

THIRD PART—THE PROOF.

DEPOSITION OF PETITIONER

CANADA
PROVINCE OF QUEBEC
District of Hull.

No. 99

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BEFORE:

THE QUEBEC PUBLIC SERVICE COMMISSION,

THE GATINEAU POWER COMPANY,

Petitioner.

VS

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MR. H. HARLEY SELWYN,

Respondent.

PRESENT:

Mr. T. R. Ker, of Brown, Montgomery & Co., and Mr.
J. W. Ste Marie, Attorneys for Petitioner,
Messrs Aylen & Aylen, Attorneys for Respondent.

DEPOSITION OF

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JAMES A. STRUMBERT, Land Agent for the Gatineau Power Company Limited, of Ottawa, Ont., taken this thirty-first day of January, 1927, before the above mentioned Commission, the said witness produced on behalf of the Petitioner, after being first duly sworn upon the Holy Evangelists, Deposed:

TO MR. KER:

40 You are the official of the Gatineau Power Company who has been in charge of the purchase of these various lands?

R. Yes sir.

Q. How many parcels of land along the Gatineau have you purchased during the last year or so?

R. About one hundred and thirty or a hundred and forty, something like that.

Q. These lands were required for what purposes?

R. In connection with the Chelsea Power Development.

JAMES A. STRUMBERT, (Evidence continued).

Q. They include farm lands, cottage lands and various other kinds of lands I suppose?

R. Yes.

Q. Are you familiar with the land and premises of Mr. Selwyn?

R. I am.

Q. That land is required by the company for what purposes?

R. They are going to flood the land.

10 Q. Did you ever approach Mr. Selwyn with a view to purchasing this land?

R. Yes, on a number of occasions.

Q. Could you give us any idea of the first time at which you came and spoke to him about it?

R. The first time is approximately one year ago.

COUNSEL for Respondents objects to any proof being made of verbal conversations with Mr. Selwyn, this is a case of over fifty dollars in value and any verbal evidence tending to
20 establish a price that he was asking at the beginning or verbally cannot be admitted in proof.

THE PRESIDENT:

The question is allowed.

MR. KER.

Q. At what time did you first speak to him about the purchase of his land?

R. About one year ago this month.

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MR. KER.

I may say that the purpose of this evidence is on account of the fact that we are being called to account for never having given notice about these prices, I would like to show that.

Q. How long was that?

R. We notified Mr. Selwyn, if I remember correctly by letter, on the 12th of January, 1926.

MR. AYLEN: I object to any evidence being given about a letter unless the letter is produced.

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MR. KER:

Q. Will you produce a copy of a letter sent on that date as Exhibit P. 2?

R. Yes sir.

Q. What does that letter say?

THE PRESIDENT:

Q. What is the date of that letter?

JAMES A. STRUMBERT, (Evidence continued).

R. January 12th, 1926, (reading) Mr. H. Selwyn, "We understand that you own some property on the West bank of the Gatineau river which on completion of the dam will be flooded. Will you kindly let us know what price you are asking for that property if you have any agent in Ottawa, looking after your affairs. Yours truly, J. E. Strumbert."

Q. Did you have any reply to that letter Mr. Strumbert?

10 R. No, we did not get a reply.

Q. What happened next?

R. Mr. Selwyn, came up to Kirks Ferry about..... I think it must have been in February of last year, he met Major Brian and myself at Kirks Ferry where we discussed the purchase of his property.

Q. What was he asking at that time, do you remember?

R. He was asking twenty thousand dollars.

Q. Were there any other negotiations that took place or what happened after that, I presume you refused to give him that?

20 R. We did.

Q. What happened next?

R. About March, I had another interview with Mr. Selwyn at Kirks Ferry and made him an offer, we went over and looked at some other property he thought he would like to exchange for the property he had, only he wanted too much land, and we could not seem to get together.

Q. So that during the first part of this year you were in negotiations with Mr. Selwyn regarding this property?

R. In the first part of 1926.

30 Q. He was fully aware of what your company's plans were?

R. Absolutely.

Q. What is your company offering Mr. Selwyn in this proceeding?

R. Five thousand two hundred dollars.

THE PRESIDENT:

Q. Is that for the whole three properties?

R. For the part of his father's property and for the other two parcels.

40

MR. KER:

Q. That is, for the part covered in red on the large plan and for the other properties complete?

Q. How did you arrive at that figure Mr. Strumbert?

R. I have taken the value of the three parcels of land at Seven hundred and twenty dollars, the office, the shed and what he calls the summer house at five hundred and seventy dollars.

JAMES A. STRUMBERT, (Evidence continued).

- Q. Is it the office or summer house?
 R. At the time I was up and looked it over he said sometimes it was the summer house and some other times the office.
- Q. What is the next item?
 R. The wind mill and well \$300.00. His bee house one thousand one hundred and seventy five dollars, the summer cottage and ice house sixteen hundred and sixty dollars, forcible taking four
 10 hundred and seventy five dollars.
- Q. That would make up a total of five thousand two hundred dollars?
 R. Yes.
- Q. How much land does that include?
 R. Two point four acres (2.4 acres)
- Q. It does not include I believe the main house on his father's property, that he got from his father?
 R. No.
- Q. Nor any outbuildings immediately connected with that house?
 20 R. No.
- Q. In so far as the property acquired from his father is concerned, it includes the amount marked in red on the plan produced?
 R. Yes.
- Q. Produced with the notice of expropriation?
 R. Yes.
- Q. At what rate per acre you offering him to purchase?
 R. Three hundred dollars an acre.
- Q. This property of Mr. Selwyn was a part of what farm?
 R. A part of the Cooper farm.
- 30 Q. Only?
 R. Only the bee house was on part of LaCharity's farm.
- Q. Has the company purchased the Cooper farm of which this was a part?
 R. Yes.
- Q. What was the price paid per acre for the surrounding land?
 R. They varied, between eighty and one hundred and ten dollars per acre.
- Q. Was that price that you refer to for the Cooper farm alone?
 40 R. No, for the different farms I purchased, according to the buildings they had on them, some were more or less good, and we gave them an acreage price on account of the buildings. The buildings are included in this price of eighty to one hundred and ten dollars an acre.

THE PRESIDENT:

- Q. That is buying a farm as a whole?
 R. Yes, altogether, we bought in this connection, we bought

JAMES A. STRUMBERT, (Evidence continued).

from Cooper, ninety acres. From Lacharity eighty, from Hogan about sixty five, from Mrs. Joseph Fleury ninety seven.

Q. Those are the whole farm?

R. Yes.

Q. That would include the farm house and barns?

R. Yes.

Q. It is hard for us to arrive at a conclusion with only that, what
10 kind of buildings are on these farms?

MR. KER:

Q. Taking a general average of farm lands—

R. The buildings we have to buy on farm lands are year round buldings, & on summer properties they are summer cottages only built for summer purposes not for winter occupation, these other buildings are very much better buildings.

Q. Were there any other buildings lots which you company pur-
20 chased which had been taken from the Cooper farm?

R. Yes.

Q. What is their position relative to the property of Mr. Selwyn?

R. They are all around, three is particularly Mrs. Stuart's cot- tage, the Armstrong cottages, the Lyons cottage, there is a num- ber of cottages all around in the same district off the same farm,

Q. Have you had occasion to purchase any of those property?

R. Yes.

Q. How far is Mrs. Stuart's property away from Mr. Selwyn?

R. About four or five hundred feet, on the river front.

30 Q. How much acreage has she?

R. She has, I think, about one acre and a quarter to one acre and a half.

Q. With buildings?

R. Yes, with buildings.

Q. When did Mrs. Stuart buy this property?

R. She bought it in.....

OBJECTION BY RESPONDENT'S COUNSEL to any evidence of this nature without producing the documents.

40 She bought it on the 11th of June, 1925.

Q. MR. KER:

Will you produce as Exhibit P.3, copy of Mrs. Stuart's deed, in which she purchased that property on the 11th day of June, 1926, with a house on it?

EXHIBIT P. 3 produced.

JAMES A. STRUMBERT, (Evidence continued).

- Q. That was before the company's operations really began?
 R. That is practically five months before we came there.
 Q. What was the price paid by Mrs. Stuart according to that deed?
 R. Seven hundred dollars.
 Q. How far did you say that property was from Mr. Selwyn?
 R. Between four and five hundred feet.
 10 Q. Were there any other property purchased in the vicinity that came out of the Cooper farm?
 R. Yes.
 Q. From others?
 R. Yes.
 Q. Could you name another one, did you purchase the property of Mrs. de la Ronde?
 R. I did.
 Q. How far is that from the Selwyn property?
 R. About the same distance south of Selwyn, as Mrs. Stuart's
 20 is west.
 Q. About four or five hundred feet away?
 R. Yes.
 Q. That was off the Cooper property?
 R. No, that was off the Hogan property.
 Q. How much land is there in the de la Ronde property?
 R. One and a quarter acres and two cottages.
 Q. What was the condition of the cottages?
 R. The cottages were in very good repair when we bought them.
 Q. Both of them?
 30 R. Yes.
 Q. What did you pay for those, I am speaking now of what you paid not what they paid, since you came up there?
 R. We paid three thousand seven hundred and fifty dollars for the one and quarter acres of land.
 Q. How did you come to that amount in relation to the land and buildings in the case of Mrs. de la Ronde's property?
 R. The land values?
 Q. In other words, at what rate were you purchasing that land?
 R. We were purchasing all nearly practically at three hundred
 40 dollars an acre for the cottage land.

MR. AYLEN:
 Not including the cottages.

THE PRESIDENT:

- Q. Most of that valuation is for the cottage?
 R. Yes.

JAMES A. STRUMBERT, (Evidence continued).**MR. KER:**

- Q. Is there any person close by from whom you purchased a piece of land?
R. Yes from Harold Hogan.
Q. That was a cottage lot?
R. Yes.
Q. How much did it include of land?
10 R. One half acre.
Q. With any buildings
R. Yes, he had very nice cottage on it.
Q. What was the price for the land at Harold Hogan's place?
R. About the same, I paid twelve hundred dollars for the cottage and land.
Q. How much land?
R. One half acre.
Q. Can you name others in the vicinity..... how far is that from the Selwyn property?
20 R. It is a little closer to Selwyn's property than de la Ronde's it adjoins the de la Ronde property.
Q. Is there any in the immediate vicinity that you purchased?
R. Yes, I purchased a property from Mr. Argue.

MR. AYLEN: Will you produce those deeds please.**MR. KER:**

- Q. Will you produce the deed from Mrs. de la Ronde to the Gatineau Power Company of the de la Ronde property, Mr. Stuart's deed is already produced as P.3?
30 R. Yes.

Exhibit P.4, is produced.

- Q. Will you produce the deed of sale from Harold Hogan to the Gatineau Power Company as Exhibit P.5?
R. Yes.

- 40 EXHIBIT P. 5 is produced.

Witness: I would say that Hogan paid thirty dollars for that half acre of land in 1914, the half acre which we purchased from him.

MR. AYLEN: I make an objection to this verbal evidence unless the documents are produced.

JAMES A. STRUMBERT, (Evidence continued).

