

UNEDITED

The Saskatchewan Land Surveyors Act

being

Chapter 137 of *The Revised Statutes of Saskatchewan, 1920*
(assented to November 10, 1920).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	SHORT TITLE		SUSPENSION OR DISMISSAL FOR MISCONDUCT
1	Short title	29	Suspension and fine
	INTERPRETATION	30	Appeal
2	Interpretation	31	Dismissed member shall not practise
	SASKATCHEWAN LAND SURVEYORS ASSOCIATION	32	Criminal offence
3	Saskatchewan Land Surveyors Association	33	Inquiry as to election or dismissal
4	Power to hold real estate	34	Register
5	Bylaws	35	Entry of names
6	Executive council	36	False declaration
7	Functions of council	37	Wilful falsification by secretary
8	Association meetings	38	Qualification to practise
9	Election of officers	39	Removal of name from register
10	Ballot	40	Effect of resignation
11	Scrutineers	41	Exemption from payment of fee
12	Qualification to vote	42	Unauthorised use of name
13	Disputes	43	Annual alphabetical register
	EXAMINATIONS	44	Surveyors' annual register
14	Board of examiners		ANNUAL FEES
15	Special examinations	45	Annual fee
16	Assistants	46	Nonpayment
	ARTICLED PUPILS		TARIFF OF FEES
17	Articled pupils qualification	47	Tariff of fees
18	Examination fees		GENERAL
19	Articles	48	Prosecutions
20	Qualifications to practise	49	Recovery of fees
21	Dominion land surveyor	50	Notices, etc sent by post
22	Persons entitled to an examination	51	Application of fees
23	Change of articles	52	Secretary treasurer's duties
24	Transfer of articles	53	Restoration surveys
	ADMISSION OF CANDIDATES		
25	Admission of candidates		SCHEDULE
26	Report by board		
27	Bond		
28	Oath		

CHAPTER 137

An Act respecting Land Surveyors

SHORT TITLE

Short title

- 1 This Act may be cited as *The Saskatchewan Land Surveyors Act*.

1913, c.24, s.1; R.S.S. 1920, c.137, s.1.

INTERPRETATION

Interpretation

- 2 In this Act, unless the context otherwise requires, the expression:

“Association”

1. “**Association**” means the Saskatchewan Land Surveyors Association;

“Board”

2. “**Board**” means the board of examiners appointed by the executive council for the examination of candidates for admission to practise as Saskatchewan land surveyors;

“Council”

3. “**Council**” means the executive council of the association;

“Saskatchewan land surveyor”

4. “**Saskatchewan land surveyor**” means any person registered as such under the provisions of this Act;

“Secretary treasurer”

5. “**Secretary**” or “**secretary treasurer**” means the secretary treasurer of the association;

“President”

6. “**President**” means the president of the association or the officer presiding for the time being at any general meeting of the association.

1913, c.24, s.2; R.S.S. 1920, c.137, s.2.

SASKATCHEWAN LAND SURVEYORS ASSOCIATION

Saskatchewan Land Surveyors Association

- 3 The association of Saskatchewan Land Surveyors heretofore incorporated is hereby continued under the name of “The Saskatchewan Land Surveyors Association,” and all present members of such association and all other persons who shall hereafter be duly registered shall, while so registered, be members of and form The Saskatchewan Land Surveyors Association, and the said association shall be a body politic and corporate.

1913, c.24, s.3; R.S.S. 1920, c.137, s.3.

Power to hold real estate

4 The said association shall have power to acquire and hold real estate not producing at any time an annual revenue in excess of \$5,000 and to alienate, mortgage, lease or otherwise charge or dispose of such real estate or any part thereof as occasion may require; and all fees, fines and penalties receivable and recoverable under this Act shall belong to the association.

1913, c.24, s.4; R.S.S. 1920, c.137, s.4.

Bylaws

5(1) The said association may pass bylaws not inconsistent with the provisions of this Act for:

- (a) the government, discipline and honour of its members;
- (b) the management of its property;
- (c) the maintenance of the association by levying contributions or otherwise:

Provided, however, that no such levy shall in any year exceed a total of \$29 for each member;

- (d) the examination and admission of candidates for the study and practice of the profession;
- (e) all other purposes reasonably necessary for the management and working of the association.

(2) All bylaws shall be prepared and passed by the executive council hereinafter provided, and shall before becoming effective, subject to the provisions of subsection (3), be ratified by the association at the annual general meeting or at a special general meeting to be called for the purpose.

(3) The association at any annual or special meeting may pass resolutions for the guidance of the council in the preparation of bylaws, which resolutions may be either imperative or advisory or both, and any bylaw prepared and passed by the council in accordance therewith and not inconsistent with the provisions of this Act shall become effective on the passing thereof or according to the terms and conditions recited therein.

1913, c.24, s.5; R.S.S. 1920, c.137, s.5.

Executive council

6(1) There shall be an executive council for the management of the association, to consist of the president, vice president, secretary treasurer, and four other members to be elected and hold office as hereinafter provided.

