

Court, like the judge of any other court in the land, has to accept the evidence which is adduced in the case, and I am sorry to say that after having gone through the case, it seems to me that the respondents had an unusually large number of witnesses. Some of them went so far as to say that the property in question would be valued before long at the enormous amount of over half a million dollars. I happen to know this part, not of the city of Quebec, because it is some miles out of Quebec in the suburbs, in the parish of Sillery. I know the property there. I know that the Quebec bridge will before long be built not far from that site. The Transcontinental railway will certainly pass through that property, but no one in Quebec or out of Quebec will dare say that this property, four-fifths of which, according to the solicitor representing the Minister of Justice, is covered by water, is worth the amount it brought before the Exchequer Court. The amount awarded is more than double the amount offered by the Crown. The judge had to base that award on the evidence which came before him, but, as I stated a moment ago, His Majesty the King was dissatisfied. The notice served by Mr. J. E. Chapleau, solicitor for the Attorney General of the Dominion of Canada, on April 5, reads as follows:

Sir, take notice that His Majesty the King is dissatisfied with the judgment rendered in the above case by the Exchequer Court of Canada on the tenth day of March, 1913.

I am informed that the appeal has been withdrawn. I would like to know from the Minister of Justice the reason why the appeal was withdrawn, and if the amount awarded by the Exchequer Court has been paid.

Hon. C. J. DOHERTY (Minister of Justice): Mr. Speaker, the hon. member expresses curiosity to know the reasons why the appeal in this particular case was withdrawn. The hon. gentleman assumed that the factum from which he has read, and which factum, to my mind, does credit to the counsel who represented His Majesty in this particular case, who apparently made out the very best case possible, as it was his duty to do. The hon. gentleman assumes too much if he assumes that in every one of the cases which are pending before the courts it is possible for the Minister of Justice to examine the factum and determine for himself as to the well or

ill-foundedness of the judgment, and more especially of a judgment that is rendered upon a pure question of fact, and where a conclusion has to be reached as the result of a careful examination of voluminous evidence. I have to admit that that is a task which it would be quite impossible for me to fulfil, and I think that in that regard I stand in no different position from that of the Minister of Justice who preceded me. Therefore I regret that I am not in a position to determine whether or not the evidence in this particular case justified the findings of Mr. Justice Audette. I noticed that the hon. gentleman himself said that he had absolute and implicit confidence in the integrity and capacity of Mr. Justice Audette. I need not say that I share that confidence fully.

The position of this particular case, as outlined by the hon. gentleman, is that there was a property in Quebec that in 1894 sold for \$1,000, and he expresses intense astonishment that this thoroughly capable judge of sterling integrity and sound judgment should have, in 1913, valued that same property upon the evidence before him at \$69,256. I must confess that I am surprised that the hon. gentleman should think that he has any argument based upon the price of property in 1894 as affording a criterion for the valuation that should be put upon that property in 1913. Quebec, like the rest of this country, has progressed. We have frequently heard hon. gentlemen on the other side of the House claiming a great deal of credit for that progress. I am glad that Quebec has shared in that progress and I venture to say that the hon. gentleman is hardly serious if he thinks that there is any importance to be attached to the price at which property of this kind sold at that remote period as affecting the valuation of the property at the present day. My hon. friend himself says that the former Minister of Justice, Sir Allen Aylesworth, valued this property in 1910 at \$26,500.

Mr. LEMIEUX: In 1911.

Mr. DOHERTY: In 1911. Well, I venture to say that Sir Allen Aylesworth took a very small part in the valuation but I think that we can count that the officers of the Transcontinental Railway Commission, whose greater competency in that regard I am sure Sir Allen Aylesworth would be quite willing to admit, as I am myself, conceded that a very small part of