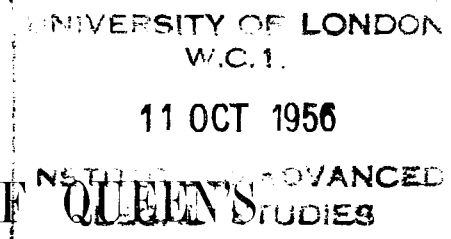


In the Privy Council.



ON APPEAL FROM THE COURT OF QUEEN'S
BENCH FOR LOWER CANADA, PROVINCE 29371
OF QUEBEC. (APPEAL SIDE.)

Between THE HONOURABLE THOMAS CHASE CASGRAIN
(Respondent in the Court of Queen's Bench) - *Appellant*

AND

THE ATLANTIC AND NORTH WEST RAILWAY
COMPANY (Appellants in the Court of Queen's
Bench) - - - - - *Respondents*

AND

THE CITY OF MONTREAL - - - - - *Intervening Party.*

Case on behalf of the Respondents.

1. This is an Appeal from a unanimous judgment of the Court of Queen's Bench for Lower Canada (Appeal Side), consisting of Baby, Bossé, Blanchet, Hall and Wurtele, JJ., reversing a judgment of the Superior Court (Mathieu, J.) and dismissing the Appellants' action. The reversed judgment ordered the Respondents to re-open a lane in the City of Montreal, called Blache Lane, which was (it is alleged) closed by the Respondents. Record p. 516.
Record p. 17.

2. The proceedings were begun by a Writ of summons and petition under article 997 of the Code of Civil Procedure, in the name of the Honourable Arthur Turcotte, then Attorney-General of the Province of Quebec, at the instance and request of one William Walker, as private relator, asking solely for the opening of the lane. Rec. pp. 22-23.

3. The principal questions arising upon this Appeal are :—

(1.) Whether the Respondents, who closed the lane, exercised in so doing, under all the circumstances, any power, franchise, or privilege which did not belong to them or was not conferred upon them by law within the meaning of the article of the Code ?

(2.) Whether the Attorney-General of the Province of Quebec could bring an action of this nature under the article of the Code ?

(3.) Whether, having lent his name to the action, he could validly discontinue it and disavow his attorneys ?

(4.) Whether the action was properly brought in the first instance without making the City of Montreal a party thereto, and what was the validity and effect of its subsequent intervention, and the effect of the dismissal of that intervention by the Court of Queen's Bench ?

(5.) Whether the action can be maintained as against the Respondents ?

4. These questions arise upon the following pleadings :—

Record p. 23.

The Petition of the Attorney-General sets out in effect that up to the year 1887, Blache Street, or Lane, having its outlet in Mountain Street, and running in the direction of Donegani Street, and as a continuation thereof, existed as a public street, the land constituting which had from time immemorial been dedicated to the public, and was public property ; and had been so declared by the Court of Queen's Bench in March 1864, in the case of *Johnson v. Archambault*. That in 1887 the Respondents acquired by expropriation strips of land on both sides of the lane : and that, under pretext that thereby all rights of servitude in favour of the abutting proprietors had become vested in the Respondents, they closed the lane. That such closing was specially injurious to William Walker and other abutting proprietors, inasmuch as the expropriation was made on the understanding that their properties would not lose their frontage on a lane, whereas by the closing of Blache Lane these properties lost their outlet in rear, to their great depreciation. That the closing of the lane and the keeping of it closed ever since, so as to deprive the public in general, and the proprietors in the vicinity in particular, of their right of using the same, was and is illegal, and an exercise by the Respondents of a power, franchise, and privilege which does not belong to them, or is not conferred upon them by law ; and is a case governed by article 997 of the Code of Civil Procedure.

Record p. 24.

The Petition states that the proceeding is taken at the request of Walker, and that security has been given by Thomas Darling.

The Prayer is for the issue of a writ of summons under article 997 and following articles of the Code of Civil Procedure and for a condemnation against the Respondents to re-open and restore the lane, and in default that it be re-opened at their expense.

Record p. 24.

The writ was issued upon the affidavit of one Thomas Darling and upon the deposit by William Walker of \$200 as security for costs, under an order of Mathieu J., of the 14th February 1889.

Record p. 25.

5. The Respondents pleaded to this action, first by demurrer ; by which they claimed : first, that no such right of action as that set up was given under article 997 and the following articles of the Code, and that the Attorney-General was not entitled under those articles to the remedies prayed for, and secondly, that the City of Montreal, within the limits of which the lane in question was alleged to be situated ought to have been made a party to the suit, and ought to have been asked or to have refused to take steps to re-open the lane. Upon this demurrer Judge Mathieu ordered *preuve avant faire droit*.

Record p. 7.