MR. KER:

Q. Will you produce as P.6, from Alfred Hogan to Harold Hogan?

R. Yes.

EXHIBIT P. 6 is produced.

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Q. With regard to Harold Hogan's half acre, which you purchased, have you any information as to what he paid for that land and when he purchased it?

R. He bought that on the 11th of April, 1914, and paid thirty dollars for it.

Q. Have you any other land in the immediate vicinity which you purchased?

R. We have purchased land from Mr. Percy Armstrong four cottages, and a proximately two and a half acres or land for which
20 we paid seven thousand dollars.

Q. Where is that property relatively to Mr. Sedwyn's?

R. It is right in front of his "B" property, off the Lacharity farm.

Q. At what distance, how far from the Selwyn's property?

R. Three hundred feet.

Q. Were these cottages in good repair?

R. They were in very good repair, they were used all last summer, cottages and I was in one of the largest, we lived in them and
30 put them in good shape and we have been able to move two of them.

Q. Have you the deed of purchase?

R. Yes.

Q. Will you produce the deed of sale Armstrong to the Gati-neau Power Company, as Exhibit P.7?

R. Yes. There is nearer to three acres than two and a half I would say.

EXHIBIT P. 7 is produced.

40 Q. At what price was the land at Armstrong's taken in?

R. I did not take it in as being as valuable as some other land, particularly one piece on which there is a cottage which is not fenced in, there are three of them on one piece of land and one on another.

Q. Is that off the Cooper property or off the Lacharity farm?

R. LaCharites, that is off practically the best part of his farm, it is very level.

JAMES A. STRUMBERT, (Evidence continued).

Q. Do you know when Mr. Armstrong purchased those cottages?

R. Yes, he purchased them the previous year.

Q. How much did he pay for them?

R. For three of them and the two acres he paid three thousand five hundred dollars, the cottages were also furnished.

Q. You obtained a copy of the deed made?

10 R. Yes.

Q. Will you produce it, as.....

MR. AYLEN: It is not for this witness to produce this deed, it should be up to the compnay to produce the man who sold it or the man who bought it, we all know the consideration sometimes is not what is in the deed.

THE PRESIDENT:

20 We will take the deed for what it is worth, I do not think myself it is very strong.

THE DEED, copy of the deed from Thompson to Armstrong is produced as Exhibit P.8.

MR. KER:

Q. Now, amongst all these purchases you referred to what has been the prevailing rate you paid per acre for cottage land?

R. The same rate we are now offering to Mr. Selwyn.

Q. What is that?

3 R. Three houndred dollars per acre, we are also selling any surplus land we have available as cottage lots at the same price.

Q. You are selling at the present time, land in the immediate vicinity at the rate of three hundred dollars per acre?

R. Yes.

Q. For cottage lots?

R. Yes.

Q. Did you later in the year, especially during the month of August have any pourparlers with Selwyn as to his property?

40 R. Yes, I had on a number of times, I had one with Mr. Selwyn and Mr. Hill in Ottawa in which we tried to get together again. in which Mr. Hill suggested a number of.....

MR. AYLEN: I object to this witness relating any conversation with Mr. Hill, I do not know what he has to do with it.

THE PRESIDENT:

This is an interview at which the respondent was present.

JAMES A. STRUMBERT, (Evidence continued).

MR. KER:

Q. Where did that take place?

R. In Mr. Hill's office.

Q. Was it with regards to the values which you were to pay for this land?

R. Yes.

Q. Was any estimate given to you at that time?

10 R. Yes.

Q. Have you heard Mr. Selwyn's evidence with regards to the value of this property which he purchased from his father?

MR. AYLEN:

I object to this evidence, that is not the way to conduct the examination of witnesses. This witness has got no right to be informed and told by counsel what another party has said.

MR. KER:

20 It seems to me that we cannot abide absolutely and strictly by the rules of procedure in connection with these cases, we are here to determine the value of properties, not conducting a law suit, we are trying to determine what is a reasonable compensation for this man's property, and in many cases a good deal of evidence is allowed which would not be allowed in a law court, and the Commission is certain not to take exception to every little bit of evidence. However I will put the question in another way. Mr. AYLEN: After your Lordship hears this evidence it is for him to say to appreciate the evidence itself, what my learned
30 ed confere proposes to go after is this, this man heard Mr. Selwyn, what he said, and I suppose he wants to know what he thinks about it, that has no bearing on the case, he is not the judge of Mr. Selwyn's evidence it is your Lordship.

MR. KER:

If my learned friend will wait until he hears what I am trying to get at..... I think is objection is a little premature now.

MR. KER:

40

Q. You have heard Mr. Selwyn's evidence with regards to the value of this property which he purchased from his father?

R. Yes.

R. Did you hear at what price he valued the property which he purchased from his father?

R. I did.

Q. At that price did he, in his evidence, give it?

JAMES A. STRUMBERT, (Evidence continued).

MR. AYLEN: I object. That is not the right way to do this.....

THE PRESIDENT:

I agree with you Mr. Aylen, we have the evidence in the record now.

10 MR. KER:

Q. Did you ever have an offer from Mr. Selwyn for that building?

R. Yes.

Q. At what price?

OBJECTION BY MR. AYLEN, unless it is in writing.

THE QUESTION IS ALLOWED BY THE PRESIDENT.

20 Q. I am speaking of his father's property, the main house and buildings? ; ; ; ;

R. Two thousand four hundred dollars.

Q. What did that include?

R. That would include, this building, the main building on his father's place.

Q. When was that offer made to you?

R. Sometimes during August.

Q. Two thousand four hundred dollars?

R. I believe that is correct.

Q. What would that include?

R. I just can't.....

30 Q. Could you refresh your memory and think of what offer was made to you in the month of August last Mr. Strumbert?

R. There were so many offers made, it is rather hard to keep track of all of them. My offer for the house was sixteen hundred dollars, the wood house fifty dollars and the garage two hundred dollars, the ice house one hundred dollars, two small houses fifty, and the office and summer house five hundred dollars, that was the estimate that was submitted to the company and the offer which was submitted to us, the house of Mr. Selwyn's father which was on his father's property was sixteen hundred dollars, the valuation of it, the wood house, fifty dollars, the office or summer house which we are taking was five hundred dollars, the cottage on the other property was valued at eleven hundred dollars and the bee house at sixteen hundred.

40 Q. Those were the offers made to you regarding those constructions by Mr. Selwyn, in the month of August?

R. Yes.

JAMES A. STRUMBERT, (Evidence continued).

Q. What is the total of the constructions, made by you at the time, to what total amount?

R. Five thousand two hundred and five dollars.

Q. For the whole buildings on all the land we are speaking of here?

R. Yes.

10 **THE PRESIDENT:**
Not including the land?

R. No.

MR. KER:

Q. Taking that as being a good estimate, or a good value of the buildings at the present time, what would that leave Mr. Selwyn estimate of the value of the land allowing that his present demand is fifteen thousand dollars?

R. Nine thousand seven hundred and ninety five dollars for the
20 land.

Q. How much acreage is there?

R. We take it as two point four acres.

Q. It means something like four thousand dollars an acre?

R. Pretty close to it.

THE PRESIDENT:

Q. Well I do not think that is quite fair, that amount includes in his claim damages to bees, loss of bees, loss of profits.

R. There is no less of profit, it should come in in the price of the
30 bees.

Q. Then the loss of the bees would have to be deducted.

MR. KER:

Q. Possibly the garden and the bees might come in to that, what I am trying to make clear is that the price this man is asking for his constructions now is absolutely different to the price he was asking last summer.

Q. How were you advised by Mr. Selwyn that those figures had been arrived at Mr. Strombert?

40 R. We were advised he had two experts go over and make a valuation of the buildings and the land and this valuation of the buildings was made by these two experts.

Q. Who were these two experts?

R. Mr. Tom Foley and Mr. J. M. Ross.

Q. And the result of their investigations was the price he gave you?

R. Yes.

JAMES A. STRUMBERT, (Evidence continued).

Q. Did he ever send to you these estimates in writing?

R. Yes.

Q. Will you take communication of these three documents, marked P.9, P.10, and P. 11 and state what each one is and when you received them and from whom you received them?

R. P.9, this a copy of an estimate made and signed by Mr. T. Foley and J. M. Ross, dated the 20th July, 1926.

10 P.10 is attached to the same is a copy of the statement about the Selwyn property giving a valuation of each of the different items not found on his land.

P.11 is a copy of a letter signed by Messrs M. B. Davies and T. F. Ritchie, dated the 12th July, 1926, Central Experimental Farm, these were sent to the Gatineau Power Company by Mr. Selwyn with a letter stating he was agreeable to accept these prices.

MR. AYLEN:

20 I object, I want the letter produced.

MR. KER:

Q. These documents were sent to you enclosed in a letter from Mr. Selwyn?

R. Yes.

Q. Under what date?

R. August the fourteenth.

Q. Will you please produce this letter as Exhibit P.12?

R. Yes.

30 Q. What was the grand total according to Mr. Selwyn's offer at that time?

R. Eleven thousand nine hundred and fifty seven dollars.

Q. Was that offer discussed in any way with Mr. Selwyn?

R. It was not discussed, I believe a letter was written to Mr. Selwyn in connection with this, stating that we were agreeable to accept the prices placed on his buildings but not on the land and garden.

Q. So that the reason that was not accepted was because the land was too high?

40

MR. AYLEN:

I object unless a copy of the letter is produced.

R. We can produce the copy of the letter if necessary.

MR. KER:

Q. At any rate the offer was not accepted?

R. No.

JAMES A. STRUMBERT, (Evidence continued).

Q. For what reason?

R. The land values were too high and the damages asked were too high.

Q. What was the land valued at?

R. Twelve hundred and fifty dollars an acre.

THE PRESIDENT:

10 Q. Does that appear in the statement?

R. Yes.

MR. KER:

Q. I observe that Mr. Selwyn referred to the gentlemen who made these estimates as competent, desinterested realtors?

R. Yes.

Q. They have not been produced as witnesses for Mr. Selwyn?

R. No.

20 Q. Now, Mr. Strumbert with regards to Mr. Selwyn's bees what have you to say?

R. Mr. Selwyn has two other bee houses up on the Gatineau, one at CHELSEA and one at Wakefield, he has had sufficient notice and could have moved them at any time during last summer or spring and we were prepare in that case to give him every help possible to have them moved, nothing was ever done.

Q. Where are the other bee houses?

R. One is situated at Chelsea and the other is at Wakefield.

Q. Within a reasonable distance of his place?

R. About seven miles each way.

30 Q. Seven miles the way the bee flies I take it?

R. It might be a little less.

Q. Did you advise him you were prepared to give him every assistance to save his bees?

R. We gave him plenty of notice, we told him we would like very much to settle with him to get him out of there.

Q. Did you indicate to him that the water would have to come up and flood the bee house?

R. Yes.

40 Q. Will you take communication of this Exhibit P.1 and state whether that is a copy of a letter which was sent to Mr. Selwyn?

R. Yes.

Q. In which you offer to advance him the money if necessary to move his bees?

R. Yes.

Q. Now Mr. Strumbert, are you familiar with the physical features of this property which he purchased from his father's?

R. Yes.

JAMES A. STRUMBERT, (Evidence continued).

