1910

CHAPTER 2.

An Act respecting Land Surveyors.

(As assented to March 19, 1910.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "The Alberta Land Surveyors' Association Act."

INTERPRETATION.

2. In this Act unless the context otherwise requires—
   1. The expression "association" means the "Alberta Land Surveyors' Association";
   2. The expression "president" means the president of the said association, or the presiding officer for the time being at any general meeting of the association;
   3. The expression "council" means the council of management of the association;
   4. The expression "board" means the board of examiners appointed by the Senate of the University of Alberta for the purposes of examining candidates for admission to study or practice as an Alberta land surveyor of the association;
   5. The expression "secretary" or "secretary-treasurer" or "registrar" means the secretary-treasurer of the association.

REGISTRATION OF LAND SURVEYORS.

3. No person shall, within the province, act as a surveyor of lands other than Dominion lands, unless he has been duly authorized to practise as a land surveyor according to the provisions of this Act and shall have become registered and shall continue to be registered under the provisions of this Act under a penalty of not less than $40 or more than $100.

ALBERTA LAND SURVEYORS' ASSOCIATION.

4. All persons who become duly authorized to practise as land surveyors under the provisions of this Act shall constitute the Alberta Land Surveyors' Association and shall be a body politic and corporate with perpetual succession and a common seal.
5. The said association shall have power to acquire and hold real estate not exceeding at any time an annual value of $5,000 and to alienate, exchange, mortgage, lease or otherwise charge or dispose of the said real estate, or any part thereof as occasion may require, and all fees payable to the association under this Act or under any by-law which may be passed by the association under the powers hereby granted shall belong to the association for the purposes of this Act.

6. The said association may pass by-laws not inconsistent with the provisions of this Act for the—

(a) Government and discipline of its members;
(b) Management of its property;
(c) Maintenance of the association by levying contributions or otherwise, provided however that no such levy or levies shall in any year exceed the total sum of $20 on each member;
(d) Examination and admission of candidates for the study or practice of the profession; and
(e) For all such other purposes as may be necessary for the working of the association.

(2) All by-laws shall be prepared by the council hereinafter named, and before becoming effective shall be ratified by the association at the annual general meeting or at a special general meeting to be called for the purpose.

7. There shall be a council of management of the association consisting of the president and vice-president of the association, and six other elective members to be elected and hold office as hereinafter provided.

(2) The president, or in his absence, the vice-president, or in the absence of both the senior elected member of the council shall act as chairman at all meetings of the council and the council at the first meeting thereof, following the election of the presiding officer and council for the ensuing year, shall appoint such other officers as may be necessary for the carrying out the provisions of this Act, who shall hold office during the pleasure of the council.

(3) Meetings of the council may be held by order of the president or at the request of three members of the council, and due notice of such meetings shall be given by the secretary to each member thereof by mailing such notice to the registered address of each said member at least 14 days previous to the time of such meeting.

(4) The members of the association shall elect annually from amongst their number a president, vice-president, secretary-treasurer, two auditors, and three members of the council of
management, and the secretary-treasurer of the association shall be the registrar of the association and secretary of the examining committee.

(5) The said president, vice-president, secretary-treasurer, auditors, and three members of the council may be elected at the annual general meeting in each year, provided their election is unanimous.

(6) Except in the case of an appointment to fill a vacancy caused by the resignation, death or dismissal of a member of the council, all elected members of the council shall hold office for the term of two years and until their successors have been elected; provided that in the first council elected the three members securing the greatest number of votes shall sit for two years, the remaining three only for one year.

(7) In the case of the resignation, death or dismissal of the president, vice-president or any elective member of the council the other members of the council shall have power to fill for the unexpired portion of his term any vacancy so caused.

8. The functions of the council shall be—

(a) To maintain the discipline of the members of the association;

(b) To prevent and conciliate all misunderstandings between members of the association, and to hear and decide all complaints and accusations preferred by third parties against them in relation to their professional conduct;

(c) To prepare the by-laws of the association;

(d) To draw up an annual report on the operations of the association for submission to the annual general meeting of the association; and such report shall be in the form of the minutes of all meetings of the council during the preceding year.

9. Should the election of any of the officers mentioned in the preceding section not be made unanimously at the annual general meeting and a ballot be demanded for the election of any of them by any member of the association entitled to vote at such election, then and in every such case the president, or in his absence the vice-president, shall appoint two scrutineers to count the ballots, and the secretary-treasurer shall at such annual meeting receive nominations of candidates for the office or offices in respect of which such ballot shall have been demanded, and the election shall take place in the manner hereinafter provided.