(2) Due notice of each meeting of said council as provided by bylaw shall be given by the secretary to each member thereof, and also to such members of the association as have business therewith, by mailing said notice to the registered address of each person to be notified at least two days previous to the time of such meeting.

(3) 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 annual election of officers for the association shall appoint such other officers as are necessary for carrying out the provisions of this Act, and such other officers shall hold office during the pleasure of the council.

(4) At any council meeting except where 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, the chairman voting only when the votes are evenly divided, but questions of discipline shall be decided by a majority of votes of the entire council.

(5) In the case of the resignation, death or dismissal of the president, vice president or any elective member of the council, the other members may choose a successor to fill for the unexpired portion of his term the vacancy so caused.

1913, c.24, s.6; R.S.S. 1920, c.137, s.6.

Functions of council

7 The functions of the council shall be:

- (a) to maintain the discipline of the members of the association;
- (b) to prevent and heal misunderstandings between such members and to hear and decide complaints and accusations preferred by third parties against them in relation to their professional conduct;
- (c) to prepare and pass bylaws of the association;
- (d) to draw up an annual report on the operations of the association for submission to the annual general meeting, such reports to be in the form of the minutes of all meetings of the council during the preceding year.

1913, c.24, s.7; R.S.S. 1920, c.137, s.7.

Association meetings

8(1) The annual general meeting of the association for the transaction of business and election of officers and members of council shall be held in the city of Regina on the first Monday in March in each year, at such place and hour as the council may appoint, and may be continued from day to day as may be found necessary. Due notice of such meeting shall be given by the secretary to each member of the association by circular letter mailed to his registered address at least two weeks previous to such meeting.

(2) Special general meetings of the association may be called when deemed necessary by the council or on a written request of ten members, addressed to the secretary treasurer, setting forth the reason and object for such special meeting; the secretary treasurer shall thereupon give at least six days' notice of such meeting to each member of the association by circular letter mailed to his registered address, setting forth the object of the meeting.

(3) Ten members at any general meeting shall form a quorum.

1913, c.24, s.8; R.S.S. 1920, c.137, s.8.

Election of officers

9 At each annual meeting of the association there shall be elected a president, vice president, secretary treasurer, two auditors and two elective members of the executive council, the two elective members of council to hold office for a term of two years or until their successors shall be elected, and the other officers to hold office for one year or until their successors shall be elected; and the secretary treasurer shall be the secretary of the executive council.

1913, c.24, s.9; R.S.S. 1920, c.137, s.9.

Ballot

10 All elections under this Act shall be by ballot if demanded and in manner according to the bylaws of the association:

Provided that each person elected shall have at least a majority of the votes cast at his election. Retiring officers may be re-elected.

1913, c.24, s.10; R.S.S. 1920, c.137, s.10.

Scrutineers

11 When a ballot has been demanded the president shall forthwith appoint two scrutineers to receive and count the ballots; in the event of an elector placing upon a ballot paper more than the required number of names in any case, the first names only, not exceeding the required number, shall be counted; upon completion of the scrutiny the president shall forthwith declare the result of the election and the secretary shall cause the names of the officer elected to be published in the next ensuing issue of *The Saskatchewan Gazette*.

1913, c.24, s.11; R.S.S. 1920, c.137, s.11.

Qualification to vote

12 No person shall be qualified to vote at an election or be eligible for election or appointment to any office or position within or by the association or the executive council or to hold any office or to fill any vacancy unless all his fees have been paid and he is duly qualified under the provisions of this Act and the bylaws of the association.

1913, c.24, s.12; R.S.S. 1920, c.137, s.12.

Disputes

13 In the case of any doubt or dispute as to who has been elected to an office or as to the legality of an election the officers whose election is undisputed shall form a committee to hold an inquiry and decide the question in issue the persons whom they find to have been elected shall be deemed to have been legally elected, and if the election is found to have been illegal they may order a new election.

1913, c.24, s.13; R.S.S. 1920, c.137, s.13.

EXAMINATIONS**Board of examiners**

14(1) The examination of candidates for admission to study or to practise as Saskatchewan land surveyors shall examiners be under the control of the board of examiners.

(2) The board shall consist of three members, and the secretary of the association shall act as secretary of the board.

(3) The members of the board shall be appointed by the council and hold office during the pleasure of the council.

(4) Each member of the board before assuming the duties of an examiner shall take and subscribe an oath of office (form A) before a notary public or commissioner for oaths, which oath shall be filed with the secretary and kept with the records of the board; and two members of the board shall form a quorum.

(5) The board shall as often as is found necessary elect one of its members as its chairman, and shall have power to make rules and regulations subject to the provisions of this Act and the bylaws of the association for the conduct and management of examinations, and shall, annually, prior to the annual meeting and whenever else required by the council make a report in writing to the council of the results of the examinations.

(6) Examinations of candidates for admission to study or practise as Saskatchewan land surveyors shall be held in the city of Regina on the first Monday in February in each year.

1913, c.24, s.14; R.S.S. 1920, c.137, s.14.