Q. What is your opinion as to the extent of the usability of the land, the balance of the land, after the flooding is completed?

R. I think it would be a very good property after the flooding is completed.

Q. I understand that at the present time Mr. Selwyn has to cross the railway in order to get out of his land?

10 **OBJECTION BY MR. AYLEN:** There is no evidence to that effect in the record, it is opened right from the highway.

MR. STRUBERT: He has to cross a railway track.

MR. KER:

Q. Does Mr. Selwyn, apart from the new road have to cross the track to get to the old highway?

R. Yes.

Q. Are the roads in the same condition than before any change was made?

20 R. Yes, they are.

Q. So you have not made his lot any worse in that respect by taking his land?

R. No.

Q. The conditions might be difference?

R. He has to go a little distance more, that is not our fault, it is the Minister of Roads, his position now is better I think.

Q. He had to cross the railroad track on the highway?

R. Yes.

30 **THE PRESIDENT:**

Q. It is a very difficult crossing it was in the rock cut?

R. It is an old crossing.

Q. How about the new one?

R. It is up on a higher grade.

Q. There is no crossing there?

R. There is no highway crossing, this was not the same thing, this was not a provincial highway crossing it was going on to the public road, he had to cross the track to get it.

40 **MR. KER:**

Q. Now, on he property known as the bee house property what constructions are there on that?

R. Just a bee house, it is really not a house, it is more of a shed built for storage purposes and work shop.

Q. Is it a wooden construction?

R. Yes, there is no house to it, a work shop that is what it is.

Q. Is it in that place the bees are stored?

JAMES A. STRUMBERT, (Evidence continued).

- R. In the bottom of it, there is a concrete basement, that is where the bees are kept in the winter.
- Q. Is it made of what kind of wood?
- R. It is made of clap-board.
- Q. What is the value of it, according to you?
- R. Eleven hundred and seventy five dollars.
- Q. Now, the corrate property, what sort of a construction is it?
- 10 R. It is a bungalow type, a wooden construction, clap-boards and shingles.
- Q. What is your estimate of its value?
- R. With the ice house, sixteen hundred and sixty dollars.
- Q. Are those the only construction you are taking, those two?
- R. Yes, and the summer house or office building on the other property.
- Q. What type of construction is the summer house?
- R. It is a shingled building, it is finished with shingles.
- Q. Apparently just for what purposes?
- 20 R. I suppose when they have an overflow of bees they put some bees down there.
- Q. What type of wood is it made of, do you know?
- R. I think it is just rought boards and shingles over it.
- Q. What is your estimate of the value of it?
- R. Five hundred and twenty I think it is, and fifty dollars for the shed that is besides it.
- Q. Have you estimated on Mr. Selwyn's garden?
- R. We have had an estimate made by.....
- 30 Mr. Aylen: I object unless he is going to say something about his own presence.

MR. KER:

- I want to show we are not relying on Mr. Strumbert alone, but we want to show we have had somebody else too.
- Q. How much have you allowed in your estimate for the garden?
- R. Three hundred dollars.
- Q. This wind mill that is on the property, what sort of an apparatus is that?
- 40 R. It is a regular type of farm wind mill, it is steel lattice work construction.
- Q. Do you know whether it is functioning or not?
- R. It was not when I have been up there, I have never seen it working.
- Q. What have you allowed for that in your estimate?
- R. The wind mill and the pump and pipes in connection with it \$300.00.

CROSS EXAMINED BY MR. AYLEN:

- Q. When did you first go on the Gatineau?
 R. A year ago last October.
 Q. That is October 1925?
 R. Yes.
 Q. That is the first time you went up there?
 R. Well, I have lived in Ottawa previous to that and I have been up on the Gatineau a number of times.
 10 Q. I suppose as a matter of fact more people have been going to the Gatineau yearly for the last number of years for summer residences?
 R. I would not say they were going to that part of the Gatineau but further north, not at that particular point.
 Q. The Gatineau section has been in fact, the summer resort of the people of Ottawa and Hull, to a large extent is it not true?
 R. Not particularly at that point where we are flooding.
 Q. I am speaking of the Gatineau as a whole?
 20 R. It has been a sort of holiday place for people to go.
 Q. For people from Ottawa and Hull it is an ideal place?
 R. I would not say it is an ideal place, I would say Britannia and Aylmer are better.
 Q. Anyway, people from Ottawa and Hull to make their summer homes up on the Gatineau?
 R. Yes.
 Q. That number has been increasing in the past few years?
 R. No.
 3 Q. This is not your pretention? Have you a knowledge of the number of trains the C.P.R. runs during the summer time?
 R. Yes.
 Q. From six to seven trains each way?
 R. I would not say that.
 Q. Saturday and Sundays?
 R. For week ends they go up further north.
 Q. They run past this place I suppose?
 R. Past it, yes.
 Q. They had a station there?
 R. Yes, at Kirks Ferry.
 40 Q. This is near Kirks Ferry, the Selwyn property?
 R. It is some distance.
 Q. How far from the station was the Selwyn property?
 R. From a quarter of a mile to half a mile, not quite half a mile.
 Q. Now, about this property of Mrs. Stuart, you produced a copy of a deed from Thompson to Mrs. Stuart the price mentioned in the deed is seven hundred dollars, that was bought in June 1925?

JAMES A. STRUMBERT, (Cross Examined continued).

- R. Yes.
- Q. Was there any building on it at the time?
- R. A cottage was on it.
- Q. How long had the cottage been built?
- R. A number of years.
- Q. Some part of that land is a swamp?
- R. There is a creek running in behind it.
- 10 Q. It is generally called a swamp?
- R. No, I would not call it a swamp.
- Q. Is it affected by the floods from the river?
- R. It would be in the spring I believe, the creek would be, the property would not, it was not affected last spring.
- Q. What had Mrs. Stewart done to the property before she sold it to you, did she do anything to it?
- R. She made considerable improvements on it.
- Q. Have you any detail of the improvements she made?
- R. No.
- 20 Q. How much did you pay for the property?
- R. Three thousand dollars.
- Q. So Mrs Stuart bought that property for seven hundred dollars on the 11th of June, 1925, and sold it to you when?
- R. I just can't remember the date, it was sometime last year.
- Q. About the month of July, 1926?
- R. No, about October I should think, or November.
- Q. In October, 1926, for three thousand dollars?
- R. Yes.
- Q. You do not know anything about what Mrs. Stuart paid for
- 30 that property except what is in the deed?
- R. And what she told me.
- Q. Here is a deed you produced as P.6, from A. Hogan to Harold Hogan, were those people in any way connected?
- R. Harold is a brother of Alfred.
- Q. And do you know anything about the terms, of the terms and conditions under which the sale was made?
- R. I was not interested in it.
- Q. I am not asking you that.
- R. No, I was not.
- 40 Q. You produced a lot of deeds between other parties to which your company was not a party, may I take it for granted you do not know anything about those deeds, the nature of the transactions except what is in the deeds you produced?

MR. KER:

There are not a lot of deeds, there are only two.

JAMES A. STRUMBERT, (Cross Examined continued).**MR. AYLEN:**

Q. I am asking you, as far as the deeds are concerned, to which your company was not a party, do you know anything about the nature of the transactions or the relationship of the parties except what is in the deeds?

R. I made a thorough study of all his property in the Gatineau previous to coming in there to ascertain what was a fair value of the land, and what should be paid up there.

Q. I did not ask you that at all.

R. I answered your question with regard to those two deeds.

Q. I am asking you, having regard to the deeds you produced in your evidence, to which your company was not a party, if you know anything about the parties or the relationship of the parties or the nature of the nature of the transactions except what is in the deeds?

R. I got the explanations from the people we bought from and who bought the properties.

Q. So you got that information from somebody you would not have known yourself anything except what is in the deeds, except what somebody told you?

R. I got the information from the parties themselves who bought the properties.

Q. That is the parties who were parties to the deeds, your company was not a party to those deeds?

R. The parties who were a party to the deeds, from whom we eventually bought.

Q. You try and get away from the fact that your company was not a party to those deeds, all you know about it, is what those parties told you?

R. The parties we bought from.

Q. So you have been giving your evidence on what some other parties told you?

R. On these two properties.

Q. On which two?

R. On the Hogan and Stuart.

Q. Now take this case, Kearns to Canadian International Paper Company, to E. Stuart de la Ronde, Exhibit P. 4, the consideration was?

R. Three thousand seven hundred and fifty dollars.

Q. That was the only consideration that passed between you and that part?

R. Yes, that is the only consideration.

Q. Was there any other dealings between you?

R. None whatever.

Q. Were you present when the money was paid?

JAMES A. STRUMBERT, (Cross Examined continued).

- R. I was.
- Q. Now, having regard to the notice of expropriation in this case and the plan attached as to where the highway, from the Selwyn's property, is, I see that on the east of that property is the railway?
- R. Yes.
- Q. And the dotted line east of the railway is the public highway?
- 10 R. Yes.
- Q. That public highway crosses the railway does it not?
- R. Yes.
- Q. Before it reaches the Selwyn property?
- R. No, at the Selwyn's at the north end of the property the road and railway cross.
- Q. And you mean to say the railway cross the highway?
- R. Yes.
- Q. The highway crosses the railway? You know the highway was there before the railway was built.
- 20 R. I do not know, whether it was there or at some other point, I know they cross.
- Q. You know the railway was built there after the highway was built?
- R. I do not know, the highway has been rebuilt since the last two years.
- Q. By the Provincial Government?
- R. Yes.
- Q. Regraded you mean?
- R. And widened out.
- 30 Q. The location of it has not been changed in the immediate vicinity of the Selwyn property?
- R. I do not know.
- Q. So how far the regrading of the highway is it from where?
- R. How do you mean the regrading?
- Q. The Government you say regraded and remodeled the highway about two years ago?
- R. I do not know where they started and where they ended.
- Q. Did you ever motor up the Gatineau?
- R. Yes.
- 40 Q. Did it start at the City of Hull and go to Wakefield?
- R. I did not know that, I suppose they would do that.
- Q. Did you not say the road immediately adjoining Mr. Selwyn's property has been regraded?
- R. Yes.
- Q. They put new gravel on it?
- R. Yes.
- Q. Is it not a fact that the regrading of the highway under the

JAMES A. STRUMBERT, (Cross Examined continued).

Provincial Government orders increased the value of all the property along there, is it not so?

R. To certain extent.

Q. Did you motor on that highway before it was regraded by the Government?

R. No, I did not.

Q. There was a motor road there before you started your work
10 was there not?

R. Yes.

Q. And that motor road was from the City of Hull to Wakefield?

R. Yes.

Q. Before you started your works?

R. Yes.

Q. Now, you say Mr. Strombert, the reason the exchange was not made a settlement arrived at, was that Mr. Selwyn wanted too much property from you in exchange?