(2) All elections under this Act shall be by ballot if demanded, and shall be conducted in the manner provided by this Act and by the by-laws of the association.
Voting papers 10. At least one week after any annual general meeting, at which a ballot has been demanded, the secretary-treasurer as registrar of the association shall send by post to each member of the association to his last known address the form (form A) of voting paper in schedule to this Act, with the list of the names of all candidates nominated at the annual general meeting and also a list of the retiring members, and the voting for officers and members of the council shall be limited to the persons who have been so nominated.

Votes to be returned 11. The votes at an election by ballot for officers and members of the council of management shall be given by closed voting papers in the form A of schedule to this Act or to the like effect and shall be delivered to the secretary-treasurer of the association at his office between the hours of ten o’clock in the forenoon and four o’clock in the afternoon on any day between the 15th day of February and the 15th day of March in each year in which an election by ballot is held, and any voting papers received by the secretary-treasurer by post during the time aforesaid shall be deemed to be delivered to him for the purposes of the election.

Counting of ballots 12. The voting papers shall upon the first Thursday after the fifteenth day of March be opened by the secretary-treasurer of the association in the presence of the scrutineers appointed as above provided, who shall examine and count the votes and keep a record thereof in a proper book provided by the council.

(2) Any person entitled to vote at the election shall be entitled to be present at the opening of the voting papers.

(3) The persons who have the highest number of votes for officers or members of the council as the case may be shall be declared elected.

Case of equality of votes 13. In the case of equality of votes between two or more persons which leaves the election of one or more officers or members of the council undecided then the scrutineers shall forthwith put into a ballot box a number of papers with the names of the candidates respectively having such equality of votes written thereon, one for each candidate, and the secretary-treasurer of the association shall draw from the ballot box in the presence of the scrutineers one or more of the papers sufficient to make up the required number and the person or persons whose name or names are upon the papers so drawn shall be the officer or officers or the member or members of the council as the case may be.

(2) Upon the completion of the counting of the votes and of the scrutiny the secretary-treasurer shall forthwith declare the result of the election, and shall as soon as conveniently may be report the same in writing signed by himself and by the
scrutineers to the president of the association and shall notify the elected members of their election.

14. In the event of any member placing more than the required number of names upon the voting paper for members of the council the first names thereon only, not exceeding the required number, shall be counted.

15. The persons qualified to vote at an election shall be such persons as are members of the association who have paid all fees due from them to the association under the provisions of this Act and of any by-law of the association.

(2) No person shall be eligible for election to any office or to Officers the council, or qualified to fill any vacancy thereon, or to appointment by the council to any office unless his fees have been paid and he is duly qualified under the provisions of this Act and the by-laws of the association.

16. At any council meeting, excepting when questions of discipline are to be decided, three shall form a quorum, and all matters shall be decided by a majority of the votes of the active members of the council present at that meeting, the chairman voting only when the votes are evenly divided; but questions of discipline shall be decided only by a majority of the votes of the total council.

17. In case of any doubt or dispute as to who has or have been elected to any office, or as member or members of the council, or as to the legality of the election of any such officer or officers, member or members of the council, it shall be lawful for the other duly elected officers and members to be, and they are hereby constituted a committee to hold an inquiry and decide who if any is, or are, the legally elected officer or officers or member or members of the council, and the person or persons, if any, whom they decide to have been elected shall be and be deemed to be the officer or officers, or member or members legally elected, and if the election is found by them to have been illegal the said committee shall have power to order a new election.

18. The annual general meeting of the association shall be held in the City of Edmonton or such other place as shall be determined at the previous annual general meeting on the Tuesday following the third Monday in January in each year. Due notice of such meeting shall be given by the secretary-treasurer to each member of the association by mailing a circular letter enclosed in a prepaid envelope addressed to his registered address at least thirty days before such meeting.
19. The examinations of candidates for admission to study and also of candidates for admission to practise as Alberta land surveyors shall be under the control of the University of Alberta, the board for this purpose being appointed by the Senate of the University on the joint nomination of the president of the University, or some one deputed by him for that purpose, and the examining committee of the association as hereinafter constituted.

(2) The examining committee of the association shall consist of the secretary and three other members of the association, who shall be appointed by the council and hold office during the pleasure of the council.