Special examinations

15 Special examinations for admission to practise as a surveyor may be held at any time at the discretion of the board on payment of a fee not exceeding fifty dollars in the case of one candidate nor less than twenty-five dollars each in the case of more than one candidate, in addition to the regular fees prescribed by this Act.

1913, c.24, s.15; R.S.S. 1920, c.137, s.15.

Assistants

16 The council may also appoint competent persons to assist the board of examiners in any of the subjects of examination, and shall fix the fees and expenses to be paid for such assistance; or the council may make such arrangements with the University of Saskatchewan as are deemed advisable and advantageous for the examination of candidates by the university in any subject or portion thereof forming part of the course of instruction required for either preliminary or final examination of candidates for commissions as Saskatchewan land surveyors.

1913, c.24, s.16; R.S.S. 1920, c.137, s.16.

ARTICLED PUPILS

Articled pupils qualification

17 No person shall be admitted as an articled pupil with any land surveyor unless he has previously passed an examination to the satisfaction of the board of examiners in penmanship, orthography, English composition, grammar, arithmetic (including square and cube roots), the nature and use of logarithms, algebra (including quadratic equations), plane geometry (including the first four books of Euclid and deductions), plane trigonometry, spherical trigonometry (as far as the solution of triangles), mensuration of superficies, practical geometry (including the use of ruling pen and the construction of plain and comparative scales), Canadian and general geography and Canadian history; and unless he has obtained a certificate (form B) of having passed such examination.

1913, c.24, s.17; R.S.S. 1920, c.137, s.17.

Examination fees

18 Every applicant shall, before being examined as provided in section 17, pay to the secretary treasurer the fees chargeable by the council for the said examination and certificate.

1913, c.24, s.18; R.S.S. 1920, c.137, s.18.

Articles

19(1) Applicants for examination shall give one month's previous notice to the secretary of their intention to present themselves for examination and shall pay to the said secretary the required fee.

(2) Upon the candidate passing the necessary examination for an articulated pupil the board shall notify the secretary of the association of the fact.

(3) Such candidate may then become articulated to a Saskatchewan land surveyor under articles (form C) and the articulated pupil shall within two months after the execution of his articles, forward 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 such time the pupil's period of service under articles shall count from the date when such articles are received by the secretary instead of from the date of the articles.

1913, c.24, s.19; R.S.S. 1920, c.137, s.19.

Qualifications to practise

20(1) Except as hereinafter provided, no person shall practise as a land surveyor in Saskatchewan until he has attained the full age of twenty-one years and has passed an examination before the board of examiner's in the following subjects, namely: plane and solid geometry (including the first six and the eleventh Books of Euclid), algebra (including simple and quadratic equations, ratio, proportion, progressions and the doctrine of exponents), plane trigonometry, spherical trigonometry (as far as it includes the solution of triangles), mensuration of superficies, the laying out and division of land and measurement of areas (including their calculation by latitudes and departures), practical astronomy (including finding of time), latitude, longitude, azimuth, variation of the compass and drawing of meridian lines. taking held notes and preparing plans, use and adjustment of surveying and levelling instruments, theory and practice of levelling including use of stadia and micrometer, laying out of circular and spiral curves, the principles of evidence and drawing up of affidavits, the describing of land by metes and bounds, the system of survey of Dominion lands as described in *The Dominion Lands Surveys Act* and manual of instructions for the survey of Dominion lands, *The Land Titles Act*, *The Private Ditches Act*, *The Public Works Act* and *The Drainage Act*, *The Saskatchewan Surveys Act*, *The Special Surveys Act*, *The Saskatchewan Railway Act*, and such other provincial statutes or portions of statutes and regulations as are prescribed by the board, the rudiments of geology and mineralogy, the forest flora of Canada and estimation of water powers.

(2) He shall be practically familiar with survey operations and capable of intelligently reporting thereon, and shall perform such practical operations in the presence of the board and answer on oath such questions as to his actual experience in the field and with regard to his instruments as the board or any member thereof, or any examiners appointed on its recommendation, require.

(3) He shall have previously served as an articulated pupil a term of three years which term must be completed within five years; eighteen months of this term shall have been spent in the field in actual practice and at least twelve months shall have been in actual practice in the field in Saskatchewan excepting as in hereinafter provided.

1913, c.24, s.20; R.S.S. 1920, c.137, s.20.

Dominion land surveyor

21 Every Dominion land surveyor may, without further service and without being subject to any examination other than with respect to the following subjects, viz.: mineralogy and geology, the forest flora of Canada and estimation of forests and water powers, *The Land Titles Act*, *The Drainage Act*, *The Private Ditches Act*, *The Public Works Act*, *The Saskatchewan Surveys Act*, *The Special Surveys Act*, *The Saskatchewan Railway Act*, and such portions of other provincial Acts and regulations as are required by the board of examiners, become registered and entitled upon payment of the annual fee provided in this Act to practise as a Saskatchewan land surveyor:

Provided, however, that any such candidate who can satisfy the board of examiners that he has passed a satisfactory examination in any of the above subjects may be exempted from further examination in such subject.

1913, c.24, s.21; R.S.S. 1920, c.137, s.21.

