

CANADA
PROVINCE OF QUEBEC
District of Hull.
No. 99.

QUEBEC PUBLIC SERVICE COMMISSION

IN RE: The Water Course Act, R.S.Q., 1925, Chapter 46,

10

and

IN THE MATTER OF lands and premises required by the Gatineau Power Company, a body politic and corporate having its head office and chief place of business at the City of Montreal, for purposes of flooding necessitated by the said Company's power development at Chelsea falls in the county of Hull, P.Q.

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and

H. H. SELWYN, of the township of Hull,
Proprietor.

and

THE SAID GATINEAU POWER COMPANY,
Petitioner.

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PRESIDING: ADRIAN BEAUDRY, ESQ., K.C.
Chairman of the Commission.

PRESENT: A. W. G. MacALLISTER, ESQ., K.C.,
Vice-Chairman of the Commission.

On the 19th day of January, A.D. 1927, appeared HERBERT H. SELWYN, Apiarist, Kirk's Ferry, in the Province of Quebec, a witness produced on the part of the Proprietor, who, having been duly sworn, doth depose and say:

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EXAMINED BY MR. HENRY AYLEN, K.C., Counsel for
the Proprietor.

- Q. Where do you live?
- A. Kirk's Ferry.
- Q. That is in the summer time?
- A. In the summer.
- Q. Where do you live in the winter?

HERBERT H. SELWYN, (Evidence continued).

A. In Ottawa.

Q. What is your age?

A. Thirty-seven.

THE CHAIRMAN: When you say "apiarist", is that your main occupation? A. Yes.

10 BY MR. HENRY AYLEN, K.C.:

Q. Did you get this main property from your father in 1925?

A. It was a deed from father to son.

Q. Is that the deed?

A. Yes.

Deed of main property filed as Exhibit R.1.

Q. Was there an agreement with the Canadian Pacific Railway Company for laying pipes from this property down the Gatineau river?

20 A. Yes.

Q. Will you produce that as Exhibit R.2?

A. Yes.

Agreement with the Canadian Pacific Railway Company filed as Exhibit R.2.

Q. How long had your father been living on this property before he sold or transferred it to you?

A. Some twenty years.

Q. What I refer to as the main property is the one of irregular shape?

30 A. That is the property.

Q. Stated to have an area of what has been taken as nine-tenths of an acre as shown on the plan?

A. That plan there, yes.

Q. Have you got any photographs of the property?

A. Yes.

Q. Let us see them?

A. That is the front of the house.

Q. Will you look at Exhibit R.3 and say what that shows?

A. That is the front of the house.

40 Photograph of front of house filed as Exhibit R.3.

Q. Of the summer house?

A. The main house.

Q. The main house on that pieces of property. Will you look at Exhibit R.4 and say what that shows?

A. That is part of the gardens on the property.

Photograph of part of gardens filed as Exhibit R.4.

Q. What does this Exhibit R.5 represent?

HERBERT H. SELWYN, (Evidence continued).

A. The panorama from the front of the house—the view from the front of the house.

Photograph of panorama from front of house field as Exhibit R.5.

Q. What does Exhibit R.6 represent?

A. The windmill on the property.

Photograph of windmill on property filed as Exhibit R.6.

10 Q. What does Exhibit R.7 represent?

A. That is the bee house.

Photograph of the bee house filed as Exhibit R.7.

Q. What do you mean by the bee house?

A. Is is an apiary house and a storage.

Q. What have you been doing with bees?

A. I have been producing honey for some fifteen years and we handle it in that building.

Q. Is there anything stored in there at present?

A. There are some one hundred colonies of bees stored in the
20 basement under that building at the present time.

Q. What is the material of the basement?

A. Concrete.

Q. Is it built in any particular way to accomodate those bees?

A. It is built in a special manner to accomodate those bees.

Q. How?

A. It has a plastered ceiling and a special air ventilation system installed.

Q. Can you move bees at ths time of the year?

A. No.

30 Q. Or when you were served with notice of expropriation?

A. No.

Q. Why?

A. Because you would lose them.

Q. And what are those bees worth per hive?

A. They are worth fifteen dollars a hive.

A. Upon which lot is the bee house?

A. It is on property, the square acre on the highway.

Q. What is on the third property shown there?

A. A bungalow—a house which I rent.

40 Q. What does R. 8 represents?

A. That is a picture of the bungalow from the highway.

Picture of bungalow from highway filed as Exhibit R.8.

Q. I see in the transfer from your father to yourself, Exhibit R.1, it says an acre and seven-eighths of an acre. Is that the contents of that lot, the first lot that you refer to?

A. As far as I know that is an accurate survey.

Q. Is that whole lot supposed to be shown on the plan attached

HERBERT H. SELWYN, (Evidence continued).

to the notice of expropriation?

A. I believe so.

Q. With the part in red that is to be—?

A. That is to be flooded.

Q. Where is the roadway respecting this property—I see to the east, is it? The Ottawa and Northwestern railway—that is the old track?

10 A. That is the old track and the highway was just adjoining it in the same direction.

Q. Would that be about the dotted line there?

A. Yes, and they crossed at the corner of the property.

Q. The highway—I am speaking of the railway?

A. Right at the corner of the property.

Q. After the flooding takes place, where is the present railway?

A. It is just about the same distance on the other side of the property now, behind it.

Q. The highway—I am speaking of the railway?

20 A. The railway is just in the same position only behind the property now to what it was before.

Q. That would be on the west?

A. The west of the property.

Q. Does the right of way adjoin your property on the west?

A. Practically.

Q. What do you mean by practically?

A. There are two or three feet between what is right of way, which is International land now.

Q. How were you in the habit of getting to the house on this particular property?

30 A. We came in on an open crossing at the easterly corner of the property we had access in from the highway without any gates except one on our own land.

Q. Then you had a gate from the highway on to your own property?

R. Yes.

Q. And then you went up?

A. Then we climbed the hill to the house. It is a grade.

Q. Will you look at Exhibit R.9 and say what it represents.

40 Does that represent the same property?

A. That is the same property.

Q. I see at triangle here, what is that?

A. That is the fifty foot windmill—that is shown in the picture with the vines on it.

Q. What is this here—two storey garden house?

A. Well, we called it a garden house—it was built to store bees in at one time and used as a workshop but we moved the bees

HERBERT H. SELWYN, (Evidence continued).

- property worth?
- A. Thirty-five hundred dollars.
- Q. That includes the land?
- A. That includes the land.
- Q. About an acre?
- A. About an acre.
- Q. And the bees that are stored there that cannot be removed,
- 10 they would be valued at fifteen hundred dollars?
- A. Fifteen hundred dollars.
- Q. Where did you get the property on which the bee houses is?
- A. I bought it from the farmer who owned it in 1913.
- Q. That deed is 1909?
- A. Yes, back in 1909.
- Q. And the price at that time was that?
- A. I paid for the land three hundred dollars.
- Q. Is the land going up in value or how is it?
- A. The land is increasing in value.
- 20 Q. Since 1909?
- A. Since 1909.

THE CHAIRMAN: What proportion?

A. Lots of one hundred feet square are selling for the same value as acres were selling or the acre that I bought was sold.

BY MR. HENRY AYLEN, K.C.

- Q. That is the bee property you got from Lacharity?
- 3 A. Yes.
- Q. Where did you get the other one?
- A. The other one I bought from John Cooper.
- Q. Do you remember how much you paid for it?
- A. I paid \$210. or \$230. for it.
- Q. It says \$110.
- A. Well, my memory may be wrong—if it is the deed, that is right.
- Q. Is that where the bungalow is?
- A. That is the bungalow.
- 40 Q. How much land is there in that?
- A. There is roughly one-third of an acre.
- Q. That is on the 22nd August 1914?
- A. 1914, yes.
- Q. Did you ever rent this bungalow as you call it on the last-mentioned property?
- A. Yes, I have rented it always since it was built.
- Q. How much did you get a year for that?

HERBERT H. SELWYN, (Evidence continued).

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HERBERT H. SELWYN, (Evidence continued).

- A. I have got from \$125. to \$175. a year—last year I did not get it.
- Q. Did you rent it last summer?
- A. I was unable to because of the operations of the International
- Q. That is this company, the Gatineau Company?
- A. The Gatineau Company.
- Q. That is expropriating it?
- 10 A. Yes. The people were afraid—
- Q. Why were they?
- A. Because they would in all probability have been killed if they had gone there.
- Q. Blasting there?
- A. Blasting within forty of fifty feet.
- Q. What do you put the value at now of the land for that acreage that you bought in 1909 if there were no buildings on it, if these works had not started?
- A. I would value it at five hundred dollars.
- 20 Q. That is the one acre or where the cottage is?
- A. Where the cottage is, one-third of an acre.
- Q. What would you value the property where the bee house is?
- A. I would value it at one thousand dollars.
- Q. Will you look at the details on this list Exhibit R.10 and say if those, to the best of your knowledge, are on this property you got from your father?
- A. Yes, everything that is listed here is on the property.
List filed as Exhibit R. 10.
- Q. Do you think the vegetables, plants, trees, shrubs, \$985.
- 30 mentioned in Exhibit R. 10 is a reasonable value in your judgment?
- A. Yes, I consider it a reasonable value, a conservative value.
- Q. You say you have been carrying on a bee industry up there; would you explain the amount of honey that you have been handling from your properties in that neighbourhood?
- A. This past year I harvested a crop of 30,000 pounds of honey and last year I harvested about 24,000 pounds and the previous year 20,000 pounds of honey.
- Q. How will the expropriation of this bee house that you have
- 40 mentioned that is on the property you bought from Lacharity effect your industry?
- A. It will disrupt my industry—it is the central plant of the business.
- Q. How long have you been carrying on that business?
- A. Fifteen years or more.
- Q. You say you had 30,000 pounds of honey; was that last year?
- A. Yes, 1926.

HERBERT H. SELWYN, (Evidence continued).

- Q. What was that worth?
- A. At ordinary market prices it was worth about \$4,000 gross.
- Q. What was the actual outlay on that?
- A. The cost of production?
- R. Yes.
- A. Well, you could say \$1,500.
- Q. And the rest would be profit?
- 10 Q. You had a couple of other places for bees, had you, along the Gatineau?
- R. Yes.
- Q. What do you consider that the taking of this bee house and the destruction of those on hundred hives of bees will affect your business next year?
- A. Well, in the first place the loss of one hundred colonies of bees would mean the loss of their equivalent money value and what they would produce next year in the way of honey unless we were able to replace them.
- 20 Q. How long does it take to replace them?
- A. I doubt if we could replace from any source—the entire number.
- Q. You would have to get them around the country?
- R. Yes.
- Q. How far would you have to bring them?
- A. Well, we might have to bring them twenty-five, fifty miles there are not many bees in the Gatineau.
- Q. You would have to wait until the summer to do that?
- A. Yes and we would not be sure of getting them.
- 30 Q. Apart from the value of the bees, what do you think about the injury to your bee business next year by losing that now at this stage?
- A. All my work with the other parts of the business located in the other parts of the district is carried on from that centre—all material is stored there—all the work is done there.
- Q. What do you say would be the special damage you would suffer?
- A. I figure I would lose one thousand dollars.
- Q. In addition to the loss of the bees?
- 40 A. Yes, by interruption to my business and loss of time.
- Q. The Gatineau Company having expropriated what is in red of the property that you got from your father, how would you get into that property now?
- A. One would have to approach it from the west—the new highway is to the westward of the property, something like one-quarter of a mile, I am not positive about the distance—it is up the hills further.

HERBERT H. SELWYN, (Evidence continued).

Q. Is there any road there?

A. No, there is no road there—it is through a field with deep gullies and there is a very steep grade just behind the house to descend before we strike the railway track which I would not care to come down through the property on a car at all—it would not be safe.

10 Q. How would you cross the railway track with a car? Do you use a car?

A. I use a car all the time—I have a truck and a car.

Q. How would you cross the railway with a car?

A. They have put in two gates at the back of the property.

Q. What about the ditches?

A. The ditches have been filed over in a kind of a way but the real trouble begins outside of the right of way.

Q. The crossing of the track would affect the value of the property?

20 A. Most assuredly—if any man has to open and shut two gates everytime he comes into his property he is going to consider it.

Q. Can you give me an idea of the cost of building or grading a road for that distance or have you considered that?

R. Yes.

MR. T. R. KER, K.C., Counsel for the Petitioner; I do not object to my learned friend leading the witness, but when he gets off the track like this, I think he should confine himself to the value of land, not of grading of roads about it.

30 THE CHAIRMAN: Question allowed.

BY MR. HENRY AYLEN, K.C.:

Q. Can you give me an idea of the cost of grading a road?

A. Anywhere from one thousand dollars to two thousand dollars to put a road there.

Q. Have you had an engineer examine that?

R. Yes.

40 Q. Who?

A. Colonel Girroir.

THE CHAIRMAN: Would you have to buy land?

A. I would have to buy land?

A. I would have to be given a right of way over the International Power Company's land now—I do not own any land between my property and the highway.

HERBERT H. SELWYN, (Evidence continued).

To

THE CHAIRMAN: The Gatineau Power Company are between the railway and the highway?

A. Yes, sir.

BY MR. HENRY AYLEN, K.C.:

Q. Under those conditions what would you consider the value of what would be left after the red part was taken from the property transferred to you by your father?

A. I do not think it is worth five hundred dollars to me.

The Commission thereupon adjourned until January 20, 1927, at 10 a.m.

The Commission resumed on January 20, 1927, at 10 a.m.

PRESIDING: ADRIAN BEAUDRY, ESQ., K.C.,

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Chairman of the Commission.

A. W. G. MacALLISTER, ESQ., K.C.,

Vice Chairman of the Commission.

HERBERT H. SELWYN, a witness on the part of the proprietor, was recalled, having been already sworn, and depose as follows:

Continuation of examination by Mr. Henry Aylen, K.C.,
Counsel for the Proprietor.

30

Q. You referred to the Lacharity deed and the Cooper deed; will you now file them?

R. Yes.

Deed from Lacharity filed as Exhibit R. 11.

Deed from Copper filed as Exhibit R. 12.

Q. Could you remove the bees from the cellar that they are now in to the cellar of the house on the property that you got from your father?

A. Well, that cellar is not large enough to contain them—it is quite a small cellar, and anyway the water will run in it too.

Q. You are afraid of flooding?

A. I am afraid of flooding there too.

Q. From the works of the defendant?

R. Yes.

Q. How many hives would that cellar hold?

A. It might hold twenty-five or twenty—it is only a small cellar.

Q. Did you try to secure storage places close by that you might

HERBERT H. SELWYN, (Evidence continued).

risk the chance of moving the bees to?

A. Yes, sir.

MR. T. R. KER, K.C.: I do not mind these leading questions, but that is too much.

BY MR. HENRY AYLEN, K.C.:

10

Q. Did you try that?

A. No one wanted a hundred colonies of bees in a house.

Q. I notice of expropriation was served on the sixteenth November, 1926, were the bees in storage at that time?

A. Yes, sir.

Q. This property that you got from your father; is that all fenced by itself?

R. Yes.

20 Q. How far away is the bee property from this particular property?

A. A quarter of a mile.

Q. And the property where the bungalow is?

A. It lies midway between the two.

Q. How did your father happen to transfer this property to you when he did?

30 A. Well, he was superannuated and wished to go down in the Niagara district to live for the remainder of his life and he did not want to see the property which he had spent a great many years of his time on go out of his family so he turned it over to me for a very nominal figure.

Q. When he went down here?

A. To Niagara.

Q. Where has he been living since he transferred it to you?

A. He has been living in Niagara there with my brother.

Q. He is a superannuated?

A. Civil Servant, yes.

Cross-examination by Mr. T. R. Kerr, K.C., Counsel for the Petitioner.

40

Q. I understand there are three separate and distinct pieces of property involved in this expropriation?

R. Yes.

Q. The first is the largest, that is the main house property, the property you got from your father?

A. Yes, if you are taking that first.

Q. What is the area of that property altogether including the

HERBERT H. SELWYN, (Cross Examined, continued).

portion which the company is taking and including the portion which it is not taking?

A. The area according to the deed as it was transferred to me was an acre and seven-eighths more or less.

Q. Of that acre and seven-eighths the plan shows that the company is taking 9 acres?

R. Yes.

10 Q. Have you any reason to believe that not to be true?

R. Yes.

Q. In what respect does it differ from that company is actually taking and what reasons have you to thing Mr. Farley's estimate of that is not correct?

