

DEPARTMENT OF THE INTERIOR, TOPOGRAPHICAL SURVEYS BRANCH,

Ottawa, 14th May, 1908.

GENERAL INSTRUCTIONS FOR RESURVEYS, RETRACEMENTS AND RESTORATIONS.

CORRECTION surveys are to be made under the provisions of Section 57 of the Dominion Lands Surveys Act. No monument affecting the boundary of patented lands shall be displaced without the consent in writing of the owners thereof. Homesteaders have not the same rights as owners of lands patented. A monument defining the boundary of land held as a homestead or under lease, license or agreement of sale but not patented, must not be displaced without the consent in writing of the holder thereof, unless the error in the position of the monument is at least five chains, in which event the correction of the error may be made without the consent of the holder, but the person or persons acquiring through such correction any improvements on the land shall be required to pay the owner of such improvements therefor such an amount as may be fixed by the surveyor. In the event of a refusal to pay this amount the surveyor is to leave the error uncorrected and to report the facts of the case to the Department. The amount to be fixed by the surveyor is the fair value of the improvements.

A resurvey for the purpose of restoring obliterated monuments and re-establishing lost corners may be ordered by the Minister under the provisions of Section 58 of the Dominion Lands Surveys Act. When instructions are sent to the surveyor for this work, he will be furnished with the names and addresses of those who claim to know the position of any of the survey monuments and with forms of notices to such persons.

If the person does not appear before the surveyor at the time and place specified no further notice is to be taken of his offer to furnish information and the resurvey is to be proceeded with. If, however, any person appears and gives evidence by which the position of any monument can be satisfactorily ascertained, such monument must be re-established in its original position.

In townships resurveyed under this section of the Act lost corners may be re-established without the consent of the owners of lands affected. In all other cases lost corners may be re-established as provided in clause 199 of the Manual of Survey. This may also be done though the owners of the lands occupied have not given their consent in writing; so long as no one objects, it may be assumed that all consent. In the case of patented lands which are unoccupied, lost monuments should always be re-established.

Where roads have been improved, they are not to be changed.

In any case where a considerable error is found and the settlers do not agree to a correction the old monument should be left as it is without any restoration and the lines which are incorrect should not be interfered with, but actual bearings and distances must be ascertained.

In any resurveys, retracements, etc., all water areas which would be traversed in the original subdivision should be traversed by the surveyor who makes the resurvey. It has been found impossible in many cases to make use of the old traverse notes in connection with the resurvey notes.

As in original subdivision surveys, the limit of error allowed in the closing of any block of two sections in the third system or of any block of one section in the first and second systems of survey, is fifty links. The surveyor should check his work in camp each evening after closing any of these blocks. It is not necessary to make an accurate determination by means of latitudes and departures; the closing may be easily and quickly checked by the use of Table VI of the Manual. If the error is found to exceed fifty links, the determination of bearings and distances should be repeated until the closing error falls within the limit. It is important that this should not be overlooked as no plan of a retracement or a resurvey will be issued in which errors exceed the limit.

(over)

Where such errors are found in a surveyor's returns, another survey party has to be sent out for retracing the lines again in order to ascertain the correct lengths and bearings of the lines.

Where it is found impracticable to retrace a section line, the survey may be made by running a trial line near the section line, and locating the corners by offsets. When trial lines are run, it is not necessary to open or run the true lines. The trial lines may be deflected when and where convenient.

Astronomical observations to determine accurate bearings are to be taken as in original subdivision and as often as may be necessary for keeping within the limit of error allowed, that is to say, 50 links in closing around a section in the old system of survey or around a block of two sections in the new system. In any case, it is considered that there is no excuse for any bearing being in error more than five minutes even when the closing error is under 50 links. The observations are to be entered in the final returns.

No statutory declarations of occupation are to be taken or accepted.

Any information required about patented lands will be furnished on application to this office.

E. DEVILLE,

Surveyor General.