

could be provided whereby a person owning property so situated could apply to the city council to have a survey made and the street lines properly monumented to conform with existing conditions. The plan of the new survey could then be approved and registered and would serve as the basis of all future work.

Discussion

The President—Is there any discussion on the points in Mr. Perrie's paper? I think Mr. Perrie would like to know whether the decisions arrived at were reasonably concurred in.

Mr. Ransom—In connection with No. 2, taking Union Park Survey and this Eastholme Survey, was that originally owned by one party or was it two parcels and then plans made?

Mr. Perrie—The parcels were owned by different parties.

Mr. Ransom—What I was thinking about was that if they were owned by one party and this Union Park area sold off and sub-divided, the surveyor in making the Eastholme survey, made in 1911, would have to give that full distance between Columbia Avenue. Being that it is two owners, they would simply have to give up that land.

Mr. Perrie—That is the way it was done.

Mr. Ransom—In connection with No. 4, I do not quite understand. These lots (37, 36, 35, and so on) you say were shown on your plan. Did you show the theoretic line and then the line of occupation or did you take the line of occupation and call that the boundary of the lot?

Mr. Perrie—What was required in that survey was a certificate that house No. 34 was on the southerly twenty-one feet of Lot 36. We merely gave the solicitors that certificate and also wrote them a letter explaining the situation, telling them of the uncertain nature of the work on account of the condition that existed there.

Mr. Ransom—You did not show which was 37 and which was 36, etc.?

Mr. Perrie—We took the old fence between 36 and 37 as the best evidence of that lot line. There were no lot lines mentioned, so that it really does not matter except in the starting point. What I would like to have other opinions on, is whether or not this fence would be the best evidence of the lots lines which would bring the 49 feet there or whether the lots should be laid 49 feet starting from Barton Street.

Mr. Ransom—As I understand, if you laid your 49 feet starting from Barton Street, you would conflict with every fence and the position of every house that is built on these lots. And starting up the other way, you do not know the measurement of that first lot. There is always the possibility that the surveyor made a mistake in the first place. Yes, I would think that you would have to start at Barton Street.

Mr. Gibson—Suppose there was no house or fence there, could you not start at Barton Street and lay out 49 feet to each lot and put the surplus in Lot 31?

Mr. Perrie—You conflict with all the fences up on the street. It is a matter of whether or not it is not the best policy to accept the fences and say nothing about the distribution.

Mr. Jackson—Have these fences been up more than ten years?

Mr. Ardagh—That question about the ten years' possession would not come in here at all.

Mr. Jackson—Would they not have possession after that?

Mr. Ardagh—The question is the original post, not as to the length of time.

Mr. Ransom—How did you locate the other street line of Birge?

Mr. Mucklestone—The measurements check correctly from Barton to the Grand Trunk and Emerald Street, also measure up correctly.

Mr. Ransom—Did you check up the 120 feet on the west side of Lot 20 by the Grand Trunk?

Mr. Perrie—That checks correctly.

The President—Mr. Murphy, I would like to know what you think of that case. What would be your idea of the thing to do?

Mr. Murphy—I could not hear very distinctly, but as I understand it, the lots shown 1, 2, 3, 4, etc., to 11, and Delaware Avenue were originally laid out. After that Delaware Park and to the east of these two subdivisions were laid out. Then the curved street was afterwards laid out and evidently, in laying out that street, the surveyor did not go up to the southern boundary of Lots 16 and 11, so that his survey of the two lines were not coincident. The question is, what would you do with that surplus?

Mr. LeMay—You have just got to leave it.

Mr. Perrie—There were just the two stakes shown there. There was one on the southerly limit of No. 11 and one between 28 and 29 on the other plan.

Mr. LeMay—You have nothing to mark the northerly limit of the southern plan. I think the surplus would have to be divided.

Mr. Murphy—It does not seem as if the boundary of either plan is well defined. You cannot define the boundary to the south and you cannot define the boundary to the north exactly.

Mr. Ardagh—In the second plan, is the northerly boundary shown to be coincident with the southerly boundary on the northern plans?

The President—On the registered plan it is.

Mr. Ardagh—That makes quite a difference.

The President—On the registered plan these two lines are shown to be one and the same line.

The President—You would have to recognize the southeast corner of Lot No. 11 as the proper southerly boundary of the northern plan and would have to sub-divide up to that if there were no original stakes.

Mr. Beatty—Yes, that is right.

Mr. Routly—The gentleman who read this paper suggested that some legislation might be procured to assist men in these difficulties. I would make the motion that the questions arising in Mr. Perrie's paper be referred to the Legislation Committee for consideration.

Mr. Sutcliffe—I second the motion. Carried.

Mr. Murphy—There are a great many members in this association who, whenever there is any paper read like this, are always calling for more legislation. Now, I think it is a very difficult thing for them to say what shape that legislation should take and if the gentlemen who bring these questions before the association could only give some suggestions to them what they think should be done, it would help out the legislation committee a great deal. On my part, I can't imagine what legislation could be made or what shape it would take.

Mr. Perrie—The suggestion that I made as regards legislation did not apply to these problems. It was in connection with cities, as in Hamilton, where a great many of the registered plans of the old surveys have been lost or destroyed and there is no record as to what should establish all these lines, what width the streets are or