(3) The duties of the examining committee shall be to consult with the president of the University of Alberta or anyone deputed by him for that purpose and to select persons who would be suitable members of the board and the names of such persons as they select shall be submitted to the Senate of the University for appointment to the board.

(4) Two members of the examining committee shall form a quorum and they shall meet at the call of the registrar of the University.

(5) Any member of the association who is in good standing may be appointed a member of the examining committee or the board.

20. Examinations of candidates for admission to study or practise as Alberta land surveyors shall be held at the University of Alberta between the 20th day of January and the 5th day of February in each year and at such other time or times as the Senate of the University of Alberta shall determine.

21. The board shall meet at the office of the University of Alberta at the call of the registrar of the University.

ARTICLED PUPILS.

23. No person shall be admitted as articled pupil with any Alberta land surveyor unless he has previously passed an examination to the satisfaction of the board of examiners in penmanship, orthography, English grammar, arithmetic, algebra (including square root, logarithms and quadratic equations), euclid (first four books and deductions), plane trigonometry, spherical trigonometry as far as and including the solution of right-angled triangles, mensuration, practical geometry (including the use of ruling pen and the construction of plane and comparative scales), Canadian and general geography and Canadian history, and has obtained a certificate of such examination and of his proficiency from the board in such form as the board shall determine.
(2) Any apprentice or pupil article to any Dominion land surveyor resident in the Province of Alberta when this Act shall come into force shall be entitled to obtain admission as a member of the Alberta Land Surveyors' Association upon receiving a commission as a Dominion land surveyor, and upon payment of the annual fee without further service and without being subjected to any further examination, provided he is resident in the Province of Alberta and becomes duly registered with the registrar of the association within six (6) months after receiving said commission.

23. Every applicant shall before being examined as provided in section 22, subsection 1, hereof pay to the registrar of the University of Alberta the fees chargeable by the University Senate for the said examination and certificate.

24. Applicants for examination previous to becoming article pupils shall give one month's notice to the registrar of the University of Alberta of their intention to present themselves for examination and shall pay to the said registrar the fee required on that behalf.

(2) Upon the candidate passing the necessary examination for an article pupil the registrar of the University of Alberta shall notify the secretary of the association of the fact.

(3) Such candidate may then become article to an Alberta land surveyor in the form C of articles given in the schedule to this Act, and the article pupil shall within two months after the execution of the articles transmit the same (or one of the duplicate originals thereof if the articles are in duplicate) to the secretary of the association together with the required fee.

(4) In the event of the articles not being forwarded to the secretary within the said time the pupil's time of service under articles shall count from the time when such articles are received by the secretary instead of from the date of the articles.

QUALIFICATION FOR ADMISSION TO PRACTISE.

25. Every Dominion land surveyor who at the passing of this Act is a resident of the province and who becomes duly registered with the registrar within one year after the passing of this Act, or who becomes duly qualified as hereinafter set forth, shall upon payment of the annual fee provided in this Act be entitled to practise as an Alberta land surveyor.

26. Except as hereinafter provided no person shall be permitted to practise as a land surveyor in and for Alberta until he has attained the full age of 21 years and has passed an examination before the board of examiners in the following subjects, viz.: plane and solid geometry, including the first six
books and the eleventh book of Euclid (with the exception of the last thirteen propositions of the fifth book), algebra, including progressions, plane and spherical trigonometry, mensuration of superficies, laying out and dividing of land, descriptions by metes and bounds for deeds and other documents, the use and adjustment of surveying and levelling instruments, including the use of stadia and micrometer, the laying out of curves, practical astronomy (including finding of time, latitude, longitude, variation of the compass), the system of survey of Dominion lands as described in The Dominion Lands Act and manual of instructions for the survey of Dominion lands, and any Act relating to the staking out and surveying of coal and mineral claims within the Province of Alberta, The Land Titles Act as far as it refers to plans, any Acts respecting ditches or drainage in the province, such portions of The Public Works Act and parts of other Acts as may be required by the board of examiners, the theory and practice of levelling, the principles of evidence, drawing of affidavits, taking of field notes and preparation of plans, the rudiments of geology and mineralogy, the forest flora of Canada and the sufficiency of his surveying instruments and has previously served regularly and faithfully for three successive years (of which at least twelve months shall have been in actual practice in the field) except as is hereinafter provided, under an instrument in writing in the form C of the schedule to this Act, duly executed before two witnesses as articled pupil to an Alberta land surveyor duly admitted and practising therein as such, nor until he has received from the said land surveyor a certificate in the form D of the schedule to this Act of his having so served during the said period and has deposited with the secretary of the association his own affidavit in the form E of the schedule to this Act.

