

value to guide it the Court will not assess compensation on a hope or expectation which cannot be regarded as a right of property in the defendant. *Lynch v. City of Glasgow* (1903), 5 C. of Sess. Cas. 1174; *May v. Boston*, 158 Mass. 21; *Corrie v. McDermott* (1914), A.C. 1056. referred to.

Rogers, K.C., and *Tobin*, for plaintiff *Mellish*, K.C., for defendants.

Cassels, J.] THE KING v. MACPHERSON. [June 17, 1914.

Expropriation—Market value of land taken—Question as to adding 10% to value considered as a matter of right—Crown's liability to pay bonus due under mortgage on lands expropriated.

On the 14th April, 1913, the Crown, represented by the Minister of Public Works, registered a plan and description under the Expropriation Act for the acquisition of certain property in the City of Toronto for post-office purposes. Five days prior to such registration the defendant H., on behalf of certain other defendants, entered into an agreement for the purchase of the property in question for the sum of \$100,000. The Court found that at the date of the agreement to purchase neither H. nor the defendants for whom he bought were aware of the intended expropriation by the Crown, although the property had not been previously in demand in the real estate market.

Held, that the price paid for the property by the defendant H. should be taken at its actual market value for the purpose of compensation.

2. That the defendants were not entitled as a matter of right to have ten per cent. added to the market value of the property.

3. Where there is a mortgage upon property in which the mortgagor stipulates for a bonus to be paid him in case the principal is sought to be paid before the mortgage falls due, the Crown expropriating before that event must assume the payment of such bonus in addition to paying the value of the property taken.

DuVernet, K.C., for plaintiff. *Anglin*, K.C., and *Defries*, for defendants.

Audette, J.] WRIGHT v. THE KING. [November 7, 1914.

Principal and agent—Parol contract—Right to recover—Mandate—Art. 1702, C.C.P.Q.

The suppliant, who was not a registered broker, was telephoned to by the Collector of Customs at Montreal and asked to procure