Persons entitled to an examination

22 Every graduate in surveying of the Royal Military College of Canada, and every person who has followed a regular course of study in all the branches of education required by this Act for admission as a Saskatchewan land surveyor for at least three years in any college or university in Canada where a complete course of theoretical and practical instruction in surveying is organised and who, after examination, has received from such college or university a diploma or certificate, shall be entitled to an examination for a commission, after being admitted upon examination as aforesaid as an articulated pupil and serving at least one year under articles with a Saskatchewan land surveyor in actual practice with him in the field in the Province of Saskatchewan, on producing an affidavit from such surveyor (form D) together with his own affidavit that he has served for one year as herein provided (form E); 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.

1913, c.24, s.22; R.S.S. 1920, c.137, s.22.

Change of articles

23 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 with any registered surveyor in actual practice.

1913, c.24, s.23; R.S.S. 1920, c.137, s.23.

Transfer of articles

24 A surveyor, with the consent of the pupil, may, and for any reason deemed sufficient by the council shall, by an instrument in writing transfer an articulated pupil to another registered surveyor in actual practice with whom he may serve the remainder of the term of his articles.

1913, c.24, s.24; R.S.S. 1920, c.137, s.24.

ADMISSION OF CANDIDATES

Admission of candidates

25 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, shall pay to the said secretary the required fee, as hereinafter provided, and shall file with the said secretary the certificate or other evidence of service as hereinbefore required.

1913, c.24, s.25; R.S.S. 1920, c.137, s.25.

Report by board

26 Upon the board reporting to the council of the association that the candidate has passed the necessary examination the council shall grant him a commission (form F) entitling him to practise as a Saskatchewan land surveyor.

1913, c.24, s.20; R.S.S. 1920, c.137, s.26.

Bond

27(1) Every applicant shall before receiving his commission and before registration, enter into a joint and several bond in the sum of \$1,000 (form G) with two sufficient sureties satisfactory to the council, in favour of His Majesty in the right of the province, conditioned for the 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 by public officials, and shall inure to the benefit of any party sustaining damage by breach of the conditions thereof and shall be registered in the office of the Provincial Secretary.

(3) The secretary treasurer shall cause the name of every person who receives a commission to be published in the next ensuing issue of *The Saskatchewan Gazette*.

1913, c.24, s.27; R.S.S. 1920, c.137, s.27.

Oath

28 Every applicant receiving a commission shall take and subscribe the oath of allegiance and the oath of office (form H) before the secretary of the association or before a judge of the Court of King's Bench or district court. The said oath of allegiance and office shall be deposited in the office of the secretary.

1918, c.24, s.28; R.S.S. 1920, c.137, s.28.

SUSPENSION OR DISMISSAL FOR MISCONDUCT

Suspension and fine

29(1) The council may in its discretion fine, suspend, or fine and suspend, or dismiss from the association any land surveyor guilty of negligence or misconduct in the execution of the duties of his office.

(2) The council shall not take any such action until a complaint under oath has been filed with the secretary treasurer and a copy thereof forwarded to the party accused, except in a matter which has transpired or been brought to light by testimony under oath before the board of examiners when a formal complaint in writing signed by the chairman or two members of the board shall be a so sufficient ground of action.

(3) The council shall not suspend or dismiss a land surveyor without having previously summoned him to appear to be heard in his defence, nor without having heard any evidence under oath offered in support of the complaint or on behalf of the surveyor.

(4) The chairman of the council or person acting as such in his absence or the secretary is hereby authorised to administer oaths in such cases. All evidence shall be taken in writing or by a duly qualified stenographer.

1913, c.24, s.29(1); R.S.S. 1920, c.137, s.29.

Appeal

30 Any surveyor so suspended or dismissed may, within thirty days after the order or resolution of suspension or dismissal, appeal to a judge of the Court of King's Bench from such order or resolution, giving seven days' notice of appeal to the council, and may require the evidence taken to be filed with the proper officer of the court, whereupon such judge shall decide the matter of the appeal upon the evidence so fled and confirm or set aside such suspension or dismissal as to him seems just, without any further right of appeal. If the suspension or dismissal is confirmed, the costs of such appeal shall be borne by the surveyor.

1913, c.24, s.29(2); R.S.S. 1920, c.137, s.30.

Dismissed member shall not practise

31 Unless the order or resolution of suspension is set aside on such appeal, or the judge or the council otherwise order, the surveyor so suspended or dismissed shall not practise further, except (in case of suspension) upon expiry of the period of suspension. Pending an appeal the surveyor so suspended or dismissed shall not practise.

1913 c.24, s.29(3); R.S.S. 1920, c.137, s.31.

Criminal offence

32 The council may suspend or dismiss from the association any member convicted of a criminal offence by any court of competent jurisdiction, and may remove his name from the registrar.

