

BOUNDARIES

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Alberta Land Surveyors' Association Celebrates 100th Annual General Meeting

The Alberta Land Surveyors' Association will be celebrating its 100th annual general meeting in Banff this April.

After the Province of Alberta was formed, the provincial government, following the example of Ontario, Quebec, Manitoba and British Columbia, passed various provincial acts concerning land titles and land surveying. They were The Land Titles Act, The Alberta Land Surveyors Act and The Alberta Surveys Act, all of which became operative in the year 1910. The first of these provided for a system of registration of land titles based on the famous Torrens system that had its origin in Australia and had later been copied by some of the western states of the U.S.A.

The Alberta Land Surveyors Act provided for a system of examinations and the registration of persons found qualified to practice as land surveyors for the purpose of The Land Titles Act and established a professional association of Alberta Land Surveyors. The Alberta Surveyors Act prescribed the system and the methods whereby land surveys were to be carried out under the general

purview of a provincial Director of Surveys whose responsibility it was to see that all survey work was performed in accordance with the provisions of that Act.

The first president of the Alberta Land Surveyors' Association was William Pearce.

The Alberta Land Surveyors' Association (ALSA), established in 1910, is a self-governing professional association legislated under the *Land Surveyors Act*.

The Association regulates the practice of land surveying for the protection of the public and administration of the profession.

William Pearce – Czar of the Prairies



William Pearce was born in Elgin County, Ontario in 1848. He graduated from the University of Toronto as a civil engineer, and went to work as an Ontario provincial land surveyor. Following the

Dominion Land Act and the creation of the Dominion Land Survey, he was among the first Dominion Land Surveyors who went west to establish initial meridians. Pearce became well known as a walker with a tough constitution. In 1882 he was appointed to the Dominion Land Board to investigate settlers' land claims.

Then in 1884 he settled in Calgary as Superintendent of Mines for the North-West Territories. As mining did not take off as quickly as anticipated, Pearce focused his attention on championing the development of irrigation for farming in southern Alberta. And his efforts eventually materialised in the instigation of the Canadian Irrigation Survey in 1894. Pearce foresaw Alberta's long term

difficulties with water—which are only now becoming fully apparent—and determined that the state should control riparian rights in the context of irrigation and water for cattle grazing as part of rational resource development, which he saw as a developing problem south of the 49th parallel.

Pearce was a trusted bureaucrat who had the ear of Prime Minister John A. Macdonald. Known as the Czar of the Prairies, he became somewhat untouchable, no matter what he did or who he irritated—and there were many. Frank Oliver, Liberal MP for Edmonton, was one who roundly condemned Pearce for his handling of Métis land claims before 1885. The Liberal administration was less than pleased with Pearce as a bureaucrat, pinning him with conflict of interest due to his own controversial irrigation company. Nevertheless, in 1901, Pearce was appointed Chief Inspector of Surveys, and his meticulousness proved at times to be a thorn in the side of his fellow surveyors.

Pearce was always where the action was, and he can certainly be described as a bureaucrat with initiative. On April 29, 1903, shortly before dawn, part of the side of Turtle Mountain in the Crowsnest Pass gave way. Seventy-five million tons of rock came crashing down into the valley. It destroyed the Canadian American Coal and Coke Company's tipples and plant, where a quick-thinking locomotive engineer threw his throttle with seconds to spare, pulling his coal cars to safety, just out of the slide's path. Seventy-six people who lived on the eastern flats at Frank were crushed to death as they slept. As the news spread, William Pearce was immediately roused

and on board one of the rescue trains speeding south from Calgary for Frank. On arrival Pearce removed his overcoat, rolled up his sleeves, and went to work, assisting in rescue efforts. He organized the running of a line of levels to determine whether the rock slide that ran across the middle fork of the Old man River would act as a dam, and ultimately cause the flooding of the town. The survey determined that flooding would not occur, and in any event the water continued to flow through the slide. When Pearce returned to Calgary on May 3, he was without his overcoat—it was lost to the confusion of disaster and panic.

Once back at his desk, he wasted no time in asking the Department of the Interior to forward him fourteen dollars to replace it. His somewhat petty request was refused.