Record p. 25.

The Respondents also pleaded that being incorporated by a Statute of the Parliament of Canada, they were subject to the exclusive jurisdiction of that Parliament and of the officers of the Government of Canada, and that the Attorney-General of Quebec had no power to take any proceedings whatsoever against them. Upon demurrer, this plea was dismissed by Judge Mathieu, on the ground that the Attorney-General of Quebec is specially charged to see to

Rec. pp. 7-8.

the observance of the laws in the province, and that his action is not limited to the laws made by the province, but extends to all laws in force there under whatever authority they may be enacted.

The Respondents also pleaded besides a general denial, a special denial that Blache Lane was ever a public street, and they alleged that it had always been a private lane, serving as a means of communication to the properties abutting thereon, and that the only persons having any right in the lane were the abutting proprietors thereon, having common rights of passage from their properties to Mountain Street. The Respondents then set out their acquisition, by means of expropriation under the Railway Act, of all the lands abutting upon both sides of the lane, alleging that neither Walker nor any other of the adjoining proprietors have since had any rights in the lane, and that they had received compensation from the Respondents for all damages caused by the construction of the railway, including the damage, if any, resulting from the closing of the lane, and they produced the deeds of sale from the proprietors in support of their plea, and alleged that the proprietors well knew when they sold that the lane would be closed by the Respondents. They further alleged that by the purchase of the properties aforesaid, they acquired all the rights of servitude and passage over the lane, and averred that they had the right by law and under their charter and the Railway Act to build and maintain their railway there, and that the closing of the lane did not constitute the exercise by them of any power, franchise or privilege not belonging to them or not conferred upon them by law. Record p. 26.

6. The Appellant answered by reiterating the statement in his petition that the expropriation was made on the understanding that Walker and the other proprietors would have a frontage on a new street, which he says, would according to the plans shown to the arbitrators (copies of those filed in the office of the Clerk of the Peace) be a continuation of Donegani Street, in which proposed new street Blache Lane would be incorporated as a portion of it; and he alleged that the indemnity awarded to the expropriated parties was fixed on that basis. He then alleged that after the expropriation, the Respondents constructed their railway in accordance with new and different plans, whereby the proprietors found themselves deprived of all access to a street on that side of their property. The Appellant further alleged that throughout the proceedings in connection with the expropriation and up to the filing of their second plea, the Respondents had repeatedly and formally admitted that Blache Lane was public property, which was not and could not in any manner be affected by the expropriation, and that the pretension of the Respondents that Blache Lane was private property, of which they became proprietors by means of expropriation, was unfounded and in bad faith. Rec. p. 43.

7. The Respondents replied to this answer, denying its allegations, especially those as to any understanding as to a new street, and setting up that the deeds of sale passed between the expropriated parties and the Respondents, and the awards of the arbitrators contained the whole of the agreements between the parties and consequently the Appellant could not make any proof to vary or contradict them. Rec. p. 44

8. The situation of Blache Lane and of the adjoining properties and of the land expropriated by the Respondents will be seen by reference to a copy of the

Record p. 223. location plan filed by the Respondents in the office of the Clerk of the Peace, in accordance with the Railway Act.

9. The issues were joined in the month of May 1889, and the parties went to proof in the following month of July.

Rec. pp. 47-50.

10. On the 10th September 1889 the City of Montreal presented a petition, after previous notice, asking to be allowed to intervene, and this petition was allowed on the same day. On the 16th September the Respondents moved for the dismissal of the intervention, under Article 157 of the Code of Civil Procedure, on the ground that it had not been served upon the parties within the three days delay fixed by that Article, a ground which they also raised in their contestation of the right to intervene. They also contended that the proceedings were not in the nature of a suit, but of a prosecution undertaken by the Attorney-General under Article 997, and that the City could not take any conclusions as to or pray for any modification of any judgment which might be rendered; and that by law the Attorney-General represented the public, and no further representation was requisite or necessary for the purpose of protecting the rights of private individuals in the matter in question; and, lastly, that by the Code of Civil Procedure special delays are provided for such proceedings by the Attorney-General, and that the intervening parties were not entitled in their private interest to avail themselves thereof.

Rec. pp. 9-10.

11. Both the motion and the contestation of the intervention were dismissed, on the ground that the petition to intervene had been served before its presentation, and that the City being specially charged with the maintenance and oversight of streets had an interest in the issue of the action, and that the Respondents could not set up certain objections which could be raised only by its Attorney-General. These judgments will be found at pages 9 and 10 of the Record.