27. Any person serving as articled pupil as hereinbefore provided may with the permission of the surveyor to whom he is articled attend the University of Alberta, or any Canadian school, college or university the course of study in which is, in the opinion of the board, sufficiently similar, for the purpose of taking any course of study which includes any subjects required for the final examination for admission to practice as a land surveyor but the total period of such term of articles and of such course of study shall not exceed the period of four years from the date of such articles as above mentioned and not less than three years of said period of four years shall be passed in the actual service of a practising Alberta land surveyor.

28. Every person who, previous to the passing of this Act was, or subsequently becomes duly qualified by certificate, diploma or commission to survey Dominion lands or lands in any province in Canada and who in order to become so qualified, has served a term under articles to a surveyor similar to the term prescribed by this Act, and who produces evidence of having
passed an examination in the subjects prescribed by section 26 of this Act satisfactory to the board and who has become a resident of the Province of Alberta shall be entitled to be registered as an Alberta land surveyor upon payment of the necessary fee without further service and without being subjected to any examination other than with respect to the system of survey of Dominion lands as described in The Dominion Lands Act and manual of instructions for the survey of Dominion lands, and any Act relating to the staking out and surveying of coal and mineral claims within the Province of Alberta, The Land Titles Act as far as it refers to plans; any Acts respecting ditches or drainage in the province and such portions of The Public Works Act and parts of other provincial Acts as may be required by the board of examiners, but it shall rest with the board of examiners to decide whether the service of such person is equivalent to that prescribed in this Act for the pupils of Alberta land surveyors and whether the subjects of examination for the certificate, diploma or commission of a surveyor of Dominion lands or of lands in such province are sufficiently similar to those set forth in the said sections to entitle him under the foregoing provisions to such commission; and if such service or subjects of examination are in the opinion of the board not sufficiently similar to those required by this Act the board may in its discretion require any candidate for admission as an Alberta land surveyor under the provisions of this section to complete such further term of service or practice in surveying and may examine him in such of the subjects set forth in section 26 of this Act as may appear necessary.

29. Every person who shows to the satisfaction of the board that he has received a commission or license specially authorizing him as a surveyor of the public or Crown lands in any part of His Majesty's Dominions other than the provinces of Canada to which the provisions of the next preceding section relate and that he has had at least two years' practice either as a surveyor or as a pupil to a surveyor (of which practice at least six months has been in the field) shall be entitled to be registered upon payment of the necessary fee on passing an examination in the subjects set forth in section 26 of this Act and on his producing a certificate from an Alberta land surveyor in the form D together with his own affidavit in the form E to the schedule of this Act that such person has in addition to the service aforesaid served under articles for one year with him, including at least six months' actual practice with him in the field.

30. Every person who has followed a regular course of study in all the branches of education required by this Act for admission as an Alberta land surveyor for at least three years in any Canadian college or university where a complete course
of theoretical and practical instruction in surveying is organized, and who after examination has thereupon received from such college or university a diploma or certificate, shall be exempt from serving three years as aforesaid, and shall be entitled to be registered upon passing a final examination in such subjects as the board requires and upon payment of the necessary fee after serving one year under articles with an Alberta land surveyor including six months' actual practice with him in the field, on producing a certificate from the said surveyor in said form D together with his own affidavit in said form E that he has served for one year as herein provided; but it shall rest with the board to decide whether the course of instruction in such college or university meets the requirements of this section.

31. If a surveyor dies or leaves the province or is suspended or dismissed, or ceases to practise, his articulated pupil may complete his term of articles under an instrument in writing as aforesaid with any registered surveyor in actual practice.

32. A surveyor may by an instrument in writing transfer an articulated pupil with his own consent to another registered surveyor in actual practice with whom he may serve the remainder of the term of his articles.

ADMISSION OF CANDIDATES.

33. Every person desiring to be examined by the board as to his qualifications to be admitted as a land surveyor shall give notice thereof in writing to the secretary of the association at least one month previous to the time when he proposes to submit himself for examination, and shall pay to the said secretary the required fee and shall file with the said secretary the certificate or other evidence of service as hereinbefore required.

34. The secretary shall forthwith notify the registrar of the University of Alberta of the candidate's intention to present himself for examination and shall make a report to the said registrar showing whether the candidate has complied with the requirements as to payment of fees, service and otherwise so as to entitle him to become a registered member of the association upon his passing a successful examination.