A. It is less than what you are actually taking.

Q. In other words, we are taking more than 9 acres?

A. Yes.

Q. How do you know that?

20 A. I had the superficial area of the land within the boundaries of your survey calculated and deducted from the total area of the property which leaves more than 9 acres flooded.

Q. So that in that case either the original estimate of the size of the whole lot is in error, or our estimate is in error, but at any rate it is not the whole property and it is about half of the property?

A. Yes.

Q. The part that the company proposes to take does not include the dwelling house and out-houses connected with that particular piece of property?

30 A. No—pardon me—.

Q. What dwelling houses or buildings of any kind are on the piece the company proposes to take?

A. I should have said "yes". Part of the house is being taken.

Q. What part of th house is being taken?

A. The water is passing underneath the house sixteen to eighteen feet from the front of it and over running into the cellar according to the plan submitted.

40 MR. HENRY AYLEN, K.C.: There were two plans.

BY MR. KER, K.C.:

Q. According to the plan served in these expropriation proceedings the part shown as being taken by the company in no way effects your house?

A. The plan received from the company showed the water passing under the house at the corner.

HERBERT H. SELWYN, (Cross Examined, continued).

MR. KER, K.C.: Will you let us see that plan?

MR. HENRY AYLEN, K.C.: The plan on the 30th September.

BY MR. KER, K.C.:

10 Q. That was the plan attached to the application when the company made application to the Lieutenant Governor in Council for leave to expropriate. That plan seems to indicate your house was very much affected.

A. Yes.

MR. HENRY AYLEN, K.C.: I would like to file that plan.

THE CHAIRMAN: That has nothing to do with the case.

20 BY MR. KER, K.C.:

Q. Does the plan upon which this expropriation is proceeding as served upon you indicate in any way that your house is affected?

MR. HENRY AYLEN, K.C.: I would like the witness shown the plan that is referred to so that the witness will not be confused between the two plans.

30 will not be confused between the two plans.

BY MR. KER, K.C.:

Q. Are there any buildings, Mr. Selwyn, on this portion lined in red on this plan served upon you?

A. Yes, there are.

Q. What are they?

A. There is a house in the garden which we use considerably.

Q. Where in a general way is that house located?

A. It is down where lot 14C is marked.

40 Q. Just about the word 14C is marked?

A. Yes.

Q. Is that the only one?

A. Yes—well, there might be a part of the chickens house in the flooded area—I am not sure.

Q. So that regards this particular piece, it consists of a piece of vacant land together with a small house. What is the nature of the house?

HERBERT H. SELWYN, (Cross Examined, continued).

A. It has a concrete foundation, a cement cellar and it is a summer cottage type in structure sheeted inside.

Q. What is it used for?

A. It is used for bedrooms.

Q. Is it actually used for that now?

A. Yes.

Q. When was it last used for any habitation?

10 A. It was used this past summer—it has always been used.

Q. This whole piece of land including the part which is not lined in red on this plan you say you got from your father?

R. Yes.

Q. When?

A. A year ago last September.

Q. Is your deed produced here?

Q. And the purchase price was that?

R. Yes.

A. To me it was \$2,500.

20 Q. That included the land and buildings and all appurtenances to the property?

A. Yes. It was more of a gift than a purchase price.

Q. But that does not appear in the deed, does it?

A. No.

Q. How much is your claim upon his particular piece against the company?

A. It is on record. I have not got it in my head.

Q. You do not remember it?

A. Not exactly.

3 Q. Well, you ought to know that sort of thing?

A. Well, it is \$9,000.

Q. In other words the amount you claim from the company for this small piece of land together with this small cottage on it \$9,000?

R. Yes.

Q. It is about an acre?

A. Yes. That claim covers the entire property.

Q. The whole thing?

R. Yes.

40 Q. In other words I take it then that you are claiming severance against us—you want us to take your whole property?

A. Yes.

Q. That is a new thing. I understood you to say that the balance of your property was worth \$500.?

A. I considered that is what it would be worth after.

Q. After we are done with it?

A. Yes.

HERBERT H. SELWYN, (Cross Examined, continued).

Q. I understand—and this is the first time I have heard of it—you have several claims one of which is that we must be obliged to take this whole property or none of it?

A. I do not quit understand the word "severance".

Q. Possibly you do not. I do not know that I do either, but the word "severance" I understand indicates that when one is given the right to take a part of land to a certain extent, if that is going to interfere with the balance of the land either in size or for other reasons the person expropriating may be obliged to take the whole.

A. Yes.

Q. Is it your contention that the company should be obliged to take all of the property?

A. That is my contention.

Q. And if I understood you rightly, the portion not shown in red on this plan you value at \$500?

A. Yes.

20 Q. So that the balance the property is worth \$8,500?

A. Yes.

Q. One acre?

A. More or less.

Q. Rather less than more. Take the second property; is that the apiary?

A. Yes.

Q. How large in extent is that? Do the dimensions of this correspond with your views as to the size of it?

A. Yes, they are correct—it is an acre—a little more than an acre.

30 Q. It is a complete piece by itself—you do not own around it?

A. It borders on the highway.

Q. What have you on that piece of land?

A. I have my honey house, storage for bees, location for the colonies—that is practically all.

Q. Taking them up separately—the honey house, what does that consist of?

A. Well, it consists of a building eighteen by forty, two storey, clapboard, painted, shingled, roofed.

40 Q. Of what kind of construction?

A. On a concrete foundation with a seven foot cellar underneath it.

Q. Designed to take care of bees?

A. Designed to take care of bees.

Q. At what cost to you was that place built? Did you built it yourself?

A. I superintended its building nearly seventeen years ago—I do

HERBERT H. SELWYN, (Cross Examined, continued).

not remember the exact cost.

Q. So this was a property you have not had just for the last few years?

A. No, I have had that for a long time.

Q. Whom did you buy it from?

A. I bought that from Lacharity.

Q. It was part of the Lacharity farm?

10 A. Yes. I cannot say the exact year—I think it was 1909 I bought it.

Q. Did you built the honey-house yourself?

A. I was responsible for its erection.

Q. It was not there when you came?

A. Nothing was there.

Q. What other buildings did you put up there?

A. I enlarged the bee house.

Q. That is the main building on it?

A. That is the main and only building.

20 Q. What did that cost you, do you know?

A. No.

Q. It is eighteen by forty on a concrete foundation built of what kind of wood?

A. Clapboard.

Q. And in that place I understand you store your bees in the wintertime in places in the cellar?

A. Yes.

Q. You are an expert; how late can one move bees? How far into the year can you safely move bees from one place to another in their hives?

30 A. If you can give them a chance to have a flight after they have been moved you can move them any time—it depends on the time of year—once it is too cold and they cannot have a flight after they are moved their time of moving is passed—they must be able to have a cleaning flight after they are moved or they will die before spring.

Q. How late do those cleansing flights take place?

A. You know after the first of November comes in his country there are not many warm days when a bee would fly abroad.

40 Q. So that up to say the first ten days of November granted the weather was good you could move them?

A. If they were out-doors.

Q. When was there served upon you the notice that the company was applying for the right to expropriate this property, from the Lieutenant Governor in Council—what date?

A. It was towards the first of September—the end of September.

Q. I had the documents a moment ago; I have no doubt they

HERBERT H. SELWYN, (Cross Examined, continued).

will show.

A. The thirtieth September.

Q. The thirtieth of September. Were you aware before the thirtieth of September that there was any indication of taking your property from you?

A. Yes.

Q. When were you aware that the company was going to have to flood this land that your bees were on?

A. A year ago this month—I did not know though how much you were going to flood—I was told only a part of it.

Q. You did not look at the plans filed in the registry office as regards flooding?

A. I took the word of your representative for granted.

Q. But at any rate you knew last summer you were going to be dispossessed of this property eventually?

A. Of a part of it.

Q. Were you ever advised that you should try to get your bees away some place?

A. No.

Q. Did you ever receive through your attorneys a letter sent to you from the company with regard to those bees, dated the twenty-fourth of November, of which a copy is produced as Exhibit P.1?

A. Yes.

Q. Would you be good enough to read that letter to the court?

A. (Reading): "24th November, 1926. H. A. Aylen. Dear Sir, Re H. Selwyn. Referring to conversation which our solicitor, Mr. Ker, had with you and Mr. Selwyn to-day, we would state that for many months Mr. Selwyn has been aware of the fact that his property was necessary for our power development and that it was our intention to take it amicable settlement, if possible, and, if not, by expropriation. He was advised to remove his bees to his property which would not be affected. We still urge him to do this, and, if it will facilitate him in any way, or save him any money, we are prepared to advance him \$200. at once, to enable him to remove the bees on the understanding that we will be given credit for this sum on the ultimate amount payable by us for his property.

"We would ask you let us hear from you without delay, as to whether Selwyn desires to take advantage of this offer.

Very truly yours,

..... Gatineau Power Company."

Copy of above letter filed as Exhibit P.1.

HERBERT H. SELWYN, (Cross Examined, continued).

- Q. Was any reply ever sent to that letter?
 A. Not that I know of.
- Q. Did you take advantage in any way of the company's offer to advance you the money necessary to remove the bees?
 A. I considered it was far too late to take up the matter of starting to move the bees particularly as they were in their cellar, in their storage room.
- 10 Q. How many hives have you in there?
 A. One hundred colonies more or less.
- MR. HENRY AYLEN, K.C.: That is one hundred hives?
 A. One hundred hives.
- BY MR. KER, K.C.:
 Q. Hives and colonies are the same thing?
 A. The same thing.
- Q. What according to your view is going to be the fate of those bees?
 20 A. A great deal depends on your movements—if we were to believe your representative the place would have been flooded long ago—we cannot believe him.
- Q. Granted the place is flooded, what is going to happen to those bees? Will you just leave them there to be drowned?
 A. I cannot do anything else now—they must have a proper place to be stored in or they will only die anyway.
- Q. How many hives did you have in there last year?
 A. 120.
- Q. So that there are fewer this year?
 30 A. Yes, a few less.
- Q. They are worth, I think you said, \$15. a colony?
 A. Yes, approximately.
- Q. You are not in the bee selling business?
 A. Yes, I sell some bees if anybody wants them.
- Q. But you are more interested in selling honey?
 A. Yes, more interested in the production of honey.
- Q. How long do they last as a colony? What is the normal life? How long would the bees that are there expect to normally live?
 A. I consider the bees in the colony at the present time would not
 40 be alive next July, but by that time they would have been replaced by other bees—the life of a colony is indefinite if it is taken care of.
- Q. It is a sort of undying corporation; it continues by maturing the elements of new existence all the time; is that the way of it?
 A. It depends on the man that is taking care of them, that is all—it is very easy to lose one.
- Q. How much did you pay for this piece of property?

HERBERT H. SELWYN, (Cross Examined, continued).

- Q. And the purchase price was what?
 A. \$300.
 Q. Is it an acre?
 A. Yes full.
 Q. What value do you set upon this property now apart from the bees?
 A. Because of its location adjoining Lacharity station and because of the fact that it is on the highway and it has a commanding aspect I consider now it is worth one thousand dollars—it is good for building.
 10 Q. And what do you consider the construction upon it to be worth?
 A. \$2,500.
 Q. You set the value of the land and construction at \$2,500?
 A. No, the building—that is what you asked me.
 Q. The whole thing you say then is \$3,500?
 A. Yes.
 Q. And the bees are another \$1,500?
 20 A. Yes.
 Q. Let us take the third property. Whom did you purchase that from?
 A. I bought that land from Mr. John Cooper.
 Q. It was a part of the Cooper farm which is next the Lacharity?
 A. Yes.
 Q. How much area is there?
 A. There is approximately one third-third of an acre.
 Q. You have no reason to think this plan is not correct with regard to it?
 30 A. Yes.
 Q. What construction are there on there?
 A. There is a bungalow 30x30—I think those are the outside measurements—they are given in the specifications—and there is a kitchen attached to that and then an out-building for ice and wood.
 A. Yes.
 Q. Is that property utilized all the time as a bungalow, dwelling bungalow?
 40 A. Yes.
 Q. It was used last year?
 A. No, not last summer.
 Q. Because why?
 A. Because of you people.
 Q. Just why?
 A. Well, the railroad was put right through the back of the house within fifty feet.

HERBERT H. SELWYN, (Cross Examined, continued).

Q. Do you think the railway depreciates the value of the house?

A. Well, it managed to knock the chimney down in the kitchen and put holes through the roof.

Q. Did you collect damages from the Canadian Pacific?

A. I was unable to—they ignored my request—I took it up with the Canadian Pacific—they said they referred it to head office, and that was all I heard of it.

10 Q. What did you pay for this piece of property from Mr Cooper?

A. \$120.

Q. When did you purchase it?

A. In 1913.

Q. That is fourteen years ago?

A. Yes.

Q. Were the buildings then on it?

A. No, nothing was on it.

Q. Your buildings were built when?

20 A. The following two years.

Q. So the buildings are twelve years old?

A. Something like that.

Q. Land, \$120. You say there is how much of an acre—about one-third?

A. A third of an acre.

Q. Did you give the value which you set upon that property now?

A. I consider the land is worth \$500. to me.

Q. And buildings?

30 A. \$2,500.

Q. All of the buildings

A. Yes.

Q. You are asking the company for \$15,000. for all of his property?

A. Yes.

Q. Do I take it that \$15,000. includes a complete handing over of the property due to severance, the house and everything else?

A. Everything.

Q. So that your offer would be \$14,500. in case the court did
40 not find that severance existed?

A. Yes.

Q. What sort or class of dwelling house is it on property number one? Is it a dwelling house?

A. That is the big property—it is a wood construction.

Q. Is it of the same construction as the bungalow on the other property?

A. It is of better construction.

HERBERT H. SELWYN, (Cross Examined, continued).

Q. How then do you justify \$500. for half of this land with a building of better construction on it than the other one and \$2,500. for one third of an acre with a building of less good construction on it?

A. The place is no good if you cannot get at it.

Q. That is your only reason—because you cannot get at it?

A. It is inaccessible.

10 Q. You have to go over the track now to get to the road?

A. I have the advantage of an open crossing—I face on the highway.

Q. In future you would have to have a farm crossing?

A. And two gates—do you ever open and shut gates four times a day—it is great fun.

MR. HENRY AYLEN, K.C.:

Q. If you can get a road?

A. Yes, if you can get a road—that is the next problem.

20

BY MR. KER, K.C.:

Q. That is why you say the property is worth only \$500.?

A. Yes, it is no use to me.

Q. In that case hasn't your whole property become depreciated? Why pick out that little piece and say it is depreciated? Hasn't your whole property become depreciated by the changing of the Canadian Pacific line there?

A. Do you mean the three properties?

Q. Yes.

30 A. You are expropriating the whole of the other two.

Q. So it is a question of value. Do you think there is any appreciation or depreciation in the value of your property due to the fact of the Canadian Pacific coming past your door?

A. I consider the other properties are useless.

Q. Yes, probably, but I am asking you whether the change of the Canadian Pacific line has caused an appreciation or a depreciation in your properties adjoining there?

A. Depreciation.

40 Q. And you are charging to this company the depreciation which the change in the Canadian Pacific line has caused you?

A. In part.

Q. Did you ever offer these properties for sale?

A. I had hoped that I might sell the bungalow—I was not particular.

Q. Was that the only one of these three properties you have ever offered for sale?

A. Yes.

HERBERT H. SELWYN, (Cross Examined, continued).

Q. At what price did you offer it?

A. \$2,500.

Q. The bungalow property?

A. Yes.

Q. When?

A. Some years ago.

Q. You could not get it?

10 A. No.

Q. That included the land?

A. Yes.

Q. If you will let me review this in a few words, I understand your first property you claim \$9,000. for?

A. Yes.

MR. HENRY AYLEN, K.C.: Less \$500.

BY MR. KER., K.C.:

20 Q. Less \$500. provided it is not all taken?

A. Yes.

Q. Your second property, the Lacharity property, you claim how much for?

A. \$3,500. I think it is.

Q. And the bees?

A. \$1,500.

Q. That is \$5,000 for that property?

A. Yes.

3~ Q. The third property, you claim \$2,500 for the bungalow and \$500. for the land; that is \$3,000?