R. He wanted too much money.

20 Q. You said also too much property did you not?

R. Yes.

Q. How much did he want?

R. About thirty five acres.

Q. And where is that property you suggested Mr Selwyn should get?

R. I did not suggest it.

Q. Now, you did not suggest it?

R. No, Mr Selwyn suggested it.

Q. Where did he want it?

30 R. Off the former Blackburn farm.

Q. Is that further west of his own property?

R. Further south.

Q. In the same neighborhood, how far away from his own property?

R. About one mile and a half.

Q. When Mr. Selwyn was discussing..... do you know who this Mr. Foley is?

R. I do not know him at all.

40 Q. You know he is real estate man who buys and sells real estate in the City of Ottawa?

R. I know he was in Mr. Hill's office.

Q. I am asking if he was a man who sold and bought real estate in Ottawa?

R. I believe he is.

Q. There is no doubt in your mind about that?

R. Yes.

Q. And Mr. Moffatt Ross is another real estate man?

JAMES A. STRUMBERT, (Cross Examined continued).

R. I do not know.

R. I did not know whether he was a contractor or a real estate man.

Q. Now, what Mr. Selwyn told was when you were discussing this matter was that he thought the buildings on that valuation of Mr. Moffatt Ross were too low and possibly the land a little too high, if you were willing to exchange he would discuss it, or
10 words to that effect?

R. No, he did not tell me that.

Q. Were you present when he was stating that?

R. No, there was a letter from him, there was no interview.

Q. How much was this land worth that somebody was suggesting Mr. Selwyn might have in exchange?

R. We paid about one hundred dollars an acre for it with the buildings.

Q. You bought the whole farm did you not?

R. Yes.

20 Q. How many acres were there in that farm?

R. One hundred and thirty.

Q. You paid.

R. Ten thousand dollars.

Q. You spoke about a letter Mr. Selwyn wrote you, produced Mr. Selwyn's letter of what date?

R. August the 14th, Exhibit P. 12.

Q. Will you look at this letter from Mr. Gale dated August the 20th, filed as Exhibit R. 16, and say if it is the letter you received in reply to that letter, as far as you know?
30

MR. KER:

Q. That is the letter we were looking for as being the one in reply.

R. Yes.

MR. AYLEN:

Q. You gave evidence in the case of Grant too did you not?

R. Yes.

Q. You heard Mr. Gran't examination?

40 R. I did.

Q. How far is his property from Mr. Selwyn's property?

R. About five hundred feet, about the same distance as from de la Ronde's.

Q. There is about one acre in his property?

R. There is.

Q. You heard him stating that he paid one thousand dollars for that acre without anything on it did you not?

JAMES A. STRUMBERT, (Cross Examined continued).

R. I did.

Q. You saw his deed to that effect did you not?

R. I did.

Q. That was when.... two or three years ago is it not?

R. It must have been five or six years ago.

Q. Four years was it, as far as your recollection goes?

R. Around that.

10 Q. Now, I understand Mr. Selwyn's gate to his property, to the main property, opens on the highway at the point where the railway crosses it, is that correct?

R. It opens on the railway right of way.

Q. Will you swear as an engineer that you do not know it is the railway that crosses the highway?

R. They take a right of way.

Q. You are a civil engineer?

R. Yes.

Q. You know as a matter of fact that the railway companies do
20 not expropriate the highway at any point they get permission to cross it from the Railway Commission, you know that don't you?

R. Yes.

Q. What right have you to say the crossing belongs to the railway instead of to the public highway?

R. The Railway Commission has authority over the railroad crossings.

Q. They permit the railway to cross the highway but the ownership remains with the municipality which own the road?

R. I doubt that, the railway crossing is under the jurisdiction
30 of the Railway Commission.

Q. Can you swear as a matter of fact, whether the Gate of the Selwyn's property opens on the highway where the railway

87

crosses it or if it opens on the railway right of way where the road crosses it?

THE PRESIDENT:

40 Do you mean the old highway?

MR. AYLEN:

R. Yes.

R. I can't swear it opens on the railway property, I can say it did.

Q. You think it does?

JAMES A. STRUMBERT, (Cross Examined continued).

- R. I do.
- Q. But the public highway crosses the railway at this point and continues on further does it not?
- R. Yes.
- Q. Now, do I understand you to say that the Selwyn house could be rebuilt, with the same nature of material at another point about there, for sixteen hundred dollars that you mentioned?
- 10 R. That is not my estimate, that was the estimate made by Mr. Selwyn's man.
- Q. You gave your estimate too?
- R. Not on the house.
- Q. That is the bee house, could that be rebuilt for sixteen hundred dollars?
- R. I would say I could rebuild it for eleven hundred and seventy five dollars.
- Q. At any other place than that locality?
- R. Yes.
- 20 Q. What is your experience in building?
- R. I have had about twenty years experience in building.
- Q. Where?
- R. In Vancouver, in Montreal.
- Q. Did you have any on the Gatineau?
- R. No, I have not.
- Q. So then your opinion is the reason..... are we to understand your reason for saying the bee house is only worth eleven hundred and seventy five dollars is the fact that you are of opinion it could be rebuilt in that neighborhood for that price?
- 30 R. Yes.
- Q. And the same applies to the sixteen hundred and sixty dollars for the cottage you mentioned?
- R. For the cottage and ice house.
- Q. That would cover the cost of rebuilding a new property of the same dimensions and quality?
- R. Yes.
- Q. In both cases?
- R. Yes, there is no depreciation taken into consideration for the buildings at all.
- 40 Q. Now, the garden and shrubs in the garden, I understand you did not examine those yourself?
- R. No, I saw them, I do not know anything about them.
- Q. So your evidence does not give any idea of the value of those things?
- R. I had a nexpert group to see them.
- Q. Never mind about the expert, I am speaking about what you know yourself and what you did.

JAMES A. STRUMBERT, (Cross Examined continued).

R. All I did was to look where the garden was.

Q. You do not assume in that examination to put a value on those things?

R. Yes.

Q. That would apply to the wind mill?

R. Yes.

Q. Did you calculate the amount of labor required to put that
10 in?

R. I put quite a bit on it.

Q. I am asking you how much?

R. I took the value of what I could replace the windmill for and material.

THE PRESIDENT:

Q. Are the pumps something below the flood level?

R. I would not say they were.

20 Q. I do not suppose you know?

R. Well No.

MR. AYLEN:

Q. On what level are they?

R. I think they are not below the flooding level, they were never used in the winter time.

Q. You know a Mr. Peason up there?

30 R. Yes.

Q. Did he have a house?

R. Yes.

Q. Where was that house?

R. On the island, opposite Mr. Selwyn's.

Q. How far from Mr. Selwyn?

R. About two hundred feet.

Q. Did you take the house and the island?

R. Yes.

Q. How much land was there in the island?

40 R. I do not recollect now, about one acre.

Q. Would you swear there was one half acre?

R. I do not know.

Q. Would you say there was one quarter of an acre in it?

R. I would say there was more than a quarter of an acre.

Q. Would you swear there was one half acre?

R. I can look it up and tell you.

Q. How much did you pay for that?

JAMES A. STRUMBERT, (Cross Examined continued).

R. Five thousand dollars.

Q. There was only a one story house on that island?

R. There was a two story house on it.

MR. KER:

Q. What do you find the area to be?

10 R. There is a little over a third of an acre in the island.

MR. AYLEN:

Q. Were you ever in Mr. Selwyn's bee house in Wakefield?

R. I have passed it, I have not been in it.

Q. Were you in it?

R. No.

Q. Were you ever in his bee house at Chelsea?

R. No.

20 Q. Would you swear there was room for one hundred hives of bees in either of those places?

R. I do not know.

Q. Would you swear there was room for twenty five hives?

R. No, I do not know anything about that except what was told me.

MR. KER.

Q. What did he tell you?

30 R. He told me he had two more bee houses on the Gatineau one at Chelsea and one at Wakefield.

Q. Did he indicate to you that he could accomodate these one hundred hives?

R. There would not be any trouble in enlarging so he could accomodate since he has one acre of land at Wakefield.

40 Q. You have been examined at some length regarding your knowledge of what may or may not be represented in these deeds or the various transactions about these properties, you have been dealing with these people on the Gatineau for quite a considerable time?

R. Yes.

Q. Has it been in your experience that they have in any way attempted to misrepresent the prices which their land cost them?

OBJECT BY MR. AYLEN as being totally irrelevant.

JAMES A. STRUMBERT, (Cross Examined continued).

THE PRESIDENT:

What is the ideas?

MR. KER:

The idea is this, Mr. Aylen seemed to find so, in fact we
10 produced these deeds as showing prices of seven hundred dol-
lars for one property including the house, and I want to ascertain
from Mr. Strombert whether he personally had discussed with
the previous purchasers of these property the prices which they
themselves had paid.

MR. KER:

Q. In purchasing the properties of which the deeds have been
produced in this case, the Stuart and the Hogan properties, did
you have occasion to discuss with the owners the prices which
20 they had paid?

R. I certainly did.

OBJECTION FROM MR. AYLEN to anything the owners
said, it would be hearsay evidence.

THE PRESIDENT:

There is no hearsay in that.

MR. KER:

30 Q. Was there any disparities in either of the considerations than
those mentioned in the deeds?

MR. AYLEN makes the same objection.

MR. KER:

Q. I presume, had there been it would have been in their inter-
view, and they were nearly all against you?

R. Yes.

OBJECTION BY MR. AYLEN.

THE OBJECTION IS MAINTAINED as to this question.
40 And furthermore witness deposeth not.

I hereby certify that the foregoing pages numbered from
one to forty, contain the Testimony of James A. Strombert, taken
in shorthand and transcribed by me in this case, the whole ac-
cording to law.

And I have signed,
LIONEL LEFEBVRE,
Stenographer.

CANADA
PROVINCE OF QUEBEC
District of Hull.
No. 99

BEFORE:

10 THE QUEBEC PUBLIC SERVICE COMMISSION
SITTING AT HULL.

THE GATINEAU POWER COMPANY LIMITED,
Petitioner,

vs

H. SELWYN, Respondent.

20 PRESENT:

Mr. T. T. Ker, of Brown, Montgomery & Co., and Mr.
J. M. Ste Marie, Attorneys for the Petitioner,
Messrs Aylen & Aylen, Attorneys for Respondent

DEPOSITION OF WILLIAM GRAHAM

30 Seedsman, Ottawa, Ont., taken this 31st day of January 1927,
before the above mentioned Commission, the said witness pro-
duced on behalf of the Petitioner, after being first duly sworn
upon the Holy Evangelists, Deposed:

TO MR. KER:

Q. What is your occupation?

R. Seedman.

Q. Are you a florist as well?

R. I was at one time

Q. You have considerable experience in such matters?

40 R. I have.

Q. How long?

R. I guess about thirty years.

Q. Are you well acquainted with the values of various fruit trees
and shrubs?

R. I think so, I should be.

Q. Did you have occasion to examine the garden of Mr. Selwyn?

R. Yes.

WILLIAM GRAHAM, (Evidence continued).

