




The Cornerpost

Journal of the Vermont Society of Land Surveyors

Volume 47, Number 3 | Fall 2016

A green surveying instrument is mounted on a yellow tripod in a field of tall grass and yellow wildflowers. The background shows a line of trees under a blue sky with some clouds.

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Send In Your News

The success of *The Cornerpost* depends on all of our members. Please consider making a contribution to an upcoming issue! We would love to hear about your experiences in the field and your thoughts about historic writings or current events. Or, snap a photo while you're at work and send it to kelly@vsls.org.



President's Corner



Vermonters at the NSPS National Conference in Phoenix in September, left to right: Ethan Gilmour, Tricia Kules and Gayle Burchard.

committee to help NSPS be all that it can be. I know that the young surveyors who attended got the message that being an active part of their state association is a major way to help their state association and the profession.

We all talk about the people who were our mentors as we got into surveying. So here is my challenge to all of the members of our association – become a mentor to someone by getting on a committee and helping the association achieve some of its goals. We talk about how old the average age of a surveyor is and how to get young people interested in surveying, but we do have young people that are finding their way into the business, so it is time for us “old” people to take action and help them have a profession that they can be proud of.

To all of you that are already on a committee – a really big *thank you* – the association could not function without you. To the rest of you – I look forward to working with you on different projects. Help our young surveyors, and they will help us carry on a really great profession. I look forward to seeing you all at the Round Tables in December and having some lively discussions on current issues.

Gayle

Gayle Burchard
VSLs President

WHAT A BEAUTIFUL FALL WE HAD THIS YEAR! In September we had our annual meeting at Killington, which was well attended and what I thought was a very fun and informative conference. I hope those of you who attended the conference enjoyed it, and I would love to have feedback from everyone about what they enjoyed the most and what could be improved on. Please send me your thoughts at gayle@littleriversurveyvt.com.

At the end of September, I went to the fall NSPS Conference in Phoenix, Ariz., with Tricia Kules, our NSPS Director, and Ethan Gilmour, our representative to the Young Surveyors Network. The resounding message that I think we all got from the conference was that people need to participate in the association – not just pay their dues and show up twice a year to the conferences. The directors from the states are all expected to be on some

“We all talk about the people who were our mentors as we got into surveying. So here is my challenge to all the members of our association – become a mentor to someone by getting on a committee and helping the association achieve some of its goals.”

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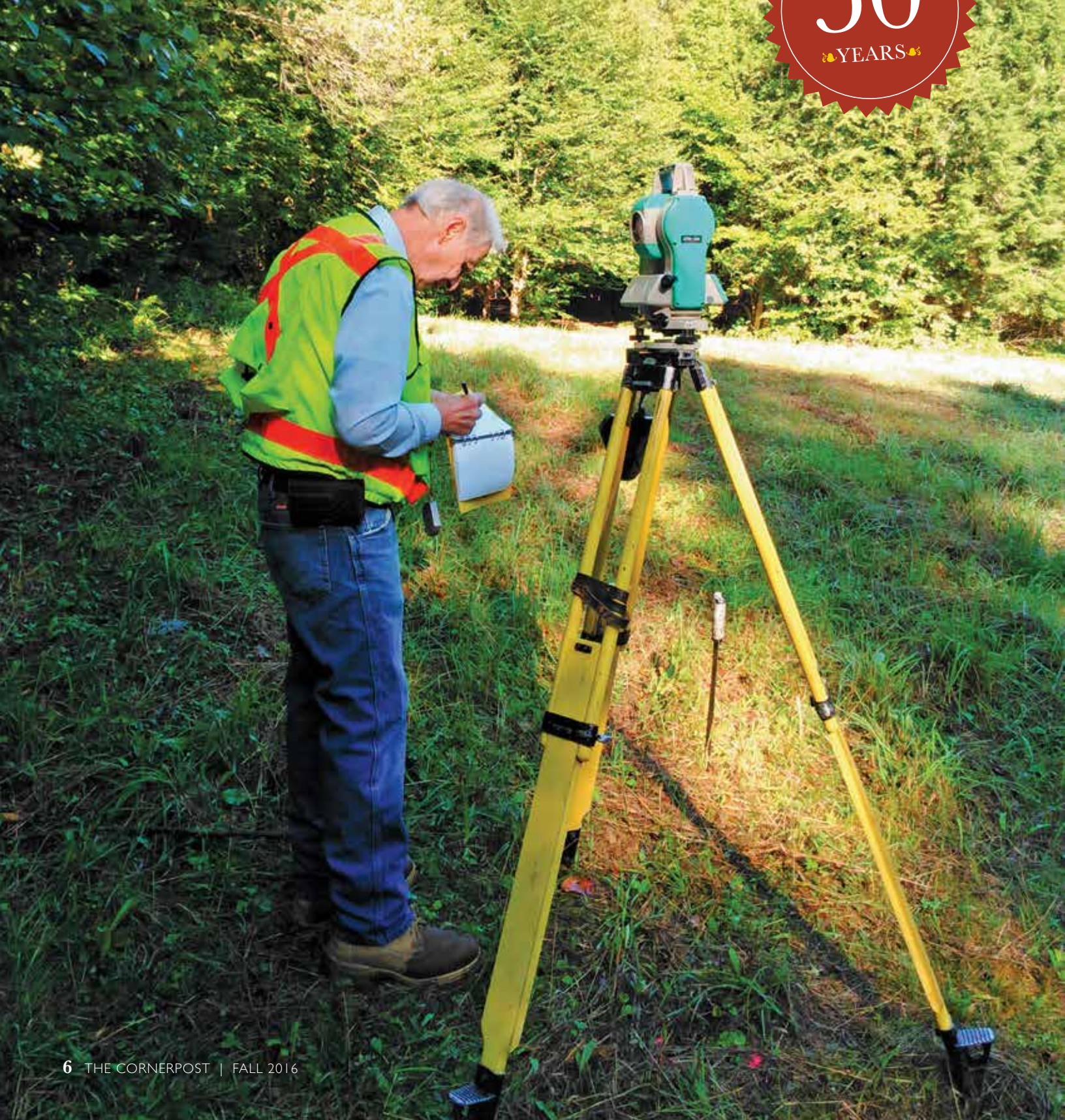
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Bill Willis Celebrates a Half-Century as a Licensed Surveyor

50
YEARS



On June 1, 2016, William Willis, L.S., marked his 50th anniversary as a licensed land surveyor. His son, Dave Willis, sent us these recollections about his dad's life and career. Photos were provided by Steve Daniels, Bill's co-worker. From all of us at the Vermont Society of Land Surveyors, we say a hearty ***congratulations*** to Bill!

BY DAVE WILLIS

This is all from my recollection. I did not check any of this with my dad, because he probably would not want me to be sharing. He's a pretty humble guy – no, *really* humble.

Anyway, I believe my dad started land surveying with Robertson & Johnson in Barrington, New Jersey, in 1956, the year he and my mom (who passed away last year) got married. He was not making very much money, but got a substantial raise when I was born, because, the bosses said, "He had to take care of a family."

I recall as a child my dad studying little, light blue workbooks that came in the mail. I believe they were from International Correspondence Schools, for which Sally Struthers later served as spokesperson. Apparently he was not alone in learning by mail. Check out the timeline of Penn Foster, which used to be ICS, and you'll see that, by 2000, one out of every 27 adults in the United States had taken one of their courses.

Dad was studying to prepare for the State of New Jersey Licensed Land Surveyor test. Many nights he'd be sitting in a chair or at the desk, reading and writing. I think the deal was

you'd finish one segment, send it in, and then get the next in the mail. I don't know how long he spent doing it, but in 1966 he received his license.

At some point, probably in the early 1970s, he became a partner in the firm. At around the same time, my brother, sister and I started attending private Christian schools and, because Mom was "stay-at-home," he took a job with a local school system driving a bus. He'd leave early in the morning, complete a route (the high school served a growing area and was on split session, so he would deliver students to school by 7 a.m., I believe) and then head to R&J by 8 a.m. He'd work (generally in the field, which he loved) all day and then return to the school to take students home after their sports practices.

In the early 1980s, he left Robertson & Johnson (which was downsizing and eventually would be dissolved or sold) and worked for another company or two. In 1985, nearing age 50, he and my mom sold the house in New Jersey and moved to New England, which they'd fallen in love with during annual vacations. They settled on Lower Waterford, where Dad and some friends built the house where he now lives, while mom and he rented a small apartment in a home around the corner.