A. Yes.

Q. Making a total of \$17,000.?

A. Yes.

Q. Your claim is, I take it, therefore reduced for your own purposes to \$15,000. in your demand?

R. Yes.

Q. Where did you take that \$2,000. off—which property? From what property do you take that \$2,000. and why?

40 A. Well, there has been an error in my—I have made an error from memory—if I could see the affidavits, the figures we filed, I could straighten it out.

Q. The affidavits. As a matter of fact was that value that you are now claiming made up entirely by you or made up by your solicitor and filed in this record?

A. Made up by me.

Q. Where does your \$2,000. come in? Where did you reduce it? Do you know or do you not know?

HERBERT H. SELWYN, (Cross Examined, continued).

A. I am not sure.

Q. You must have some reason for reducing this cost from \$17,000. to \$15,000. What was it?

A. It may be the value of the bees.

Q. That would be \$1,500. of it off. You do not want to charge us for the bees then. There is another \$500. which you have to give us credit somewhere?

A. I have not seen any of these papers.

Q. Am I to take it you do not consider the bees of any value?

A. I think they are of value.

10 Q. Then the \$1,500. does not come off that. I am asking you that because it may be necessary to meet the claim upon which this thing is going to come off. If it is going to come off one property I want to know it. If you are maintaining \$9,000. for that property I want to know it. If it is \$7,000. I want to know it because it makes a difference as regards that property. Your claim in the record is \$15,000. In your evidence you claim \$17,000. I
20 want to know where you give us credit in your mind or your pleading for that sum?

A. \$15,000. covered my claim against you in the affidavits which I stand by

Q. But now your claim is \$17,000. before the Commission. How do you account for that?

A. I cannot account for it.

30 MR. HENRY AYLEN, K.C.: That is not a correct statement to the witness that he is claiming \$17,000. The statement is there that he claims \$15,000. and he may have omitted some items.

THE CHAIRMAN: He must know. Let him answer.

BY MR. KER, K.C.:

Q. If you say that you have given me the claim of \$9,000. but that you have reduced it to \$7,000. that is perfectly fair statement. I should like to know because I have to meet it. Your answer as standing now is that you cannot account for it. In
40 referring to your affidavit which is, I presume, what you desire the commission to take as your value, in paragraph 3 I find:

"I further say that the house and buildings erected on said
"of the value of \$3,000. apart from the land, and that the
"of the value of \$3,000. apart from the land, and that the
"said land has been laid out as a summer property at large
"expense and planted with shrubs and other things of great
"value at an outlay of over \$900. apart altogether from the

HERBERT H. SELWYN, (Cross Examined, continued).

"actual land, and that the said properties firstly described—"

Which I take it is your father's property.

"—in my opinion are worth \$7,000. and that what would

"remain of the property after the flooding thereof up to

"325 feet mean sea level would not be worth \$500."?

A. Yes.

10 Q. So I take it then your statement that property is worth \$7000 is correct and not \$9,000?

A. That is correct. That is where the error is.

Q. Isn't it possible that you may have made an error of exactly the same proportions with respect to these other properties?

A. No, I did not.

Q. How is one to know? In one place you sworn this property is worth \$9,000. and in another you swore it is worth \$7,000. How do you account for that?

A. Maybe mental error.

20 Q. In other words your answer that you cannot account for it is correct?

A. You confused me.

Q. I do not wish to. Unwittingly I may have. As to what?

A. As to the values we established and which I believe are correct.

Q. At any rate you stand for \$7,000. on the one property, \$5,000. for the other and \$3,000. for the third?

A. Yes.

Q. You claim an outlay of \$900. for planting of shrubs and various other things

30 R. Yes.

Q. That \$900. is a part of our \$7,000. I take it?

A. No.

Q. Did you ever have any examination made of those shrubs anybody?

A. Yes, I had.

Q. By whom?

A. I had Mr. Davies and Mr. Ritchie value the material, list it and value it.

Q. Did James McKee ever do it?

40 A. Mr. McKee looked the property over.

Q. And Graham of Graham Brothers, did he do it?

A. He never did it officially.

Q. Did he do it unofficially?

A. He did not wish to do any work of that kind.

Q. So that it is not true that Mr. McKee and Mr. Graham valued these shrubs?

A. It is true Mr. McKee valued it.

HERBERT H. SELWYN, (Cross Examined, continued).

Q. Who is Mr. McKee?

A. He is an employee of the Experimental Farm.

Q. What is his valuation of this?

MR. HENRY AYLEN, K.C.: I object to this. We have other witnesses here on that subject.

THE CHAIRMAN: Objection reserved. Question allowed.

10

BY MR. KER, K.C.:

Q. What did he tell you that shrubbery was worth?

A. Mr. McKee's opinion was of no value to me because he gave it alone.

Q. What was his estimate?

A. I have forgotten.

Q. Am I right in saying he estimated it at \$450?

A. I do not think you are right.

Q. Was it above or below that?

20 A. It was above, if anything.

Q. Was it as high as \$900.?

A. I do not remember.

Q. You do not remember if it was \$450. or \$900.?

A. I did not consider it useful to me.

Q. You did not consider it useful to you—why?

A. Because one man's opinion was not considered useful—I had to have two men to do this work.

Q. How much did you assess the value of your bees at?

A. \$1,500.

30 Q. There are one hundred hives there. How do you account for a claim of \$2,000. in your affidavit for one hundred hives of bees?

A. Since filing the affidavit I considered that a colony of bees would be fairer at \$15. a colony than \$20.

Q. So that your claim is reduced by that much?

R. Yes.

Q. Your estimate of \$2,000. for bees is not correct?

A. I am trying to be fair—I have all through.

40 Q. So on two items of your valuation so far you are not according to your estimate in your affidavit?

A. No, only one—the bees.

Q. But your affidavit is right on the other but your evidence before the court is \$2,000. up on the other. That is why I asked you if you had personally superintended the making up of these affidavits because apparently you do not appear to know a great deal about them. In you third property what do you set the value of the buildings at?

HERBERT H. SELWYN, (Cross Examined, continued).

A. That is the bungalow?

Q. The Cooper property?

A. Somewhere about \$2,500, I think.

Q. Is that the one with the cottage and other buildings on?

A. Yes.

Q. I see in paragraph five:

10 "I further say that on the property thirdly described is a summer cottage and other buildings worth over \$1,600. apart from the land."

Q. How do you explain that discrepancy?

A. I do not remember that figure at all.

Q. Well, I am reading it from the affidavit. I may be wrong. I leave it to you?

A. Well, as far as I am concerned it is not right.

Q. That is why I say you did not prepare this yourself.

A. That is not right.

20 Q. Well, I am reading from the affidavit: "Is worth \$1,600. apart from the land." You said it was worth \$2,500. apart from the land?

A. Yes.

Q. Which of these is correct?

A. \$2,500.

Q. You wind up your affidavit by saying:

30 "I further say that the sum of \$15,000. is a fair and proper compensation for the properties referred to in said notice of expropriation and the damages that will result to me from the taking thereof and from the exercise by appropriating parties of its thereover."

If you are prepared to take that in full of your damages why all this fuss about possible question of your damages later on. Does that include the damages or does it not?

A. That includes damages.

Q. Then what part of your \$15,000. is damages now?

A. I cannot take it apart to that extend.

40 Q. In other words, you have asked us for \$7,000. for the first property, \$5,000. for the second property and \$3,000. for the third property making \$15,000 which corresponds with your \$15,000. figure which in your affidavit includes damages as well. How much of that \$15,000 is damages?

A. That is hard to say—those figures include damages—I am willing to accept them.

Q. So I take it these figures given us as land values do not really represent land values but they represented land value plus damages; am I right?

A. In a sense you are.

HERBERT H. SELWYN, (Cross Examined, continued).

- Q. In what sense?
- A. That I would get compensation for damages at that figures.
- Q. But your analysis of this thing does not make any reference to damages. You say the house and land are worth so much and that amounts to so much; that amounts to \$15,000. Am I to understand in that \$15,000. there is an element of damages that you place on those houses? If so, what is the element of damage, what percentage?
- 10 A. I cannot say.
- Q. Taking the secondly described property on which the bees are stored, I would like to read your affidavit in this connection:
- “I further say that on the property secondly described is a valuable building and workshop with large concrete foundations used in connection with the bees industry and that there are presently stored therein and in the cellar formed by said concrete foundation one hundred hives of bees of the value of \$2,000. and that the said bees cannot be removed in the wintertime without the destruction thereof or great injury thereto and by taking the said property before spring I will be occasioned great injury and that the said building on said property so secondly described is worth at least \$3,000. apart from the land, an that the bees therein stored are worth at least \$2,000.”
- 20 Q. You have given us the value of the building on this second piece as \$3,500., have you, or does that include the land?
- A. That includes the land.
- 30 Q. What value did you place upon that bee house land?
- A. \$1,000.
- Q. And upon the house?
- A. \$2,500. I think that is what it was.
- Q. So that the \$3,500. includes house and land according to you?
- A. Yes.
- Q. But I see that your affidavit says that the building alone is worth \$3,000 a least?
- A. Well.—
- 40 Q. And you now say that the land is worth \$1,000 an acre. That is \$4,000. for the land and building. Why do you reduce it to \$3,500. now? As a matter of fact do you know anything at all about the value of that land in that part of the country?
- A. Yes, I do—I consider I know what it is worth.
- Q. How do you account for that discrepancy in your affidavit \$500.?
- A. I am willing to figure on the value that was stated in the affidavit.

HERBERT H. SELWYN, (Cross Examined, continued).

Q. I have no doubt but I want you to explain the discrepancy because you have sworn to both?

A. Well, I have not had it clearly in my head—that is all.

Q. There was a further matter which you spoke about yesterday as making up your quantum of damages and that was 30,000 pounds of honey which you reckoned you were going to lose?

A. No.

10 Q. What was it you were going to lose in the way of honey?

A. I did not say that I was going to lose any particular amount of honey—I said I was going to lose some money.

Q. Money and honey seem to be synonyme in your case. Do you make any claim against us for any loss of honey then?

A. I make a claim against you if I lose those bees, for the loss.

Q. How much is that claim that you make? I think your evidence was to the effect that you had 30,000 pounds of honey which brought you \$4,000 and the cost of production was \$1,500. and your profit was \$2,500; is that right?

20 A. Yes.

Q. Do you keep any books?

A. Yes.

Q. And your loss for next year owing to the bees not being comfortably housed somewhere else was going to be \$1,000.?

A. No, the loss was going to be \$1,500.—the loss of the bees

THE VICE-CHAIRMAN: That claim is put in the valuation of the bees? A. Yes.

30 BY MR. KER, K.C.:

Q. So that your loss of honey is not being charged for?

A. No.

Q. It is only the loss of the bees?

A. Yes.

Q. I understood you to say your loss next year was going to be \$1,000.?

A. I said my loss was going to be \$1,000. for the disruption of my busineses and loss in other ways.

40 Q. You figured it out of honey?

A. No, I did not.

Q. Well, perhaps I am mistaken.

A. I am going to lose honey as a matter of fact.

Re-examination by Mr. Henry Aylen, K.C., Counsel for the Proprietor.

Q. In reference to this offering you \$200, could you have built

HERBERT H. SELWYN, (Cross Examined, continued).

a proper storage for those bees in that neighbourhood for that amount of money?

A. Most certainly not. It would have barely paid for the cost of moving them.

Q. Did you have certain discussions with Mr. Gale about these matters? Did you tell him that it was necessary to have a proper storage for your bees if they were going to be moved by the first 10 November?

A. Yes, I told him the first of August I should have an opportunity to prepare for storage of those bees.

Q. Who is Mr. Gale?

A. Well, he is.....

Q. Head man?

A. Head man of the Gatineau Power Company, I believe.

Q. Mr. Gordon Gale, I believe?

A. Yes.

Q. You had these properties valued by Mr. Adamson and Mr. 20 Hazelgrove?

A. Yes.

And further the deposant saith not.

(Evidence transcribed by instruction of Commission.)

I the undersigned stenographer declare under oath that the foregoing is a true and faithful transcription of my shorthand notes of his evidence as taken by me.

30

FRED W. S. GALBRAITH,
Official Sworn Stenographer.

HERBERT H. SELWYN, having been already sworn, is recalled and depose as follows:

THE CHAIRMAN: How long the house on the main property been built?

A. Some twenty-five years.

MR. HENRY AYLEN, K.C.: How long has the bee house been 40 built?

A. About seventeen years.

MR. HENRY AYLEN, K.C.: And the bungalow cottage?

A. Ten years.

And further the deposant saith not.

(Evidence transcribed by instructions of Commission.)

I the undersigned stenographer declare under oath that

HERBERT H. SELWYN, (Cross Examined, continued).

the foregoing is a true and faithful transcription of my shorthand notes of his evidence as taken by me.

FRED W. S. GALBRAITH,
Official Sworn Stenographer.

The parties to the present case through their attorneys
10 hereby agree to the continuance of the hearing of the present case to its end by the Vice-Chairman of the Quebec Public Service Commission, who has been present at the hearing since the beginning, the case to be continued on the thirty-first January, 1927 before the Vice-Chairman alone if the Chairman is absent at the time, the reason of this delegation being that the Chairman will be unable to attend on the 31st January, and the parties waive any objection or exception arising out of the change in the personnel of the Board for the purposes of this hearing.

CANADA
PROVINCE OF QUEBEC
District of Hull.

On the 20th day of January A.D. 1927 appeared CHARLES B. GOODERHAM, Dominion Apiarist Central Experimental Farm, Ottawa, in the County of Caletton, Province of Ontario, a witness produced on the part of the Proprietor, who, having been duly sworn, doth depose and say:

Examined by MR. HENRY AYLEN, K.C., Counsel for the Proprietor.

- 10 Q. Your time is devoted exclusively to what?
A. To apiculture.
Q. Have you charge of that department at the Experimental Farm at Ottawa?
A. Yes.
Q. How long have you been in charge of that?
A. In charge since the fall of 1921.
- 20 Q. Would you tell us if there is any danger in moving bees at this time of the year or after the sixteenth of November, 1926?
A. It is a dangerous procedure to move bees when once they are put into winter quarters.
Q. Why?
A. Because it is likely to cause the death of them.
Q. Is there any explanation for that?
A. By the disturbance. When the weather turns cold the bees form a compact cluster and they generate heat by muscular activity—to do that they have to consume stores—any disturbance of the bees is likely to cause that cluster to break and a generation of heat which might start brood production and the colony die.
- 30 Q. Do you think it might be possible to move one hundred hives of bees from Mr. Selwyn's place? Do you know where his property is?
A. I have never seen it.
Q. Say twelve miles out. Do you think it would be possible to move them after cold weather sets in?
A. Not once after they were placed in winter quarters without
- 40 extremely heavy loss and possibly the total loss of the bees.
Q. What is the value of a hive of bees in your opinion?
A. A colony of bees is valued from twelve to fifteen dollars—that is the everage selling price.
Q. Supposing these bees are lost by reason of their removal or being left in the property and flooded out or the building taken down; would it be easy to replace one hundred hives of bees of that kind?

B. GOODERHAM, (Evidence continued).

A. No, it would not.

Q. How would you have to go about it?

A. You would have to buy colonies elsewhere and that number of colonies there is a possibility that number of colonies could not be obtained in any place? What about the expense of bringing them?

10 A. Of course there would be transportation to replace one hundred colonies—it would cost from twelve to fifteen dollars for the bees alone in ten-frame movable frame hives—that is plus cost of transportation and cost of finding the bees.

Q. You spoke of twelve to fifteen dollars?

A. From twelve to fifteen dollars.

Q. Would the cost of transportation at the other incidentals that you have mentioned be added to that?

A. That is the cost of a colony of bees in a ten-frame hive.

Q. Where they are for sale?

A. Where they are for sale.

20 Q. How much for a hive would it cost to bring those bees down?

A. That would depend upon the distance.

Q. How would it vary?

A. I could not say. Supposing the bees were purchased in Ottawa they could be run up there in the spring on a truck. If they were purchased several miles away there would be transportation by train.

Q. But anyway there would be cost of transportation?

A. There would be cost of transportation from the place they were bought to the place where they were to be placed

30 Q. You say "possibly the entire destruction". What do you believe would be the probabilities of that total loss if they were moved?