Q. At his request?

R. Yes.

Q. When?

R. I think it was in September.

Q. Last september?

R. Yes, last september.

Q. With a view to appraising its value?

10 R. Yes.

Q. You went on the property and looked at it?

R. Yes.

Q. You thoroughly inspected the.....

R. Yes, we thoroughly inspected the garden.

Q. What estimate did you give him of the value?

R. As far as I can remember, four hundred and ninety-two dollars I think it was.

20 OBJECTION FROM MR. AYLEN, The proper question should be, how much do you think it is worth.

MR. KER:

Q. How do you say it is worth?

R. Four hundred and ninety two dollars.

Q. Was that in your opinion, a reasonable valuation of the flower, plants and shrubs he had on the property at the time?

R. We thought it was a liberal valuation.

Q. Were you accompanied at that time?

30 R. Yes.

Q. By whom?

R. By Mr. McKee.

Q. You reported that value to Mr. Selwyn?

R. I wrote out the details and handed them to Mr. McKee, he signed it and sent it to Mr. Selwyn.

Q. That inspection was made by you at Mr. Selwyn's request?

R. Yes.

40 Q. Would you look at the exhibit now shown you, produced by the respondent as R.10, and give the Court your opinion whether that is a fair report upon the garden?

MR. AYLEN: I object to this way to give testimony, the witness is not here to give judgment on what another witness said, he is asked if he thinks that is a fair value, I do not think that is a proper question. We want the opinion of this witness, we do not want his opinion on somebody's else's opinion, that is for the lordship to determine.

WILLIAM GRAHAM, (Evidence continued).

THE PRESIDENT:

I think that is right, he is giving his own valuation.

MR. KER:

He may be able to explain some of the items and then show they are absolutely erroneous and why, I think that is absolutely fair evidence.

10

THE PRESIDENT:

You might ask what comments he as to make as to the items in that report.

THE WITNESS: I can see very clearly where this report is too high. We do not allow for side trees, we allowed nothing for eight trees which were also old trees on the property, we allowed for nothing except what Mr. Selwyn put in.

Q. You assessed the property from a garden and berry patch point of view?

20 R. Yes.

THE PRESIDENT:

Q. You allowed for nothing except what he had planted there?

R. No, we did not.

Q. As a matter of fact the valuations agree with regard to those shrubs only? Are the figures approximately the same? We have not an itemized statement Mr. Graham merely stated the total valuation.

30

MR. KER: He said he had prepared one.

THE PRESIDENT:

He has not produced it.

MR. KER:

It must be in Court, Mr. Selwyn got the statement.

Q. Did you make an appraisal of Mr. Selwyn's currant bushes?

R. Yes.

40 Q. What is the normal yield, from your experience, of these currant bushes?

R. I should say about six to seven quarts to the bush if they were good.

Q. Did you ever know any bush that yielded twenty quarts to the bush?

R. I did when he first asked me, I intimated that to him, yes.

CROSS EXAMINED BY MR. AYLEN, Sr.

Q. After you had been up there, did you not intimate to Mr. Selwyn that you would not want to be called as a witness?

R. I did when he first asked me, I intimated that to his, yes.

Q. You thought it might interfere with your further transactions with the Gatineau Company?

R. Yes.

10 Q. Will you look at this document now produced as R. 17, and say if it is the statement that you referred to, that the other man you were with prepared or that you prepared together and sent to Mr. Selwyn?

R. Yes, that is the one, I said four hundred and ninety two but it is four hundred and ninety-seven.

MR. KER:

Q. Four hundred and ninety seven is correct then, you were speaking from memory before?

R. Yes.

20

MR. AYLEN:

Q. Now, this estimate of the value of fruit trees, or fruits, current, raspberries and bushes on the property that Mr. Selwyn had at Kirks Ferry, that is your opinion of the value of these shrubs?

R. Yes.

Q. You have got twenty six apple and plum trees is that correct?

R. Yes.

Q. On this R.17?

30 R. Yes.

Q. You found them there?

R. Yes, that is my writing.

Q. You mean they were worth ten dollars a piece that is two hundred and sixty dollars?

R. Yes.

Q. Referring to R. 10, we have thirteen apple trees and twelve plum trees, do you see that?

R. Yes, that is twenty-five, that is one less than ours.

40 Q. And thirteen apple trees in Exhibit R.10 is ninety dollars, and the same as your estimate of ten dollars each, would be one hundred and thirty dollars, is that correct?

R. Yes.

Q. And twelve plum trees at sixty dollars, that would be five dollars a piece, you thought they were worth ten dollars a piece?

R. Yes.

Q. So this R.17, gives the values you thought were correct?

R. Yes.

WILLIAM GRAHAM, Cross Examined continued).

- Q. You and Mr. McKee?
R. Yes.
Q. Now, is there any rhubarb in that?
R. No.
Q. Why did you not put the rhubarb down?
R. We did not think it was worth much.
Q. It was there though all the same?
10 R. I did not see it.
Q. If there was any rhubard there you did not see it?
R. We did not notice it.
Q. Did you notice any asparagus?
R. No, I can't say we did.
Q. There is no asparagus in your statement, R.17, is there?
R. No, there is none in our statement, if there is any it must be a very small patch.
Q. You did not see any out there?
R. We did not notice it.
20 Q. You did not put it in R.17?
R. No.
Q. Now did you see any nice shade trees up there?
R. Yes, there are some very nice shade trees.
Q. Would you not think that those shade trees add to the value of the property as a summer residence?
R. I certainly would not value any shade trees.
Q. Don't you think that would add to the value of the property?
R. To the property in general yes.
Q. Especially a property used as a summer resort?
30 R. Yes.
Q. Have you frequently been up on the Gatineau?
R. I never was up there before.
Q. Did you see any lilac hedge, fifty feet of lilac hedge?
R. Yes we did.
Q. You did not allow anything for that?
R. No.
Q. Why?
R. Because they are a very common thing to have, they have not very much value.
40 Q. Anything that was a common thing you did not allow anything for it is that the idea?
R. No, anything that was not of much value we did not allow anything for it.
Q. Now, I see here, in this Exhibit No. R.10, 265 feet of perennials, one hundred and sixty plants, forty dollars, where is that in your report?
R. I do not see how they can allow for two hundred and sixty

a clmb-

would you?

fibers because they
shrubs?

no material value.

ert, I want to know if the
property is an annual shrub,
of it?

an annual climber.

shrub?

balsam firs there?

was some balsams, they were planted there
they were on the property when Mr. Selwyn bought it
do you know?

know from the age of the trees.

Q. How long do you know that Mr. Selwyn has that property?

R. I know he had not the property when the trees have been
planted.

36 Q. How long have those trees been planted?

R. I can't say exactly, probably.....

THE PRESIDENT:

Q. Do you think it makes any difference who planted the trees
if they are on the property?

R. You would have to value them as ornament, we only valued
the shrubs and things that Mr. Selwyn had planted.

Q. You understood that is what you were going to do?

R. Yes. That is what we were asked to do.

40

MR. AYLEN:

Q. You saw some balsam fir there?

R. Yes.

Q. There is no doubt they are there?

R. Yes, and very handsome too.

Q. They would add to the value of the property?

R. Yes, certainly.

WILLIAM GRAHAM, Cross Examined continued).

Q. How much do you think, if he was entitled to compensation for them, how much do you think they would be worth?

R. I thought they would go with the land.

Q. Would they be worth ten dollars a piece?

R. That would be entirely a sentimental value.

Q. You saw them there?

R. Yes.

10 Q. If you were owning that property and were attached to those trees, and if a man would come and cut them down?

R. If I had a property like that, I would willingly give ten dollars each for them.

Q. Four dollars each would be a conservative value would it not?

R. Yes.

Q. Supposing a man comes and says I want to cut down the trees and remove them?

R. I would tell him he could not.

Q. For any money?

20 R. I would not say that.

Q. How much?

R. If I was living on the place and I was keeping it as a summer home, I certainly think the trees would be worth fifteen or twenty dollars each.

Q. You do not remember how big they were?

R. No, I do not.

Q. Do you know there are some oak trees up there?

R. I cannot say that, I did not notice.

Q. Now, if you notice in Exhibit R.6, there are trees there?

30 Q. And if you were to value the shade trees separate, would you think thirty dollars a piece would be the value, the material value of them on a property of that kind?

R. I do not remember how many shade trees there are on the place.

Q. Supposing there were several, anyway there is not doubt about that?

R. I would not think so.

Q. Now let us take the best ones, supposing that you owned this property and a man came on it and cut them down, would you
40 think thirty dollars to be a reasonable amount to claim for each of them? You would not be without those trees for thirty dollars a piece if that property belonged to you.

R. No, probably not.

Q. But if that property was yours and if you were living there would you have consented to remove these trees for thirty dollars a piece?

R. I thought trees went with the land when you bought the land.

WILLIAM GRAHAM, Cross Examined continued).

- R. I recognize the wind mill, I do not recognize the trees.
 Q. These trees here that come up to the top of the picture?
 R. They are very young trees.
 Q. Look at R.4?
 R. Are those the oak trees?
 Q. I am asking you?
 R. I cannot recognize them on this picture, they are very young
 10 trees.
 Q. You did not examine them?
 R. No, we did not put any value on the shade trees.
 Q. Now, do you see a cedar hedge there?
 R. I do not remember a cedar edge, on what part was it, I do
 not remember that hedge.
 Q. Down near the left of the old railway?
 R. No, I did not pay attention to that.
 Q. What do you generally value cedar edges at?
 R. Was that a planted hedge or a natural hedge?
 20 Q. A Planted hedge. Supposing that cedar hedge is planted, can
 you tell how much that cedar hedge would be worth?
 R. Young cedar hedges are aligned, planted and made up for
 about one dollar each.
 Q. How close do you plant them?
 R. Three feet apart.
 Q. This trees grow up, how many years does it take to make
 an hedge?
 R. Quite a number of years.
 Q. Ten years?
 30 R. I do not think that hedge, when I come to think of it, was
 ever clipped, at all, it was never cut.
 Q. I see the last item on R.10 is 66 feet of cedar and spruce hed-
 ge, sixty six dollars, assuming that to be there, would not that be
 a fair amount?
 R. I would not like to say no, it would depend on the condition
 of the hedge.
 Q. You would not undertake then, with your knowledge, to say
 that item on R. 10, of sixty six dollars for cedar and spruce hedge
 is too much if you do not remember anything about it?
 40 R. No, I would not do that, I cannot say whether that is too
 much or too little.
 Q. Can you say if it is too much or not?
 R. No.

MR. KER:

Q. Your estimate of four hundred and ninety seven dollars Mr.
 Graham, I take it, covered the shrubs, the fruit trees and plants

WILLIAM GRAHAM, Cross Examined continued).

which you consider to be of value and merchantable on the market?

R. Yes.

Q. Is it a price at which you would have replaced them?

R. How do you mean?

Q. I mean could they be purchased and replaced or that sum?

R. Well I mean I put a better price than for young plants, you
10 could not, for instance, buy current bushes as those are today,
when young they run about a dollar and fifty cents a dozen.

