

The Association of Ontario Land Surveyors

AN HISTORICAL REVIEW

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PART 3 — INCORPORATION

Ontario's Association of Provincial Land Surveyors was not destined to enjoy longevity. It passed away peacefully in 1892 unmourned and without ceremony. Neither surveyor nor politician could find cause for bereavement. They realized that its death signalled the introduction of the Association of Ontario Land Surveyors. After only six years the aspirations of men like Chipman and Kirkpatrick had been realized. Ontario surveyors had an incorporated professional home.

No doubt the proximity of many surveyors to the political machinery helped bring this about. Certainly then, as now, friends in court made an admirable cheering section to help controversial legislation over the finish line. The race however was run alone.

Since 1886 the young association had been responsibly promoting changes and improvements to both the surveying industry and its related legislation. As early as 1887 the Legislation Committee reported that all amendments to "An Act Respecting Land Surveyors and the Survey of Lands" were carried through the House along with many proposed amendments to the "Ditches and Water Courses Act 1883". Drainage legislation received further attention in 1888, when a circular was mailed to surveyors, Reeves and township clerks recommending that appeals to the Court of Revision, then heard before a County Court Judge, be heard before "... three competent disinterested persons (one of whom shall be a Provincial Land Surveyor) appointed by the Judge junior or acting Judge of the County ..."¹

The Registry Act was also under constant scrutiny. In 1887 it was moved and carried that a special committee look into the amending of sections relating to registered plans. In 1889 it was moved and carried that the creation of compiled plans, presently left to the discretion of individual surveyors, should be regulated by law. In 1890 the Executive Committee was instructed to confer with the Attorney-General in order to "... reach an understanding as to fees to be charged by registrars for inspecting or copying filed plans."²

Suggested innovations directly affecting the surveying industry were also abundant. In 1887 it was moved and carried that the minimum bonus paid

by articulated students be \$200.00. To help ensure that these students got their money's worth new applications of the surveyors' abilities were regularly introduced and promoted. In 1889 Elihu Stewart moved that the government could profit by employing surveyors to perform "Exploratory Surveys". Mr. Stewart and the special committees that followed suggested to the Commissioner of Crown Lands and others that if the Government had a more reliable inventory of the quality and extent of the Province's timber reserves it would be in an improved position regarding the value of the leases it granted to lumber companies. Unfortunately for the surveyors the proposal never bore fruit.

Government involvement in drainage schemes was also encouraged. In 1887 Aylesworth in his paper on the "Minto Drainage Scheme" called for more government participation in drainage works as "... trustees of the public ...".

A suggestion in 1887 to re-introduce the office of Boundary Commissioner indicates that the Provincial Land Surveyors were also interested in being trustees of the public. Boundary Commissioners were utilized from 1838 to 1842. They had similar authority then, regarding disputed boundaries that fence viewers under the Line Fences Act have today. Many committees were formed and numerous reports were filed and promoted but no legislation ever resulted. Unless the introduction of the Boundaries Act (1959) and its tribunal could be viewed as the culmination of an 1887 proposal that "... a court or Commissioner to settle disputed boundaries ..." be established.³

To encourage discussion among surveyors across Canada regarding new problems and developments the first Annual Convention of Canadian Land Surveyors was held in Ottawa on February 16th 1892. Mr. J. S. Dennis was then President of the Association of Dominion Land Surveyors who had originally proposed affiliation of the Provincial Associations in 1890. The proposal was rejected at that time by the A.P.L.S. but in 1891 they agreed to affiliate. However it appears that the affiliation died officially with the A.P.L.S. since no mention of it is made in later A.O.L.S. reports.

The loss of this affiliation was never introduced as an argument against incorporation but other points were raised. Some members wanted to retain the title of Provincial Land Surveyor while others argued for the title of Regis-

tered Surveyor. Ontario Land Surveyor was accepted as resting somewhere in between the two.

Mr. P. S. Gibson feared a loss of status if incorporation were accepted and wondered "... what would our standing be after having lost our position as Government Surveyors."⁴ The executive tried to accommodate this point of view by stressing that they were deliberately blending incorporation into the existing Surveyor's Act rather than introducing a completely new statute that would suggest an abrupt break from the surveyor's role as a government surveyor. This argument in combination with the points put forward by men such as J. P. B. Casgrain won over. He noted that though he was a member of the A.P.L.S. it had no legal existence. He then pointed out the powers afforded to an incorporated association. Among others he listed the powers to

1. Govern, discipline and honour its members;
2. Examination and admission of candidates to the study or practice of the profession; and
3. Establish fees for professional services in connection with land surveying.

These powers impressed the membership no less than the members of other professions who feared encroachment of their territory by the newly-licensed surveyors. One such field was engineering but they could really take no exception to the bill to incorporate since it never explicitly defined the practice of surveying, stating simply in section 11 that an Ontario Land Surveyor was:

"Any person duly authorized to practise as a surveyor of lands, in the Province of Ontario, under the provision of the said Act."⁵

Mr. Gibson must also have been appeased because in 1892 he remarked that incorporation "... certainly gives a man standing, and the world is really coming to such a state now that a man must have standing in order to make a living at all."⁶

The membership endorsed it, legislature passed it and the Association of Ontario Land Surveyors was a reality.

Footnotes:

1. P.L.S. Reports 1888, Pg. 33
2. *ibid.* 1890, Pg. 15
3. *ibid.* 1888, Pg. 36
4. *ibid.* 1891, Pg. 112
5. *ibid.* 1892, appendix
6. *ibid.* 1892, Pg. 37