35. Upon the board reporting to the Senate of the University of Alberta that the candidate is qualified to practise the said Senate shall grant him a certificate in the following form:

This is to certify to all whom it may concern that A.B. of ......, has duly passed his examination before the board of examiners and has been found qualified to fill the office and perform the duties of an Alberta land surveyor in and for Alberta, he having complied with all the requirements of the
law in that behalf. Wherefore the said A. B. is by law authorized to be registered as a member of the Alberta Land Surveyors' Association.

In witness whereof we have signed this certificate at the city of...in the Province of Alberta, Dominion of Canada, the...day of...19..., and such certificate shall subject to the provisions of this Act entitle him to practise as a land surveyor in and for Alberta.

36. Each applicant before receiving the above mentioned certificate shall, with two sufficient sureties to the satisfaction of the council or the secretary thereof, enter into a bond jointly and severally in the sum of $1,000 to His Majesty, His heirs and successors conditioned for the due and faithful performance of the duties of his office.

(2) The said bond shall be deposited and kept in the manner by law prescribed with regard to bonds given for like purposes deposited by other public officers, and shall inure to the benefit of any party sustaining damage by breach of the condition thereof, and the certificate shall be registered in the office of the Provincial Secretary.

37. Each applicant after having been granted a certificate shall also take and subscribe the oath of allegiance and the following oath before a judge of the Supreme or District Court:

I, A. B., do solemnly swear (or affirm as the case may be) that I will faithfully discharge the duties of a land surveyor according to law without favour, affection or partiality. So help me God.

(2) The said oaths of allegiance and office shall be deposited in the office of the Provincial Secretary.

SUSPENSION FOR MISCONDUCT.

38. The council may in their discretion suspend or dismiss from the association any land surveyor whom they find guilty of gross negligence or corruption in the execution of the duties of his office but the council shall not take action until a complaint made under oath has been filed with the secretary-treasurer and a copy thereof forwarded to the party accused, nor shall the council suspend or dismiss such land surveyor without having previously summoned him to appear in order to be heard in his defence, nor without having heard the evidence offered in support of the complaint and on behalf of the surveyor inculpated, and all such evidence shall be taken under oath, which oath the chairman of the said council or person acting as such in his absence or the secretary, is hereby authorized to administer, and all such evidence shall be taken down by a competent stenographer as in the case of evidence taken in the Supreme Court.
(2) Any surveyor so dismissed or suspended may within fourteen days after the order or resolution of dismissal or suspension, or within such further time as the Supreme Court or a judge thereof may order appeal to a judge of the Supreme Court against such order or resolution by giving seven days' notice to the council and may require the evidence taken to be filed in the office of the clerk of the Supreme Court for the judicial district in which the appellant resides, and the judge may on such appeal make such order or direction and as to costs as the justice of the case may require.

(3) Unless the order or resolution shall be set aside or the judge or council shall otherwise order any surveyor so suspended or dismissed shall not have the right to practise as a surveyor until after the appeal shall have been disposed of except where the time for which he was so suspended shall in the meantime have expired.

(4) The council may in their discretion suspend or dismiss from the association any member and cause his name to be removed from the register if such member has been convicted of any crime involving imprisonment for two years or more.

(5) If the council think fit in any case they may direct the registrar to restore to the register any name or entry erased therefrom, either without fee or on payment of such fee, not exceeding the arrears of fees due the association by such person as the council may from time to time fix, and the registrar shall restore the same accordingly.

**TARIFF OF FEES.**

39. The following fees shall be paid to the secretary-treasurer for the use of the association:

1. By every person duly authorized to practise as a land surveyor under the provisions of this Act on application for registration under this Act the sum of $2.

2. By each member of this association an annual membership fee of $10.

3. By each articled pupil at the transmitting to the secretary his indenture or articles, $20.

4. By each candidate for final examination with his notice thereof, $2.

5. By each applicant for registration upon the register $50; for any subsequent registration upon the register after the first, $5.

6. By each articled pupil with each transfer of articles as a fee for registering same, $2.

7. For every certificate of the registrar of the association, $2.
REGISTRATION.

40. It shall be the duty of the secretary-treasurer of the association as registrar of the association to make and keep a correct register of all persons who shall be entitled to be registered under this Act and to enter opposite the names of all registered persons who shall have died a statement of such fact and from time to time to make the necessary alterations in the addresses of persons registered, and subject to this Act to keep the register in accordance with the by-laws of the association and the orders and regulations of the council.