Q. The material, if it could be replaced, could have been replaced
at wholesale prices?

R. He could not replace their age.

Q. You have allowed for that in your estimate?

R. Like the raspberry bushes, you can get them for five dollars
a hundred.

Q. These balsam trees that have been spoken about they are
about the normal run of trees you find on any property?

20 R. Oh, yes, such as you find on the Gatineau.

Q. The lilac bushes the same?

R. Of course, they are not natural, they are not indigenous,
they were planted there.

Q. Are they of very good commercial value those lilac trees?

R. Not the variety that was there.

Q. In other words you did as Mr. Selwyn asked you to do, you
estimated on the garden just what you would consider a very
reasonable price for it?

R. I have given it a very reasonable value, there is no doubt
30 of that.

MR. AYLEN:

Q. How long would it take for..... you spoke of buying currant
bushes young and planting them, how long would it take for them
to get to the size you saw them there?

R. About two or three years.

Q. So you have been doing business with this company since
you were out there?

R. Which company?

40 Q. The Gatineau Power or the Canadian International?

R. No, I did not do anything with them in the way of business.

WILLIAM GRAHAM, Cross Examined continued).

AND FURTHERMORE WITNESS DEPOSETH NOT.

I hereby certify that the foregoing pages numbered from 41 to 54 contain the testimony of Mr. William Graham, taken in shorthand and transcribed by me in this case, the whole according to law.

10

And I have signed,

LIONEL LEFEBVRE,
Stenographer.

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30

40

CANADA
PROVINCE OF QUEBEC
District of Hull.

No. 99

BEFORE:

10 THE QUEBEC PUBLIC SERVICE COMMISSION
SITTING AT HULL.

THE GATINEAU POWER COMPANY LIMITED,
..... Petitioner.

VS

H. SELWN, Respondent.

PRESENT:

20

Mr. T. R. Ker, of Brown, Montgomery & Co., and Mr. J.
Ste Marie, Attorneys for Petitioner,
Messrs Aylen & Aylen, Attorneys for Respondent.

DEPOSITION OF JAMES McKEE,

Greenhouse specialist, of Ottawa, Ont., taken this 31st day of
January, 1927, before the above mentioned Commission, the said
witness produced on behalf of the Petitioner, after being first
30 duly sworn upon the Holy Evangelists, Deposed:

TO MR. KER:

- Q. You are employed at the Dominion Experimental farm?
R. Yes.
Q. In what capacity?
R. In the green houses, in charge of the green houses.
Q. In Ottawa?
R. Yes.
40 Q. Do you know Messrs Ritchie and Dowe.
R. Yes, I know them, they are employed at the same place.
Q. Are they senior or junior to you in your line?
R. They are really senior, they occupy different positions than
mine, they are assistants to the Dominon Agriculturist and I am
classified as Greenhouse Specialists.
Q. You are more on the practical side of the business?
R. Yes, my line is more on the practical side.

JAMES McKEE, (Evidence continued).

Q. Did you have occasion to examine Mr Selwyn's garden last season?

R. I did.

Q. As whose request?

R. Mr. Selwyn's.

Q. You made an estimate as to its value?

R. I did.

10 Q. Will you look at this exhibit R.17, and say whether that was the result of your investigations?

R. That is it, sir.

Q. What was the amount which you fixed as being the value?

R. Four hundred and ninety seven dollars.

Q. Just what principle did you follow in respect to that inspection?

R. When Mr. Selwyn came to the farm and asked me if I would go up with Mr. Graham and value his fruit trees and shrubs I did not want to go. I went to the Dominion Horticulturist, so he
20 director said I was to go with Mr. Graham. I called Mr. Graham to the office. Mr. Selwyn came and drove us over there. When we went in the garden, his and his wife came with us and told us what we were to valuate, that is what we valuated, that is what he asked us to valuate.

Q. I suppose you gave the property a thorough survey while there in the garden?

R. Not altogether sir, we were looking at it and after, we sat down on the Verandah for a few minutes, we left and we did not give any valuation there, we took this list down and we considered
30 the next day in Mr. Graham's office the figures put on there.

Q. You considered that reasonable?

R. We considered that a very liberal figure.

Q. You forwarded your report to Mr. Selwyn in due course?

R. This is it.

CROSS EXAMINED BY MR. AYLEN:

Q. Mr. McKee I notice the first item you put there is 26 apple and plum trees?

40 R. Yes.

Q. At ten dollars each?

R. Yes.

Q. That is two hundred and sixty dollars?

R. Yes.

Q. Did you consider the apple and plum trees on the property worth that amount of money?

R. We did.

JAMES McKEE, (Cross Examined continued.)

Q. Now, I do not see any rhubard on that?

R. No, because it was not pointed down to us, I only valuated what I was asked to.

Q. We have here Mr. Dowe and Ritchie, they went up there too and measured fifty square feet of rhubard?

R. Yes.

Q. Would you think twelve dollars would be a reasonable price
10 for that?

R. I do not know I did not see it.

Q. Would that be an ordinary price for rhubard?

R. I would like to see it first.

Q. There is no asparagus in your respect?

R. No. We did not see it.

Q. There is no valuation for it?

R. No we did not value it.

Q. You did not put any value on the shade trees did you?

R. No.

20 Q. You saw some shade trees there?

R. I may have, I did not pay any attention to them.

Q. Did you see a lilac hedge there?

R. If it is here I did, if it is not it is not there.

Q. You did not notice it?

R. I did not pay any attention to it.

Q. Then, did you see any Virginia creepers here?

R. I did.

Q. There is nothing on this about that?

30 R. I saw a Virginia Creeper up a wind mill, if I am right, we were not asked to value that.

Q. You did not put any value on it because you were not asked to, but you cannot say it has no value?

R. It might have, we did not pay any attention to it.

Q. Did you see five Balsam firs here?

R. Not particularly.

Q. So you did not notice any other tree there?

R. Not that I can say because we did not go over the place more than we were to do.

40 Q. Did you notice a cedar hedge down the lower part of the lot, near the railway?

R. We might have, we did not pay any attention to it.

Q. As I understand it your valuation is a little higher than Mr. Dowe's for the things you put a value on?

R. It might be.

Q. Mesrs Ritchie and Dowe, have got here thirteen apple trees ninety dollars, if you put ten dollars each they might be worth one hundred and thirty dollars?

JAMES McKEE, (Cross Examined continued).

Q. You put those apple trees at ten dollars each?

R. Yes.

Q. They put the apple trees at ninety dollars, it is considerably less than you?

R. Yes.

Q. And twelve plum trees at sixty dollars, you would have put one hundred and twenty dollars, you have on hundred and twenty
10 dollars there for that?

R. Yes.

Q. Ten dollars a piece?

R. Yes.

MR. KER:

Q. As a matter of fact you were valuing the things which you thought were of commercial value?

R. Yes sir.

20 **MR. AYLEN:**

Q. Do you mean to say that the other things that are on the property of Mr. Selwyn, do you mean to say that the things on R.10 and not on R.17 are of no value?

R. I mean to say that when a man asks me to do a job and tells me what he wanted me to do, I do it, I do not do anything else.

Q. That does not mean those other things Mr. Ritchie put there.

R. I have nothing to do with that, I simply done what I was asked to do.

Q. You simply put a value on the things you were told to?

3 R. Yes.

R. There might have been other things than the ones that are listed on here, but you did not put any value on them?

R. There might have been, I did not do it.

And furthermore witness deposeth not.

I hereby certify that the foregoing pages numbered from 55 to 60 contain the testimony of Mr. James McKee, taken in shorthand and transcribed by me in this case, the whole accord-
40 ing to law.

And I have signed,

LIONEL LEFEBVRE,
..... Stenographer.

CANADA
PROVINCE OF QUEBEC
District of Hull.

No. 99

BEFORE:

THE QUEBEC PUBLIC SERVICE COMMISSION,
SITTING AT HULL

10

THE GATINEAU POWER COMPANY LIMITED
Petitioner.

VS

H. H. SELWYN, Respondent.

PRESENT:

20

Mr. T. R. Ker, of Brown, Montgomery & Co., and Mr.
J. W. Ste Marie, Attorneys for Petitioner,
Messrs Aylen & Aylen, Attorneys for Respondent.

DEPOSITION OF C. R. ROBERTSON,

Civil Servant, of Ottawa, Ont., taken this 31st day of January
1927, before the above mentioned Commission, the said witness
produced on behalf of the Petitioner, after being first duly sworn
upon the Holy Evangelists, Deposed:

30

TO MR. KER:

Q. You have considerable knowledge of gardening and have
been connected with gardens?

R. I have.

Q. Did you have occasion to examine Mr. Selwyn's garden?

R. I did.

Q. And place a value on the material you found there?

R. Yes.

Q. Have you an itemized statement or report that you made
after your examination?

40

R. I supplied an itemized report to Mr. Strombert.

Q. You did that at Mr. Strombert's request?

R. Yes.

Q. Will you take communication of this Exhibit P.13 and state
whether that is a copy of the valuation made by you of the shrubs,
fruit trees and other things on that property?

R. Yes.

Q. Did you make a pretty thorough inspection?

C. R. ROBERTSON, (Evidence continued).

R. I did, considering the time of the year I was there.

Q. What figure did you arrive at as being reasonable?

R. Three hundred and twenty dollars and fifty cents, that is without the shade trees and other trees that are on the property, it is more for the fruit trees and perennial plants.

Q. Did you examine rhubard there?

R. I saw a couple or three lots of rhubard up against the house,
10 nothing other than I noticed.

Q. Have you any experience with the yield of currant bushes?

R. I have yes.

Q. What is the normal yield?

R. From my experience a very large bush on A one condition at the most I got six to eight quarts and that was not usual.

Q. That was exceptional?

R. Yes.

Q. What are those gooseberry and currant bushes worth?

R. Fifty cents is the regular price for them, they are cheaper
20 than that by quanti.

Q. I see you have put fifty bushes at fifty cents?

R. That was on account of the size of the bushes they had grown

Q. What was the condition of these plum trees?

R. I would say the plum trees were past their best, those left there were in very poorly a condition, when I made my inspection.

Q. When was that?

R. The 7th of October.

Q. It is not a very good time to inspect a garden?

R. No, it was rather late.

Q. Then you put the sum of three hundred and twenty dollars
30 and fifty cents, and in your opinion it is a fair valuation of what you found, of what you examined at that time?

R. Yes, I would be very pleased to replace everything I have in my report for that.

Q. You went over all the property?

R. As well as I could.

Q. You did not see anything else of merchandable value except what you have there?

R. No, I did not.

Q. For the raspberries, how do you arrive at that figure of twenty
40 dollars.

Q. This was just about what I would consider I would replace the raspberry bushes for, as I saw it, I sold a thousand canes for thirty dollars.

Q. How many canes approximately were there?

R. I did not count them it is a small garden there and I figured on an approximate estimate.

C. R. ROBERTSON, (Evidence continued).

- Q. Would you say there were one thousand canes of raspberry bushes there?
- R. I did not see a thousand canes there.
- Q. Those you sold would not bear next year?
- R. No, they bear the year following, they were much stronger canes than what I saw there.
- Q. Did you consider the fact that they were bearing fruit?
- 10 R. No, that was the commercial replacement value what I would be willing to replace them for.
- Q. The trouble is that you could not replace them the condition they were?
- R. No, it would take one year or two to put them in that condition.
- Q. What is this, Hydrangea Panicula?
- R. It is a flowering shrub, a very fine specimen.
- Q. You are giving him thirty dollars for that?
- R. Yes.
- 20 Q. You thought they were good specimens?
- R. I put five dollars a piece, for them.
- Q. The rose garden you examined too?
- R. Yes.
- Q. Did you notice a lilac hedge there?
- R. I did not in particular, I did not make any attempt at valuating but garden fruit and fruit bearing plants, perennials and flowers.