1913, c.24, s.29(4); R.S.S. 1920, c.137, s.32

Inquiry as to election or dismissal

33 Upon any inquiry into the validity of an election held under this Act, or concerning the dismissal or suspension of a member, the president or vice president may issue a summons under his hand for the attendance of witnesses before the council, which summons shall have the force of a subpoena issued out of the Court of King's Bench, and any witness not attending in obedience thereto shall be liable to attachment and shall also be liable in all other respects as for disobedience to such subpoena.

1913, c.24, s.30; R.S.S. 1920, c.137, s.33.

Register

34 It shall be the duty of the secretary treasurer of the association to make and keep a correct register of all persons registered hereunder (form D); to enter opposite the names of all registered persons who have died, been suspended or dismissed, a statement of such fact, from time to time to make the necessary alterations in the addresses of persons registered and subject to this Act and to keep the register in accordance with the bylaws of the association and the orders and regulations of the council.

1913, c.24, s.31; R.S.S. 1920, c.137, s.34.

Entry of names

35 No name shall be entered in the register other than the names of persons authorised to be registered, nor shall any name be entered unless the secretary is satisfied by proper evidence that the person claiming to be registered is entitled to be so. Any appeal from the decision of the secretary shall be decided by the council of the association, and any entry which shall be proved to the satisfaction of the council to have been fraudulently or incorrectly made shall be erased from or amended in the register by order of the council.

1913, c.24, s.32; R.S.S. 1920, c.137, s.35.

False declaration

36 Any person who wilfully procures or attempts to procure registration under this Act by making or producing or causing to be produced or made a false or fraudulent representation or declaration, either verbal or in writing, that he is entitled to such registration, shall be liable upon summary conviction to a fine of not less than \$25 and not more than \$100, and in default of payment to imprisonment for a period not exceeding six months unless such fine and costs be sooner paid and the council shall remove the name of the offender from the register.

1913, c.24, s.33; R.S.S. 1920, c.137, s.36.

Wilful falsification by secretary

37 If the secretary shall wilfully make or cause or allow to be made any falsification of the register, he shall be liable upon summary conviction to a fine of not less than \$25 nor more than \$100, and in default of payment to imprisonment for a period not exceeding six months unless the fine and costs are sooner paid.

1913, c.24, s.34; R.S.S. 1920, c.137, s.37.

Qualification to practise

38 No person shall act as a surveyor of lands within this province unless he has been duly authorised so to practise under this Act, or has been so authorised before the passing hereof according to the laws then in force, and unless he continues to be registered as herein provided.

(2) Any person offending against the provisions of this section shall be liable, on summary conviction, to a fine of not less than \$25 and not more than \$100 for every day during which such offence continues, and, in default of payment, to imprisonment for a period not exceeding six months, and no fee charged for work done in contravention hereof shall be recoverable.

(3) The certificate of the secretary under the seal of the association shall be *prima facie* evidence of nonregistration or nonmembership, as the case may be.

1913, c.24, s.35; R.S.S. 1920, c.137, s.38.

Removal of name from register

39 Any registered surveyor may have his name removed from the register at any time by giving written notice to the secretary and paying up all fees due by him to the association; and he may be registered upon written notice to the secretary and upon paying the annual fee for the year in which such notice is given and otherwise complying with this Act.

1913, c.24, s.36; R.S.S. 1920, c.137, s.39.

Effect of resignation

40 The resignation or withdrawal of a registered surveyor shall not operate to release him, his sureties or either of them from any obligation incurred in consequence of professional negligence or misconduct during the time he was so registered.

1913, c.24, s.37; R.S.S. 1920, c.137, s.40.

Exemption from payment of fee

41(1) The association or the council may by bylaw prescribe that any registered surveyor who has been in the actual practice of his profession in this province for a period of thirty years or more, and has during such period been a duly authorised surveyor, may be exempted from payment of the annual membership fee to the association.

Honorary members

(2) The association may by bylaw provide for the election of one or more honorary members of the association. Such honorary members shall have all the privileges of the association except the right to ballot, and may if otherwise qualified practise as land surveyors. Such honorary members shall not be required to pay the fees prescribed by this Act.

1913, c.24, s.38; R.S.S. 1920, c.137, s.41.

Unauthorised use of name

42 No person unless registered as in this Act provided shall be entitled to take the name of Saskatchewan land surveyor either alone or in combination with any other word or words, or to use the letters S.L.S. or any name title or description implying that he is registered under this Act or that he is authorised to act as a surveyor of lands under this Act.

(2) Any person who, not being registered under this Act, takes or uses any such name, letters, title or description shall be liable, on summary conviction, to a fine of \$25 for the first offence and \$50 for each successive offence.

(3) Any land surveyor who knowingly and wilfully acts as the professional agent of any person not duly qualified to practise as a land surveyor or who uses or suffers his name to be used in any such agency, or does any act or thing or affords any means or facilities to enable any such unqualified person to practise in any respect as a land surveyor or which is calculated to or does or may mislead the public or any person to believe that such unqualified person is a Saskatchewan land surveyor or is authorised to practise as a land surveyor, or who certifies to any plan or survey not made under his own personal supervision or authority, or who falsely certifies as to service under articles of an apprentice when such service has not been actually and *bona fide* performed in the manner required by this Act, shall be deemed guilty of misconduct in the execution of the duties of his office and liable to proceedings under section 29 in addition to any other liability which he may incur by such misconduct:

Provided that this subsection shall not operate to prevent any authorised surveyor from permitting an apprentice serving under articles to perform for and in his name any work which such apprentice is capable of performing, but such surveyor as well as the apprentice shall be liable for any damage caused by or resulting from lack of knowledge or skill on the part of the apprentice.