41. A registered surveyor desiring to give up practice may have his name removed from the registered list of practitioners at any time upon giving written notice to the secretary-treasurer of such desire and paying up all fees due from him to the association, and thereafter he shall not be liable to the association for any annual or other fees, and may upon like notice of his intentions to resume practice and paying the annual fees for the year in which such notice is given have his name reregistered.

(2) No name shall be entered in the register except of persons authorized by this Act to be registered nor unless the registrar is satisfied by proper evidence that the person claiming to be entitled to be registered is so entitled, and any appeal from the decision of the registrar shall be decided by the council of the said association and any entry which shall be proved to the satisfaction of such council to have been fraudulently or incorrectly made shall be erased from or amended in the register by order of such council.

(3) The association may by by-law provide that any surveyor who has been in the actual practice of his profession for a period of thirty-five years or more, and has during the entire period been a duly qualified surveyor, may be exempted from the payment of the annual membership fee to the association.

42. No person unless registered as above provided shall be entitled to take or use the name or title of Alberta land surveyor either alone or in combination with any other word or words, or any name, title or description implying that he is registered under this Act.

(2) Any person who not being registered under this Act takes or uses such name, title or description as aforesaid shall be liable on summary conviction to a fine not exceeding $50 for the first offence and not exceeding $100 for each subsequent offence.

43. The registrar of the association shall in every year cause to be printed, published and kept for inspection at his office free of charge, under the direction of the council, a correct register of the names in alphabetical order according to the
surenames, with their respective addresses in the form set forth in schedule to this Act or to the like effect of all persons appearing on the general register on the first day of February in every year and such register shall be called the "surveyors' register" and copy of such register for the time being, purporting to be so printed and published as aforesaid, shall be prima facie evidence in all courts and before all justices of the peace and others that the persons therein specified are registered according to the provisions of this Act:

Provided always that in the case of any person whose name does not appear in such copy a certified copy under the hand of the registrar of the association of the entry of the name of such person in the register shall be evidence that such person is registered under the provisions of this Act, and a copy of such register shall forthwith upon being printed as above provided be sent to the registrar of each land titles office in the province.

(2) No plan of survey of land in the Province of Alberta other than Dominion lands the survey of which was made subsequent to the first day of January, 1911, shall be accepted by any registrar of land titles unless it be properly executed by a surveyor whose name appears on the current register referred to in subsection (1) hereof.

FRAUDULENT REGISTRATION.

44. If the registrar shall wilfully make or cause or allow to be made any falsification in any matters relating to the register or wilfully omit to make any entry therein that should be made he shall be liable upon summary conviction thereof to a fine of not less than $20 and not more than $50 besides costs, and in default of payment to imprisonment for a period of six months unless the fine and costs shall be sooner paid.

45. Any person who wilfully procures or attempts to procure registration under this Act by making or producing or causing to be produced or made any false or fraudulent representation or declaration either verbally or in writing that he is entitled to such registration shall be liable upon summary conviction thereof to a fine of not less than $20 and not more than $50 besides costs, and in default of payment to imprisonment for a period of six months unless the fine and costs be sooner paid and the council may remove the name of the offender from the register.

RECOVERY OF FEES AND PENALTIES.

46. All fees payable to the association under this Act may be recovered as ordinary debts due the association, and all penalties under this Act may be recovered and enforced by summary conviction.
NOTICES AND DOCUMENTS.

47. Subject to the other provisions of this Act all notices and documents required by or for the purposes of this Act to be sent may be sent by post by registered letter and shall be deemed to have been received at the time when the letter containing the same would be delivered in the ordinary course of mail, and in proving such sending it shall be sufficient to prove that the letter containing the notice or document was prepared and properly addressed and mailed.

(2) Such notices and documents may be in writing or in print or partly in writing and partly in print and when sent to the council or other authorities shall be deemed to be properly addressed if addressed to the said council or authorities, or to some officer of the council or authority at the principal place of business of the council or authority and when sent to a person registered under this Act shall be deemed to be properly addressed if addressed to him according to his address registered in the register of the association.

HOW FUNDS TO BE APPLIED.

48. All moneys arising from fees payable on registration, or from the annual fees, or from the sale of copies of the register or otherwise shall be paid to the registrar of the association to be applied in accordance with such regulations as may be made by the council for defraying the expenses of registration and other expenses of the execution of this Act.

(2) The council shall have power to invest any sum not expended as above in such securities as shall be approved of by the Government of the Dominion of Canada or of the Province of Alberta in the name of any three of their number appointed as trustees and any income derived from any such invested sums shall be added to and considered as part of the ordinary income of the association.