CROSS EXAMINED BY MR. AYLEN:

- 30 Q. These things referred to in Exhibit P.13, produced by you were all on the residence where Mr. Selwyn himself lived?
- R. There was nobody at home, I presume that is the house property.
- Q. Where the wind mill is?
- R. Yes, where the wind mill is.
- Q. None of this was on the other part of the property, what we call the bee property?
- R. I was only on the one property.
- 40 Q. I notice in the estimate produced by Mr. McKee and Mr. Graham, two of the witnesses for the company, we have twenty six apple and plum trees at ten dollars a piece, you got twenty-trees and 11 apple trees?
- R. At one hundred dollars.
- Q. That would be five dollars a piece.
- R. I figured five dollars as replacement value.
- Q. The replacement would be young trees?

C. R. ROBERTSON, (Evidence continued).

- R. Yes, but is the same condition as they were there.
- Q. You would buy twenty young trees and put them at the state of bearing for five dollars a piece?
- R. He would buy them at one dollar and have to wait three years for bearing, I have allowed him five dollars for that.
- Q. You know Mr. Graham?
- R. I do.
- 10 Q. Did you say you were a civil servant?
- R. I am.
- Q. In what branch of the service?
- R. In the Post Office Department.
- Q. Where did you learn all that experience in gardening?
- R. From practical experience and experimenting.
- Q. You have a garden of your own?
- R. Yes.
- Q. Where is that?
- R. In Westboro.
- 20 Q. Near Brittainia?
- R. Yes.
- Q. How long have you been gardening?
- R. About twelve years.
- Q. Coming down to the actual value of apple trees and plum trees don't you think that Mr. Graham and Mr. McKee should have a better knowledge than you not to say anything of Mr. Ritchie and Dowe?
- R. That would be their opinion I suppose.
- Q. Don't you think they are right when they put more than you?
- 30 R. My figures I think are correct.
- Q. I suppose, no doubt, the same plum trees Mr. Graham and McKee were valuing at ten dollars a piece are the same trees you were valuing at five dollars?
- R. Those trees, I have not considered their value. I considered that five dollars would replace the trees.
- Q. You contend that the plum trees that Mr. Graham and Mr. McKee have put a value of ten dollars each on are worth nothing?
- R. That is the way I figure.
- Q. The fruit on these trees were nor worth.....
- 40 R. You can have some others.
- Q. What about the apple trees?
- R. They were in good condition.
- Q. How much did you allow for them?
- R. They were small young trees.
- Q. Five dollars a piece?
- R. Yes.
- Q. They are the same trees Mr. McKee and Mr. Graham were

C. R. ROBERTSON, (Cross Examined continued).

putting ten dollars a piece on?

R. Yes, they are the same trees.

Q. Now for the rasberries, how many rasberry canes did you find there?

R. I did not count them.

Q. Would there be two or three hundred?

R. More than that.

10 Q. How many would you say?

R. From what I can remember now I would not care to give any estimate, I made up the amount from my visit there, I figured that would be a fair value and that is what I put down.

Q. How many rasberries are there?

R. I have no idea.

Q. Three, four hundred plants?

R. There would be that, may be more.

20 Q. Now, here Mr. McKee and Mr. Graham put one hundred feet of rasberries at twenty five dollars, how much, if you put the same valuation, would 125 feet be worth?

R. Rasberry canes are worth four dollars a hundred.

Q. You are speaking of rasberries you have to plant out?

R. Yes.

THE PRESIDENT:

Q. They would be more valuable after two years bearing than what you have?

R. Yes.

30 **MR. AYLEN:**

Q. There is no doubt that the rasberries that Mr. Graham and Mr. McKee and Mr. Dowe and Mr. Ritchie speak of are the same rasberries you speak off?

R. I presume so.

Q. And on the whole you did not think much of what you saw out there?

R. From what I saw out there, I figured the garden was very much neglected.

Q. When did you go out there?

40 R. On the 7th October.

Q. Would it not have been better if you had been out there in the summer time?

R. No doubt.

Q. Would you not have been better able to judge of the value of things?

R. I would, providing the garden was in a cleaner condition.

Q. Have you ever lived on the Gatineau?

C. R. ROBERTSON, (Cross Examined continued).

R. No.

Q. Have you been engaged by this company at all?

R. I have.

Q. What doing?

R. Valuing these gardens.

Q. You were valuing three others than this?

R. Where?

10 Q. In the same locality?

R. Yes.

And further, more witness deposeth not.

I, the undersigned, hereby certify that the foregoing pages numbered from 61 to 68 contain the testimony of Mr. C. R. Robertson, taken in shorthand and transcribed by me in his case, the whole according to law, and I have signed.

29

LIONEL LEFEBVRE,
Stenographer.

30

40

DEPOSITION OF JAMES GILLESPIE,

Contractor, of Ottawa, taken this 31st day of January, 1927, before the above mentioned Commission, the said witness produced on behalf of the Petitioner, after being first duly sworn upon the Holy Evangelists, Deposed:

TO MR. KER:

10 Mr. Gillespie, what is your business?

R. Contracting.

Q. You have been in it sometime?

R. Yes.

Q. Have you knowledge of the property and of houses along the shore of the Gatineau river above here?

R. Yes.

Q. Have you a knowledge particularly of the property of Mr. H. Selwyn?

R. I made a valuation on it.

20 Q. You will observe that there are three separate and distinct properties which are subject to expropriation in this case?

R. Yes.

Q. Will you take communication of this plan of what is called the main property which Mr. Selwyn acquired from his father, and with particular reference to the part that is coloured in red, state whether you made an examination of any building which is located on the portion shown in red?

R. No.

Q. You did not?

30 R. No.

Q. Did you inspect the property known as the cottage property?

R. I did.

Q. Did you make a thorough inspection of its constructions?

R. Yes.

Q. And what is your estimate of its value?

R. Fifteen hundred dollars.

Q. What type of construction is this?

R. This is a rough sheeting covered with shingles, shingle roof and sides. The finishing is very rough on the inside.

40 Q. How old would that property seem to be?

R. I would say four or five years.

Q. What would you, as a contractor, undertake to replace it for in the condition it is now?

R. I would replace it for fifteen hundred dollars.

Q. Have you had occasion to examine the constructions of the third property, known as the bee house or office?

R. Yes.

JAMES GILLESPIE, (Evidence continued).

- Q. What type of construction is it?
 R. It is a very rough building, it is considered more of a workshop, it is a modern construction, with a shingle roof.
 Q. On what sort of a foundation?
 R. On crocrete foundation.
 Q. It is there I believe the bees are stored, it is used as a bee house?
 10 R. Yes.
 Q. What is your estimate as to its value?
 R. Eleven hundred and eighty dollars..
 Q. Does that include the whole thing, I see there is a sort of shed attached to it?
 R. There is a lean-to shed.
 Q. That is estimating the whole?
 R. Yes.
 Q. Would you undertake to replace it, as a contractor, for that sum?
 20 R. Yes.
 Q. Did you examine the ice-house there?
 R. Yes.
 Q. What was it like?
 R. It was just a very rough construction, that is at the cottage, there are two of them.
 Q. It is the ice house at the cottage, I am speaking about.
 R. Yes.
 Q. What would you consider it to be worth?
 R. One hundred and sixty dollars.
 3 Q. Returning again to this, is there not an office building on this man's property?
 R. Yes, it is down here some place.
 Q. That is the office.
 R. Yes.
 Q. Did you value that?
 R. Yes.
 Q. At what price?
 R. Five hundred and twenty dollars I think.
 Q. What type of construction is it?
 40 R. It is rough lumber covered with shingles, with a shingle roof.
 Q. What kind of foundation?
 R. There is a little concrete foundation.
 Q. Would you be prepared as a contractor, to replace it for that sum?
 R. Yes.
 Q. In quite as good a condition as it is at present?
 R. Yes.

JAMES GILLESPIE, (Evidence continued).

Q. There is a shed alongside this office building I believe?

R. Yes.

Q. At what value did you assess it, I see you have added thirty four dollars here?

R. At thirty four dollars.

Q. What type of construction is it?

10 R. It is just about the same as the other shed, just a rough board construction.

Q. Could it be replaced for that amount, would you be willing to replace it for that?

R. Yes.

Q. That is all the construction there are on the portion of the three properties required by the company?

R. Yes.

THE PRESIDENT:

Q. Except the wind mill?

20 R. I did not put a value on the wind mill.

MR. KER:

Q. Now you speak of being willing to replace these buildings, this cottage for \$1500.00 especially, have you lately constructed any buildings of that kind?

R. Yes.

Q. Where?

R. At Tenaga, about one and a half miles away.

30 Q. What relation would this building which you built at Tenaga bear to the one on Mr Selwyn's property, I am speaking, I am speaking now of the bungalow?

R. It would be very much the same, only the one I built has much better material.

Q. Is it as well finished?

R. It is better finished

Q. How large is it?

R. It is just about the same if I remember right.

40 Q. Will you take communication of this plan and state whether that is a copy of the plan of the building you are speaking of as having built at Tenaga?

R. Yes.

PRODUCED AS EXHIBIT P.14.

Q. What was the cost of that?

R. Fourteen hundred dollars.

Q. That was actually constructed and sold for that?

R. It was built for the owner.

CROSS EXAMINED BY MR. AYLEN:

- Q. How long have you been in the contracting business Mr Gilliespie?
R. More or less since nineteen fourteen.
Q. What do you mean more or less?
R. I started in 1914.
Q. Before that what were doing?
R. I was working on engineering work.
10 Q. Where?
R. With different concerns of engineers, in Ottawa, Montreal, Toronto.
Q. In their office?
R. Yes and outside.
Q. Are you working for this company now, for the Gatineau Power Company?
R. I am doing some work for them.
Q. When did you first began to work for them or for the Canadian International Paper Company?
20 R. Last summer sometimes.
Q. You have been in the constant employ of the Canadian International or the Gatineau Power Company since they began their operations here?
R. No, I have not, I have been doing contracting work in competition with other contractors.
Q. You have been working for them.
R. Yes, since around September.
Q. And the Gatineau Power Company is a subsidiary company to the International Paper Co.
R. Yes.
30 Q. And you state your operations have been under contract with them since they started?
R. I started my first contract around the first of September.
Q. Of what year?
R. 1926. We have been working off and on for the first year before that.
Q. What were you doing for the first year before that?
R. I was working on different other jobs.
Q. What were those jobs?
40 R. I built a log slide on the Coulonge River.
Q. For the Upper Ottawa Improvement Co.
R. Yes.
Q. How long were you at that.
Q. Two years.
Q. Did you have a contractor that or if you worked as for an engineer?
R. I was the contractor.

JAMES GILLESPIE, (Cross Examined, continued).