Dad hung his L.S. shingle and has been busy walking around Vermont ever since. Technology has allowed him to do much of the work himself, although he has had "helpers" along the way – friends who retired from other jobs. I may be mistaken, but I think his current helper is a retired dentist. Dad texts us three kids (sister in Maine, brother in New Jersey, and me in New Hampshire and Indiana) each morning and evening. I'd say about three days a week, those texts mention him surveying – often in the field, but also at his home office. Sometimes they mention his "surveyors support group," as he fondly calls it, which meets for coffee every month.

Although licensed now in Vermont (and for some time in New Hampshire, I think) Dad kept his New Jersey license up. He marked 50 years licensed on June 1 of this year. I checked with the licensing board in New Jersey, and it looks like out of nearly 1,000 or so licensed land surveyors in the state, fewer than 20 have been licensed longer than him. I actually did a Google search of some of those, and it appears that some of those who were licensed earlier actually have passed away since their licenses renewed.

Dad continues to be active in his community. He's a charter member of the Waterford Volunteer Fire Department, serves on the Grief Share team in his church (which he and my mom led for many years) and volunteers with the local speedway. He's been involved in town government, I believe serving for a time as Selectman and also (and perhaps still) on the planning board.

We're all really proud of him. 🌲



Traversing the Connecticut

Settlement in Vermont's Connecticut River Valley

The Connecticut River Valley lay in the hearts and minds of the local indigenous population. The native people's concept of land ownership had been limited to tribal disputes which were settled in the ancient way. The concept of individual land ownership was foreign to them, but the concept of land stewardship related to the hunting and gathering was a part of everyday life.



The tribe maintained the area necessary to support the tribe. Over time the tribes grew and spread their control further into the wilderness, contact and eventually conflicts with other tribes resulted in open hostility. The continued expansion of the English settlements pushed the native peoples off of their traditional hunting grounds, which caused greater conflicts with adjacent tribes. **The following maps reflect the changing landscape for the native peoples during the years of English exploration and settlement along the Connecticut River in the southern reaches of what was to become Vermont.** Trading between the native peoples and the English settlers resulted in another dynamic which complicated their relationship. Both wanted to trade for what the other possessed. The native people wanted steel weapons and utensils as well as liquor and other provisions. The French and Indians of the St. Lawrence River valley further complicated matters. This sets the stage for the beginning of English settlements in the Connecticut River valley. The Massachusetts Bay Colony was growing at a rapid pace. Each generation which grew up in the Massachusetts settlements begets another

and with each new generation the demand for land and farms increases. The new settlements displace more native peoples who in turn put pressure on adjacent tribal lands. Hostilities between the British and the Indians becomes a type of guerrilla warfare which grows as the various French and English conflicts regarding America. The Native American Indians were trying to protect their homeland and unknowingly became embroiled in the ancient European conflict between France and Great Britain. The incessant warfare between the two countries puts the native peoples in a position of having to choose a side and hope for the best. Fort Dummer was constructed beginning in February 1724 to



River

PART TWO

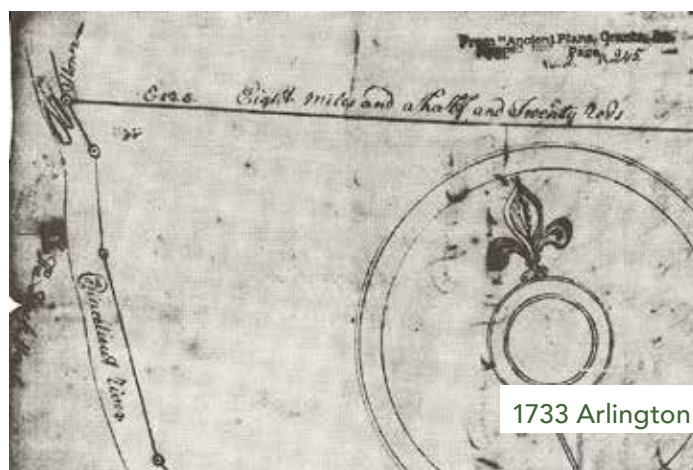
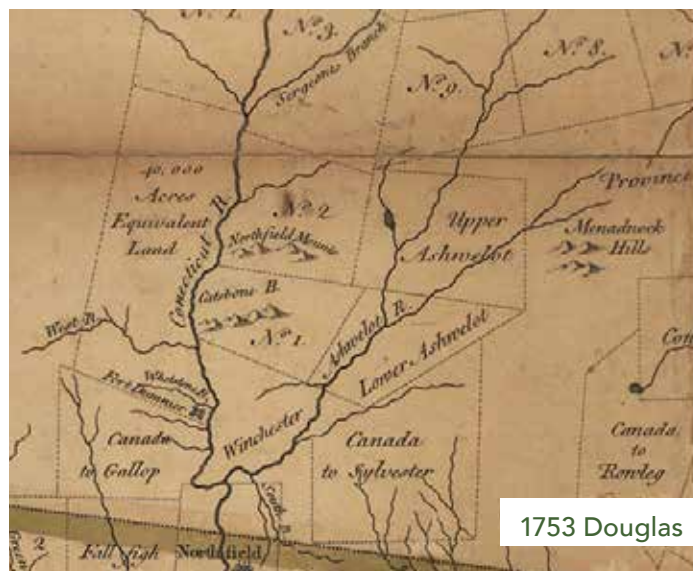
Continued from the summer issue of *The Cornerpost*,
BY DAVID MANN, L.L.S., EDITOR

specifications which had been submitted to the Massachusetts Bay legislature by Colonel John Stoddard. About twenty men built the fort, and Lieutenant Timothy Dwight was the first commander. Both of these men were prominent figures in the early settlement of the Town of Northfield. The fort was named for Lt. Governor William Dummer. Northfield was the most northerly settlement on the River at the time. The fort was garrisoned by men from various towns in Massachusetts and by several Hudson River Indians. In the *Annals of Brattleboro* it is written, "Here was born within the stockade, on May 27, 1726, Timothy Dwight, the father of the future first President Dwight of Yale College." This would seem to conflict with an item posted on the Brattleboro Historical Society web page, below.

Charles C. Frost wrote in the *Vermont Phoenix*, March 31, 1876:

"There was noticed at the Centennial Exhibition of last week in this village, a Bible 145 years old, belonging to C.C. Frost, containing in the record two items of history not very well known, and as having taken place in old times in this vicinity. The first is the record of the birth and marriage of Col. John Sargeant, the first white male citizen born in Vermont. John Sargeant, the father of Col. John, and his brother, James, as tradition says, (the latter the father of Thomas Sargeant who was the father of Elihu, Calvin, Thomas, Luther, &c., whom many will remember, the two former living and dying at West River not many years ago), purchased all the land between West and Connecticut rivers to Dummerston line, or what is now called West River. On account of the hostility of the Indians, it was not deemed prudent to build and occupy, so they with their families took refuge in Fort Dummer, which was on the site of the present residence of Simon Brooks. At this place Col. John Sargeant was born in the year 1732. On the 16th of December, 1760, he married Mary Kathan..."

A period of relative peace ensued in the latter part of the 1720's, during which time Fort Dummer functioned more as a trading post or "Truck House" than as a fort. Two rows of what were termed fort towns were laid out in 1735 and 1736. Chesterfield, N.H. was Fort #1 and, in part, they ran northerly to Fort #4 at Charlestown, N.H. As the settlements along the river grew and hostilities between France and England were, again, at the forefront a new fort was planned at Charlestown, known as Fort #4 and sometimes shown as Stephen's Fort on old maps. The proprietors of Charlestown planned the financing of the fort at a meeting held November 24, 1743.



As well as these formal military fort structures there were several block house garrisons along the river. Many soldiers passed along the river and through Charlestown as they made reconnoiters into what was to become Vermont. The Provincial line between Massachusetts and New Hampshire is dictated by the King and then surveyed by George Mitchell and Richard Hazzen in 1740-41. Benning Wentworth begins chartering towns in the New Hampshire Grants. Surveyors are sent into the wilderness to layout townships. Settlers navigate the Connecticut River and feeder streams and rivers in the Connecticut River watershed. On July 26, 1764 the dispute between New York and New Hampshire over what was to become Vermont was settled by



the King. However, the settlers in Vermont had yet to have their say. All of these events resulted in surveyors traveling up the Connecticut River and its tributaries and returning home with descriptions of the fertile river bottom lands. Walter Hard wrote in his book on the Connecticut River in 1947 a similar account of its winding and turnings as my account in the first part of this article which was published in the Summer 2016 *Cornerpost*. I was unaware of the contents of this book until I started doing research for this article; Walter Hard probably gives a more eloquent description of the river than I ever could. Hard's book may be available at your local library if you are interested.