1913, c.24, s.39; R.S.S. 1920, c.137, s.42.

Annual alphabetical register

43 The secretary shall in every year, under the direction of the council, keep for inspection at his office free of charge a correct register of the names in alphabetical order according to surname, with the respective residences or post office addresses (form J) of all persons appearing on the general register on the first Monday in April who are not in arrears for fees.

1913, c.24, s.40; R.S.S. 1920, c.137, s.43.

Surveyors' annual register

44 Such register shall be called the Surveyors' Annual Register and a copy thereof certified by the secretary under the seal of the association shall be evidence in all courts, land titles offices, and registry offices and before all municipal councils and others that the persons named therein are registered and duly authorised land surveyors. Such register shall be corrected from time to time as becomes necessary and the secretary shall on receipt of a fee of \$1 furnish a certified copy to anyone applying. The secretary shall also on or before the first day of April in each year or as otherwise required, send prepaid to every land titles office a copy corrected to date and certified:

Provided that in the case of any person whose name does not appear in such copy, a certified copy under the hand of the secretary of the entry of the name of such person in the register shall be evidence that he is a registered and duly authorised surveyor under this Act.

1913, c.24, s.41; R.S.S. 1920, c.137, s.44.

ANNUAL FEES

Annual fee

45 Every land surveyor shall pay to the secretary treasurer or to someone deputed by him to receive same, an annual fee of not less than \$5 nor more than \$20 to be determined by time association at its annual meeting, which fee shall be due and payable in advance on or before the first day of January in each year.

1913, c.24, s.42; R.S.S. 1920, c.137, s.45.

Nonpayment

46(1) Any land surveyor who omits to pay his annual fee to the association on or before the fifteenth day of March shall be disentitled to the rights and privileges conferred by this Act while such omission continues, and he shall be liable to the penalties imposed herein upon persons practising as land surveyors without being duly qualified to do so.

(2) The secretary shall give notice on the first day of February, and a further and final notice on the first day of March in each year, to each member in arrears, that unless his fees are paid on or before the fifteenth day of March his name will not appear on the annual register and he will not be entitled to the rights and privileges conferred by this Act.

(3) If the council thinks fit in any case it may direct the secretary to restore to the register any entry erased therefrom either without fee or on payment of such fee not exceeding the arrears due to the association as the council may decide, and the secretary shall restore the entry accordingly.

1913, c.24, s.43; R.S.S. 1920, c.137, s.46.

TARIFF OF FEES

Tariff of fees

47 In addition to any other fees provided for by this Act, there shall be paid to the secretary for the use of the association:

1. By every person duly authorised to practise as a
Saskatchewan land surveyor on applying for
registration under this Act \$ 1.00
2. By every applicant for preliminary examination
with notice 2.00
3. By every applicant for preliminary examination
before examination..... 10.00
4. By every applicant for preliminary examination
for certificate 2.00
5. By every apprentice on transmitting articles of
indenture 5.00
6. By every apprentice with articles of indenture
without previous examination..... 10.00
7. By every apprentice with transfer of articles or
new articles of portion of time 2.00

8. By every applicant for final examination with notice..... \$5.00
9. By every applicant for final examination, before examination..... 25.00
10. By every applicant for a commission 50.00
11. By every applicant receiving commission, fee for official notice in *The Saskatchewan Gazette*..... 1.00
12. By every candidate for standard of measure..... 10.00

1913, c.24, s.44; R.S.S. 1920, c.137, s.47.

GENERAL

Prosecutions

48 In all prosecutions and legal proceedings under this Act the certificate of the secretary treasurer under the common seal of the association shall be *prima facie* evidence of the facts therein certified, or of any act, proceeding, bylaw or regulation of the association.

1913, c.24, s.45; R.S.S. 1920, c.137, s.48.

Recovery of fees

49 All fees payable under this Act may be recoverable as ordinary debts to the association.

1913, c.24, s.40; R.S.S. 1920, c.137, s.49.

Notices, etc sent by post

50(1) Notices and documents required by this Act may be sent by post, and shall be deemed to have been by post received at the time when the letter containing the same should have been delivered in the ordinary course of mail. As proof of their transmission it shall be sufficient to show that a letter containing them was prepaid, properly addressed and mailed.

(2) Such notices and documents when sent to a municipal council or other authority shall be deemed to be properly addressed if addressed to the said council or authority or to some official thereof at its office or principal place of business, 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 as given in the register of the association.

1913, c.24, s.47; R.S.S. 1920, c.137, s.50.

Application of fees

51(1) All moneys received for fees or otherwise shall be paid to the secretary treasurer of the association to be applied in accordance with such regulations as are made by the council for defraying the expenses of registration and other expenses incurred in carrying out this Act.

