

amounts. I would suggest the following amendment to the Government Railway Act, after art. 60:

60a. The action may be taken and decided before the court of the district or the county where damages occurred and having jurisdiction to the amount claimed.

The object of this suggested amendment is to relieve claimants from the necessity of paying law costs in excess of those allowed by the Exchequer Court. At present any one who has a claim of the character I have mentioned must either come to Ottawa himself or be represented by an attorney or by an agent, whose charges will, in most cases, exceed the amount of taxed costs allowed by the Exchequer Court, even should the claimant win his suit. The plaintiff has thus, under the present system, even when he wins his suit, to pay out in costs more than the court allows him; and as claims of this kind are very numerous all along the line, it seems to me that the government ought to provide some remedy to the present system, and I trust the hon. minister will take my suggestion into his favourable consideration.

Mr. GRAHAM. I am very pleased to have that suggestion from my hon. friend. The difficulty he points to is one concerning which I am endeavouring to get a satisfactory solution. What he suggests is part of what I have in mind, and the only thing to be decided is whether it can be satisfactorily worked out, as the matter is a little more difficult than it appears on the surface.

The only item left is the one we discussed yesterday with regard to Chatham. My hon. friend from York (Mr. Crocket) asked me about the right of way. We have not really purchased any property at all yet along the right of way. We had our man making certain valuations and have outside valuers going over his figures to see if they are approximately correct. If we cannot decide on a proper valuation, we will expropriate.

Mr. CROCKET. Were there two surveys through the town of Chatham?

Mr. GRAHAM. Yes.

Mr. CROCKET. Were both surveys made by the same engineer?

Mr. GRAHAM. They were both made under the direction of the engineer of the Intercolonial railway.

Mr. CROCKET. Has the government determined upon the route to be adopted?

Mr. GRAHAM. We expect the plans in two or three days. For all practical purposes, I think the chief engineer has made up his mind as to what the route will be.

Mr. BEAUPARLANT.

We shall have to decide in a very few days.

Mr. CROCKET. The reason I ask is that there have been some property transfers taking place in Chatham within a very short time. I understand that one gentleman very prominent in politics there has purchased the old foundry property, anticipating that the government will require it. If the minister is not able to tell what location it is proposed to adopt, some people at Chatham seem to have ascertained the fact and have scooped some of the property the department will have to buy.

Mr. GRAHAM. I have tried to make it clear, and emphasize the point again that we are going to buy these properties irrespective of any transfers that may have been made, and will buy them at their proper value. If the owners do not consent to a fair value, we shall expropriate.

Mr. CROCKET. Have negotiations been had with the present owners of the property?

Mr. GRAHAM. I think an effort has been made to get the several owners of the property to name a price. That is the first step. Some of them have declined to name a price.

Mr. BARKER. I would remind the minister of our experience in the Halifax roundhouse property. The government sent down people to value the property there, and these people would not inquire what had been paid for property within thirty days.

Mr. GRAHAM. We try to bring our best judgment to bear on the opinion of the valuers.

Mr. BARKER. I mean more than judgment. Sitting here, your best judgment on a matter of that kind is not enough. I have found that, again and again, the valuers sent to look into the valuation of property, have declined to ask what a man had paid for the property, even if he had bought it within a month or so.

Mr. CROCKET. Who is the valuator who has been sent down?

Mr. GRAHAM. The man originally sent was our own engineer, Mr. O'Dwyer. He has taken the preliminary steps. To make sure that his valuation is right, we will have other valuers check it. The public interest will be protected in every way. We desire to get the property at a fair value.

Mr. BARKER. I hope and expect so, now that you have a board. But it was not so a year ago.