A. If they were moved I would not like to say there would be a bee living by the spring.

Q. Is that your opinion?

A. That is my opinion.

Q. There would not be a bee living in the spring?

A. There would not be a bee living in the spring.

40 Cross-examined by MR. T. R. KER, K.C., Counsel for the Petitioner.

Q. What temperature outside would your answer to the last question apply to?

A. What do you mean by that?

Q. If you attempt to move them in what temperature would there be a total loss—the outside temperature?

B. GOODERHAM, (Cross Examined, continued).

A. The temperature of the cluster of bees is fifty-seven but the cluster does not break till about sixty-seven, but you see any disturbance for instance a kick to a colony of bees.

Q. You mean to say the cluster breaks as it gets hot?

A. As the heat generated by the cluster—if it is generated up above sixty-seven the cluster breaks and that is fatal.

Q. Sixty-seven degrees what?

10 A. Sixty-seven degrees Fahrenheit.

Q. If you keep it below sixty-seven you are apt to keep the cluster together?

A. Yes but any slight disturbance such as a kick or if a mouse gets in is liable to startle the bees and raise their temperature.

Q. Sort of get them a bit agitated and the temperaure goes up?

A. Yes.

Q. What is the normal loss in one hundred hives of bees—how many would one shovel out at the end of the winter?

20 A. You would mean in colonies?

Q. Yes?

A. There is always a slight loss to a colony in number of bee—in the matter of colonies there should be no loss at all if they are properly stored in winter quarters and properly cared for.

Q. What would you say from your own experience—and I do not want to question it in any way—what is the latest time to move bees?

A. I think about the thirteenth of November—that is to move them in but they are never moved when they once put in—it
30 would depend a great deal about weather conditions in the fall of the year.

Q. Do you know when Mr. Selwyn's bees were put in?

A. I do not know.

Q. When are bees normally put into winter quarters in this district?

A. Anywhere between the sixth and thirteenth or fifteenth of November—it will depend a great deal upon weather conditions.

Q. Do you have to go and drive them in or do they come in themselves and stay there? May be that is foolish but I want to
40 know. Is it a question of the temperature affecting them in such a way that they move in?

A. You have to carry the colony in, the hive in. The reason they left out as long as possible in the fall is to give the bees an opportunity of the last good flight so that they can cleanse themselves.

Q. Then is it absolutely necessary to have these concrete base-

B. GOODERHAM, (Cross Examined, continued).

ments to keep the hives in?

A. It is not absolutely necessary because they can be wintered outside in packing cases but some bee keepers prefer the cellar for the winter because there is less work attached to it and less expense.

Q. But there is no trick particularly with regard to the protection to having the bees in a concrete basement with regard
10 to any other place?

A. They can be wintered in a concrete basement—they can be wintered outside in packing cases.

Q. What percentage is wintered outside in packing cases?

A. It would be hard to say—it might be perhaps fifty per cent.

Q. The business of wintering them in packing cases is not such a terrible job?

A. It is a little bit harder on a bee keeper than the cellar wintering.

Q. Are there special packing cases required?

20 A. Yes they would have to be packed with insulation.

Q. So that there would appear to be no particular reason in the case of Mr. Selwyn why those bees could not have been put in the packing cases as well as into a cellar?

A. They could have been wintered outside just as well but the question there is of obtaining packing cases if anyone has a good bee cellar we never advise them building packing cases.

Q. But if he has a cellar that is likely to be under thirty feet of water is he wise to put them into that cellar when he can put them into packing cases?

30 A. No?

Re-examination by MR. HENRY AYLEN, K.C., Counsel
for the Proprietor.

Q. Supposing a person had one hundred hives of bees would it be a prudent or reasonable thing to do to store them outside in packing cases?

A. Yes.

Q. You say the loss should be a probable loss?

40 A. The loss should not be any heavier in packing cases than in cellar wintering.

Q. What about the fifty per cent loss you were speaking of?

A. I did not say that.

Q. My hearing may not be good. Would not the percentage of loss be greater in the packing cases than in the cellar?

A. It would if the bee were not properly cared for.

Q. What do you mean by proper care?

A. For outside wintering they require more care than for cel-

B. GOODERHAM, (Cross Examined, continued).

lar—you can store weaker colonies in a cellar better than in a packing case.

Q. Where would you put the packing cases?

A. Outside on the ground and they must be protected well from the wind by wind breaks either by a natural hedge or by a board fence, constructed board fence.

10 Q. Would you surround the packing cases with a board fence?

A. Certainly—the whole acreage.

Q. What kind of packing cases would you use?

A. The ones advocated are packing cases taking four colonies with four inches of insulating material between the four hives and the outside walls of the case and flight holes constructed so that the bees can take flight.

Q. How much would it cost to have a packing case fitted for four hives?

A. A quadruple case would cost fourteen dollars—for four.

20 Q. Then you would have to provide a protection from the wind in addition to that?

A. You would have to provide your insulating material in the cases and a windbreak in addition.

Q. What about protecting—would you have to have a man to look after one hundred hives?

A. Not during the winter when once they are packed away and properly cared for.

Q. What do you mean by properly caring for?

A. A proper storage of food in the fall.

30 Q. For one hundred hives of bees you would want twenty-five packing cases?

A. Twenty-five—four colonies packing cases.

Q. That cost fourteen dollars apiece?

A. Fourteen dollars apiece.

Q. How much will it cost if you were going to store them outside in packing cases and there was no windbreak?

A. It would depend upon how big an area of ground you fix your cases on.

Q. Supposing there were one hundred hives?

A. It would depend a great deal upon the material.

40 Q. What material would you make it of?

A. Just rough lumber.

THE VICE-CHAIRMAN: You would not have to roof it over?

A. No.

THE VICE-CHAIRMAN: You let the snow cover the hives?

A. The snow cover the hives, if there is enough of it.

THE VICE-CHAIRMAN: It does not harm them?

A. No.

B. GOODERHAM, (Cross Examined, continued).

BY MR. HENRY AYLEN, K.C.:

Q. After the hives were stored in the cellar could you take them out and put them in packing cases after that?

A. No.

Q. I understand the bees get in the hive houses when the cold weather comes on?

10 A. They cluster there

Q. Then you take those hives and put them in the cellar or wherever provision is made for them?

A. Yes, into whatever repository is prepared for them.

Q. Then you could not take them out of there and put them into packing cases afterwards?

A. Not with safety.

Re-cross examined by MR. KER, Counsel for the Petitioner

Q. Do you know the various places where bees are kept up here?

20 A. Around Ottawa?

Q. Yes. Are you familiar with the various bee keepers' establishments?

A. I know some of them but I do not know them all.

Q. Have you any personal information as to whether it is not a fact that Mr. Selwyn has two other bee houses close by?

A. I do not know at all. I have not been at Kirk's Ferry or in any of Mr. Selwyn's acreage.

And further the deposant saith not.

(Evidence transcribed by instruction of Commission).

30

I the undersigned stenographer declare under oath that the foregoing is a true and faithful transcription of my shorthand notes of his evidence as taken by me.

FRED W. S. GALBRAITH,
Official Sworn Stenographer.

The parties to the present case through their attorneys hereby agree to the continuance of the hearing of the present
40 to its & by the Vice-Chairman of the Quebec Public Service Commission who has been present at the hearing since the beginning, the case to be continued on the thirty-first January, 1927 before the Vice-Chairman alone if the Chairman is abesent at the time, the reason of this declaration being that the Chairman will be unable to attend on the 31st January, and the parties waive any objection or excepcion arising out of the change in the personnal of the Board for the purposes of this hearing.

On the 20th day of January A.D. 1927 appeared L. B. DAVIES, Horticulturist, Central Experimental Farm, Ottawa, in the County of Carleton, Province of Ontario, a witness produced on the part of the Proprietor, who having been duly sworn, doth depose and say:

10 Examined by MR. HENRY AYLEN, K.C., Counsel for the Proprietor.

Q. Are you connected with the Dominion Experimental Farm at Ottawa?

A. Yes.

Q. How long have you been?

A. Since the latter part of 1913.

Q. What have you been doing since you have been there?

20 A. I came there as Assistant to the Dominion Horticulturist looking after the fruit work and since 1919 I have occupied the position of Chief Assistant in the Horticultural Division.

Q. Have you pursued any studies in reference to that matter?

A. I graduated from Nova Scotia Agricultural College and Macdonald College—since then I have done post-graduate work at the University of Minnesota.

Q. Will you look at document Exhibit R. 10 and say if that is yours?

A. That is a list I submitted to Mr. Selwyn on July 12.

Q. Did you find the things mentioned?

30 A. Everything that is on that list is growing on Mr. Selwyn's property and more besides that I did not bother to list.

Q. That is the main property?

A. The main property where the windmill is—I have not seen his other properties—I was just on the one.

Q. What about the values on this?

A. Those values are exceedingly conservative—I will undertake to substantiate them before anybody.

Q. And you actually found these things growing on the property?

40 A. Actually and more besides—we cut down in every case.

Q. Were those things to develop that property?

A. Oh, Yes. The property was well laid out and the material was exceedingly well planted—in a very careful way and evidently by somebody who had given them a great deal of thought.

Q. Was it desirable to have those things on there as a residence?

A. Yes, very desirable.

Q. Have you been up the Gatineau?

L. B. DAVIES, (Examined continued).

A. Yes, very frequently.

Q. Was this one of the desirable properties?

A. Before I went there I always thought that was one of the finest properties in Kirk's Ferry.

Q. Would that mean on the Gatineau?

A. Well, I think so—not the best but among the best.

Q. So these things that you valued on that property came to
10 \$985?

A. \$985, yes.

Q. And the values you have given you say are conservative?

A. Yes, very conservative—no difficulty in substantiating those values.

Cross-examined by MR. T. R. KER, K.C., Counsel for the
Petitioner.

20 Q. How many times have you been on this property?

A. Once.

Q. For how long?

A. A little over three hours.

Q. Which property were you on?

A. I was on the main property where the windmill stands—it was where Mr. Selwyn was residing himself.

Q. Have you some photographs of that property, I think produced here as exhibits?

3

MR. HENRY AYLEN, K.C.: May I ask a question? Would that be the property referred to in Exhibit R.9 where the buildings are?

A. Yes, that is the property.

BY MR. KER, K.C.:

Q. And you made a very careful estimate apparently in the three hours?

40 A. Yes, we counted everything it was possible to count and where it was impossible to count we acutally measured by taps and estimate—one counted and the other put down the notes.

Q. Who was your colleague?

A. Mr. Ritchie.

Q. When was that?

A. About the tenth or eleventh of July because I recollect I forwarded this document to Mr. Selwyn on the twelfth and I believe

L. B. DAVIES, (Cross Examined, continued).

I forwarded it the day following my return from Kirk's Ferry.

Q. This is only about six months afterwards; you should have a fairly good idea of the nature of the property you were examining?

A. Yes.

Q. And a fairly good idea of where the berries and shrubs were located?

A. Not in detail.

Q. What part of the property was affected by this garden?

A. How do you mean—"affected"?

10 Q. What part do you refer to as being under this intensive cultivation which gives you \$900. worth of shrubs?

A. The whole property.

Q. Whereabouts is the asparagus located. Locate it on this plan?

A. I would not undertake to do it.

20 Q. Will you undertake to say in a general way where any of this stuff is located?

A. Yes.

Q. Well, do so.

A. This is Mr. Selwyn's house. (Indicates on plan).

Q. On the south part of the property what did you find of the items which you have set out here in your list?

A. We found raspberries, currants and some gooseberries—some apple trees too.

Q. Were the berries of all kinds located down in that section?

30 A. If I remember correctly the currants and gooseberries were located in two or three different points—I would not swear to that—I have a good many other things to think of besides the location of Mr. Selwyn's fruit bushes.

Q. Would you take a look at this picture Exhibit R.4 and state whether you can identify that as being a picture of the house on this property?

A. I do not see any house here.

Q. Well, a picture of the land about the house showing an extension of the house?

40 A. I recognize an apple tree here—I recognize the view looking toward the river on the main highway but I would not recognize those buildings—I only see part of them there.

Q. In referring to the plan produced of this first property in connection with these expropriation proceedings you will observe there is a certain portion of it not lined in red which contains a house and I believe various other outbuildings which are not shown there?

A. Yes.

L. B. DAVIES, (Cross Examined, continued).

- Q. What amount of the material, garden and horticultural material which is referred to in this report, is connected with or immediately about the house and on the portion which is not lined in red?
- A. I would not undertake to give you that in detail but I would give a few items lying round the house—for instance most of those Virginia creepers are around the house.
- 10 Q. Where are they on the list?
- A. About two-thirds of the way down the page—twelve Virginia creepers.
- Q. Where are these five balsam furs situated?
- A. I would not say they were in the red or outside the red—they were somewhere in that direction.
- Q. You cannot separate the articles as to which were in the blue area and which were in the red area?
- A. Not in detail.
- Q. But the fact remains there was a large percentage around
- 20 the house of your list?
- A. I would not say what percentage—there was some.
- Q. I do not know much about prices of these things but you have 350 feet raspberries, one-third mosaic, full bearing, cost of establishing, \$20.?
- A. Yes.
- Q. Loss of crop two years, \$60?
- A. Yes.
- Q. As regards loss of crop you are not estimating what you see?
- A. I am estimating the capabilities of those bushes in the condition I saw them.
- 30 Q. From whot do get your figures?
- A. From seventeen years of experience.
- Q. Can you give me any idea of what those raspberry plants could be purchased at in Ottawa or any place?
- A. Around forty dollars a thousand—you might pay higher—I have paid one hundred dollars a thousand—I have sold them wholesale for thirty-five dollars and I have sold them for sixty—it depends upon the market, the season of the year.
- Q. How much do say these bushes are worth?
- 40 A. I would say at least forty dollars a thousand, four cents apiece—that is just a single cane fit for transplanting.
- Q. And that is the ones you have here?
- A. I did not place any value on bushes—I said cost of establishing.
- Q. What do you mean by cost of establishing?
- A. You would first have to buy your bushes—you would have to plough your land, cultivate, prune—you would have to do that

L. B. DAVIES, (Cross Examined, continued).

for two years before you would begin to get any appreciable returns — a very low estimate on that runs to 350 — multiply that by eight feet which is the distance apart we place raspberry rows, we get approximately the area—you will find it equals somewhere around one-fifteenth of an acre.

Q. These are all matters from your own opinion as to what it would cost to raise these things?

10 A. From my own experience.

Q. Having paid the money yourself for that?

A. Here and long before I came here.

Q. Along the Gatineau?

A. Right in Ottawa and the vicinity.

Q. Do you know where these raspberry canes came from?

A. No, I have not any idea—it does not interest me.

Q. Were they wild crop or good variety?

A. They were mostly Herberts.

20 Q. 150 square feet of asparagus—does that mean 150 square feet planted in asparagus?

A. There was 150 feet—what we had things bearing on.

Q. What variety?

A. I am not a specialist in that crop—Mr. Ritchie is coming on and he will answer you.

Q. You do not know much about that item?

A. No, I left that to Mr. Ritchie.

Q. Fifty square feet rhubarb, fifty divisions?

A. That is another item he is a specialist on.

Q. You do not know about that?

30 A. Not particularly—I helped him count them.

Q. What variety of currants?

A. They were good varieties—it is hard to remember them all.

Q. Do you know any particular variety?

A. By name—no—they were sufficiently good to sell in the market.

Q. What does this \$50 opposite these currants represent?

40 A. In the first place thirty-seven currant bushes as you get them from the nurseries would cost you in the vicinity of fifty cents a bush—you would plant that bush out—Mr. Selwyn's bushes are full bearing—a full bearing currant bush will bear anywhere from fifteen to thirty quarts—when you get these little things from the nurseryman for which you pay fifty cents you wait a couple of years before you begin to get any returns—that is what he would pay for those bushes and then I took a low figure for two crops he would lose.