The following are a few excerpts from the book which lend to the story at hand:

Monday April 6th We left Fort Dummer at Northfield, a little after sunrise and with great difficulty passed Connecticut River in a canoe, the wind being high and flauwy, and the ice about coming down. Very often we had to up to the place against where we left our line on the East side of the River

which was about six poles above the little meadow brook & the same day we measured 4:1:20
 River: at two miles and half from Connecticut River, we ascended the top of a very high hill, a small narrow pond lying on the North side of it, with two small islands at the East end of the pond. from this place we had a fair view of Fort Dummer bearing from us near North to west and distant about four miles. The first two miles from Connecticut River the land was open but little snow the remainder of this day's travel the snow was about two feet deep on which we lodged this night. The weather was fair & wind Northwest

"Between Canada, Vermont and its New Hampshire neighbor, Stewartstown, across the river, is a bridge. Here the Connecticut, already augmented by several feeder streams, turns southward, dividing New Hampshire and Vermont. However, it has been decreed by the court—after long years of litigation—that all of the river belongs to New Hampshire except when it gets above normal high-water on the Vermont side. (Ed. note: I don't think this is quite right, but we will get into this in a future article.) When the river goes on a rampage the excesses belong to Vermont."

There are a few additional paragraphs about the river as it runs south, which weren't included due to space considerations, but the following line I particularly liked, "the river has its first opportunity to indulge in leisurely wanderings."

"Men coming up from Massachusetts and Connecticut, through this portion of the Connecticut Valley, on their way to Canada or the Champlain Valley were impressed. They carried the memory of these rich and abundant green meadows back with them to their homesteads where life and food promised such abundance. Soldiers returning from the French and Indian Wars noted the surrounding opportunities for good crops. When they reached home they told of a green and fruitful land upon the upper river. They packed their homestead belongs on rafts or on ox-drawn sledges and came back to settle beside the river and its promising meadow lands." — Walter Hard, 1947 book on Connecticut River

"The Connecticut now glides under the Ledyard Bridge, which connects Norwich, Vermont, with Hanover, New Hampshire, where Dartmouth's founder had a thought for the Indian and where Daniel Webster was once a student. Again at Wilder, in Vermont, the river's waters are impounded and put to work."

Ledyard Bridge, I presume, is named for John Ledyard, who was also a student at Dartmouth. He was one of the more celebrated students, although he never completed his studies at Dartmouth. Several paragraphs below I will again pick up my discussion regarding Mr. Ledyard. The years pass with many hardships for the settlers, militias, and soldiers alike. In 1759 the road from Fort #4 to Crown Point was constructed and the famous or

infamous raid of Robert's Rangers on the village of St. Francis occurs. All of these events introduced the English to the beauty and bounty of the Connecticut River valley. The area was crisscrossed by the English, French and Native Peoples.

The Brattleboro Town History contains the following account of early settlement in Brattleboro.

"In 1757 Fairbank and Benjamin Moor came from Fort Dummer and blazed a trail over Cemetery Hill across where Main Street now is, back of where the Chase Street schoolhouse stands to the terrace above the Retreat farmhouse. They made a clearing and built a log house. They brought Mrs. Benjamin Moor and her three children. On the sixth of March 1758, a party of Indians attacked the log house in which the Moor family were living. Surrounding the building, they burst in the door, killed with hatchets and scalped Captain Fairbank Moor, the father, and Benjamin, the son, but not until one of their number had been slain and several wounded.

"Captain Fairbank Moor had been in Captain Elijah Williams's company in the Crown Point Expedition in 1755 and a soldier at Fort Dummer, where two of his children were captured. Two skeletons were found where the Retreat farm barns stand, about 1864. An old fashioned lead musket ball was found in one of the skulls and a hole where the ball entered. It is possible that these were the remains of Fairbank Moor and his wife"
"Mrs. Moor, – Margaret, daughter of Captain John and Martha (Moor) Kathan of Fullam, – the wife of Benjamin, and mother of four children, the youngest of whom was but three or four weeks old, sprang from the bed and in her confusion hastily drew on three pairs of Captain Moor's long stockings, which were the means of preserving her life. Snatching up the baby and the child next in age, she endeavored to escape by a sled path, in which her husband had been drawing wood the day before. She had gone but a short distance when the Indians overtook her and brought her back. They then searched for potable provisions, and having found a quantity of beans, they mixed them with about twenty pounds of tallow and boiled them in it. This compound, being cooled, was put in sacks and served them for food on the road.

"Mrs. Moor was then provided with snowshoes, her babe committed to her own care, the house burned, and the party set out on their long march, the children being led or carried by the Indians. They reached Fort Ticonderoga in safety, on the tenth day after their departure, having crossed the Green Mountains in the most inclement season of the year. Thence Mrs. Moor and her children were taken to Montreal, where they remained in captivity until the year 1762, when they were all redeemed by Colonel Peter Schulyer for four hundred livres (\$74) and returned to their friends. The youngest child had not been named when they were taken and was afterwards called Mary Captive."



1755 Jefferys



1784 Sawyer

"On the sixth of March 1758, a party of Indians attacked the log house in which the Moor family were living. Surrounding the building, they burst in the door, killed with hatchets and scalped Captain Fairbank Moor, the father, and Benjamin, the son, but not until one of their number had been slain and several wounded."

— From the Brattleboro Town History

The route that was taken by this particular group of Indians in taking the Moor family to Ticonderoga is not known but it is likely a different route than that shown on the inset 1784 Sayer, Blanchard and Langdon map. Stories like this abound throughout the river valley and all of New England. Google “Hannah Duston” if you want to read another of these tragic stories. After the events of 1759 and 1760 many of the settlements which had been interrupted by the hostilities of the last several years were renewed in earnest. The river was the main thoroughfare for accessing the new settlements.

Moses Smith and his son-in-law William Thomas’s story regarding the first settlement in Chesterfield N.H. is much less fraught with danger.

“In the Month of November 1761...the first settlement was effected by Smith and Thomas. Both men brought their families with them, Smith’s, so far as is known, consisted of himself his wife, Elizabeth, and his sons, Aaron, Moses, Amos, Joseph, Benjamin and Reuben. Of these sons, Aaron, the oldest, was about 21 years old; Reuben, the youngest, was about three years old. Thomas’ family consisted, probably, only of himself and wife, Mary, a daughter of Moses Smith.”

“Smith chose lot No. 14 in the 16th Range, on which to build his log cabin. The spot on which this stood, is about 50 rods north of the residence of his great-grandson, George Smith, and a few rods east of the highway, which, at this point, runs near the bank of the river. The site of the cabin is still plainly indicated by a depression in the plain.

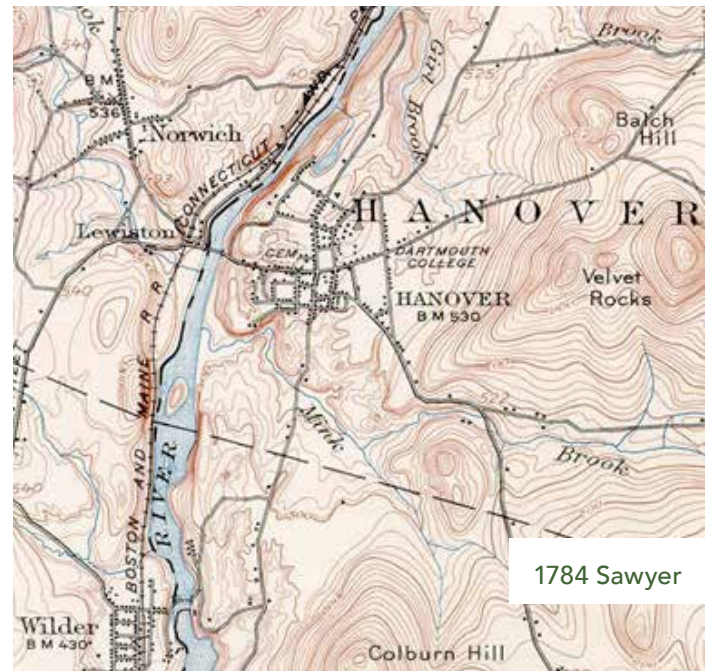
Thomas erected his cabin near the river’s bank, at a point about one mile and a half below Smith’s ‘pitch.’ It stood a few rods east of the lower ferry, and a few feet north of the present highway leading easterly from the same.”

This, I believe, would be just southerly of the Route 9 bridge between North Brattleboro and Chesterfield. Smith and Thomas’ cabins sat close to the river, they could not have helped but to be aware of all of the river traffic moving along the highway and boats navigating the river. What an interesting place it would have been.

I recently read a book about the life and adventures of John Ledyard, titled *The American Traveler*, by James Zug. There is a section in the book that is somewhat pertinent to our current discussion.

