

owners could not have access to the road. Known Berthiaume's lot. It was the first house built, it is above the Blue Line on a small rising ground (*butte*). He had his choice. There are two or three houses built in front of this lot between it and the road. These houses block up the front of Berthiaume's lot, and cut off access from it to the road. Property has increased in value there lately. I sold my lot for £100. It was originally not worth five shillings. Rise caused by the timber shanties.

ELIZABETH WISEMAN, aged 64 years :

Has lived at Cap-Blanc since she was 6 years of age.—There were then only two houses built, her father's and Duval's.—Cap-Blanc then belonged to the Nuns.—The wharf and buildings now there were erected by the occupants of the houses.—The greater part of the persons named in the plan built the houses there.—Is certain all the houses built there were so built by the occupants of lots. Laporte built the wharf whereon he has built his house, and another wharf higher up, upon a lot which he exchanged with some other person.

Cross examined.

My name is widow St. Hilaire on the plan. One lot is occupied by myself,—the other two by my two sons, tenants of Mr. Lampron—a great many others on this road are tenants of Lampron.

JOSEPH GAGNÉ :

Knows Cap-Blanc for more than fifty years back ; there was only one house there when he knew it first. If the properties are to be bounded by the Blue Line, the remaining space between it and the cape would be of no value ; if on the contrary they had the river, the property would be of very considerable value.

PAUL MOUTEAU, aged 51 years :

Knows Cap-Blanc for thirty years. (The same as last on value of property.)

WILLIAM WARR, Surveyor, aged 84 years :

Knows Cap-Blanc since 25 years. It is of considerable value—its principal value consists in its frontage on the river ; buildings are of no great value. If river front taken from it the land portion would be of no great value. The beaches constitute the value on account of the depots of timber in the coves made there. Cape is 300 feet high and inaccessible on that side. The line of high water as laid down on the plan intersects most of the houses on the North side of the road, and a few on the South. If the proprietors of the land portion were bounded by the line of high water mark, their property would become comparatively valueless. In most cases the houses could not be removed further back, and in most instances there is no room for houses between the Blue Line and the Cape, and one half of the houses would have to be removed, and the remaining half of the houses intersected by the Blue Line would be shut out from access to the road.

Cross examined.

The land between the Blue Line and the cliff would vary from ten to twenty five feet. One sixth of the property between the Blue Line and cliff would be about ten feet broad, remaining five sixths would vary from ten to twenty five feet.

JAMES BARR, aged 40 years :

If the proprietor of Cap-Blanc had the river front, it would be worth £20,000. The property above the road about £4,000, and if bounded by Blue Line, it would be valueless.

Pierre BRUNELLE, aged 48 years :

River front principal value of property.—Knows Cap-Blanc for 30 years—resided there 20 years. To clear the space between the Blue Line and the street, the houses intersected by the Blue Line would have to be taken down.

JOHN TURNER LILLIOT, aged 33 years :

About 1847, a large brick house was erected on Chevalier's lot by Lampron, with a wharf in front with a house upon it. A valuable and expensive property.

Rev. Mr. MAGUIRE, Chaplain :

Nuns in possession of the front on the river from 1637 to Judgment of 1831. Laporte became lessee, (1816)—paid his rent regularly up to 1836—from that period to 1839 when his lease expired, he paid no rent to the Nuns. The property is valuable with river front,—without it of no value.

DEFENDANT'S EVIDENCE.

RICHARD HENRY JORDAN, aged 18 years :

Is son of Widow Jordan, tenant of Lampron. House on Champlain St. Has access from that street. Street is the great thoroughfare to cove.