12. After the intervention of the City had been allowed, the evidence was continued, and by consent made to apply to all the issues. An immense mass of evidence was adduced on the part of the Appellant and the intervening party, the greater part of which it is submitted was entirely irrelevant, and much of it illegal, being allowed, however, under reserve of objections. The evidence was directed chiefly to two points: first, to prove that Blache Lane was a public way; and, secondly, to prove that the award of the arbitrators in the proceedings for the expropriation of the properties abutting upon the lane was based upon an understanding or agreement that the proprietors would be provided with a street fifty feet wide in the place of Blache Lane. The whole of the evidence on this second point was, it is submitted, both irrelevant and illegal. It was irrelevant because the question in issue in this appeal could not be affected by an agreement by the Respondents to provide the proprietors with another street. The breach of such an agreement might give ground for an action of damages on the part of the proprietors, but not for an action by the Attorney-General to re-open the closed lane. The evidence was also illegal generally, because it tended to contradict or vary the contents of the deeds passed between the parties, namely, the award of the arbitrators and the subsequent deeds of sale to the Respondents. The evidence of the arbitrators on this point was illegal because it was not competent to ask the arbitrator the grounds or basis of his award.

13. Pending the taking of the evidence, which extended up to June 1890, the private relator, William Walker, and the other proprietors instituted actions in their own names against the Respondents for damages caused to them by having been deprived of a rear access to their properties through the failure of the Respondents to carry out the alleged agreement to provide them a new street in the place of Blache Lane. This new street, it was alleged, was to have run, as appears by the declaration in Walker's action, as a continuation of Donegani Street, and was to have been fifty feet in width, which as will be seen from the plan (page 223 of the Record) would have brought it south of Blache Lane at its entrance to Mountain Street, and the real point in dispute was whether the Respondents ever undertook to make a new street to the south of the railway, employing part of the property expropriated from Walker and others for that purpose. Rec. pp. 244-246.

14. A large portion of the evidence was, as has been said, directed to proving that a promise of a new street had been made by the Respondents, and that the compensation had been fixed on this basis, and that the proprietors had accepted the compensation awarded them, relying upon this promise. But these facts, if proved, would, it is submitted, in no way affect the question as to the Respondents' liability, under the action as brought, to re-open Blache Lane. As the learned judge in the Superior Court put it, the Plaintiff, *es qualite*, could not recover damages, because the damage suffered by the proprietors resulted, not from the closing of the lane, but from the breach of the obligation which they alleged was assumed by the Company to open a larger street. Record p. 21.

15. This evidence, however, disclosed the true nature of the proceedings taken in the Attorney-General's name. It at once became evident that this action was being used as a means of forcing the Respondents to accede to the demands of these proprietors for damages for the non-execution of an alleged agreement, rather than submit to the destruction of the immense and costly works forming part of the entrance to their new station in the City of Montreal. These facts coming to the knowledge of the Attorney-General, Mr. Turcotte, and he perceiving that the rights of all the private individuals interested were protected by the actions for damages which they had taken, and that the taking of those actions had substantially changed the conditions, requested his Attorneys of Record to suspend proceedings till he could have communication of the Record, in order to give such further instructions as he might consider in the public interest. On the 9th July 1890, the Attorney-General authorised Mr. Geoffrion, Q.C., to notify his Attorneys to suspend proceedings until further orders, and, if they refused to obey instructions, to disavow them. They refused to comply with his requests, even as to communication of the Record: and finally, on the 31st July 1890, he, in his own name, discontinued the action. The reasons for this course are contained in the letter of the Attorney-General to Messrs. Barnard and Barnard of the 31st July 1890. A mandamus was obtained on Petition by the private relator, Walker, to compel the Attorney-General to proceed, notwithstanding the discontinuance. The Attorney-General contested this mandamus, and, after the production of much evidence, it was dismissed by the judgment of the Superior Court. This judgment was not appealed from, and is consequently *res judicata* and need not further be discussed. Record p. 119.
Record p. 119.
Record p. 120.
Record p. 127.
Rec. p. 121-128.
Record p. 20.

16. Upon the various questions arising in the main action, the Superior Court, by judgment of the 16th May 1891, decided in effect as follows:—

(1.) That the Attorney-General having once allowed the use of his name, under article 997 Code of Civil Procedure, to a person who had given security for costs, could not withdraw such authorisation without permission of the Court before which the proceedings were instituted; that the discontinuance in this case was in no way justified: and that if the Attorney-General could withdraw his authorisation after heavy costs were incurred, a grave injustice might result; and for these reasons the discontinuance was invalid.

(2.) That by article 997 it is provided that if a corporation assumes any power which does not belong to it or is not conferred upon it by law, the Attorney-General should or may prosecute such infraction (*sic*); that the pretension of the Attorney-General was that the Respondents had assumed the power to close a street which they had not the right to close, and that they thus assumed a power which was not conferred on them by law.