At the place in the book which is of interest here the young John Ledyard is a student at Dartmouth College, the year is 1773. Feeling uninspired by the college life and structure, John decides to build a dugout canoe and is planning to navigate the Connecticut River from Dartmouth to Hartford, Conn.

“One day in early May, Ledyard launched his argosy. His classmates, who had kept the work a secret from Eleazar Wheelock, provisioned him with smoked meat, bread, cheese, tobacco, candles and a big bearskin. Ledyard



in turn donated all of his books to them, except for a Bible and a copy of Ovid. Ledyard put in and paddled south. As he passed Titcomb Island, Hanover fell away and he was alone. What might have started as a lark was now a dangerous expedition. The Connecticut River, the longest in New England, runs from the Canadian border to Long Island Sound. When Ledyard put in his dugout canoe, there had never been a recorded running of it.

“Yet this journey was not completely foolhardy. Besides having lived on its banks for many years, Ledyard had seen sections of the river while traveling from Hartford, so he knew some of its hazards and some of the villages along the way. After he paddled the first thirty five miles to Fort No. 4, he was more or less back in European civilization. The river was never empty. Indians still plied their canoes on its waters and white settlers floated timber down to saw mills. The first bridge across the Connecticut was not built until 1785, in Bellows Falls, so Ledyard passed many a ferry boat shuttling people and goods from one bank to another.

Still for a young man without any long distance canoeing experience, Ledyard had taken a giant leap of faith in attempting to run the Connecticut. It was a beautiful cruise.

“He coasted under the toothy shadow of Mount Ascutney... With no map or guide, Ledyard had to vigilantly read the river below for hidden rocks and fallen trees and listening for upcoming rapids. The river water, especially on the first few days of his journey, was still full of snow melt and very cold. If he tipped over, especially during a storm, he might become hypothermic and die. There were a number of significant rapids on the Connecticut...No one in an unwieldy dugout would normally try to canoe them, yet Ledyard managed either to careen through them or to

portage around them in time. But at Bellows Falls he lost control. Bellows Falls was the greatest water fall on the entire river, with a fifty foot drop onto craggy rocks. It was impossible to run. Ledyard did not decipher the danger early enough and panicked when he heard the telltale roar of the oncoming falls. In his hurry to reach the shore, his canoe capsized. Villagers saw him flailing in the river as he and his canoe hurtled toward the falls. They rushed into the water and pulled him and his canoe to safety. He lost most of his provisions and, if only momentarily, his dignity. After drying out, he portaged the falls and continued on his way.”

I can imagine John Ledyard paddling or perhaps drifting past Moses Smith’s cabin. Mr. Smith perhaps working in the dooryard spies the young man and watches him pass on down the river. Maybe they exchange pleasantries. Mr. Ledyard perhaps stops at the William Thomas ferry landing for supplies or accommodations. Mr. Ledyard’s diary may indeed have a more in-depth

description of his expedition down the river, but I have not had time to explore the existence or the contents of his journal. Mr. Zug’s book is a good read—I would recommend it. There is an especially good account of his travels with Captain Cook in the Hawaiian Islands. I am sure there are many stories about the river in your part of Vermont; send them along and I’ll add them to the story. This is all for now, I will try to follow up with more on the great river when I can. Live long and prosper! 🍀

1700 New Map of the Most Considerable Plantations of the English in America, By Sutton Nicholls, L.O.C.

1753 Plan of the British Dominions in New England, by William Douglass, L.O.C.

1741 Map of the Provincial Boundary of Massachusetts Bay and New Hampshire by Richard Hazzen, Harvard College Map

Collections. Also, Hazzen Journal entries related to the map view.

1755 Map of the Most Inhabited Part of New England, by Sir Thomas Jefferys, L.O.C.

1784 Version of the Blanchard and Langdon Map by Abel Sawyer, L.O.C.

1906 USGS Map of Hanover Area, UNH Historic USGS Map Collection

~ Engineers Across Centuries ~



PICTURE PROVIDED BY BUCCI PROFESSIONAL

From the *UVM Quarterly*: Pictured in 1893 with the tools of their trade, these surveying students were part of the civil-engineering program introduced as the University of Vermont became the state’s land grant institution. In the late nineteenth century, graduates of such engineering programs played an integral role in the nation’s development, working on projects that ranged from improving roads and water systems to building better railroads.

Special thanks to Tricia Kules, who sent in this photo and description. It was originally printed in the UVM Quarterly alongside a mirror-image photo of today’s engineering students.

Scenes from the Fall Conference

**September 15 & 16, 2016
Killington Grand Resort Hotel
& Conference Center**

Close to 100 members came to Killington in September for the VSL 52nd annual conference. Along with information-packed sessions on FEMA and OPUS, we had a full morning of demos from our exhibitors. Thanks to the Program Committee for planning this event, and to everyone else for coming out!

Special thanks to our speakers:

Karol Grove, L.S., Alpine Land Surveying
Dan Martin, Northeast Regional
Geodetic Advisor, NOAA/NOS/
National Geodetic Survey

And to our exhibitors:

- **CADNET Services:** Rick Ladd, Norm Vadeboncoeur
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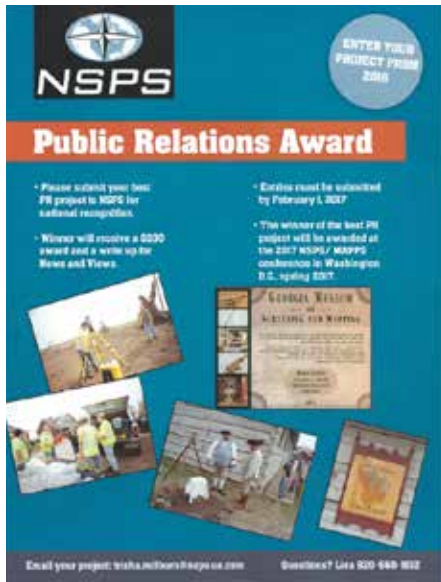




NSPS Directors Talk About Issues Affecting Profession



BY PATRICIA KULES,
VERMONT NSPS DIRECTOR



Help Us Win an Award!

NSPS is sponsoring two public relations contests. One is a photo contest, and the other is for the best PR projects. Details are on the NSPS website. It would be great to have some real Vermont photos entered. The foliage was great this year; does anyone have a surveying photo with foliage? Or a covered bridge, etc.?

If you have a Vermont photo that could be entered into the contest, please send it to kelly@vsls.org, and we'll enter it on behalf of VSLs.

The fall meeting of the National Society of Professional Surveyors' state directors was held in Chandler, Ariz., in late September. Our president, Gayle Burchard, and Ethan Gilmour also attended the meeting. Ethan attended the "Young Surveyors" meetings. The Young Surveyors inspired all of the directors, and I'm pleased that Ethan is so enthusiastic about the group. The following were discussed:

Political Action Committee

A major concern is realtors surveying without a license. NSPS recommended language for the new realtor guidelines that addresses this, but it was not incorporated into the latest version. A large concern is the well-funded realtor lobby. The NSPS PAC needs donations. It was suggested that members of NSPS contribute \$10 each to ramp up our lobbying efforts.

NSPS is working on standards for record locations of oil and gas lines. The current standards are to an accuracy of 100' horizontally. While NSPS recommended 5' horizontally, a compromise was struck and the current final standard is 50.'

National Surveyors Week

National Surveyors Week is the third week of March every year. In addition, NSPS will recognize March 15 as International Surveyors Day. Many of the states need to densify their network and occupy points toward that effort. In Vermont, thanks to Dan Martin, we're pretty well covered. To make National Surveyors Week more interesting, I suggest we continue locating points at breweries, distilleries, or wineries around the state.

Public Relations


NSPS created four new brochures for debut at a national guidance counselors conference. Please check them out—I have some samples and they are available on-line at the NSPS website. Our own Kelly Collar did the graphics and her work was praised many times over the two-day meeting. The beasurveyor.com website is mentioned on the brochures. Please direct anyone you know that is looking for a career in surveying to this website (the VSLs website also has a link).

NSPS is sponsoring two PR contests. One is a photo contest, the other is for the best PR projects. Details are on the website. It would be great to have some real Vermont photos entered. The foliage was great this year; does anyone have a surveying photo with foliage? A covered bridge? Etc.?

Workforce Development

Workforce development is always a major topic at the NSPS meetings. NSPS focused on reaching out to people who might choose surveying as a career. There are currently federal grants that we can apply for. Maryland and Virginia have been successful at obtaining grants for this purpose. The NSPS website has a template for applying for this grant money.