Q. Who did you built this house for that you referred to on P.14?

R. For Doctor Benoit.

Q. Where did you get the material for that?

R. From the Kemp Edwards Lumber Ottawa.

Q. You had to bring out that material from Ottawa?

R. Yes.

10 Q. This Mr. Selwyn's property, before these works started of the Gatineau Power Company, adjoined on the east side of the railway?

R. Yes, I think so.

Q. Then next to the railway was the highway?

R. Yes.

Q. And next to the highway was the Gatineau river?

R. Yes.

Q. How far was this property from the Gatineau river just the width of the Highway and of the railway?

20 R. A very short distance.

Q. The same works will flood the railway and the highway to the east of it?

R. I understand so.

OBJECTION BY MR. KER: This does not derive from the examination in chief.

MR. AYLEN:

30 Q. There is no doubt about that?

R. I do not think so.

Q. How many houses have you built in the Gatineau District?

R. We built eight new ones and torn down and replaced about fifty.

Q. In addition to this one of doctor Benoit?

R. Seven or eight new ones.

Q. Who did you built them for, for the company or for the individuals?

R. All for private individuals.

40 Q. Did you move any of them from their old sites?

R. Yes.

Q. Most of them were so small you did not have any difficulty in moving them up the hill?

R. We did not move any very small ones.

Q. What about the Armstrong cottage, you did not move some for Mr. Armstrong?

R. No.

JAMES GILLESPIE, (Cross Examined, continued).

- Q. You tore down some, you have been doing tearing down for this company?
 R. Yes.
 Q. How long have you been doing that?
 R. About two and a half months off and on.
 Q. You are not an architect by profession are you?
 R. No.
 10 Q. And you never did any work in an architect's office or anything of that kind?
 R. I do not need their drawings.
 Q. You never known the working of estimates as the architects do?
 R. Yes.
 Q. In Ottawa here?
 R. Yes, sir.
 Q. You heard Mr. Hazelgrove give evidence?
 R. Yes.
 20 Q. He is an architect of standing, I suppose you will admit that?
 R. I do not know the man, I suppose he is.
 Q. I think Mr. Adamson said he was an experienced builder, and you said you did not know him, did you not say that?
 R. No, I said I did not know of any of his works.
 Q. You know him for doing a lot of work?
 R. I know he is a contractor, yes.
 Q. You are an independent contractor as far as the Gatineau Power is concerned?
 R. I never got work from the Canadian International or the
 30 Gatineau Power except in open competition.

THE PRESIDENT:

- Q. When you said in answer to Mr. Aylen's question that you were working for them you meant that you were doing work for them?
 R. Yes.

MR. AYLEN:

40

- Q. And you are doing it today?
 R. Yes.

MR. KER:

- Q. As a matter of fact your work largely consists in demolishing and rebuilding of such buildings that have to be changed on

JAMES GILLESPIE, (Cross Examined, continued).

the Gatineau?

R. Yes.

Q. Under contract?

R. Yes.

MR. AYLEN:

10 Q. How much do you get for demolishing an ordinary building?

R. We tear down most of them for about seventy-five dollars and up.

Q. What is the highest you got for demolishing a building?

R. Three hundred dollars.

Q. You got the material besides?

R. No sir.

And furthermore witness deposeth not.

20

I hereby certify that the foregoing pages numbered from 70 to 80 contain in the testimony of Mr. James Gillespie, taken in shorthand and transcribed by me in this case, the whole according to law.

And I have signed,

LIONEL LEFEBVRE,
Stenographer.

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DEPOSITION OF J. E. COLE,

Farmer and Real Estate Agent of Westboro, taken this 31st day of January, 1927, before the above mentioned Commission, the witness produced on behalf of the petitioner after being first duly sworn upon the Holy Evangelists, Deposed:

TO MR. KER:

Q. You are resident of Westboro?

10 R. Yes.

Q. Have you a knowledge of the general values of land in the Gatineau District?

R. I do not..... I have a good general knowledge of land values any where as far as farm lands are concerned.

Q. Have you been doing any real estate business?

R. Yes, buying and selling lots.

Q. And appraising values of land?

R. Yes.

20 Q. Have you had occasion to examine the property of Mr. Selwyn, on the Gatineau?

R. Yes.

Q. What do you consider that property worth per acre?

R. It is rough land, it is not farm land, it is rocky.

Q. Should that land be values by the acre at all?

R. I do not know, it is pretty hard to put a value on these rocky knolls, the house is built like on the side of a hill.

Q. There are three pieces of property there, can you not figure on an acreage basis those three properties to arrive at some conclusion?

30 R. As farm land?

Q. What do you consider the value of the land expropriated in this case?

R. I would not consider it to be worth more than a couple of hundred dollars an acre, it is worthless as farm land.

Q. You know for that purposes it is being used and you think it is worth about two hundred dollars an acre?

R. I do not know if it is worth that, I think you can buy any amount of land up there for two hundred dollars an acre, except that there would be some sentimental value in connection with it.

40 Q. You are not with the company in any way?

R. No.

Q. The fact is that you have been giving evidence contrary to their interest in the transmission line case, if I remember, recently?

R. Yes.

Q. When did you last see this property?

R. It was I guess the 10th or eleventh of May, I examined it, I

J. E. COLE, (Evidence continued).

have been past it several times since, I examined it in May, 1926.

Q. From your experience do you think that property would be saleable at any more than that per acre?

R. No, except if there was a sentimental value in connection with it.

Q. Supposing there was no sentimental value in connection with it?

10 R. I do not think it would bring any more than that.

Q. How long is your experience in dealing in properties around here?

R. Twenty five years.

CROSS EXAMINED BY MR. AYLEN, Sr.,

Q. Who did you go with to examine this property?

R. With Mr. Gillespie.

Q. Did you ever own any property in the Gatineau section?

20 R. No, but I have been there often.

Q. How long have you been living in this neighborhood?

R. Oh, about thirty, thirty five years.

Q. How long have you been in the habit of going on the highway along the Gatineau?

R. For the last fifteen years.

Q. And have you noticed the increase in the number of summer cottages during that period along the river front up there?

R. Yes.

Q. Along the highway?

30 R. Yes.

Q. For many miles?

R. Yes.

Q. They were there when this company started its works?

R. Yes.

Q. If your experience goes back to fifteen years along that section, I suppose you would be in a position to state that in recent years a good many more people are going up there than in former years?

R. Yes, I think so.

40 Q. As Ottawa and Hull increased in population, more people went up there to spend their summers?

R. Yes.

Q. Would not the increase the value of the properties?

R. There is so much of it up there, there are thousands of acres up there.

Q. If you go back quite a lot you can get lots of properties and kind of cheap of course?

J. E. COLE, (Evidence continued).

- R. Yes. Of course there is a long river front up there too.
- Q. Have you been up there before the railway was built, or if it was when you went up there first?
- R. No I do not think it was when I first went up here.
- Q. But the Highway on the east between the Selwyn property and the river was there?
- R. It was not a very good highway?
- 10 Q. It was a gravel road, there was a turnpike on it?
- R. Not now.
- Q. The first time you had to pay toll?
- R. Yes.
- Q. That was before the railway?
- R. Yes.
- Q. You drove by the Selwyn property, by the railway did you not?
- R. Yes.
- Q. And you drove on the same highway that was there when
- 20 the company started its works at Chelsea?
- R. Yes.
- Q. Are you aware that the Province of Quebec regraded this road and regravelled it? And rebuilt it about two years ago?
- R. Yes.
- Q. They made a good motor road from Hull to Chelsea?
- R. Yes.
- Q. A distance of 21 miles?
- R. Yes.
- 3 Q. Don't you think that motor road increased the value of properties right along where the motor road went and where it adjoined the river?
- R. It would have that effect.
- Q. There is no doubt about that either?
- R. No, but there is so much land there that it does not increase the value so very much.
- Q. Did you know Mr. Sedwyn's father?
- R. I possibly did.
- Q. That property of Selwyn's was built up from year to year for the past twenty years, there was a summer property when
- 40 you first went up there?
- R. The buildings are pretty old anyway.
- Q. They have been kept in good repair?
- R. Yes.
- Q. Now is it not true that a site for a summer residence or for any other residence may depend upon its location and the view you have from it?
- R. Yes.

J. E. COLE, (Evidence continued).

Q. As well as anything else, you do not look for swampy land when you want to build a summer house?

R. No.

Q. You want a nice view from it?

R. Yes, some people like that.

Q. If you had a view from Mr. Selwyn's cottage one of the finest view on the Gatineau valley.....

10 R. No, I do not think so.

Q. Where can you find a finer one?

R. Further up, that is a matter of opinion what a person might like best.

Q. Did you take a view off that varandah on the main building?

R. I guess I did.

Q. Did you or did you not?

R. I really had my eyes opened when I went out there.

Q. You did not notice anything extraordinary up there?

R. No, it is beautiful all along the Gatineau.

20 Q. Now, do I understand you to say that ordinary land up in the Gatineau is worth two hundred dollars an acre?

R. No, there is lots of it not worth one dollar an acre.

Q. Up in the mountain, too far away for anybody to go to?

R. Not so far away.

Q. It is pretty hard to get up to the top?

R. Yes, and here is so much of land, there is still room up there for summer cottages for two or three hundred more.

Q. Now you would not pretend that this property with all the beautiful shrubbery on it would be worth only two hundred dol-
30 lars an acre?

R. I do not think it, that is the land itself is not worth anymore.

Q. With all the trees on it and the shrubbery and everything like that, you would not attach any value to that.

R. I did not value these.

THE PRESIDENT:

Q. When you say two hundred dollars an acre do you mean as farm land?

40 R. No, that is land that has a figurative value, it is suitable for summer cottages, it is not farm land that a man can buy for two hundred dollars an acre and make a living out of it.

Q. As a matter of fact a small piece of land has a value greater on the same principle than so much an acre for farm land?

R. Yes, some men might take a fancy to a certain part of a farm and pay a little more for it.

Q. Were you here when we heard the case?

J. E. COLE, (Evidence continued).

R. No.

Q. Would you be surprised if I said Mr. Graham said he paid one thousand dollars an acre for one lot, for cash?

R. He paid all that it was worth.

Q. He said he had been trying for three years to get that piece of land and he finally bought it for one thousand dollars.

R. He is a pretty generous man.

10

MR. AYLEN:

Q. At Westboro have you had dealings in land over there?

R. Yes.

Q. What do you pay for an acre of land there?

R. I have paid one thousand dollars an acre.

Q. What did you sell it for?

R. We have not sold it yet.

Q. Do you think it would sell?

20 R. We would sell it by the lot, so would sub-divide it.

Q. At how much a lot?

R. From three hundred dollars up.

Q. How many lots are there in an acre?

R. Eight about, when you come to sell it on the instalment plan, some of it comes back to you.

Q. But you still have a mortgage on the property?

R. Yes.

And furthermore witness deposeth not.

30

I hereby certify that the foregoing pages numbered from 81 to 89 contain the testimony of Mr. J. E. Cole, taken in short-hand and transcribed by me in this case, the whole according to law.

And I have signed,

LIONEL LEFEBVRE,
Stenographer.

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