His larger than life character was also expressed in Pearce's personal life. He built this impressive sandstone residence in 1889 only six years after the CPR reached Fort Calgary, on the open prairie. It was one of the earliest of such large homes to be built by men who set a high tone as Calgary's emerging elite. Pearce gave it the modest name of Bow Bend Shack. It was located at 2014 17th Avenue SE, and it originally encompassed an estate farm of 197 acres.

Pearce kept a well ordered home—evidently with plenty of domestic help. He and his wife Margaret had six children, Frances, Tassie, Seabury, William, and twins Harry and John.

The Pearce family had a privileged lifestyle. Pearce maintained a tennis court for his family and for entertaining. In November 1907, his

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wife and daughters sailed for Europe leaving Pearce, in his own words, “a grass widower.” It was a trip in the manner of the grand tour popular at the time. They visited Naples, Florence, Rome, Venice and Milan and then planned to travel to Switzerland, Hungary, Germany, before hitting Paris and Brussels. “I have written urging Mrs Pearce to take a couple of months in Great Britain and Ireland,” Pearce

told Superintendent Constantine of the RNWMP in Edmonton in March 1908. Meantime the Pearce boys were all at school or college.

To be continued...

Excerpted from Judy Larmour’s at the Past-President’s Breakfast, 2005 ALSA Annual General Meeting

River Lots



Is an RL (River Lot) is a legal portion. In other words, can this be used instead or the regular NE, NW, SE, SW? Recently I have come across an RL. Was a "River Lot (RL)" a valid type of legal description for land ownership?

The simple answer is yes. There were river lots surveyed in the Edmonton area, for instance, prior to the township fabric being surveyed (ie. in fur trade days). I suspect there are not too many places that have not since been subdivided and now have another type of legal description, but there may be some still in existence today.

The Métis and early settlers used the river lot system because it allowed them to live close to their neighbours, gave them access to water, and provided a transportation route to the outside world.

Under the river lot system, lots were long and narrow and located along river banks. The square Dominion Land Survey System was not compatible with the river lot system.

Setbacks

How is the front setback determined on a lot? Is the front setback measured at a right angle or is it measured vertically?

The normal, and correct, way to measure/calculate the "minimum" setback of a building from the front property line is to use the “right angle” method. However, the correct distance would need to be obtained by measuring to the corner closest to the front property line.

It is the "minimum setback" that approving authorities are usually interested in.

Measuring vertically would yield a false setback dimension as it would be longer than the true dimension measured at right angles from the front property line to the dwelling corner.

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In the News around the World

[Neighbour's axe threat over boundary row](#)

Halifax Evening Courier, UK - 28 Jan 2009

An ongoing row between the two families over land at Sandbeds Farm, Cottonstones, near Triangle, led to the confrontation.

[Botswana defines boundary with neighbours](#)

Botswana Press Agency, Botswana - 29 Jan 2009

The Director of Surveys and Mapping says there is concern about lack of clear cut international boundaries between Botswana and her neighbours. He said since independence the boundaries have never been properly defined, which could be a recipe for land dispute.

[Fence row couple 'lose everything'](#)

Manchester Online, UK - 27 Jan 2009

A couple who pulled down their neighbours' fence during a bitter boundary dispute have ended up 'losing everything' after taking the case to the High Court.

[Power project sparks NL-Que. border spat](#)

Canada.com, Canada - 27 Jan 2009

Newfoundland says the border between the two provinces is "invalidly depicted" to include parts of Labrador that were not given to Quebec in a 1927 Privy Council boundary decision.

[Centre of Excellence includes U of L researchers](#)

Lethbridge Herald, Canada - 16 Jan 2009

The University of Lethbridge is an integral partner in a new Centre of Excellence devoted to finding solutions to resource and environmental management problems.

[Ottawa invests \\$11.6M in centre to spark Alberta innovation](#)

Calgary Herald, Canada - 16 Jan

Cameras that track a grizzly bear's view of the woods and devices that detect forest fires from the air--these are just some of the innovations conjured up in University of Calgary labs.

Free Brochures

"The Real Property Report," "Understanding Easements and Rights of Way," "Alberta's Subdivision Process," and "I destroyed survey evidence—a practical guide to survey markers for the homeowner, handyman and contractor" are free brochures available from the ALSA and can be ordered by visiting our website, www.alsa.ab.ca

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