Unmanned Aerial Systems

NSPS is promoting land data acquisition be managed by licensed surveyors. Data capture from these unmanned systems may be easy but knowing the quality of the data and where it can be used should have licensed surveyor involvement. Other UAS issues discussed were privacy, benefits, best practices, and pitfalls. 

Young Surveyors Look to Build the Profession

Vermont's representative to Young Surveyors Network reports on national meeting

BY ETHAN GILMOUR

In support of forming a Young Surveyors organization in Vermont, the VSLS Executive Committee made it possible for me to attend the National Society of Professional Surveyors Young Surveyors Conference in Chandler, Arizona, in September. The mission of the NSPS Young Surveyors Network is to promote the surveying profession to the public, ensure that surveyors are connected with and well represented at local and national organizations, and to ensure that surveyors are engaged and active professionally and in their communities.

Young Surveyor representatives were present from twelve states to discuss the opportunities of our profession. As the significant age gap between the majority of licensed land surveyors and those entering the field reaches a point where a large market share will fall on a small group, it is important for all surveyors to ensure the health of the profession.

In order to accomplish this, it is necessary to learn from current and past practitioners of the art and science of surveying, refine our own practice with respect for the service we offer the public, and encourage people to

join the grand profession of land surveying.

Surveyors are a diverse group, and with an adaptable set of skills, I see only opportunity for many new surveyors to find their niche in the industry. Filling these niches with new professionals should be considered the responsibility of those who appreciate the profession and have had the good fortune to enter it themselves. This includes surveyors pursuing a license to those about to retire.

It is very encouraging if prospective entrants can see that peers have been attracted to the industry. It is also invaluable to have the support and guidance of those who possess the vast body of knowledge that so many seasoned surveyors do. Hearing from surveyors at the conference who have become licensed through all combinations of education and experience, it is clear that there is no substitute for learning from a good mentor.

As young surveyors, it is imperative that we become involved with our Society to learn and to contribute to the direction the profession takes in the future.

Finally, I would like to thank the Executive Committee, the Society, and Bob Holt for supporting the Vermont Young Surveyors initiative. 🌵



“Surveyors are a diverse group, and with an adaptable set of skills, I see only opportunity for many new surveyors to find their niche in the industry.”



Ethan Gilmour is a Surveyor in Training and Licensed Designer working for Bob Holt of Holt Survey Associates in Woodstock. He is the Vermont coordinator for the NSPS Young Surveyors Network. Please contact Ethan for more information or to get involved with the Vermont Young Surveyors at surveyor@holtsurveyassociates.com.

Unmistakable Marks: The Extent of the Easement

BY KRISTOPHER M. KLINE, PLS

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One of the most difficult problems facing the surveyor is determining the width of an easement. The description in the controlling document may be vague and uncertain. Even where a specific width is noted, the controlling documents may lack detail regarding the location of the servitude. State statutes and common law may provide additional guidance on the correct method for locating the easement on the ground.



Consider the following court decisions from two different jurisdictions. In both states, the source description includes a specific width for a driveway easement. However, the judges presiding over these disputes handed down very different decisions.

The Maryland ruling, *Miller v. Kirkpatrick*,¹ represents the culmination of heated disagreements between the parties over easement rights. This ruling considers a 20-foot easement created by express terms in the controlling document. When Kirkpatrick built “spite fences” parallel with the driving surface in an apparent attempt to limit the easement to a 12-foot strip, Miller filed suit.

The court concluded that the full width of the easement must remain available for the easement holder. Kirkpatrick argued that the rights of ingress and egress were not violated by the fences. Judge Harrell concluded that a test of “reasonableness” was improper in this circumstance.

He notes: ... *the grant of a right to use a piece of property includes “the last inch as well as the first inch” and a fence or obstruction placed upon it by the servient tenement is an invasion of the dominant tenement’s rights...* Allowing Kirkpatrick to unilaterally narrow the easement from 20 feet to 12 feet constituted an additional restriction of the easement not

contemplated in the original agreement.

The New York courts have taken a different approach in several recent rulings where easements of specific width were described in record documents. *Minogue v. Kaufman*² is representative of the stance taken by the New York courts. This case seems similar to the Maryland ruling above, but provides a very different outcome.

A deed recorded in 1980 clearly described a 30-foot right of way for ingress and egress. Affirming the lower court decision, the judge observes: *An easement of way confers the lawful right to use the surface of property owned by another for unobstructed passage, with the right to enter upon said property and prepare it for that purpose, together with such other incidental rights as are necessary to the enjoyment of the right of passage ... Where the grantor expressly states that the creation of an easement is to provide a right-of-way for ingress to and egress from the grantee’s property, then the grantee may only use the easement in such manner as is reasonably necessary and convenient for that purpose.*

The New York court considers the elements of the legal description and places greater emphasis on the phrase “ingress and egress” than on the dimension noted in the record document that first describes the servitude. The claimant is restricted to a 12-foot strip of land over the existing driveway because it is considered sufficient for access.

An important difference between the New York and Maryland rulings is the nature of the underlying dispute. In the Maryland decision, the servient owner was actively attempting to restrict access. By contrast, the New York decision focused on attempts by the easement holder to landscape the entire 30-foot strip regardless of the underlying rights of the servient landowner.

In the 2003 decision, *Lucas v. Kandis*,³ the New York court emphasizes the difference between obstruction of the easement by the servient landowner and the legitimate use of the easement area in a manner that does not adversely affect the rights associated with the

A note about the article...

Byron Kidder, L.S., suggested that we reprint this article, which appeared in the September issue of *Point of Beginning*. One of the cases described in the article involves a Vermont Statute and how it was improperly used for a road right-of-way location.

"There are actually two statutes dealing with this question," Byron says. "Title 19 V.S.A., Section 32 is the law for state roads and Title 19 V.S.A., Section 702 is the law for town roads. Both laws refer to each other and are often used together.

"This should be a heads-up to any of us who routinely use these two laws without evidence research and conducting our professional due diligence."

easement. The servitude in dispute served 11 parcels and the dispute was sparked by a fence that intruded 2 feet into the easement area. This brief ruling questions whether the rather minor intrusion is sufficient to be a material obstruction to the easement rights. This case was remanded to lower court for further study of the issue.

Statutes Can Be Tricky

Many disputes over the extent of public roads can be traced back to improper application of state statutes. *Bren v. Eardensohn*⁴ recognizes that Vermont Statute 19 V.S.A. § 32 (formerly 19 V.S.A. § 36) was originally intended as an: *...evidentiary method of proving the boundaries of a public highway otherwise incapable of ascertainment from public records*. One key to proper application of this statute requires the existence of a road with no controlling evidence describing the extent or location of the way. This statute may be considered a

"last resort" for courts when extensive research fails to provide answers.

One surprising aspect of this case is that it does not involve an ancient road. The relevant portion of Town Highway 55 was originally laid out by surveyor John Roth in 1963. In the case at bar, Eardensohn argued that the present road location buttressed by the statute provided the only available means to locate the disputed road. Bren argued for a location as shown on the Roth survey.

Evidence presented to the court demonstrated that the road had shifted slightly from its original location but was still well within the easement as originally laid out. No records supporting later re-location of the road were presented. The court concludes that the defendants' argument for application of the statute is based on confusion over the intent of the law.

The statute presumes a three-rod road centered on the existing driving surface where no contrary evidence is presented. However, this law creates a rebuttable presumption that will not stand against legitimate evidence of the original location of the servitude.

Regarding the effect of the relevant statute, the court concludes: *Notwithstanding § 32, a migrating centerline without a new dedication does not alter the scope of the established easement. The implied dedication issue (method of creation) and the § 32 width issue (location of road boundaries) are separate issues; § 32 cannot be turned into a device that automatically moves an easement.*⁴ The court dismissively refers to the misapplication of the statute as the "rolling easement" theory and notes that this interpretation would destabilize property rights adjacent to roads. The statute was intended to stabilize the location of an unascertainable easement, not create a new one.

The New Mexico courts discuss a similar problem related to a rebuttable presumption based on statute. *State v. UU Bar Ranch*⁵ hinges on the construction of a gate in 1997. This blocked a road that had been used by the public for 150 years. Previous decisions had already concluded that the state held title to the road bed

but failed to clarify the "amorphous nature" of the actual road location.

While this ruling addresses many complex issues, their statements regarding the width of the prescriptive easement are succinct. Both lower court rulings considered physical evidence of the road as the controlling issue. Both determined that the road was 24 feet wide based on the extent of possession. The state claimed that the ruling should have described a 60-foot road based on New Mexico statutory law.

Counsel for the state argued that NMSA 67-5-2 controlled the width of all public roads in New Mexico unless specific orders by county commissioners made some other provision. The statute includes this statement: *"All public highways laid out in this state shall be 60 feet in width unless otherwise ordered by the board of county commissioners."*

The problem with this argument is that prescriptive easements are created by continuous public use rather than by a vote of county governments.

