

Instructions Clue to Intent of Inconclusive Plans and Field Notes

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Plans and field notes may not always be conclusive evidence of what was intended in an original survey. A knowledge of the instructions issued for the performance of the survey sometimes provides a missing clue that will shed light on the intent.

Surveyors who have established lot lines unrun in the original surveys of the townships of Hagerman, Monteith and part of McMurrich in the District of Parry Sound may have questioned the derivation of the bearings on the returns. Some have made inquiries as to the application of Section 34, The Surveys Act, which provides for the establishing of such unrun side lines in a concession

in a sectional township with double fronts.

Instructions issued in 1868, 1869 and 1870 to subdivide 1000-acre sectional system townships provided that the exterior boundaries were to be run with theodolite. In keeping with the economic practices of the day, all interior lines establishing concession and side road allowances were to be run by compass on magnetic bearings being equivalent to prescribed astronomic courses of South $69^{\circ}08'20''$ West and North $20^{\circ}51'40''$ West respectively.

To ensure accuracy in alignment, instructions required periodic astronomic observations to determine the magnetic variation and back observations on line at each station to eliminate error in direction from local magnetic

attraction.

With the exception of the three townships mentioned, the intent of the instructions is reflected in the plan and field notes in that the specified astronomic courses are shown. In some of the returns the magnetic equivalents are also noted. In the case of Hagerman, Monteith and part of McMurrich townships, the bearings of the interior lines are shown only as magnetic and not as the magnetic equivalent of the prescribed astronomic bearing.

In establishing the unrun lot lines, the question of the governing bearing arises—should the present-day astronomic course of the magnetic bearing be ascertained by taking into account such factors as annual changes in magnetic variation and local attraction, or should the prescribed astronomic bearing be accepted?

Instructions are considered as evidence and frequently resolve the age-old and recurring question of what was “intended in the original survey”. Where the answer to such a question cannot be determined, legislation holds the likely key to the solution.