Q. What two crops would he lose?

A. If he is driven from his property he has to plant anew.

L. B. DAVIES, (Cross Examined, continued).

- Q. Would it be possible to transplant those bushes?
 A. Not at their age.
 Q. What would be the life of those bushes?
 A. If they are properly looked after and properly pruned they will last indefinitely—we have them at the Experimental Farm fifteen years of age still bearing strong.
 Q. The same I suppose applies to gooseberries?
 10 A. Yes, practically the same applies to gooseberries.
 Q. What is the average yield off these currant bushes?
 A. Bushes around four or five years of age should run around twenty quarts.
 Q. You are prepared to state the average yield of the currant bushes is twenty quarts?
 A. Yes, I can prove it right here in my pocket.
 Q. On these bushes of Selwyn's?
 A. Not on Selwyn's bushes—Mr. Selwn's bushes were in just as good shape.
 20 Q. What would the average yield of them be?
 A. Mr. Selwyn would know that.
 Q. You have not the figures of these?
 A. I have an idea.
 Q. Tell me your idea?
 A. I consider his bushes in just as good condition and should yield just as much—twenty quarts.
 Q. You consider his bushes would yield twenty quarts?
 A. Yes, but I did not even have to use that to get my value of \$50.
 30 Q. Do you the Macdonald College price for raspberry bushes?
 A. What variety?
 Q. The variety that you are referring to here?
 A. I have paid them twenty-five dollars a thousand for them, wholesale quantities.
 Q. Not for his kind of berry?
 A. Raspberries, yes—I have sold them for that much.
 Q. What does this "one-third mosaic" mean?
 A. That means there was one-third diseased and I deducted that for them.
 40 Q. How many bushes were there?
 A. I did not count the bushes—you can see what is there.
 Q. 350 feet of land under cultivation?
 A. That is 350 feet of rows.
 Re-examined by MR. HENRY AYLEN, K.C., Counsel for the Proprietor.
 Q. You say "loss of two crops" of the raspberries; will you explain that?

L. B. DAVIES, (Cross Examined, continued).

A. The first year you plant them you do not get any crop—the next year you do not get any crop that amounts to anything—we always figure a loss.

Q. How long do you say these 350 feet of raspberries had been planted?

A. They were certainly planted four or five years, maybe longer—they were in good condition—I took into consideration the
10 diseased wood.

Q. Where were these raspberries on the plan?

A. Down in this corner. (Indicating).

Q. In the red part?

A. Yes.

Q. Towards the south of the red part?

A. Yes—I would not swear to that.

Q. To the best of your remembrance?

A. Yes.

Q. The 150 square feet of asparagus?

20 A. You would have to ask Mr. Ritchie about that.

Q. Where would that be? Would that be on the red or the other part?

A. I think that was in the red part.

Q. Fifty square feet rhubarb?

A. I think that was up in the red too.

Q. The thirty-seven currants, full bearing—where would they be?

A. Some of those were up here.

Q. That would be in the blue?

30 A. Some would be in the blue and some in the red, I think.

Q. Twenty-five gooseberries—where would they be?

A. If I remember they were kind of scattered in different places.

Q. Would they be on the red or the blue?

A. Well, I would think there were some of them on the red, I do not know how many.

Q. Can you say how many?

A. I would not attempt to say how many.

Q. The apple trees?

40 A. Well, a good many of those apple trees were on the red.

Q. There were thirteen altogether. Were there any apple trees near the house?

A. That one I saw in the picture was not very far from the house—it is pretty hard to say how many were in the red and how many in the blue.

Q. The strawberries, where were they?

A. They were scattered round in different patches.

L. B. DAVIES, (Cross Examined, continued).

- Q. Can you give me any idea of what proportion of them would be on the red and what on the blue?
- A. No, it is pretty hard.
- Q. What about miscellaneous perennials?
- A. There were some foxgloves and other perennials—I think most of those would be in the red because most of his ornamental planting was close to the road.
- 10 Q. 392 divisions Iris?
- A. The same.
- Q. Fifteen roses—where would they be?
- A. Most of those would be in this vicinity—well, some of those might have been in the blue because there was some planted up there.
- Q. Some of those roses would be in the blue and some in the red?
- A. Yes, I think so.
- Q. 265 square feet perennials—where would they be?
- 20 A. Most of those would be in the red.
- Q. And the lilacs—where would the lilacs be—two specimens of lilacs?
- A. Well, it is hard to say—I know they were up in this direction.
- Q. Six large shade trees, \$30 each you have put down. Where are they?
- A. They were scattered.
- Q. Were the shade trees you see in the picture some of them?
- A. No, there were some specially fine oaks—there was one large oak and a bunch of them but I would not say whether they
- 30 were on the red or on the blue.
- Q. Some on both?
- A. Yes, there must have been some on both areas because the whole area was pretty well planted.
- Q. Fifty feet lilac hedge—where would that be?
- A. Most of that would be on the red as I recollect.
- Q. Towards the north?
- A. Yes, if my recollection serves me right.
- Q. 150 miscellaneous hedge—where was that?
- A. That was this hedge on the roadside—that would be all in
- 40 the red.
- Q. The north part of the red?
- A. Yes.
- Q. The Virginia creepers—they were around the house I think you said?
- A. Yes, I imagine most of those would be in the blue.
- Q. The hydrangeas?
- A. I imagine that would be in the blue too.

L. B. DAVIES, (Cross Examined, continued).

- Q. Five balsam fir.
 A. Some of those would be in the red and I think some in the blue—they are in that area which it is doubtful to tell.
 Q. One bush honeysuckle?
 A. I do not know whether that is in the red or the blue—it is pretty close to the house.
 Q. Eight medium spruce?
 10 A. I do not know whether those are in the red or the blue.
 Q. One red oak?
 A. I am doubtful whether that is in the red or the blue—it is probably pretty close to the border line.
 Q. Sixty-six feet cedar and spruce hedge?
 A. I imagine that would be mostly on the blue if my memory serves me right.
 And further the deposant saith not.

20

PRESENT: A. W. G. MacALLISTER, ESQ., K.C.,
 Vice-Chairman of the Commission.

On the 20th day of January, A.D. 1927 appeared F. T. RITCHIE, Civil Servant, Central Experimental Farm, Ottawa, in the County of Carleton, Province of Ontario, a witness produced on the part of the Proprietor, who, having been duly sworn, doth and say:

30

Examined by MR. HENRY AYLEN, K.C., Counsel for the Proprietor.

- Q. Did you examine the Selwyn property that Mr. Davies has referred to?
 A. I did in company with Mr. Davies.
 Q. In July last?
 A. Yes.
 Q. Will you look at this document Exhibit R. 10 and say if that is your signature?
 A. Yes, that is my signature.
 40 Q. What is your position at the Experimental Farm?
 A. Assistant in vegetable gardening.
 Q. Have you charge of the vegetable gardening?
 A. Yes.
 Q. That would include strawberries, I suppose?
 A. Well, no, not here—I was at the Lennoxville Experimental Farm—that is down in the Eastern Townships—I had charge of all the different branches of horticulture there.

F. T. RITCHIE, (Evidence continued).

- Q. Before you came to Ottawa?
 R. Yes.
 Q. When did you come here?
 A. In 1921.
 Q. How long were at Lennoxville?
 A. From 1915 to 1921.
 Q. Is that a government institutions?
 10 A. Yes, Dominion Experimental Station.
 Q. Will you say if you found the things in that Exhibit R. 10 on the property?
 R. Yes.
 Q. What about the values?
 A. To the best of my knowledge and in accordance with Mr. Davies' judgment and my own everything was valued as accurately as it is possible to value it
 Q. Speaking for yourself?
 A. I am speaking for myself—it is conservative valuation of
 20 the things that were there.
 Q. Was it suitable material in your opinion to be on such a property?
 A. Yes—so far as the material was concerned it seemed all right.
 Q. You think the property was worth \$985 more with these things or it would be without them?
 A. It certainly enhanced its value.
 Q. About the distribution—did you hear Mr. Davies speak of the distribution between the blue and the red part of the plan on the Selwyn property?
 30 R. Yes.
 Q. You heard him speak of that?
 R. Yes.
 Q. Do you corroborate that?
 A. Yes, I agree with his placing.

Cross-examination by MR. T. R. KER, K.C., Counsel for the Petitioner.

- Q. Just what is it you agree with in regard to the last question?
 40 A. Mr. Aylen asked there with regard the location.
 Q. With what part of the evidence do you agree?
 A. With what I heard—that was all.
 Q. Are you referring now to the division of the amounts of the stuff referred to in this exhibit between the property marked in blue and the property marked in red?
 A. So far as I could hear Mr. Davies.
 Q. Did you hear it all?

F. T. RITCHIE, (Cross Examined, continued).

- A. I heard part of it.
- Q. You do not know anything about the other part?
- A. Perhaps just as much as you do.
- Q. In your opinion what percentage of the material mentioned in this declaration is situated on the part and how much is situated in the red part?
- A. I cannot go into details so far as the location is concerned of the percentages.
- Q. I am not asking you to go into details; I am asking you to declare the percentage?
- 10 A. I could not declare the percentage—it would be impossible for me to do that off hand.
- Q. There is \$985 worth of plants represented in this thing; you cannot state after having thoroughly examined that property for three hours—is that length of time?
- A. Something about that.
- 20 Q. Gone all over it—you cannot tell me roughly—I am not asking you exactly—what percentage of that material is around the house?
- A. I was not asked to do that—I was asked to value the material in certain locations.
- Q. I am not asking you that?
- A. That was what I was asked to do.
- Q. But you cannot tell me?
- A. Not from memory.
- Q. Was there a considerable portion of this stuff around the house?
- 30 A. Some of it.
- Q. What about the raspberry bushes?
- A. They were towards Kirk's Ferry from the house—what direction would that be?—that would be southeast.
- Q. Where were the strawberries?
- A. They were located in clumps.
- Q. Where?
- A. In the same direction.
- Q. Were these ordinary strawberries you would find on anybody's land in the summer time or were they specially prepared
- 40 imported strawberries?
- A. Strawberries of good quality.
- Q. But wild strawberries?
- A. No, they were cultivated strawberries.
- Q. Had they been placed in there specially?
- A. Yes, planted and well tended.
- Q. But the material represented by this was generally over the property as a whole?

F. T. RITCHIE, (Cross Examined, continued).

A. No, it was located more towards the southeast—that would be towards Kirk's Ferry.

MR. HENRY AYLEN, K.C.: Would it be on the red or the blue shown there?

Q. I am referring to the berries particularly; I am referring to all the stuff—it was divided generally over the part that is blue
10 and the part that is red?

A. Yes, it is divided.

Q. What items of these did you carefully estimate upon?

A. Well, Mr. Davies and I went over these materials and we measured it jointly—that is where measurements were to be taken—and I placed the value on the asparagus and the rhubarb particularly so.

Q. Did you place these values on or Mr. Davies?

A. On which?

Q. These amounts here?

20 A. In the case of the asparagus and the rhubarb I actually put values on those.

Q. Those are the only two you had put any part in valuing?

A. That I really put the value on.

Q. So that you do not know about the values in this report other than those two items?

A. Just those two items.

MR. HENRY AYLEN, K.C.:

Q. Haven't you knowledge of the other things mentioned?

30 A. Well, of course I should not have said that there—I should have said I have knowledge of these other things the perennilas and shrubs—of course we did that jointly.

MR. KER, K.C.:

Q. You had knowledge of the shrubs but you had nothing to do with placing the value on them?

A. No.

MR. HENRY AYLEN, K.C.:

Q. You know the intrinsic value?

A. Yes, I have knowledge of the intrinsic value of a shrub.

40 MR. HENRY AYLEN, K.C.:

Q. Your knowledge extends over this whole field?

A. Yes.

MR. HENRY AYLEN, K.C.:

A. I certainly do but these two particular things I placed the values on.

And further the deposant saith not.

PRESENT: A. W. G. MacALLISTER, ESQ., K.C.,
Vice-Chairman of the Commission.

On the 20th day of January, A. D. 1927, appeared WILLIAM G. ADAMSON, Builder, Ottawa, in the County of Carleton, Province of Ontario, a witness produced on the part of the Proprietor, who having been duly sworn, doth depose and say:

EXAMINED by Mr. HENRY AYLEN, K. C.,
Counsel for the Proprietor.

10

Q. What is your age?

A. Fifty-four.

Q. What is your occupation?

A. Builder.

Q. In Ottawa?

A. In Ottawa.

Q. How long have you been engaged in building?

A. Twenty-two years.

20 Q. Were you asked by Mr. Selwyn to examine the buildings upon properties referred to in the proceedings in this case?

A. Yes, sir.

Q. Would you look at the plan Exhibit R 9 and say if you examined the buildings shown upon that property, assuming that to be the Selwyn property, that is the main property, the property he got from his father?

R. Yes, sir.

Q. Did you make measurements of the dimensions of each building?

A. Yes.

30 Q. And did you prepare a report on it?

R. Yes, sir.

Q. Will you look at statement Exhibit R 14 and say if it is a report you gave to Mr. Selwyn?

A. That is the one I made.

Statement filed as Exhibit R. 14.

Q. The main house on this property—did you go inside of it?

A. Yes.

Q. When did you make the investigation?

A. On November 14, 1926.

40 Q. You examined the inside of the house?

A. Yes.

Q. And the outside?

A. Yes.

Q. The foundation?

A. Yes.

Q. And what was your estimate of the value of the main house?

A. \$5,120.21.

WILLIAM G. ADAMSON, (Evidence continued).

- Q. That includes the hen house, the ice house and the garage?
 A. Yes.
 Q. Does it include the water tank?
 A. Yes, that all goes together.
 Q. 1,000 gallon tank and stand, \$225, wind pump and frame, \$250?
 A. \$475.
 10 Q. Lumber of the dimensions shown— take 31'6" plus 20'6" plus 31'6"—104' girth—what does that mean?
 A. It is the size of the building—each building and the extension as well.
 Q. Extension—what do you mean by that?
 A. That is an addition to the house.
 Q. 27 by 12?
 A. Yes and 9'9" by 8.
 Q. And verandah three sides?
 A. Yes.
 20 Q. Taking those things that are mentioned there at the top of page one of your report you find the value of them at what?
 A. \$4,074.01.
 Q. Was all the material that you have indicated in your report actually measured in the building?
 A. Measured there.
 Q. And you saw it there yourself?
 A. Saw it there.
 Q. What kind of a house was it?
 A. Clapboard house, sheeted clapboard and it was sheeted inside with paper on in the inside and panelled off with a mould.
 30 Q. Take that \$182, the second item, what is that for—104'6" by eight outside beams—does that include the material and cost of putting them in the house?
 A. Yes, that is placed.
 Q. And the cellar?
 A. 12 by 10 by 7 — 44 by 7 by 1 — thirteen yards.
 Q. You got \$70?
 A. Yes.
 Q. Does that include the excavation for it?
 40 A. Yes.
 Q. What is it built up with?
 A. Well, some cement posts and some wood.
 Q. Concrete piers—were they there?
 A. Yes.
 Q. Concrete steps and laundry and fill—where is the laundry?
 A. The laundry is a misprint—concrete steps and fill under same—that is in the front coming down from the verandah.

WILLIAM G. ADAMSON, (Evidence continued).

- Q. Ground floor joists—were they measured in there to?
 A. Yes.
 Q. Is that the value of the material and labour of putting them there?
 A. Yes.
 Q. And you say the same for the other items?
 A. Yes.
 10 Q. Here is \$384 for clapboard paper, rough boarding paper, rough boarding—what does that cover?
 A. That is the outside walls.
 Q. And you actually measured that stuff there?
 A. Yes.
 Q. Does that include the labour of putting that there?
 A. Yes.
 Q. Another division you have the sheeting in partitions of both floors?
 A. That is the partitions.
 20 Q. You measured those partitions?
 A. Yes.
 Q. That includes of course the cost of material and labour of putting them there?
 A. Yes.
 Q. And the verandah—you put the verandah down at \$480?
 A. Yes, that runs four dollars a running foot—that takes in the verandah and the roof.
 Q. How wide is that verandah?
 A. I think it runs about four feet or five feet, something like that.
 30 Q. 96 feet lineal?
 A. Yes.
 Q. Was that a fair estimate for the material and labour of putting it there?
 A. Yes, it is floored with inch and a quarter stuff.
 Q. What part of that would be the kitchen? Is that the narrowest par of the house?
 A. Yes.
 Q. What is it built of?
 40 A. It is the same construction.
 Q. That is \$654.57?
 A. Yes.
 Q. Does that include the material and labour of putting it there?
 A. Yes. There is an iron roof on the kitchen.
 Q. The report indicates everything in the house?
 A. Yes.

WILLIAM G. ADAMSON, (Evidence continued).

