

*The Constitutional Act*, of 1791, divided the Province of Quebec into Upper and Lower Canada, with separate Legislatures and Governors. *The Union Act*, of 1840, united the Provinces of Upper and Lower Canada into one Province under one Government.

*The British North America Act*, which came into force July 1st, 1867, provided that the Provinces of Canada, New Brunswick, and Nova Scotia should be one Dominion under the name of Canada and divided it into four Provinces—Ontario, Quebec, New Brunswick, and Nova Scotia, with separate Governors and Local Legislatures.

Starting then (1763) with the new British Province of Quebec, we see that if the Civil Laws of French Canada had any regulations or ordinances relating to the Survey of Land, by such were surveyors governed, of these I have been unable to find any records. No doubt there were such. In 1785, "An Ordinance concerning Land Surveyors and the Admeasurement of Lands" was passed by the Legislative Council of Quebec, 25 Geo. III., Chap. 3; but of this Act I have been unable to procure a copy, though I have searched in the Library at the Parliament Buildings and at Osgoode Hall.

The next Legislation we find is in the year 1798, when "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province," was passed by the Legislature of Upper Canada, 38 Geo. III., Chap. 1. From this act we gather that a Surveyor-General existed at the time, for it provides for the planting of stone monuments, or monuments of other durable materials, at the several corners, governing points etc., of Townships and concessions under his inspection and order, after application had been made to the Governor. These monuments, so planted, governed the courses and distances of the boundaries and lines in said Townships and concessions, any distances expressed in any patent of grant or other instrument, to the contrary thereof notwithstanding, Sections 34, 35, 36, and 37 of our present Act, are similar provisions slightly extended. Section 4, of this Act of 1798, is, I think, worth while giving in full, as, no doubt, it will be new to many members of the profession. "And be it further enacted, by the authority aforesaid, that if any person or persons shall, knowingly and wilfully, pull down, deface, alter, or remove any such monuments so erected, he, she or they shall be adjudged guilty of felony, and shall suffer death without benefit of Clergy."

The remaining sections of this Act lay down how application for the planting of the said monuments was to be made, and how the expense was to be levied. It will be noticed that no provision, up to this time, was made, at any rate in Upper Canada, as to the qualification or admission of surveyors, the Act even does not refer to them but only to the Surveyor-General, on whom all responsibility was thrown. How the Surveyor-General was appointed I have not been able as yet to discover, but I think it probable, however, that each Governor granted a new commission to the former Surveyor-General, or appointed a new one. It is certain, also, that some of the Surveyors-General were not surveyors by profession.

We now come to the year 1818, where we find that in the Third Session of the Seventh Provincial Parliament, which met at York, October 12th, of that year, an act (59 Geo. III., Chap. 14,) was passed intituled "An Act