

Mr. D. S. Macdonald (Parliamentary Secretary to Minister of Justice): 1. Yes, the trial is proceeding.

2. Two counsel are presently employed on the case as agents of the Minister of Justice.

3. They are Walter B. Williston, Q.C., and Paul Hess, Q.C., both of Toronto. Mr. Williston was called to the Ontario bar in 1944 and appointed queen's counsel in 1954. Mr. Hess was called to the Ontario bar in 1944 and appointed queen's counsel in 1960. Both enjoy reputations as experienced and able counsel.

4. Prior to his employment on the Ciglen-Black case Mr. Williston was retained as agent to the Minister of Justice from time to time since June 1953 in relation to the following matters:

(a) Seven actions arising out of motor vehicle accidents. Four were settled before trial. One action against the crown was dismissed and one allowed by the court. In one case the court apportioned negligence equally between the crown and the suppliant.

(b) Three prosecutions, all of which were successful. One prosecution was under the Unemployment Insurance Act; one under the Income War Tax Act and the Income Tax Act; and one under the Combines Investigation Act.

(c) The successful defence of the Canadian Broadcasting Corporation on a charge under the Lord's Day Act.

(d) Seventy petitions of right claiming damages arising out of the imposition of airport zoning regulations at Malton. Sixty seven cases were settled, two claims were dismissed and one allowed by the court.

(e) Claims involving one company and nine individuals arising out of expropriation of property for Malton airport. These claims were all settled. In addition there were negotiations for the purchase of property for the airport from four individuals.

(f) Action by the crown for the eviction of an individual from crown lands. Crown's claim for possession allowed by the court.

(g) Claim for damages by workman injured by explosion of aircraft canopy ejector. Settled by payment of damages.

(h) Action for damages on behalf of the dependents of a person killed in an aircraft accident. Settled by payment of damages.

(i) Action by attorney general of Canada to set aside the sale of a patent to a company in which the vendor was a shareholder. Action dismissed. This case arose out of considerations relating to the payment of income tax by the company.

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(j) Action against the crown arising out of injuries sustained in an aircraft accident. Settled by payment of a portion of the damages claimed.

(k) Application for habeas corpus on behalf of a person detained under the authority of the Immigration Act. Application abandoned.

(l) Action against Central Mortgage and Housing Corporation for alleged breach of agreement to purchase land. Land purchased by province of Ontario. Action dismissed with consent of plaintiff.

(m) Action for succession duties. Crown's claim allowed by exchequer court, but judgment reversed by Supreme Court of Canada.

(n) Action against Defence Construction Limited for rental of sump pump. Action settled by payment of portion of claim.

(o) Action against the director, Veterans' Land Act, arising out of the purchase of real estate by the director. There were many issues in this complicated litigation and success between the parties might be described as divided.

Prior to his employment on the Ciglen-Black case Mr. Hees was retained on March 26, 1954, and on May 14, 1956, in relation to two prosecutions under the Combines Investigation Act. The accused were convicted in both cases.

5. No.

6. As reported by the Department of National Revenue, fees paid to Mr. Williston to date total \$16,195.00 and fees paid to Mr. Hess to date total \$7,972.50.

HARNESSING OF BAY OF FUNDY TIDES

Question No. 2,261—**Mr. Coates:**

What is the present state of the investigation into the economic feasibility of the harnessing of the bay of Fundy tides from the power point of view?

Hon. J. W. Pickersgill (Minister of Transport): I am informed by the Atlantic development board as follows:

The Atlantic development board late in 1963 commissioned an engineering investigation into foundation conditions in the Cumberland basin—Shepody bay area, upper bay of Fundy. The report which was received in June 1964 established that foundation conditions at Shepody bay and Cumberland basin indicate the engineering feasibility of tidal power development at these sites. However, more detailed engineering would be necessary before the economics of the project could be determined.