The court disagreed with the states' assessment: *"It bases this argument on a misreading of NMSA 1978, § 67-5-2 (1903). Because that statute does not apply to the road in question, we affirm the district court's determination on remand that the Road is 24 feet wide.... the Court of Appeals held that a road established by public use is not 'laid out' within the meaning of Section 67-5-2."*⁵

Prescriptive Easements for Maintenance


Courts nationwide generally define the location and extent of prescriptive easements based on use. As seen in the example above, the resulting easement width may seem entirely arbitrary. In addition to the driving or walking surface itself, some courts may consider an incidental right of maintenance to allow the continued existence of filled areas, culverts or bridges that enhance the utility of the way.

Montana statute reinforces general common-law standards that determine the extent of prescriptive rights based on actual use. However, in the case of public roads created by prescription,

additional rights are also recognized. *Public Lands Access Association v. Madison County*⁶ is a recent decision that highlights this concept: *When a county road is established, the public acquires the right-of-way "and the incidents necessary to enjoying and maintaining it." Section 7-14-2107(3), MCA. We previously have observed that Montana statutes "clarify that a public highway consists of more than the surface of a roadway," and is not "limited to the driving surface." ... Our case law is also clear that the establishment of a public road by prescriptive use contemplates the general public's use of the roadway as well as the land needed for construction, repairs and maintenance. We do not separate the different uses to create two distinct interests—a public road for travel and a secondary easement for the County's maintenance—as the District Court did.*

Rather, we recognize one public road right-of-way. The Montana court highlights a refinement rather than a basic change to prescriptive easement law. The extent of the right created is defined by all relevant use that contributes to the creation of the servitude, including construction and grading.

Determining the extent of an easement can certainly be a difficult task. Without a clear understanding of the relevant statutes and common law, land use professionals run the risk of unwittingly trampling legitimate rights of private owners or of the public. Easements — erroneously — have been considered the “poor relation” when placed next to the more obvious problem of determining boundaries of fee-simple tracts of land. The increased frequency of litigation over access rights

in recent years underscores the fallacy of this assumption and the importance of these often-ignored property rights. 

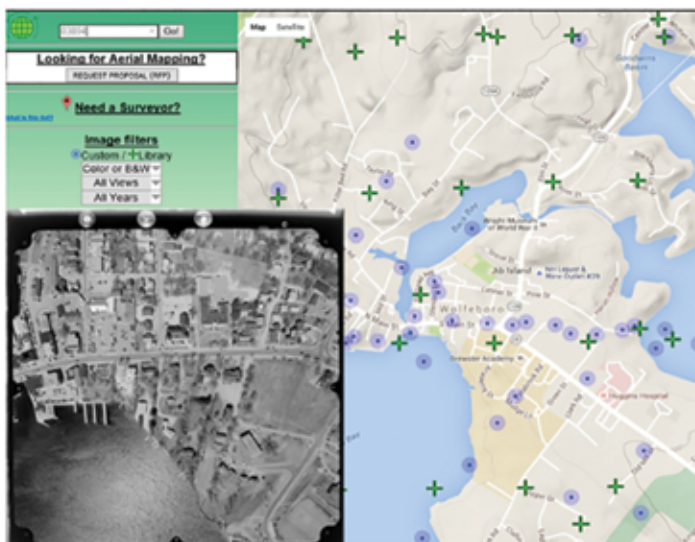
List of Sources:

- 1 Miller v. Kirkpatrick: 833 A.2d 536 (2003)
- 2 Minogue v. Kaufman: 124 A.D.2d 791; 508 N.Y.S.2d 511 (1986)
- 3 Lucas v. Kandis: 303 A.D.2d 649; 757 N.Y.S.2d 86 (2003)
- 4 Bren v. Eardensohn: Vt. Super. No. 320-5-05 (2007)
- 5 State v. UU Bar Ranch: 145 N.M. 769 (2009)
- 6 Public Lands Access Association v. Madison County: 373 Mont. 277; 321 P.3d 38 (2014)

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August 18, 2016 • 6 p.m. • AIV Building, Montpelier

Present: Gayle Burchard, Kelly Collar, Keith Van Iderstine, Lisa Ginett, Brad Holden, Ian Jewkes and Mark Day

Absent: Nate Yager

The meeting was called to order at 6:09 p.m.

SECRETARY'S MINUTES

Members reviewed minutes from the June 16, 2016 Executive Committee meeting. Upon motion duly made and seconded it was unanimously **RESOLVED**: to approve the minutes of the May 19, 2016 Executive Committee meeting.

TREASURER'S REPORT

Treasure's report for the period of Jan 1st to August 15th 2016: Total income for the period is \$ 38,421.22, Total Expense is 34,310.10, Net Income is \$4,111.12 and our Bank Accounts total \$ 63,770.12 Membership renewal is at 98.7%.

ADMINISTRATOR'S REPORT

Kelly does not have many people signed up for the Fall Conference yet. There are 7 exhibitors for the conference and 6 of them are doing presentations: CadNet, Keystone, Spillers, UVM, Waypoint & Leslie Pelch of VCGI. The exhibitors reception will be very relaxed and so far we have 3 out of state guests. Mike Raboin has donated a 1984 reprint of an old Atlas from the 1770s to be auctioned or for a raffle to benefit the Education Foundation. Kelly found that our Web Host (Powershift) for the VSLS site was having too many issues and she changed over to Alpine Web Media of NH.

PRESIDENT'S REPORT

Gayle discussed having the Bylaw amendments ready to hand out for review at the Fall Conference. There will be amendments to include term limits and remote meetings for committees in the hopes of drawing in people from the entire state. We talked about amending the new plat laws also a "work force" letter sample from the state of Virginia. We discussed how to reach out to students to generate interest in the profession and the possibility of taking a table at Vermont National Education Association with brochures and a video.

OTHER BUSINESS

Brad emailed Steve Frazier and got a return call. He also spoke to Dick Hoskins at VT District No. 5 about who to

call if you are going to be on State Highway Right-of-Way. You can expect a 72-hour wait for VT Trans response. He also discussed issues of locating underground utilities. It was suggested that beyond "Digsafe" (as they do not handle small company lines) one should call the local municipalities for the whereabouts of water lines etc. Brad suggests marking where you want to set a monument before the review on the ground.

Brad spoke to Bear Pond Productions about producing a video for educating and interesting people in surveying. We reviewed several samples of 3-minute clips put out by Bear Pond Productions and they were impressive. He offered a very fair price to put together a video for VSLS and advised that we put together a 2-minute script and to try to attract people to the profession. He would shoot various footage of surveying and voice over the video footage. He also advised that we have one person to be the go between from VSLS to Bear Pond Productions and the shoot should be done in Underhill (the Town where the BPP person lives) to save on cost. It would cost maybe \$1,000 to do the video with these parameters and the Executive Committee authorized this much expenditure.

Keith and Kelly went to Citizen's Bank to update our account to make Keith the primary person for online access; Kelly can view the account online but not make revisions. We need to update the signers to include Keith and Gayle by resolution to act on behalf of VSLS to sign checks, deposit and withdraw funds. Upon motion duly made and seconded it was unanimously **RESOLVED**: to appoint Keith and Gayle to represent the VSLS at the bank.

VSLS discussed Kelly's compensation and gave her a well-deserved raise.

The Executive Committee Meeting will be held at the Fall Conference at Killington on September 22nd 2016. There being no further business, the meeting was adjourned at 7:20 PM

Respectfully submitted,
Lisa Ginett, Secretary

**attention
members**

Executive Committee meetings are held at 6 p.m. on the third Thursday of each month at the AIV building in Montpelier, or via conference call. All members are welcome to attend. Email kelly@vsls.org if you'd like more information or meeting materials.

**September 15, 2016 • 12 p.m. • Killington Grand**

Meeting called to order at 12:00 PM by VSLs President Gayle Burchard.

Lisa Ginett was not present, therefore minutes of the previous meeting were not available.

TREASURER'S REPORT

Keith Van Iderstine reported that total income for the year is \$54,317.81, total expenses are \$37,588.47, for a net income of \$16,729.34. The report was accepted.

Larry Walter inquired as to how many scholarship applicants there were this year. Pete Chase informed the membership that no applications were received, so no awards were given.

PRESIDENT'S REPORT

Gayle Burchard reviewed the proposed bylaw changes, which consisted of: adjusting term lengths for officers, reviving standing committees, and a plea to members to get active and get on a committee. VSLs will be partnering with AAGS, the American Association for Geodetic Surveying.