(3) The association may also use surplus funds or invested capital for the rental or purchase of land or premises, or for the building of premises to serve as offices, lecture rooms, libraries, or for any other public purpose connected with land surveying.

49. The secretary-treasurer and registrar of the association shall enter in books to be kept for that purpose a true account and audit of all sums of money by him received and paid under this Act and such account shall be audited by the auditors and submitted to the council and association at such time or times as they may require.

50. All surveys made in this province by any Alberta land surveyor shall be made in accordance with The Dominion Land Survey Act or such provincial Acts as may affect the same.
51. Any Alberta land surveyor who knowingly and wilfully acts as a professional agent of any person not duly qualified to practise as a land surveyor or uses or suffers his name to be used in any such agency or does any act or thing or affords any means of facility tending to enable such unqualified person to practise in any respect as an Alberta land surveyor or which is calculated to, or does, or may mislead the public or any person to believe that such unqualified person is authorized to practise as a land surveyor, or who shall falsely certify as to the service under articles of a pupil when such service shall not have been actually and bona fide performed in the manner intended and required by this Act, shall be liable under section 39 of this Act to a charge of misconduct in the execution of the duties of his office and to discipline in addition to any other liability which he may incur by any such misconduct.

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**SCHEDULE.**

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**FORM A.**

**FORM OF VOTING PAPER.**

Alberta Land Surveyors' Association Election Council of Management.

I, ........................................, of the ........................................, Alberta land surveyor, do hereby declare:

1. That the signature hereto is my proper handwriting.

2. That I vote for the following persons as the Council of Management of the Corporation for the ensuing year:

<table>
<thead>
<tr>
<th>Name</th>
<th>Residence</th>
<th>Position</th>
<th>Mark with a X those you wish to vote for</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. B.</td>
<td></td>
<td>For President</td>
<td>X</td>
</tr>
<tr>
<td>C. D.</td>
<td></td>
<td>&quot; Vice-President.&quot;</td>
<td>X</td>
</tr>
<tr>
<td>E. F.</td>
<td></td>
<td>&quot;</td>
<td>X</td>
</tr>
<tr>
<td>G. H.</td>
<td></td>
<td>&quot; See’y-Treasurer&quot;</td>
<td>X</td>
</tr>
<tr>
<td>L. K.</td>
<td></td>
<td>&quot;</td>
<td>X</td>
</tr>
<tr>
<td>L. M.</td>
<td></td>
<td>&quot; Members of Council.&quot;</td>
<td>X</td>
</tr>
<tr>
<td>10 others</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Nominated
3. That I have signed no other voting paper at this election.
4. That this voting paper was marked and signed by me on the day of the date thereof.
Witness my hand this day of , A.D. 19

FORM B.

ALBERTA LAND SURVEYORS.

Copy of the list of registered members of the Alberta Land Surveyors' Association who are authorized to practise in the Province of Alberta on this day of 19 under the provisions of The Alberta Land Surveyors' Act 1910.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>DATE OF COMMISSION</th>
</tr>
</thead>
</table>

Certified correct and dated this day of 1911

Secretary-Treasurer and Registrar of the Association.
Office Edmonton.

FORM C.

ARTICLES OF PUPIL TO LAND SURVEYOR.

These articles of agreement made the day of , one thousand nine hundred and , between A. B., of Alberta land surveyor, of the one part, and C. D., of , and E. F., son of the said C. D., of the other part, witness:
That the said E. F., of his own free will, and by and with the consent and approbation of the said C. D., doth by these presents place and bind himself pupil to the said A. B., to serve him such from the day of the date hereof, for and during and until the full end and term of three years from hence ensuing, and fully to be completed and ended.

And the said C. D., doth hereby for himself, his heirs, executors and administrators, covenant with the said A. B., his executors, administrators and assigns, that the said E. F., shall well and faithfully, and diligently, according to the best and utmost of his power, serve the said A. B., as his pupil in the practice or profession of a land surveyor which he, the said A. B., now followeth, and shall abide and continue with him from the day of the date hereof for and during and unto the full end of the said term of three years.