- Q. This pump—is that the windmill down in the triangle here you have the windmill near the old railway?
- A. Yes.
- Q. And there is a tank; what is the material of that tank, do you remember?
- A. It is wood.
- 10 Q. And that pumps the water up to there and it flows down by gravity to the house?
- A. Yes.
- Q. Did you find that in good condition?
- A. Well, the pump was not working—it was disconnected for the winter.
- Q. But did the pump seem to be all right?
- A. Well, of course part of the pipe was underground.
- Q. Was there any water in the house—bathrooms?
- A. No, it was all dry.
- Q. The henhouse is shown on this map Exhibit R 9 over on the southwest corner?
- 20 A. Yes.
- Q. And you have that down at \$119?
- A. Yes, sir.
- Q. That is 8'6" by 10' by 14'?
- A. Yes.
- Q. And the ice house?
- A. That is bevel sheeting.
- Q. Did you examine the ice house?
- A. Yes.
- 30 Q. \$183.40?
- A. Yes.
- Q. The garage?
- A. 12'3" by 16' by 14'—\$268.80.
- Q. Did you consider that was the value of the material and labour and other things?
- A. Yes.
- Q. Does this \$475 include the piping reaching from the windmill up to the tank?
- A. Yes.
- 40 Q. And from the tank to the house?
- A. Yes.
- Q. And from the windmill to the river?
- A. Yes.
- Q. Turn to page three of your report, the small cottage—that is the two storey garden house; that is down in the garden?
- A. Yes, that is down in the garden, two storey building.
- Q. The tank and the garden house and the chicken house?

WILLIAM G. ADAMSON, (Evidence continued).

- A. You have that in the first one—that is with the main house.
- Q. Those three pieces, the windmill, garden house and the chicken house shown on this plan Exhibit R. 9 are within the red area shown on the expropriation plan, I understand?
- A. According to the plan, yes.
- Q. How long were you in making this investigation?
- A. Well, I lost a whole day up there in measuring up there.
- 10 Q. How long did it take you to make the report after you took your measurements?
- A. Well, I lost the best part of a day working it out.
- Q. When you go on such work what are you generally paid a day?
- A. Well, I am always getting so much per cent.
- Q. When you work by the day, how much do you get?
- A. Well, if I only spend an hour or two hours I get twenty-five dollars a day.

CROSS-EXAMINED BY J. W. STE-MARIE, K.C.

20

Counsel for the Petitioner.

- Q. You are a contractor?
- A. Supposed to be, yes.
- Q. You were called as a witness yesterday in another case?
- A. Yes.
- Q. And you gave us the values of some properties and you were asked if you had any idea of cubing a property?
- A. Yes.
- 30 Q. You said that you did not believe in cubing buildings?
- A. Well, I will tell you—I know what you are going to ask me now—that is the case of a small shed the like of that but in a building of any size or outside of one or two boards, partitions, I do not do that in my own business and I do not do it here but there are a couple of sheds that were cubed there.
- Q. In that statement that you have already filed I see on page two henhouse, 8'6" by 10 by 14 which would be by cubing 1190, \$119. Didn't you put the price of that at ten cents a foot?
- A. It was either ten or twelve, I just forget which.
- 40 Q. Which house is that?
- A. The hen house.
- Q. You did the same thing for the ice house, did you not?
- A. Yes.
- Q. Is it not by cubing the property that you came to the price of \$183.40?
- A. Well, in a building of that kind where there are no partitions, probably one board, you can do it that way but you cannot

WILLIAM G. ADAMSON, (Cross Examined, continued).

come to a right estimate on a house the like of that by cubing it.

Q. Why?

A. Because I never use it myself.

Q. But you are taking it for a small house.

A. For small buildings when there is one ply sheeting.

Q. Do you know of other contractors doing it on big buildings?

10 A. There may be some but I never do it myself.

MR. HENRY AYLEN, K.C.: I am not through with the witness.

MR. STE. MARIE, K.C.: I beg your pardon.

Continuation of examination by Mr. Henry Aylen, K.C.,
Counsel of the Proprietor.

Q. In addition to examining this property did you go to the
bee house?

20 A. Yes.

Q. What did you find there? What did you put the value of
that at?

A. \$2,357.22.

Q. 41 by 16'8" and a sixteen foot wall?

A. Yes.

Q. What is this 115'4"?

A. That is girth around the building.

Q. What is the first item, concrete slab?

3 A. Yes, 21 by 16'8", an average of three feet—it is built on a hill
and there is a fill there too.

Q. Is that what they call the cellar concrete?

A. Yes, the back end. There is thirty-nine yards in it.

Q. Does that mean cubic yards or what—running yards?

A. No, cubic yards.

Q. You allowed \$351 for that?

A. Yes.

Q. What is the next one there?

A. Concrete in cellar walls, nineteen yards.

Q. Cubic yards?

40 A. Cubic yards.

Q. How much did you allow for that?

A. \$228.

Q. What is the next one?

A. Concrete floor, finished floor, 320 square feet, \$64. That is
the finished coat.

Q. Where is that concrete floor?

A. It is in the addition, the second addition to the building.

WILLIAM G. ADAMSON, (Cross Examined, continued).

- Q. What is the basement extension, 6 by 12 complete?
 A. That is an area going into the basement from the outside.
 Q. Now then the studding and these rafters and other things.
 you found them actually in place there?
 A. Yes.
 Q. And your estimate of the value comes to?
 A. \$2,357.22.
 Q. That does not include the land at all?
 A. No.
 Q. Just the buildings on that property?
 10 A. Yes.
 Q. Did you see what they call the bungalow?
 A. Yes.
 Q. I think you said the house in the garden was \$912.16?
 A. Yes, the cottage.
 Q. In the cottage No. 2 there is concrete in this too, is there?
 Girth of the main building, 126—the first item?
 20 A. That is the girth around the building.
 Q. Then, there is the concrete pier, five yards?
 A. Yes, five yards.
 Q. Sixty dollars you have allowed?
 A. Yes.
 Q. And “concrete ch.”—that is the chimney?
 A. Yes, four yards.
 Q. Forty-eight dollars?
 A. Yes.
 Q. Then you come down to the wood, is it, 126 plus 64 lineal feet,
 30 8 by 8?
 A. Yes.
 Q. And you measured those in place?
 A. In place.
 Q. And the other things as indicated there?
 A. Yes.
 Q. And you found the total value of the material and workman-
 manship in the building, how much?
 A. \$2,570.90.
 Q. Considering all the features of the situation do you consider
 40 those figures the values of those buildings?
 A. Yes.

CROSS-EXAMINATION CONTINUED BY

MR. J. W. STE. MARIE, K. C.,

Counsel for the Petitioner.

- Q. For how many years have you been a contractor?

WILLIAM G. ADAMSON, (Cross Examined, continued).

- A. I have been contracting for twenty-two years and I have been in the business since I was sixteen.
- Q. During the last few years have you been contracting?
- A. Yes.
- Q. Where?
- A. All over the city.
- Q. In Ottawa city?
- 10 A. Yes.
- Q. What kind of houses were you building in Ottawa?
- A. I did not build any.
- Q. What were you building then?
- A. Well, I built and did some repair work at Mr. Meredith on Range Road—for different people—last year was a lean year as it were.
- Q. Last year you made only repairs to houses. The year before what houses did you build?
- A. Well, I had a lot of work the year before at A. J. Freiman's—
- 20 I built the building on Freiman's at the corner of Rideau and George.
- Q. That was a big property?
- A. I was on the Stewart building—I was not on the corner.
- Q. That is rather a big property compared with these properties at Kirk's Ferry?
- A. It is bigger.
- Q. These are not cottages?
- A. No, I do not pretend to have built cottages.
- Q. Have you ever built any cottages up in the Gatineau?
- A. Well, I did but it is a long time ago.
- 30 Q. How many years ago?
- A. Pretty nearly thirty years.
- Q. You do not know conditions very much in the Gatineau for building cottages?
- A. Well, I am up there every second week.
- Q. You have no experience, I mean?
- A. No, I have no experience in building cottages there.
- Q. In Ottawa you have been building only brick houses and stone houses and cement?
- 40 A. You might say one year I do and one year I might not—I am doing all classes of work.
- Q. You were called by Mr. Selwyn himself?
- A. Yes.
- Q. You took the measurements of the big house first?
- A. Yes.
- Q. And then you put up all those figures on Exhibit R. 14. I see the first figures here, main house 31'6" plus 20'6" plus 20'6"

WILLIAM G. ADAMSON, (Cross Examined, continued).

plus 31'6"—104 girth; then outside beams and posts, \$44.00.

Will you tell us how you arrive at that amount of \$44?

A. That is the posts—twenty-five of them.

Q. How do you arrive at \$44 even if you have 25 posts?

A. Well I cannot just tell you the number of posts there right off.

Q. Isn't it true there are only fifteen posts there instead of twenty-five?

10 A. No.

Q. Well, I read it fifteen posts on the second line?

A. In the second line I have 104 lineal feet of 6 by 8 outside beams and that is at twenty-five cents a foot.

Q. Is that what you were paying for buying those posts in Ottawa?

A. That is a beam 6 by 8.

Q. You were talking about posts a few minutes ago?

A. You spoke of posts—I misunderstood you.

Q. You speak of \$44. I want you to explain it?

20 A. There is 104 lineal feet multiplied by 25 and then there are 15 posts in the same line.

Q. Well, what do you put for the 15 posts?

A. I imagine it would be around fifty cents or so a post.

Q. I would like to know what you put for the posts and what you put for the beams. Can you tell me? You prepared this and you swore a few minutes ago that figure \$44 represents the value of these things.

A. That represents the value of that line.

30 Q. I want to know how you come to \$44. Just now you have given me 104 lineal feet at 25 cents and 50 posts at 50 cents. That does not bring me to \$44 yet.

A. I figure the number at 25 cents for 104 feet and fifteen posts. I just forget how much I put.

Q. Then you cannot explain to me now how you get that \$44 better than that?

A. I am giving you to the best of my memory—this is some time ago and we sometimes have bad memories.

Q. Yes, it is very bad. You cannot explain to me any better?

A. I beg pardon.

40 Q. Would you tell me if 25 cents was the price? Where did you get that price of 25 cents per foot for beams?

A. That is 6 by 8?

Q. Yes.

A. It is what we pay for the.

Q. Where?

A. In Ottawa—I presume I would have to pay the same up there.

WILLIAM G. ADAMSON, (Cross Examined, continued).

- Q. Do you know how long those beams have been there?
 A. I have no idea.
 Q. Did you put anything at all for depreciation?
 A. No.
 Q. For the posts did you put anything at all for depreciation?
 A. No.
 Q. Do you know how long they have been there?
 10 A. No.
 Q. So you put the price as if they had been new?
 A. Absolutely.
 Q. You said for the cellar 12 by 10 by 7?
 A. Yes.
 Q. And after that I see some other figures 44 by 7 by 1 and then 308—13 yards?
 A. Yes.
 Q. \$182?
 A. Yes.
 20 Q. Will you explain to us how you come to make up your item of \$182?
 A. Fourteen dollars a yard.
 Q. Was that for excavation?
 A. No, for concrete.
 Q. Fourteen dollars a yard, is that the price for concrete?
 A. Sometimes you will find some at \$14, sometimes \$12—you will find some at \$12 here.
 Q. Do you know where the sand was taken from and the cement was taken from at this place?
 30 A. I have had some experience in that.
 Q. Tell me what is your experience up there?
 A. I have had it cost me pretty nearly \$40 a yard.
 Q. Perhaps we find some occasions but I want to find out how you come to put that figure of \$14 there for concrete?
 A. Because I assumed they got the material in the vicinity and it is worth that—it is worth \$14 a yard in concrete and I am figuring it every day.
 Q. Did you inquire about it?
 A. No.
 40 Q. How much did you put for the work, labour?
 A. I figure it at \$14 a yard.
 Q. What do you pay for labour up there at Kirk's Ferry?
 A. I do not know.
 Q. Do you know labour is much cheaper up there than it is in Ottawa?
 A. I know I have paid thirty-five and forty-five in Ottawa for it.
 Q. But you have never contracted up at Kirk's Ferry?

WILLIAM G. ADAMSON, (Cross Examined, continued).

- A. No, but further on I have.
- Q. Where?
- A. At Gracefield.
- Q. How many years ago?
- A. Two years ago.
- Q. What did you pay for labour?
- A. Thirty-five cents and that was eleven miles from Gracefield.
- 10 Q. Where was that?
- A. At White Fish.
- Q. And construction there?
- A. I was building two big fire places there.
- Q. Isn't it true that for fire places you need some experts?
- A. Absolutely.
- Q. Concrete piers, five yards—that is again the same thing. Did you measure it yourself?
- A. Yes.
- Q. Those piers have been there for many years?
- 20 A. No, they have not—they could not have been put in there very long—they are along the verandah on the outside.
- Q. You do not know how many years they have been there?
- A. No.
- Q. You did not put anything there for depreciation either?
- A. No.
- Q. After that you have concrete steps and laundry and fill under same?
- A. That laundry is a misprint.
- Q. It should not be there?
- 30 A. No.
- Q. Eighty-four square feet, \$33.60?
- A. Yes.
- Q. How do you arrive at that amount?
- A. That is the number of square feet in the steps—it is a peculiar step—the steps go down on to a landing and there is a wall round it and you go down another step outside — I thought I was putting a fair valuation at that price.
- Q. You do not know how many years those steps have been there?
- 40 A. No.
- Q. You put it just the same as if you had to replace them with new?
- A. If I was going to build them what I thought it would cost me to build them.
- Q. These are all prices for a new building?
- A. Yes, they are used the same all through.
- Q. You did not put anything for depreciation in that building?

WILLIAM G. ADAMSON, (Cross Examined, continued).

- A. No.
- Q. Bridging, \$5—what does that mean?
- A. That is bridging for the floors across, to strengthen the joists—those are prices that I am using every day myself.
- Q. Then, after that, upper joists, \$27—is that for the price of the joists?
- A. That is placed.
- 10 Q. How do you arrive at that?
- A. That was figured at six cents a foot board measure.
- Q. That would be the price again for new?
- A. Yes—no, I am wrong—seven cents.
- Q. I do not see how you can arrive at that even at seven cents. You do not arrive at \$27 even at that. Is that the price, seven cents, you pay for joists in the lumber yards here in Ottawa?
- A. No, that is labour and all, nails and all—it includes all labour and materials.
- Q. How much do you put for material and how much for labour?
- 20 A. Well, now, your lumber will cost you \$42—your labour up there is worth \$20 and your cartage and that I should think would be worth the balance.
- Q. How much do you put for labour in this special item?
- A. I am telling you—twenty dollars—that is per thousand.
- Q. For putting how many joists?
- A. There are fourteen pieces twenty-one feet long.
- Q. You do not know how much for labour and how much for material?
- A. I told you twenty dollars—twenty dollars per thousand for labour.
- 30 Q. Can you give me the figures yourself to put it at \$27 in this item 14 by 21 upper joists?
- A. No, I am wrong—\$22.40.
- Q. How much did you put for labour there and how much for material?
- A. Seven cents a foot I am telling you.
- Q. You have how many feet?
- A. I have 322 feet.
- Q. That makes it \$22.40 and you have \$27?
- 40 A. Yes, that is it.
- Q. Of that seven cents, how much would be for material, and how much for labour? How much would you pay for joists per foot?
- A. We pay \$42 and \$45.
- Q. Per 1,000 feet?
- A. Yes.
- Q. How many years have these joists been there, these upper

WILLIAM G. ADAMSON, (Cross Examined, continued).