David Mann is looking for a replacement for *The Cornerpost* Editor position. It would be a slow

transition over a couple of years. Currently, Kelly does the majority of the work, so time commitment would not be great. Also, David is looking for stories from the Connecticut River canoe trips; if you have one, please send it in.

Tim Rockwood, Program Committee Chair, covered the upcoming Round Table discussions and is looking for Town Line cases for the meeting.

Kelly Collar, VSLs Administrator, received congratulations on *The Cornerpost* winning the award for the "Best State Magazine" by NSPS.

The Preservation Committee review by Mark Day mentioned that Brad Holden will head up the committee with assistance from Mike Raboin, Scott Taylor and Larry Walter.

Leslie Pelch will head up an Advisory GIS board and Randy Otis, L.S., will represent surveyors on the board.

There being no further business, the meeting was adjourned at 12:22 PM.

Respectfully submitted,
Joe Flynn, Secretary Pro Tem

2017 VSLs Education Foundation Directors

MEMBERS AT LARGE

Pete Chase, L.S.
Mike Raboin, L.S.
Norm Smith, L.S.

VSLs OFFICERS

Gayle Burchard, L.S.
Mark Day, L.S.
Lisa Ginett, L.S.
Keith Van Iderstine, L.S.

2017 Slate of Officers**PRESIDENT**

Gayle Burchard, L.S.

VICE PRESIDENT

Mark Day, L.S.

SECRETARY

Lisa Ginett, L.S.

TREASURER

Keith Van Iderstine, L.S.

DIRECTORS

Brad Holden, L.S.
Ian Jewkes, L.S.
Nate Yager, L.S.

2017 Proposed Budget**Income**

Advertising	\$1,000.00
Donations	\$1,000.00
Interest	\$350.00
Membership Dues	\$19,000.00
Program Revenues	\$40,850.00
Publication Sales	\$750.00
TOTAL	\$62,950.00

Expenses

Association Dues	\$4,150.00
Bank Fees	\$1,250.00
Accountant Fees	\$500.00
Donation Expense	\$750.00
Insurance	\$800.00
Memorial Contributions	\$200.00
News Magazine	\$4,000.00
Office Supplies	\$1,000.00
Payroll Expenses	\$19,750.00
Postage	\$300.00
Program Expenses	\$22,000.00
Public Relations	\$1,000.00
Rent	\$1,550.00
Telephone	\$200.00
Travel	\$5,500.00
TOTAL	\$62,950.00

Stranger to the Deed

BY KNUD E. HERMANSEN†
P.L.S., P.E., PH.D., ESQ.

A surveyor queried me in regard to a conversation he had with a neighbor's attorney. The neighbor's attorney claimed that the surveyor's client did not have a right of way across the property belonging to the attorney's client.

The surveyor pointed out as proof positive that his client's easement was expressly mentioned within the deed of the attorney's client. How can the neighbor deny an easement does not exist when the easement is described in his deed?

Background

Here are the facts with the names omitted. The owner of parcel B (surveyor's client) has wanted an easement for many years across parcel A (neighboring property) in order to access that portion of parcel B that could not be accessed without crossing a swamp. The owner of parcel A had always put off the request for an easement for parcel B by promising to convey an easement to the owner of parcel B at the time the owner of parcel A conveys his property. He was attempting to sell parcel A.

The owner of Parcel A, the neighboring property, entered a purchase-and-sales contract to sell his property. When the owner of parcel A conveyed his parcel, he inserted the following in his deed:

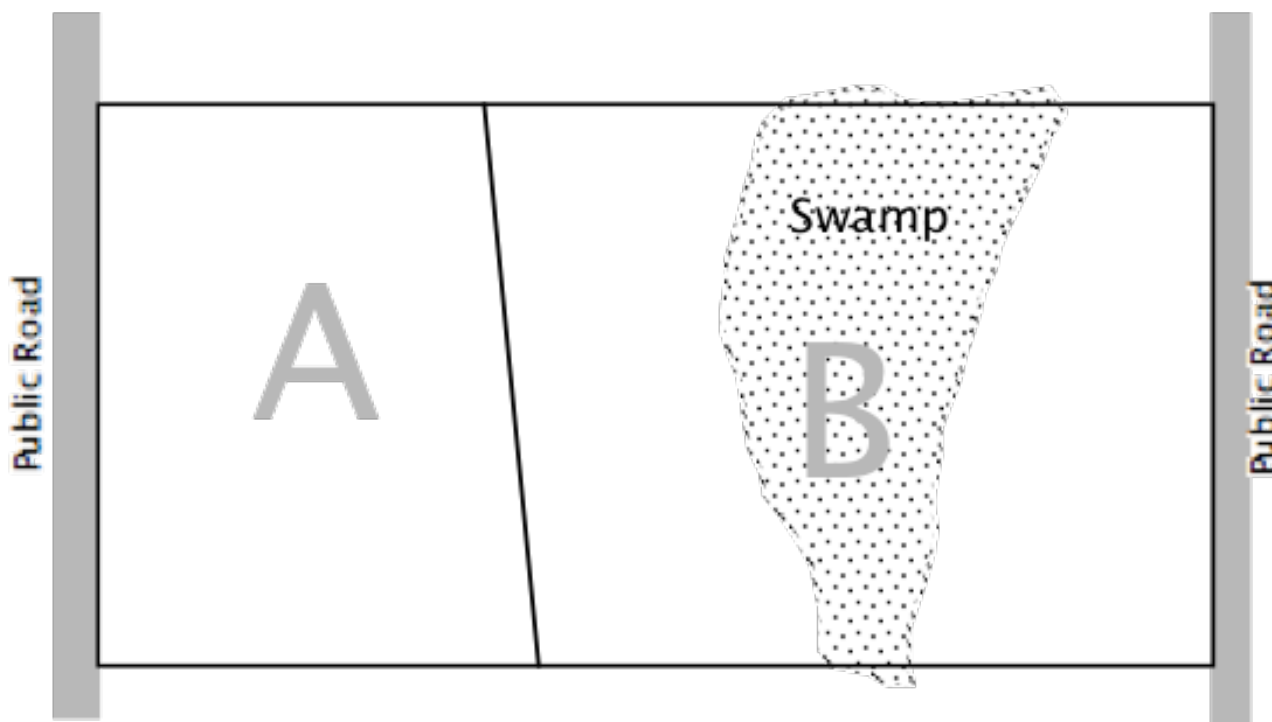
"Excepting and reserving from this conveyance a 20 foot wide easement along the northerly boundary of the above described conveyance for [the owner of parcel B], his heirs and assigns to access his property."

Upon learning of this clause in the neighbor's deed, the owner of parcel B obtained a survey locating the easement and planned to build a road across the neighboring property (parcel A). The new owner of parcel A objected to both the survey and the contemplated road to be constructed. A dispute ensued.

Unfortunately for the surveyor's client (the owner of parcel B), the creation of the easement in the conveyance of parcel A was ineffective under the Stranger to the Deed Doctrine.

Foundations for the Stranger to the Deed Doctrine

Under the Stranger to the Deed Doctrine the law will not permit the owner of land to convey the land to one person and in the same deed to establish an easement in favor of another. In some jurisdictions, the stranger to the deed applies to all interests in property, not just an easement.



Under the Stranger to the Deed Doctrine, the creation of an easement to an individual not a party to the deed is not a valid conveyance. There are several reasons for voiding a third party transfer.

First, there can be no presumption of acceptance on behalf of a third party when the grantee to the deed accepts the deed conveying title to the property. There is no meeting of the minds. The easement to a third party is not a collimation of negotiations.

this situation means that the “easement by necessity” no longer exists and its former location is extinguished.

A second reason for an easement granted to a third party to be void is that there was no consideration for the interest created in favor of the third party to the deed. Since there was no consideration for the interest conveyed to the third party (at least stated in the deed), the interest is not protected by the recording statutes.

searching parcel B’s title were to look in the grantor/grantee index for title documents involving the owners of parcel A, the abstractor would never see a listing in the index where the owner of parcel A conveyed an easement to an owner of parcel B. It is not a reasonable and typical procedure for a title search of parcel B’s title documents to also examine each and every title document for the surrounding properties.

The fatality arising under the

Stranger to the Deed doctrine could have been avoided if the grantor had first made a conveyance of the easement to the owner of parcel B by deed, followed

Under the Stranger to the Deed Doctrine, the creation of an easement to an individual not a party to the deed is not a valid conveyance. There are several reasons for voiding a third party transfer.