(2) The council shall have power to invest in the name of the association any sum not expended as above in such security as may be approved, and any income derived from invested moneys shall be added to and considered as part of the ordinary income of the association.

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

1913, c.24, s.48; R.S.S. 1920, c.137, s.51.

Secretary treasurer's duties

52 The secretary treasurer of the association shall give notice of all meetings of the association or of the executive council and of the board, and take and enter the minutes and transactions of all such meetings and enter a true account of money received and paid by him under the Act in proper books provided for the purpose; his accounts shall be audited by the auditors and submitted to the council and the association at such time or times as they require; he shall give a bond of security satisfactory to the council, shall have charge of the records, documents and other property of the association not especially placed in charge of any other person and shall perform such other duties as the council may prescribe.

1913, c.24, s.49; R.S.S. 1920, c.137, s.52.

Restoration surveys

53 Nothing in this Act shall apply to restoration surveys or resurveys of land in the province made by Dominion land surveyors under the authority of any department of the Government of Canada.

1913, c.24, s.52; R.S.S. 1920, c.137, s.53.

SCHEDULE

FORM A

(Section 14)

EXAMINER'S OATH OF OFFICE

I, A. B. of _____ having been appointed a member of the board of examiners for the examination of candidates under *The Saskatchewan Land Surveyors Act* do solemnly swear (or solemnly declare and affirm, as the case may be) that I will faithfully discharge the duties of such office according to law, without favour, affection or partiality. So help me God. (*Omit last four words when party affirms.*)

Sworn (or affirmed) before me
at _____ in the Province of
Saskatchewan this _____ day
of _____ 19____.

}
Signature of Examiner.

FORM B

(Section 17)

CERTIFICATE OF PRELIMINARY EXAMINATION

This is to certify that *A. B.* has passed the preliminary examination prescribed in *The Saskatchewan Land Surveyors Act*.

In witness whereof we, the chairman and secretary of the board of examiners of the Saskatchewan Land Surveyors' Association have signed this certificate and affixed the seal of the association at the city of Regina in the Province of Saskatchewan this _____ day of _____ 19____.

.....
Chairman.

.....
Secretary.

FORM C

(Section 19 (3))

ARTICLES OF PUPIL TO SASKATCHEWAN LAND SURVEYOR

Articles of Agreement made the _____ day of _____ one thousand nine hundred and _____.

Between

A. B., of _____ in the Province of Saskatchewan, Saskatchewan Land Surveyor, of the First Part, _____

and

C. D., of _____ in said province and *E. F.*, son of the said *C. D.* of the Other Part;

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 bind himself pupil to the said *A. B.* to serve him as such from the day of the date hereof for the term of three years hence next ensuing and fully to be complete and ended.

And the said *C. D.* doth hereby covenant with the said *A. B.* that the said *E. F.* shall well, faithfully and diligently, according to the best of his power, serve the said *A. B.* as his pupil in the practice or profession of a Saskatchewan Land Surveyor, and shall continue with him from the date hereof to the 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 way with any books, papers, writings, documents, maps, plans, drawings, field notes, moneys, chattels or other property of the said *A. B.* or of any of his employers; and that in case of breach of this covenant or if the said *A. B.* shall suffer any loss or damage by the misbehaviour, neglect or improper conduct of the said *E. F.* the said *C. D.* will indemnify the said *A. B.* and make good and reimburse him the amount 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.* and from time to time pay all moneys which he shall receive of or belonging to or by the 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 so 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.* 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 the manner above specified.

In consideration whereof and of _____ 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 whereof is hereby acknowledged) the said *A. B.* doth covenant with the said *C. D.* that he the said *A. B.* will accept and take the said *E. F.* as his pupil and that he will by the best means he can and to the utmost of his skill and knowledge throughout the said term of three years, teach and instruct or cause to be taught and instructed the said *E. F.* in the course of study prescribed by section 20 of *The Saskatchewan Land Surveyors Act* in practical surveying operations and in the use of instruments and generally in the art, practice and profession of a Saskatchewan land surveyor; and will provide the said *E. F.* with all the necessary and reasonable expenses incurred in transacting or performing the business of time said *A. B.* and will at the expiration of the said term make the affidavit of service required by section 22 of *The Saskatchewan Land Surveyors Act* and use his best means and endeavours, at the request, cost and charges of the said *C. D.* and *E. F.* or either of them, to cause and procure him the said *E. F.* to be examined before the board of examiners of candidates for commissions as Saskatchewan land surveyors, provided the said *E. F.* shall have well, faithfully and diligently served his said intended pupilage.

And for the performance of the covenants and agreements aforesaid, each of them the said *A. B.* and *C. D.* doth bind himself, his heirs, executors, administrators unto the other, his heirs, executors, administrators and assigns in the penal sum of five hundred dollars firmly by these presents.

In witness whereof the parties hereto have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered

In the presence of _____
G. H.
J. K.