- joists?
- A. I could not tell you.
- Q. Did you put anything at all for depreciation?
- A. No, I did not in any of them.
- Q. In any case?
- A. No.
- Q. After that, running beams, 6 by 8—31'6"—\$15.75?
- 10 A. Yes.
- Q. Will you tell me how you make up that \$15.75?
- A. That is the same as the other one above.
- Q. How do you arrive at \$15.75? Is there any mistake as in the other one? We do not know how many mistakes have been made in these figures?
- A. Well, you have got it in front of you—if you can show me any mistakes—
- Q. I think if you were cubing it, it would be much easier?
- A. I do not think so.
- 20 Q. Have you ever cubed that property?
- A. No.
- Q. How many cubic feet would you put in that property?
- A. I could not tell you.
- Q. When you take the hen house you put it at ten cents?
- A. Yes.
- Q. And there is a single board?
- A. Just the single board.
- Q. The hen house?
- A. Yes.
- 30 Q. And the ice house?
- A. No, the ice house is two, double boards.
- Q. And you put it at how much—ten cents again?
- A. Yes.
- Q. Why do you put ten cents on the ice house with a double board and ten cents for the hen house with a single board?
- A. Because part of the wall was out of the ice house—there was a single board at one end and double at the other.
- Q. Wouldn't it have been easier to deduct from the number of cubic feet?
- 40 A. No, I never use that.
- Q. You put it in the price instead of deducting the amount of cubic feet that were not there?
- A. I took the whole building together—it was a small building.
- Q. And you say of the four walls of the ice house there would be 1834 cubic feet in this building and you put it at ten cents a foot?
- A. Yes.

WILLIAM G. ADAMSON, (Cross Examined, continued).

- Q. And you say you put it at ten cents because part of the building, or one wall of the building was not there?
- A. I used my judgment.
- Q. The garage is the same?
- A. Yes.
- Q. Did you cube the garage too?
- A. Yes.
- 10 Q. What kind of a garage is it? Is it a single board?
- A. It is a plank floor, double boarded—board outside and in.
- Q. What kind of a roof?
- A. It was a felt roof, ready roofing on it.
- Q. How much did you put for the garage after cubing it?
- A. That was twelve cents if I remember right.
- Q. Then you put 1,000 gallon tank and stand, \$225?
- A. Yes.
- Q. That is the price of the tank?
- A. That is the tank and the windmill.
- 20 Q. Tank and stand?
- A. Tank and stand, yes.
- Q. How much did you put for the stand?
- A. I could not tell you for this reason—I got that price from an agent on the market.
- Q. That was the price of a new tank?
- A. Yes.
- Q. How long had that tank been there before?
- A. I do not know.

3 **THE CHAIRMAN:** What kind of tank?

- A. It was a wooden tank on a wooden frame used for watering the garden.

BY MR. KERR, K. C.:

- Q. Wind pump and frame, you put it at \$250?
- A. Yes.
- Q. Where did you get the price for the wind pump?
- A. From a man on the market—an agent.

40 **BY THE CHAIRMAN:**

- Q. Is that in running order—the pump?
- A. It was disconnected when I was there for the winter so I do not know anything about it—it looked as though it was all right.
- Q. You cannot tell how many years ago that house was built?
- A. No, I cannot.
- Q. You can say whether it was two years ago or twenty-five years

WILLIAM G. ADAMSON, (Cross Examined, continued).

ago or fifty years ?

A. The house looked in good repair but how long it was there I could not say—it was painted, you know—if you paint up a house you cannot tell very well.

Q. You cannot say by the look ?

A. No.

Q. You know it is not a new house ?

10 A. It is not a new house—Mr. Selwyn told me it was up but I forget how many years he told me it was up.

Q. You cannot say by the kind of construction—your stuff is changing all the time—you would not put up this year the same kind of plumbing you would put in five years ago ?

A. Plumbing is changing—the plumbing is old, I would say that.

BY MR. KERR, K. C.:

Q. And you proceeded always the same way with the other items ?

20 A. Yes, all through.

BY MR. HENRY AYLEN, K. C.:

Q. Did you find all these buildings in good repair ?

A. Fairly good.

BY THE CHAIRMAN:

Q. What would you say is the depreciation on this property ?
Supposing you had been called by the other party, tell us
30 frankly what would be the depreciation you would put on this property ?

A. It is a very hard question to answer but I will do the best I can—I would say probably about ten or fifteen per cent.

Q. Not more ?

A. No, I do not think so.

Q. You are conservative ?

A. I will tell you — they figure it in different ways in depreciation but the condition the building was in I would say ten per cent.

A. By the condition it is in—it is in good repair.

40 Q. How many years do you figure a house of that type will stand ? sixty years—the house I was born in is up yet.

A. If it is looked after I know some houses myself up fifty or

Q. Then I say to come to a certain percentage of depreciation you would need to know how long this house is standing there. If it has been standing there thirty years it has depreciated fifty per cent ?

A. It depends on the sills—if the sills are rotted it is depreciated

WILLIAM G. ADAMSON, (Cross Examined, continued).

more.

Q. After thirty years it is depreciated fifty per cent—a frame cottage would not last more than that.

A. The cottage I was born in was up seventy-five years.

Q. What kind of construction?

A. It was a log house.

Q. You said a minute ago a house of that type would last for
10 fifty or sixty years?

A. Do not misunderstand me—I have seen them up fifty or sixty years.

Q. What would be the natural life of such a property?

A. Well, I guess I would figure it at sixty.

And further the deposant saith not.

20

On the 20th day of January, A.D. 1927 appeared H. M. DIBBLEE, Civil Engineer, Ottawa, in the County of Carleton, Province of Ontario, a witness produced on the part of the Proprietor, who, having been duly sworn, doth depose and say:

EXAMINED BY MR. HENRY AYLEN, K. C.,

Counsel for the Proprietor.

30 Q. Are you in the employ of the Canadian Pacific Railway Co.?

A. I am.

Q. Have you charge of the location of the new line from Chelsea up to past Kirk's Ferry and Cascades and that neighbourhood?

A. Yes.

Q. You have heard Mr. Girroir speak of the bench mark?

A. I did not hear that.

Q. Are these mean sea levels you have just been checking up with Mr. Girroir taken from the geodetic survey?

40 A. Yes.

Q. Mr. Farley refers in the notice of application to the minister for leave to expropriate to a contour line of 325 above mean sea level as taken from the bench mark 467 established by the geodetic survey of Canada in the south end of the east face of square concrete culvert under the Canadian Pacific railway four-tenths mile south of Cascades and at mileage 1359 from Maniwaki junction?

H. M. DIBBLEE, Evidence continued).

A. That is the one we used to establish our levels.

Q. That has been used to establish the levels that Mr. Girroir used?

A. Yes.

Q. There is no doubt about that?

A. No.

10 Q. And Mr. Girroir in checking your railway as he states took the correct data to go on?

A. Yes, we checked back on the railroad.

MR. T. R. KERR, K. C., Counsel for the Petitioner: No questions.

And further the deposant saith not.

20 On the 20th day of January, A. D. 1927, appeared RENE GIRROIR, Supervisor of Ticket-of-Leave for Canada in the Royal Canadian Mounted Police, Canada, in the County of Carleton, Province of Ontario, a witness produced on the part of the Proprietor, who, having been duly sworn, doth depose and say:

EXAMINED BY MR. HENRY AYLEN, K. C.,
Counsel for the Proprietor.

Q. Have you studied any profession?

30 A. Yes, civil engineer.

Q. How long did you practise as civil engineer?

A. Since 1903.

Q. In Canada?

A. Yes.

MR. T. R. KERR, K. C., Counsel for the Petitioner: The qualifications of Colonel Girroir are admitted.

BY MR. HENRY AYLEN, K. C.:

40 Q. Have you had any experience in building houses and things of that kind?

A. I cannot say I have—that is to say directly—I have built stations for railways and out-houses of that sort.

Q. Will you look at the expropriation paper filed in this case which was served on the sixteenth of November, 1926 and filed on the sixth of December, 1926, and say if you examined the property firstly shown on there, the property that Mr.

RENE GIRROIR, (Evidence continued).

Selwyn obtained from his father?

A. I have.

Q. Did you make an estimate of the area not in red in that?

A. I estimated the area of the part in blue taken from the figures on this plan.

Q. The expropriation plan that shows no part in red of the expropriation line touching the house?

10 A. Yes.

Q. Will you look at the plan produced as Exhibit R. 13 and say if it shows the way you divided it into sections and made that estimate?

A. It does.

Plan as above filed as Exhibit R. 13.

Q. Is the area given on this?

A. The area as computed by me and shown by these figures on the plan is 15,401 square feet.

20 Q. How many square feet in an acre?

A. 43,560 if I remember rightly.

Q. Did you also prepare the plan filed as Exhibit R. 9 in this case of the same property?

A. I did.

Q. I notice you have got one line marked "325 feet contour line"; what does that mean? Above what?

A. Above mean sea level.

Q. Where did you get your initial point to start from about that?

30 A. From a Canadian Pacific railway bench mark—do you want the exact location of it?

Q. Yes.

A. The bench mark was 329.98 at station 74 plus 10 on the side of a culvert about thirty feet to the west of the culvert on a stump.

Q. From that you brought your line down to this property?

A. I did.

Q. What was the elevation of that bench mark?

A. 329.98.

40 Q. Does your line indicate on plan Exhibit R. 9 that if the water came up to 325 contour line it would cover the property or the greater proportion on which the house is situated?

A. About sixty per cent of the house.

Q. And if it came up to 323, what portion would it cover?

A. Roughly about twenty per cent.

Q. What would be the depth of the water at the house in front of the house if it came up to 323 feet?

RENE GIRROIR, (Evidence continued).

- A. At the left front corner of the house it would be .35 of a foot of water—that would stretch back to eight feet which would be the zero line.
- Q. Is that on the foundation of the house?
- A. Yes, where the contour line is shown there is about eight feet back from the left front corner of the house—that is zero.
- 10 Q. Where would be the verandah?
- A. That is to say the front of the house here is the verandah.
- Q. Would there be more or less water at the verandah — the verandah is not shown?
- A. The verandah is shown—the measurements are taken outside of the house including the verandah — the righthand front corner would be 1.6 feet in water and the water would come back fourteen feet on the right side of the house to where the contour is shown on the plan.
- Q. The railway is to the west of the property?
- 20 A. Yes.
- Q. The righthand corner, is it?
- A. Yes, or in other words you might call that if you like the north east corner of the house.
- Q. Would be what?
- A. Would be 1.6 feet in water and the water would reach back fourteen feet.
- Q. If the 325 line were taken, if the water came to that line, how much water would be at the house?

30 MR. KERR, K. C.: I object to this evidence.

THE CHAIRMAN: Objection reserved.

BY MR. HENRY AYLEN, K. C.:

- Q. If the 325 line were taken, if the water came to that line, how much water would be at the house where you strike the house first from the railway, or I will put it in this way: Supposing the water comes up to line 325, what would be the depth of the water at the northwest corner of the house?
- 40 A. I know what you mean—I am just seeing if I have that data here—I know I took it on the 323.
- Q. You would have to add two feet of water?
- A. You would have to add two feet of water.
- Q. For what you have already given for 323?
- A. Exactly.
- Q. The railway, as I understand, would be on the west side of the property?

RENE GIRROIR, (Evidence continued).

- A. The new railway?
- Q. Yes.
- A. The new railway is on the west of the property.
- Q. The old railway track?
- A. On the east side.
- Q. Q. The old highway?
- A. On the east side.
- 10 Q. And the new highway?
- A. On the west side.
- Q. How far is the new highway from this property?
- A. I would have to approximate that—I should say a quarter of a mile to fourteen or fifteen hundred feet.
- Q. Did you notice two gates in the railway track near this property?
- A. I did.
- Q. About where would they be—indicate on your plan?
- A. There is a gate in a fence that is about fifteen or twenty feet—
- 20 Q. Would you mark on plan Exhibit R. 9 where the railway gate is on the railway? (Witness marks on plan railway gate).
- Q. How far at that point is the railway fence from the Selwyn property or does it come to the property?
- A. I did not take any measurements but I should say from memory between fifteen and twenty feet.
- Q. Are there any other gates in the railway fence adjoining the Selwyn property?
- A. On the other side.
- 30 Q. But at this point, opposite this one?
- A. Yes, opposite this one on the right of way.
- Q. Mark it at the other side of the railway. (Witness does so on Exhibit R. 9).
- Q. Is there any grade crossing over the railway there between those two gates?
- A. Well, it is a very rough farm crossing that is put in there—I shall call it very inadequate—you could not run an automobile over it—you might take a truck and he would have to pull hard to get over it.
- 40 Q. After you get to the furthest gate from the Selwyn property, what is the nature of the ground you have to go over to get to the highway further on?
- A. Well, it is ground—I did not make a survey of it—I walked over it—approximated it just from looking at it—it possibly goes up sixty feet before it gets to the new highway — it is very slippery ground — it is clay and as far as I could see there are ravines in it — it is broken up — it could be quite

RENE GIRROIR, (Evidence continued).

a proposition to put in a good road in there from that railway gate to meet the highway.

Q. What in your opinion would it cost to put in a road there that would be suitable to run an automobile on from the highway to the railway?

A. Well, suitable to run an automobile and specially in that gradient you would need ditches on the side of it—you would have to have a good drainage and everything—you could not possibly do it under two thousand dollars—that is macadamize and cover it over.

Q. Would that be the only entrance to this Selwyn property from that new highway after the other portion of the the lot, the portion shown in red on the expropriation plan is flooded? Would there be any other way to get into that property except by the railway?

A. Well, by a ferry boat.

Q. I know, but by land?

20 A. No.

Q. Is there a ferry up there?

A. Well, there is a Kirk's Ferry.

Q. You would have to come by water in some way?

A. Yes, or by air.

Q. We have not got that far yet in the Gatineau. Supposing the property shown in red on the expropriation plan regarding this property was flooded, would you consider it desirable to build a road at the expense of \$2,000 to get to what is left of the property that is shown in blue here?

30 A. If it was my own property, decidedly not.

Q. In your opinion as a man, what would what is left of the Selwyn property be worth after the rest is flooded as shown on the expropriation plan now shown to you?

A. Well, you will have to let me answer that in my own way—I know the property quite well as it stood last year—I have been over it quite often—it is a very fine property—it is one of the nice properties, one of the good looking properties at that point of the Gatineau—as it stands now in my opinion it has a good value but if this part of it is taken away, though in a sense the part that has the house on is the valuable part now in a way, the taking away of that property reduces the value of what is left to such an extent that I heard Mr. Selwyn this morning say—

Q. Never mind what he said.

A. Well, I am rather of the opinion that Mr. Selwyn is right—I could not put a value on it but I think it is very low.

Q. Would you put five hundred dollars as a value on it?

40

RENE GIRROIR, (Evidence continued).

A. As a speculation I possibly would.

Q. Would you put more?

A. I possibly would—I possibly might go up to one thousand

Q. What would you consider the whole property worth?
dollars but certainly not more.

A. Well, I am not speaking from actual knowledge of any estimate of the thing at all—I can simply give you a matter of an ordinary layman's opinion of that.

10 THE CHAIRMAN: That is what I want.

A. I may say I have seen expert evidence on it and I am guided by that—I should say the property is worth anywhere around eight thousand dollars—possibly nine thousands.

Q. Did you observe what was growing on the property?

A. I did.

Q. What did you notice there?

A. I noticed fruit—plums, apples, strawberries and raspberries, gooseberries and so forth.

20 Q. Was there everything on that property that any particular man would want in a summer residence? Could you think of anything to add to it that was not there that a man like you would want there?

A. I do know that Mr. Selwyn got a great deal of his produce that kept his house going from that garden—a great deal of it.

Q. Was there anything more that could be added to make it nearly perfect as a summer home as it is possible to have in that neighbourhood?

A. Do you mean if anything was grown on the part of the land—

3 Q. No, taking the property as a whole?

A. Very little to be desired.

THE CHAIRMAN: I understand this was a fine garden?

A. A very fine garden.

THE CHAIRMAN: Was it on the property that was supposed to be flooded?

A. It was on the part supposed to be flooded practically all but one per cent—from an artistic point of view it was a very fine place.

40 BY MR. HENRY AYLEN, K. C.:

Q. How long were you in making this investigation of yours?

A. With making the plans I spent four days off and on.

Q. What is your usual charge for such work?

A. I have not rendered an account of this as yet.

Q. Well, but what?

A. Well, one hundred dollars—twenty-five dollars a day.

CROSS-EXAMINED BY MR. T. R. KERR, K. C.,
Counsel for the Petitioner.

