in the amount of \$4,500 including disbursements and Goods and Services Tax. I would award the costs of the appeal to the appellant on a partial indemnity basis fixed at \$7,500 including disbursements and Goods and Services Tax.

News from U of C continued from page 38

5. Provide meaningful work.

Students need to experience the full gamut of work, from the mundane but vital to exciting and challenging. They need to have the opportunity to become involved with a variety of work, and not be relegated to only being "gofers" for more senior staff.

6. Remuneration clarification.

It is our understanding that students asking for salary information are often quoted an hourly wage. It is difficult for them to translate this into a monthly equivalent that they see from other industries. At the same time, to the extent there are opportunities for extra earnings due to extended field work hours on occasion, this could be of interest to students as well.

7. Linkage to Engineering Internship Program.

The Engineering Internship Program web page at the University of Calgary includes links to resources, and

employers. We can provide a link to the ALSA website if desired.

The Engineering Internship Office is focused on assisting students locate meaningful internship employment to help them in their future career choices as part of the Faculty of Engineering's mandate to produce *superior graduates through engineering internship*. At the same time, the program assists employers in the hiring of graduates that can help them to achieve their business objectives, by providing graduates with the technical competence, leadership abilities, business knowledge and skills, personal attributes and interpersonal skills required to achieve business strategies.

For further information regarding the Engineering Internship Program, you can contact:

Al Hanert, EIP Advisor

E-mail: hanert@ucalgary.ca.

Nima Dorjee, EIP Director

E-mail: ndorjee@ucalgary.ca.

Mike Barry, Assist Professor

E-mail: barry@geomatics.ucalgary.ca

Mark Your Calendar

Upcoming Meetings and Events

Regional Meetings

Calgary

March 30, 2004

Edmonton

March 24, 2004

Professional Exams

April 5 and 6, 2004

Edmonton and Calgary

ALSA AGM

April 22-24, 2004

Fairmont Jasper Park Lodge



history

This is the second in a series of articles on the history of the ALSA and its members. The ALSA will be publishing a book on the history of surveying in Alberta in time for the 2005 AGM.

1912–1913: The Urban Land Boom

The second annual meeting held in January 1912, featured the introduction of several topics which have long since become familiar. A proposal was made for the compilation of a surveyor's manual in the form of a consolidation of the various acts relating to surveys and plans to be produced at the expense of the provincial government. There was a discussion on the preservation of survey monuments and some complaints were aired about building site certificates prepared for loan companies by persons other than qualified land surveyors. A resolution was adopted to have the Land Titles Act amended to provide for the registration of survey liens to ensure recovery of surveyors' fees from delinquent clients. Twenty-three members attended the meeting and Mr. Charlesworth was elected to succeed Mr. Pearce as president of the Association.

That year was one of the good years for Alberta surveyors in private practice. The big urban land boom was in full swing and townsite subdivisions by the dozen were being laid out far beyond the corporate limits of many towns and cities. Mr. R. H. Cautley used to relate some years later that in 1912, his survey firm, one of the busiest in Edmonton, cleared over \$8,000.00. In those days, that was big money for survey work. All this activity in townsite promotion was known as "wild-cattling," presumably because it was entirely speculative and without reference to the probable realities of urban growth. It was so much overdone in those years that it led the government in 1913 to pass legislation authorizing the Public Utilities Board to exercise control over it by a procedure entailing the Board's prior approval of any proposed subdivision of more than twenty-five lots, based on the anticipated need for the subdivi-

vision. At the same time, the first subdivision regulations, prescribing lot sizes, street widths, the provision of public reserves and so forth, were enacted. These regulations were administered by the Department of Public Works, and rudimentary though these town planning measures were, they were no more popular than the planning measures that we have today. It was objected that having to obtain the approval, not only of the Director of Surveys, but also of the Public Utilities Board and the Deputy Minister of Public Works entailed far too much delay in getting plans registered, with the consequence that the subdividers suffered great losses of time and money before they could put their lots on the market for sale to eager buyers who seemed to live mostly in England and eastern Canada.

However, it can be said to the credit of the land surveying profession that its membership was not entirely out of sympathy with these measures. When centres such as Edson and Tofield were being extended to provide enough twenty-five foot lots to accommodate populations of 70,000 people each, it was obvious that much of this land speculation would materialize in nothing more than fat profits for the promoters who were behind it. The Association's concern was reflected in the records of their meetings and in the interest which it began to take in the subject of town planning as early as 1913. At the Association's third Annual Meeting held in that year, Mr. Latornell delivered a paper on subdivision design and the need for planning which was noteworthy for a prediction, made at a time when automobiles were rare, that in the not too distant future the safe and uncongested movement of self-propelled vehicles on the public streets would be one of the most

difficult problems that urban authorities would be called upon to deal with.