}
A. B. (Seal)
C. D. (Seal)
E. F. (Seal)

FORM D

(Section 22)

AFFIDAVIT OF SURVEYOR

I, *A. B.*, of _____, in the Province of Saskatchewan, Saskatchewan land surveyor, do solemnly swear that *E. F.* has served regularly and faithfully as my pupil from the _____ day of _____ 19____, to the _____ day of _____ 19____;

That he has been engaged with me in the field on the following surveys, that is to say (*A general description of the work on which the pupil has been engaged in the field*), and that the said *E. F.* has always conducted himself with diligence, honesty and sobriety on the said service.

Sworn before me at _____
in the Province of Saskatchewan }
this _____ day
of _____ A.D. 19____.

.....

*A Commissioner for Oaths, Justice
of the Peace, Notary Public, etc.*

FORM E

(Section 22)

AFFIDAVIT OF PUPIL

I, *E. F.*, of _____, in the Province of Saskatchewan, do solemnly swear that I have attained the full age of twenty-one years;

That I have served regularly and faithfully with *A. B.*, Saskatchewan land surveyor, as his pupil from the _____ day of _____ 19____, to the _____ day of _____ 19____;

That I have been engaged with him in the field on the following surveys, that is to say (*A general description of the work in which the pupil has been engaged in the field*).

Sworn before me at _____
in the Province of Saskatchewan }
this _____ day
of _____ A.D. 19____.

.....

*A Commissioner for Oaths, Justice
of the Peace, Notary Public, etc.*

LAND SURVEYORS

c. 137

FORM F

(Section 26)

COMMISSION

This is to certify that *A. B.* of _____, in the Province of Saskatchewan, has passed his examination before the board of examiners, and has been found qualified to fill the office and perform the duties of a Saskatchewan land surveyor be having complied with all the requirements of the law in that behalf.

Wherefore he, the said *A. B.*, is hereby duly admitted to the said office and commissioned for the discharge of its duties, and is authorised to practise as a hand surveyor in the Province of Saskatchewan.

In witness whereof, we, the president and secretary treasurer of the Association of Saskatchewan Land Surveyors and chairman of the Board of Examiners, have signed this commission and affixed the seal of the association at Regina, in the Province of Saskatchewan, the _____ day of _____ 19____.

C. D., President.

E. F., Secretary Treasurer.

G. H., Chairman, Board of Examiners.

(Seal of Association)

FORM G

(Section 27)

FORM OF BOND

Know all men by these presents that we, *A. B.*, of _____ Saskatchewan land surveyor, *C. D.*, of _____ and *E. F.*, of _____, are jointly and severally held and firmly bound to His Majesty the King in the penal sum of one thousand dollars (\$1,000) for which payment well and truly to be made we bind ourselves, our heirs, executors and administrators firmly by these presents.

Sealed with our respective seals and dated the _____ day of _____ 19____.

A. B. (Seal)

C. D. (Seal)

E. F. (Seal)

The conditions of this obligation are such that if the above bounden *A. B.* shall well and faithfully execute, fulfil and perform all duties of and pertaining to the office of Saskatchewan land surveyor to which he has been commissioned, and shall not in any manner misconduct himself in the said office to the damage of any person who may be a party to or interested in any lawful proceeding carried on, arising in or appertaining to said office or the duties thereof, then this obligation shall be null and void, but otherwise to be and remain in full force and effect.

Signed and sealed in the
presence of *A. B.*, *C. D.* and *E. F.* }

AFFIDAVT OF JUSTIFICATION

Dominion of Canada: Province of Saskatchewan Judicial District To wit:	}	We, <i>C. D.</i> of _____ and <i>E. F.</i> of (<i>give name, residence and calling</i>) the sureties mentioned in the foregoing (<i>or</i> <i>within</i>) bond or covenant, of and for one <i>A. B.</i> , Saskatchewan land
---	---	---

surveyor, make oath and say as follows:

I, the said *C. D.* for myself and I, the said *E. F.* for myself say that I am seized and possessed to my own use in real and personal estate situate and held within the Province of Saskatchewan of the actual value of \$1,000 over and above all liens and incumbrances upon the same and above all exemptions to which I am by law entitled and after payment of all my just debts.

Sworn before me at _____
 in the Province of Saskatchewan
 this _____ day
 of _____ A.D. 19____.

C. D. (Seal)
E. F. (Seal)

.....
*A Commissioner for Oaths, Justice
 of the Peace, Notary Public, etc.*

 FORM H

(Section 28)

OATH OF OFFICE

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

Sworn before me at _____
 in the Province of Saskatchewan
 this _____ day
 of _____ A.D. 19____.

.....
*A Commissioner for Oaths, Justice
 of the Peace, Notary Public, etc.*

LAND SURVEYORS

c. 137

FORM I

(Section 34)

REGISTER

Name	Residence or P.O. address	When admitted	When ceased to practice	When died	Remarks

FORM J

(Section 48)

SURVEYOR'S ANNUAL REGISTER

Name	Residence	Other professional qualifications	Remarks

FOR HISTORICAL REFERENCE ONLY

FOR HISTORICAL REFERENCE ONLY