And that he, the said E. F., shall not at any time during such term cancel, obliterate, injure, spoil, destroy, waste, embezzle, spend or make away with any of the books, papers, writings, documents, maps, plans, drawings, fieldnotes, moneys, chattels or other property of the said A. B., his executors, administrators or assigns, or any of his employers; and that in case the said E. F., shall act contrary to the last-mentioned covenant, or if the said A. B., his executors, administrators or assigns shall sustain or suffer any loss or damage by the misbehaviour, neglect or improper conduct of the said E. F., the said C. D., his heirs, executors or administrators, will indemnify the said A. B., his heirs, executors, administrators or assigns, and make good and reimburse him or them the amount of value thereof.

And further, that the said E. F., shall at all times keep the secrets of the said A. B. in all matters relating to the said business and profession, and will at all times during the said term be just, true and faithful to the said A. B. in all matters and things and from time to time pay all moneys or money which he shall receive of or belonging to or by order of the said A. B. into his hands, and make and give true and fair accounts of all his acts and doings whatsoever in the said business and profession, without fraud or delay, when and as often as he shall thereto be required; and will readily and cheerfully obey and execute his lawful and reasonable commands, and shall not depart or absent himself from the service or employ of the said A. B. at any time during the said term without his consent first had and obtained, and shall from time to time, and at all times during the said term, conduct himself with all due diligence and with honesty and sobriety.

And the said E. F., doth hereby for himself covenant with the said A. B., his executors, administrators and assigns, that he, the said E. F., will truly, honestly and diligently serve the said A. B. at all times for and during the said term as a faithful pupil ought to do in all things whatsoever in the manner above specified.

In consideration whereof and of . . . . . . dollars of lawful money by the said C. D. to the said A. B., paid at or before
the sealing and delivery of these presents (the receipt of which
is hereby acknowledged), the said A. B. for himself, his heirs,
executors and administrators, doth covenant with the said
C. D., his heirs, executors and administrators that he, the said
A. B., will accept and take the said E. F. as his pupil, and that
he, the said A. B., will, by the best ways and means he may
or can, and to the utmost of his skill and knowledge, teach and
instruct, or cause to be taught and instructed, the said E. F.,
in the course of study prescribed by the Act, in practical sur-
veying operations, and in the use of instruments, and generally
in the art, practice and profession of a land surveyor, which
he, the said A. B., now doth and shall at all times during the
said term, use and practise, and also will provide the said E. F.
with all the necessary and reasonable expenses incurred in
transacting or performing the business of the said A. B.; and
also will at the expiration of the said term use his best means
and endeavours, at the request, cost and charge of the said
C. D. and E. F., or either of them, to cause to procure him,
the said E. F., to be examined before the board of examiners:
Provided the said E. F. shall have well, faithfully and diligently
served his said pupillage.
And for the said performance of all and every the covenants
and agreements aforesaid according to the true intent and mean-
ing thereof, each of them, the said A. B. and C. D., doth bind
himself, his heirs, executors and administrators and assigns,
in the penal sum of five hundred dollars firmly by these presents.
In witness whereof, the parties aforesaid have hereunto
set their hands and seals the day and year above written.

Signed, sealed and delivered in the presence of

G. H.  A. B. (Seal).
J. K.  C. D. (Seal).
          E. F. (Seal).

FORM D.

DISCHARGE FROM ARTICLES AS PUPIL OF LAND SURVEYOR.

This is to certify that ......................... has regularly
and faithfully served ............ years under the articles of
apprenticeship hereunto attached, including .......... months
of actual practice in the field. He has shown* ........................
and is now honourably discharged from the aforesaid articles.
Dated this ...... day of ........... , 19 ....

(Signed)

(*Here insert testimony as to the pupil’s character for sobriety
and probity.)
FORM E.

PUPIL’S AFFIDAVIT OF SERVICE.

I, ................., of ................. in the Province of Alberta, survey student, make oath and say:

(1) That I have regularly and faithfully served ................. years under articles of apprenticeship dated ................. 19 .................

(2) That I have been engaged with him in actual surveying operations in the field on the following surveys and between the dates set down opposite to them, that is to say:

  (a) On the survey of ................. from the day of ......... 19 ................. to the day of ................. 19 .................

  (b) On the survey of ................. from the day of ......... 19 ................. to the day of ................. 19 .................

  (c) On the survey of ................. from the day of ......... 19 ................. to the day of ................. 19 .................

  (d) On the survey of ................. from the day of ......... 19 ................. to the day of ................. 19 .................

  (e) On the survey of ................. from the day of ......... 19 ................. to the day of ................. 19 .................

So help me God.

Sworn before me at .................
in the ................. on this ................. day of ................. 19 .................

                                              A Commissioner or J. P.