While all this survey work in connection with private land subdivision was going on, the Dominion Land Surveyor who relied for his livelihood on township subdivision work was having a comparatively thin time of it. The big years for township subdivision work in the west had been from 1882 to 1884 and from 1906 to 1910, when two big upsurges in agricultural settlement took place. By 1912, that line of work had dwindled very considerably and it is not altogether surprising that the Dominion Land Surveyors felt aggrieved at being disbarred from the highly lucrative townsite work for which they could only qualify themselves by taking a provincial examination. Nevertheless, many of them swallowed their pride and wrote and passed the examinations, with the result that the names of twenty-eight Dominion Land Surveyors were added to the ALSA register during the period of April 1912 to October 1913. This influx of new members brought the membership total at the end of 1913 to 96, a figure that was not attained again until 1955.

SOURCE: JACK HOLLOWAY'S HISTORY OF THE ALSA - 1959

Place Names—Bowden

There are two explanations of how Bowden received its name. The first is that it was named after Bowden near Manchester, England. The second is that a surveyor named Williamson who was working on the Calgary and Edmonton Railway was asked when they reached the siding what to name it and jokingly replied "Call it by my wife's maiden name Bowden." This was agreed upon.

SOURCE: PLACE NAMES OF ALBERTA BY ERIC HOLMGREN, 1973

The Cautley Brothers

Richard W. Cautley,

son of Reverend R.H. Cautley and Annie (Munro) Cautley, was born at Ipswich England in 1873.



He came to Canada at the age of 17 and became attached to a firm of surveyors in British Columbia. Later, he went north into the Klondike at the time of the gold rush and was engaged in the recording and inspection of mineral claim surveys.

Upon termination of the gold rush, his footsteps led to Edmonton where he formed the land surveying firm of Cautley and Cote. Later, he went into partnership with his brother, Reginald Hutton Cautley.

Between 1913 and 1924, Mr. Cautley was engaged as one of the commissioners upon the survey of the Alberta-British Columbia boundary after which he came to Ottawa with the former Department of the Interior and was responsible for the survey of many of the national park sites in the maritime provinces. Mount Cautley is named after him (see letters to the editor: Trek to Lake Magog Basin). Mr. Cautley was awarded honorary life membership in the Association in 1946. He died in Victoria British Columbia on September 13, 1953.

Mr. Cautley was a charter member of the Alberta Land Surveyors' Association. He was the Association's first registrar and secretary-treasurer and was president in 1914

Dawson I - Cautley Collection from left to right— Jean Cote, William Cautley, Reg Cautley.



Reginald H. Cautley

died at the Royal Alex Hospital in Edmonton on July 5, 1945. He was born at Ipswich England



in 1879 and was the fifth son of Rev. R H Cautley.

He went to the Camborne School of Mines in Cornwall and came to Canada in 1900 where he articulated to his brother Richard W. Cautley at Dawson. He obtained his DLS commission in 1904 and was employed on subdivision surveys which were some of the last surveys required to complete the subdivision of the open prairies.

In 1911, he became a charter member of the ALSA. In 1913, Mr. Cautley married Miss Marjorie Garvey of Sarnia Ontario who survived him. At the time of his death, his only son, Captain C.F. Cautley, RCA, was still overseas.

"Reg" went to Edmonton in 1903 where he eventually acquired the practice of Messrs. Driscoll and Knight and became an authority of Edmonton city surveys.

From 1921 until his death, Mr. Cautley was president of the Commercial Life Assurance Company. He also acted as local examiner for Dominion Land Surveyors' examinations held at Edmonton.

A sincere Anglican in religion, Mr. Cautley was people's warden of Christ Church in Edmonton for twenty-six years.

The following is a letter received from Reg Cautley's grandson.

January 16, 2004

Sorry for the delay in replying to your request for a picture and some history on Reg Cautley.

He was my grandfather who, unfortunately, passed before I was born.

Together with this brother, William Richard (Bill), they immigrated to Canada at the turn of the century and ended up in Dawson City.

They both staked gold claims but sadly, had missed the rush and settled in as surveyors with the Dominion Land Survey of Canada.

Over the next few years, they were involved with surveying the British Columbia/Alberta border and numerous other endeavours.

There are several publications of their endeavours with Jean Cote in a private company with some humorous outings explained in a short book by Mr. Cote.

I am trying to find a copy and I will run off a few pages.

They also have a mountain named after them, a meadow and several smaller items that you have probably come across in your travels.

Bill Cautley also wrote several short books which I believe were still in use over at the University until recently.

My father, Charles Cautley (Reg's son) told many action-filled stories of dog teams, gold seeking adventures, first ascents, and so on.

They were both conservative, religious men with old school ethics and virtues, the least of which was fame and fortune.

Hopefully, I can find more pictures and stories and will send forthwith.

RICHARD CAUTLEY