- Q. Have you any data showing where the water would come at 318?
- A. No, I have not—I have the data that shows the 323 and 325.
- Q. Nothing below that?
- A. Nothing below that.
- 10 Q. When did you say you made your inspection of four days last summer?
- A. Do you want the dates?
- Q. Just the months.
- A. It was in November and December that I made the surveys but of course the inspection I have been up to Mr. Selwyn's property quite often.
- Q. When did you spend the four days that you speak of?
- A. November 21, December 5, December 8 and I have not got the other date.
- 20 Q. Well, it was in November and December. When had you been on the property before that?
- A. I had been in the summer—the summer before.
- Q. How many times?
- A. Of course I can only tell you approximately—15 times, say.
- Q. In those times I suppose you were casually as a visitor there?
- A. Yes.
- Q. You are a friend of Mr. Selwyn's?
- A. Yes.
- 30 Q. Did you at those times go to the property or make any inspection of it with a view to establishing what sort of plants, flowers and fruits were upon it?
- A. Well, hardly with the intention of making an inspection of that sort but I did sometimes take some of them home.
- Q. Would you be prepared to dispute the evidence given by the two horticulturist experts who were examined for Mr. Selwyn as to the relative extents of the vegetation or fruits upon the relative parts of this property made with a view to that inspection alone?
- A. Do you mean to say—was there anything on the blue part that was affected in this estimate that was read out this morning? Is that what you mean?
- 40 Q. Yes.
- A. I think I answered that to Mr. Aylen here a minute ago by saying I did not think there was more than one per cent on the blue part because I do know that on the southwestern part, the blue part, behind the chicken house if I remember rightly there are a plum tree or two in there—all the garden part—and this I know the vegetable garden and the trees

RENE GIRROIR, (Cross Examined, continued).

and things like that were down on the red part.

Q. On the easterly part of the property?

A. On the easterly part of the property and more particularly on the southeasterly side—that was the dense part of it, the intensive part if you like to call it. The part on the western side, the blue part, is rather a rocky bluff—nothing would grow on there.

10 Q. A rocky bluff?

A. It is harly a bluff—it comes up at a slant.

Q. Will you take communication of Exhibit R. 4 and say whether that is a part of the property immediately contiguous or in the vicinity of the main house in the portion edged in blue, not in red?

A. I believe so but I cannot swear to it.

Q. Well, as a general question I would revert to what I began by saying: Would you be prepared to give any more exact estimate of the relative parts of the products grown on these two pieces between the blue and the red—would you be prepared to give any more definite division than the other two witnesses who examined them were able to give?

20

A. Well, to tell you the truth I did not hear what the other witnesses wer seaying definitely, I mean to say in the detail you speak of.

Q. You did not examine the property with that end in view?

A. No, I did not.

Q. You have given it as your opinion that this property is worth eight thousand dollars or nine?

30 A. Yes.

Q. What does your estimate include—the whole property?

A. The whole property shown is that lot in that plan that you have.

Q. Both blue and red?

A. Both blue and red.

Q. And you say the balance of the property after the red part is taken away is worth one thousand dollars?

A. Well, I cannot say that—I was asked what I would give for it and I said at the very most I would give possibly one thousand dollars.

40

Q. Between five hundred and a thousand you think it is probably worth?

A. Yes.

Q. So that in your estimation the property in red is worth how much leaving aside the part in blue?

A. Answering that question as you want me to answer it I could not answer it truthfully—the two are bound up with each

RENE GIRROIR, (Cross Examined, continued).

- other—you take one away and you affect the other—for instance when I said I would give as a speculation as a limit one thousand dollars for this property I believe myself that the material in the house to a secondhand man or something like that or a man who makes his living out of demolitions or something like that, the house alone might be worth one thousand dollars to him—there is a certain sentimental value
- 10 I should say in the taking away of this—you are amputating a part of the property in a sense that takes the value away from the other.
- Q. Well, without attempting to discuss it in that way which perhaps embarrasses you in answering the question, taking \$8,000.00 as the value, how do you estimate it?
- A. At between eight and nine thousand.
- Q. How much land is there?
- A. I understand there is an acre and seven-eighths according to the deed—I did not survey the property.
- 20 Q. How much value would you place on the land, at how much per acre?
- A. Let me answer your question in this way—you could possibly buy an acre or a portion of an acre in like proportion for maybe one-tenth of what that would be worth on account of the land on the other side of the fence being uncultivated, being absolute field, while in this thing here you have a beautiful garden that has been cultivated for fifteen or twenty years with all kinds of things, valuable things, on it—
- 30 —as to the price of the land before giving that figure I told you it was purely a matter of opinion not based on any estimate of value made by myself but based from a general survey of the thing also influenced by reports from experts that I have seen in so far as the horticultural part of it is concerned and another report which I have seen which I believe has not been read out yet.
- Q. So you are not basing your estimate on anything which you yourself have estimated?
- A. No.
- Q. You are taking it on what other people have told you is the
- 40 value?
- A. An my own personal observation with my eyes, nothing else—in other words if I might add to that I would say this and possibly explain my answer better—if I were in the market for a place like that and the place were offered to me for 7 or 8 thousand dollars I would consider seriously, if I had the money at the time not otherwise occupied, taking that up.

RENE GIRROIR, (Cross Examined, continued).

- Q. That perhaps takes me back again to how you figure your valuation; you would not take it without valuating the property somewhat?
- A. I do not want to give any personal experience but you generally take things what you see—for instance when you get married—the lady that you marry possibly pleases you very much—it may not turn out like that later on—mind you, I am not speaking from personal experience.
- 10 Q. So that you would take a piece of property in the same way that you would choose a wife?

MR. HENRY AYLEN, K. C.: He did not choose one yet.

THE WITNESS: Do not put words into my mouth.

BY MR. KERR, K. C.:

- 20 Q. What else can I put into your mouth? You assimilate this to choosing a wife. Would you be willing to gamble \$9,000 on this property?
- A. I did not say it was a gamble—I did not say \$9,000 in the first place—if it was offered to me at seven or eight thousand dollars I would consider it providing the International were not going to take it away from me later on.
- Q. There was just one other question I wanted to ask you with regard to the road running down to the main highway; you have not taken the levels?
- 30 A. No, I have not taken the levels on there but you get to be able to size up a proposition like that more or less accurately—that is within a reasonable accuracy as a general thing and I would judge an elevation of about sixty feet—I may be fifteen feet out.
- Q. What percentage would that be of a grade?
- A. About sixty feet in twelve hundred.
- Q. That is not a bad grade?
- A. It is a pretty bad grade—do not forget this when you come down to the bottom of the hill you have a very sharp turn within I should say if I were locating that road of twenty-five feet of the grade—that material there is very slippery material—it appeared to me a very slippery kind of clay on that part—the clay comes down through the gulley and I should imagine a car coming down with that long stretch of hill behind it, it would be very dangerous.
- 40 Q. On a dirt road?
- A. On a dirt road and therefore you would have to build a good road.

RENE GIRROIR, (Cross Examined, continued).

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- A. On a dirt road and therefore you would have to build a good road.

RENE GIRROIR, (Cross Examined, continued).

stations 552 and 586 more or less—I checked in between those stations on the top of rail to within two one-hundredths of a foot.

Q. What was the level on the top of the rail that you gave Mr. Dibblee?

A. I gave the top of the rail 330.7 and Mr. Dibblee makes it 330.72.

10 Q. So that you have checked your work with what Mr. Dibblee has said is the accepted data calculated to mean sea level?

A. Yes.

THE VICE-CHAIRMAN: Just what is a bench mark?

A. A bench mark is a monument upon which is located the mean elevation above sea level at that point—for instance the corner of this table could be located and the elevation above sea level would be obtained at this point—it would then be made a semi permanent or permanent monument for taking elevations from and checking back to.

20 MR. HENRY AYLEN, K. C.: So that when you found it was 323 you checked it back to that and proved it was correct?

A. Yes.

And further the deposant saith not.

(Evidence transcribed by instructions of Commission).

And further the deposant saith not.

On the 20th day of January, A. D. 1927 appeared ALBERT HAZELGROVE, Architect, Ottawa, in the County of Carleton, Province of Ontario, a witness produced on the part of the Proprietor, who, having been duly sworn, doth depose and say:

EXAMINED BY MR. HENRY AYLEN, K. C.,
Counsel for the Proprietor.

- Q. Are you a member of the Society of Architects of the Province of Ontario?
- 10 A. Yes, sir.
- Q. Did you live in Montreal?
- A. Yes, I practised in Montreal for four years.
- Q. Did you become a member of the Society of Architects of the Province of Quebec?
- A. Yes, I had to in order to practise in Quebec—it was necessary.
- Q. And you are a member of that organization?
- A. Still, yes, sir.
- Q. How long have you been in this business?
- 20 A. Well, I have been practising on my own for the last fifteen years.

THE CHAIRMAN: How old are you?
A., Forty-two—I am older than I look.

BY MR. HENRY AYLEN, K. C.:

- Q. Were you requested to go with Mr. Adamson and value these buildings?
- A. Yes, we went up together and measured them together.
- 30 Q. The buildings on the main property and the bee house and the bungalow?
- A. Yes.
- Q. And did you take the measurements of the actual dimensions?
- A. Yes, we measured them carefully.
- Q. Will you look at this statement Exhibit R. 14 and state if it is the measurements you made of the various buildings on that property?
- A. Yes, this is the valuation we made.
- 40 Q. What about the depreciation that His Lordship referred to?
- A. Speaking for myself I went into this valuation on the basis how much would it cost to replace that house at the present time and it is figured on that basis entirely.
- Q. Or an adjoining property in that locality?
- A. Exactly.
- Q. How much do you think the main house had depreciated by age from what a new house would be?

ALBERT HAZELGROVE, (Evidence continued).

A. Well, the main house was in good shape—of course it is the olders one of the buildings there, I think—I would say about fifteen to eighteen per cent, not more than that.

Q. For the main house?

A. Yes.

Q. What about the tank and the windmill and things like that, what depreciation would you allow for those?

10 A. Well, the stand of the tank would of course last longer than the tank itself I suppose—I did not figure any depreciation.

Q. Was this windmill in good condition?

A. It was in November when we were there and naturally it was not running but it was in good shape.

Q. Was the ironwork in good condition?

A. Absolutely, yes.

Q. What about the hen house and the garage, did you allow any depreciation for those?

A. No, sir.

20 Q. Do you know when they were built? Did they have the appearance of being new or old?

A. I imagine they were built subsequently to the house—they were in good shape.

Q. Do you think the garage and the wood shed and things like that should be reduced by reason of their age from their actual cost?

3 A. I do not think so—there was no visible depreciation at all—depreciation is a thing which accumulates rapidly in the later years of a building's life—the first few years are not on the same ratio at all.

BY THE CHAIRMAN:

Q. Intrinsically that is right, but as to the commercial value of the property?

A. You mean you take the same percentage from the time the building is put up?

40 Q. Supposing you have to invest some money in a house, you would have to take care of it every year. I would rather buy brand new property than buy property thirty years old because if I bought property thirty years old I would have to buy a second time, if I bought new it would last me a lifetime.

A. Property thirty years old—the appreciation in value generally is more than the depreciation.

Q. Naturally in cities the land is increasing in value but not in the country I guess so that a depreciation in a building is a higher loss.

ALBERT HAZELGROVE, (Evidence continued).

BY MR. HENRY AYLEN, K. C.:

Q. What condition did you find the bee house in?

A. The bee house was in very good condition indeed, comparatively a new building.

Q. If it is not as good as new what would you allow for deduction for the bee house?

10 A. I would not deduct anything for the bee house—I do not know how long it had been built but it seemed to have been built very recently.

Q. What about the \$912.16 for the building in the garden; what condition was that in?

A. I would allow some depreciation on that—about fifteen per cent—that is a small cottage on what he calls his father's property.

20 Q. It is referred to on the third page of Exhibit R. 14. What about the bungalow? Would you allow anything for depreciation on that from a new one? Supposing that was built new would it sell for any more than the one that is there?

A. There is some depreciation on that—it is in good shape.

Q. What would you allow on that?

A. About ten per cent on that—that is cottage number two you are referring to?

Q. Yes. Was the bungalow in good condition?

A. Yes, very good condition.

Q. You have figured these items, made this calculation along with Mr. Adamson?

A. Yes.

30 Q. How long ago were you up there making the measurements of the stuff?

A. We were up there practically a whole day—we spent a whole day on the job going up, measuring and coming back.

Q. And how long were you working on this in your office?

A. It took practically a whole day to figure them up and then licking them into shape probably took another three or four hours.

Q. What do you claim for this work?

A. Twenty-five dollars a day I usually charge.

Q. That would be two days and a half?

A. Yes.

Q. These figures that are given in Exhibit R. 14, do they represent in your opinion the actual values of these properties less the depreciation that you have mentioned?

A. They represent the replacement values of these properties.

Q. Have you spent any time up the Gatineau?

A. Oh, yes, I am up there frequently—I stay up there in the

ALBERT HAZELGROVE, (Evidence continued).

summer time.

- Q. These properties were not going down in the Gatineau—as Ottawa has grown more people go up the Gatineau?
- A. Yes, it is becoming more popular.
- Q. And people go there from here?
- A. Yes.
- 10 Q. So that on the whole property has been on the rise up the Gatineau before this last year before these parties started to work?
- A. I would say so from general knowledge.
- Q. And these prices represent the replacement values of these buildings?
- A. Yes.
- Q. In other words, if Mr. Selwyn wanted to buy property on the Gatineau further back and build these buildings, that is what he would have to pay?
- A. That is what he would have to pay.
- 20 Q. And those fair and reasonable prices so far as your judgment goes?
- A. So far as my judgment and my experience go, these prices are right.
- Q. And there is no doubt about your quantities?
- A. We actually measured it in detail.

CROSS-EXAMINED BY MR. T. R. KERR, K.C.,
Counsel for the Petitioner.

- 30 Q. In other words, these estimates that are here bear no relation whatever to the actual value of those houses and constructions as they stand?
- A. Well, they are the cost or would be the cost if Mr. Selwyn were to rebuild those properties at the present time on similar locations.
- Q. New?
- A. Absolutely.
- Q. After these properties have been up twenty-five years, I say the figures which you give here bear no relation to their present values. These are replacement values you are giving?
- 40 A. These are replacement values.
- Q. Have you had occasion to do any construction work up the Gatineau?
- A. No, not up in that section.
- Q. What is the nature of your architectural work? Is it devoted to cottages?
- A. No, I do all kinds of buildings.

ALBERT HAZELGROVE, (Cross Examined, continued).

Q. What is the main portion of your business?

A. The main portion last year was a large contract we had for the city of Ottawa and then we are building two big houses out on the Aylmer road at the present time on the Quebec side.

Q. Did this cottage look like a cottage which had been architecturally designed?

10 A. No, but I might say I make valuations for three of the big insurance companies all round this district and I frequently deal with this kind of work.

Q. Who was this contractor you were with on this Hull work you were on?

A. This was in Ottawa—it was split amongst seven or eight contractors.

Q. Was Mr. Adamson one of them?

A. No.

Q. Have you worked from time to time with Mr. Adamson?

20 A. On valuation work, yes.

Q. On contracting work and architectural work on the same jobs?

A. Not within the past two years.

Q. You have had nothing to do with him in business matters?

A. Occasionally, yes—he figures in our office naturally he is a contractor in business out to get business and if he is lowest he gets it.

Q. Who set the values on these various estimates?

A. We discussed them together.

30 Q. And fixed them together?

A. If that is the word.

Q. Who put these various sums down?

A. We discussed them together and put them down together.

THE CHAIRMAN: What would be the margin of profit for the contractor at the prices you quote on a job of this kind?

A. About twelve per cent.

40 THE CHAIRMAN: And for the architect?

A. There was no architect—in this province it would be five per cent—we did not figure any architect.

BY MR. KERR, K. C.:

Q. I believe you stated in your evidence that property up the Gatineau had increased in value?

A. I said that was from my general knowledge.

Q. Where was that general knowledge gleaned or learned?

ALBERT HAZELGROVE, (Cross Examined, continued).

A. Just from conversations.

Q. General hearsay?

A. Yes, I have stayed up there during the summer.

Q. Last summer?

A. Yes, I stayed up at Burnett last summer.

Q. And it was particularly with regard to last summer I take it that values increased?

10 A. Oh, no, I did not say that—I would say values have been increasing up there for years—a few years ago you could buy a lot anywhere up there for one hundred dollars.

Q. When was that?

A. I would say in 1913 you could buy a lot anywhere around Meach's lake for one hundred dollars.

Q. That is nearly fourteen years ago?

A. Yes, and values have increased since then—you could not probably buy a lot now round Meach's lake for less than \$500.00.

20

And further the deposant saith not.