Imagine the havoc to title that could result if the acceptance of a grantee will bind a third party. Consider the situation where the owner of a parcel is burdened by an easement of necessity crossing the middle of his property. Every attempt to persuade the owner of the appurtenant property to move the location of the road in the easement has failed. Without a requirement for a third party in a deed to accept the conveyance, the owner of the burdened property could sell the property to his spouse reserving an easement to the neighbor in a different location much more favorable to the burdened property and much less favorable to the appurtenant property. Without the Stranger to the Deed Doctrine to protect the owner of the appurtenant property, the establishment of an easement in

A third reason for an easement granted to a third party to be void is that the easement conveyed will not be indexed and not found during a typical title search.

Consider the following ramification if the stranger to the deed doctrine did not exist.

If the creation of an easement to a third party in a deed of conveyance were permitted, the result would thwart notice of the easement during a title examination of the appurtenant property. Referring to the first scenario, the examination of the title to parcel B would never reveal the existence of the easement. A title search of parcel B’s title documents would never reveal a conveyance from the owner of parcel A to parcel B. Even if an abstractor,

immediately (if so chosen) with the conveyance of parcel A.

Some jurisdictions have abandoned or modified the Stranger to the Deed doctrine. Why shouldn’t the grantor be allowed to accomplish in one deed what can legally be accomplished in two? Is it much different from what the law has long permitted, for the grantor to convey, using just one deed, a life estate to one person and a remainder to another person?

Unfortunately for the surveyor who made the query that started this discussion, the jurisdiction where the properties reside continues to recognize the Stranger to the Deed doctrine. Even though the easement is cited in the neighbor’s deed, the neighbor is under no obligation to recognize the easement. 🏠



Did You Know?

The surveying program at the University of Maine has an on-line master’s program in surveying studies. Contact Raymond Hintz for more information.

more info: <https://engineering.umaine.edu/psm>
contact: Raymond.Hintz@umit.maine.edu

do you
have a
story
to share?

Please send it to kelly@vsls.org

BY DICK BOHLEN, L.S. #7, *retired*

I'VE BEEN TO A LOT OF PLACES.

Many, many places. In some 57 years of doing survey work in the Northeast Kingdom, there aren't many places that I haven't been to, or have at least been close to. This is a tremendous piece of God's Creation that we live in, and everywhere I go has its own unique characteristics. I suppose that I have come across hundreds of old cellar holes and old foundations, and it never ceases to amaze me where the early settlers lived and made their independent livings.

In all of these travels, I have come across just four of what I call ancient sugar arches. I found one in North Troy near the Missisquoi River, another near Keyser Pond in Peacham, another on the eastern slope of Danville Hill in Cabot, and the last one on Ken Williams' land off

flat sugar pan. They are all in open hardwoods, and there is a brook or a spring nearby. The one in North Troy was a little different in that there was a flat rock about three feet square over the closed-up end, and a hole about eight inches in diameter was chiseled in the center of it. Obviously, it was the chimney hole.

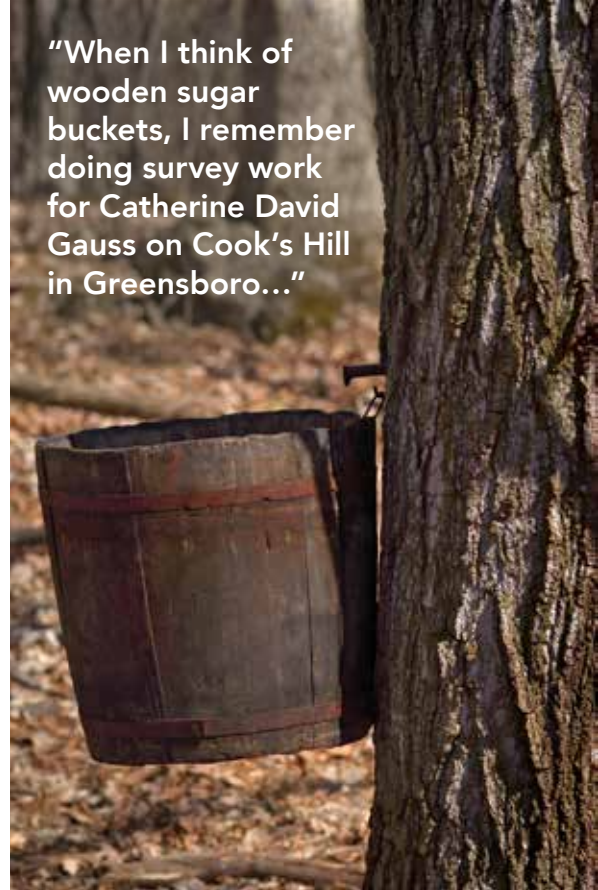
When I find something like that, I like to ponder and try to visualize what it was like when the arch was in use. I suppose that the sugar buckets were wooden and hung on the tree with one nail. The spouts were probably made of wood, like the ones that my father-in-law remembered making when he was a youngster. He was from Maine and said that one of his chores was to whittle out spouts, or spiles, as he called them. He said that they used sumac, since the middle was pithy and easy to ream out for the sap to run in. When I think of wooden sugar buckets, I remember doing survey work for Catherine

David Gauss on Cook's Hill in Greensboro. There was an abandoned farmhouse on the property, the windows and doors all gone, and the place left open to the weather. Not the kind of thing that you find around today! Being curious and interested in what we'd see, we wandered through the old

house, and lo and behold, there must have been 100 or more old wooden sugar buckets stacked up in the basement! Quite a find, and I took a couple home and planned to return for more. Too bad. Before I had a chance to go back, the place was torched, and the buckets went with the house in the fire...what a shame!

I understand that the Indians were the first to use maple syrup, and they called it "sweet water." I'm told that they boiled it in a wooden tub or pot, built a fire nearby, and

"When I think of wooden sugar buckets, I remember doing survey work for Catherine David Gauss on Cook's Hill in Greensboro..."



heated rocks in the fire, and then put them in the tub to heat the sap. Pretty crude operation, and I don't suppose that they got the sap down to syrup, just thickened it to be sweeter. Now, regardless of what you might think, neither Russ Butler nor I were around to witness that operation! When White Men arrived with their metal pots, that must have been a great stride forward in the making of maple products. Wow, you could build the fire under the pot and save the rocks! I suppose also that the arrival of cast iron and metal sugar arches, with sugar houses built around them, must have been another great stride forward in sugaring.

Next time you enjoy maple syrup on your pancakes, think about what that Indian syrup must have tasted like mixed in with the rocks and the wood, and all the other debris. 🌲



A reminiscence about ancient sugar arches and the origins of "sweet water."

Route 232 in Marshfield. I'm sure that I've come across others but failed to recognize them, or in my early years of surveying, didn't know what they were. They are all about the same. There are two stone walls, about one to two feet high, and about three feet apart, with one end stoned up and the other end open. There is often evidence of tin or stove pipe around, and there might be an old



December Round Tables

Friday, December 16, 2016 • Capitol Plaza Hotel & Conference Center • Montpelier, Vt.



PROGRAM SCHEDULE

- 7:15 AM** Registration & Breakfast
(bagels, assorted pastries, fruit, yogurt, granola, coffee, tea, juice)
- 8:00 AM** Round Table Discussions
- 12:00 PM** Lunch
- 1:00 PM** VSLs Annual Business Meeting
- 2:00 PM** Vermont Town Boundaries
- 4:00 PM** Concluding Remarks

REGISTRATION FEE	Through Dec. 6	After Dec. 6
Member	\$120.00	\$145.00
Life Member	\$90.00	\$115.00
Non-member	\$170.00	\$195.00
Non-member technical staff attending with member	\$96.00	\$121.00
Three attendees from same firm (one must be member)	\$96.00	\$121.00

MORNING ROUND TABLES

The round table discussions will focus on topics including:

- Vermont Geodetic Survey
- VELCO
- Highway Issues
- Historical Archives
- Young Surveyors Network
- FEMA
- Railroad Issues
- Property Parcel Mapping Program

**6 PDH
APPROVED**

AFTERNOON PRESENTATION

Topic: Vermont Town Boundaries

Presenters: Paul Gillies, Paul Hannan, Byron Kidder

Vermont town boundaries are among the least reliable of all the lines that subdivide Vermont into parts. Settling where one town begins and another ends is a continuing challenge to surveyors, lawyers, town officials, and judges. In this presentation, Byron Kidder, Paul Hannan, and Paul Gillies will discuss the law, practice, and history of town boundaries. They will review the history, sources, laws, and practices that are critical to locating, monumenting and establishing the lines that separate one town from another, including an account of how the process worked in resolving the boundary between the towns of Shelburne and St. George.

VSLs Fleece Vests for Sale: \$30

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- ☐ **Steak House Meatloaf:** with mashed potatoes & veggies

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