(3.) That the defence, on the ground that the Attorney-General could not proceed in the absence of the City of Montreal, became of no effect upon the intervention of the City.

(4.) That it was proved that Blache Lane had a width of 28 feet and formed a cul-de-sac, running from Mountain Street to opposite the property known as number 661 upon the official plan of St. Antoine Ward in the City of Montreal, and that this lane was enclosed by fences and that the City had done certain works in it, and especially had put in side walks and water-pipes, and that the properties abutting on this lane were described in the title deeds as bounded by the lane. That moreover it had been decided by the Court of Appeal on the 9th March 1864, in the case of "Johnson v. Archambault," that this lane was a public street. That the Respondents did not appear to have been authorised to close the lane as they had done, and that it followed that the action of the Appellant and the intervention by the City were well founded as to the lane.

(5.) That the Appellant in his official capacity could not recover damages alleged to be suffered by the relator, Walker, seeing that these damages did not result from the closing of the lane as to the part of the land then belonging to Walker, but from the default of the Respondents to execute an obligation which Walker alleged had been undertaken by them to provide a new street wider than Blache Lane.

(6.) That the intervening party (the City) had not suffered any damage.

The action and the intervention were by this judgment maintained, and the Respondents were condemned to re-open the lane within six months, and in default the intervening party and the relator Walker were authorised to re-open it at the cost, risk and peril of the Respondents; and the Respondents were condemned to pay costs, except the costs of proof, which were divided, inasmuch as these costs were incurred principally in order to establish damages which did not result from the sole fact of the closing of the lane or which were not proved.

17. From this judgment the Respondents appealed to the Court of Queen's Bench. The Appellant and the intervening party did not appeal. In the meantime Mr. Robidoux had taken the place of Mr. Turcotte as Attorney-General, and being summoned into the case declared that he submitted himself to the orders of the Court. Subsequently Mr. Robidoux was replaced as Attorney-General by Mr. Casgrain, who now appears as the nominal Appellant in this appeal.

18. By the judgment of the Court of Queen's Bench rendered the 23rd December 1892, the judgment of the Superior Court was reversed, and the Court decided in effect as follows :— Rec. pp. 516-518.

(1.) That it was not established that the Respondents had assumed any power, franchise or privilege which did not belong to them or which had not been conferred upon them by law.

(2.) That Articles 997 and 998 of the Code of Civil Procedure were not applicable to the case, and did not authorise the presentation of the petition or the conclusions taken by it, and that the Superior Court had not authority to adjudicate upon the conclusions of the petition.

(3.) That the Attorney-General could, as he did, withdraw his consent to the petition and ask to be dismissed from Court, and that the Superior Court could not force him against his will to continue the litigation under the petition. That the Court could not question the reasons which the Attorney-General gave for his abandonment of the petition, namely, the fact that private interests only and not the public interests were in question; and that it was not a case for the application of the above-mentioned Articles of the Code of Civil Procedure but for a recourse before the Courts in the ordinary manner, and that if the Court did enquire into the reasons, it appeared that they were well founded.

(4.) That a Writ of Mandamus would not lie against the Crown, or against its officers as such.

By this judgment the action and the intervention by the City were both dismissed. The formal judgment will be found at pages 516 to 518 of the Record, and the Reasons for the judgment, as given by Mr. Justice Bossé who rendered the judgment of the Court, at pages 1 to 7 of the Judges' Reasons, printed as a supplement to the Record. Supp. Record pp. 1-7.

19. From the last-mentioned judgment the present Appeal was taken. The City of Montreal have not appealed.

20. The Respondents submit that the judgment of the Superior Court, except in so far as it adjudged upon the question of damages, was erroneous, and that the judgment of the Court of Queen's Bench was correct.

21. On the first question, it is submitted that it is not shown upon the Record that the Respondents, in closing Blache Lane, exercised any power, franchise, or privilege which did not belong to them, or was not conferred upon them by law. The statute under which the Railway was built is chapter 109 of the Revised Statutes of Canada. (See the powers granted under section 6, subsection 4, and section 12.)

22. On the second question as to whether the Attorney-General of the Province of Quebec could bring such an action as the present under article 997 of the Code of Civil Procedure the Respondents submit that no such right of action is given by article 997. The article reads as follows:—

“ 997. In the following cases:—1. Whenever any association or
 “ number of persons acts as a corporation without being legally incorporated
 “ or recognised: 2. Whenever any corporation, public body, or board
 “ violates any of the provisions of the acts by which it is governed, or
 “ becomes liable to a forfeiture of its rights, or does or omits to do acts the
 “ doing or omission of which amounts to a surrender of its corporate rights,
 “ privileges and franchises, or exercises any power, franchise or privilege
 “ which does not belong to it or is not conferred upon it by law:—It is the
 “ duty of the Attorney-General to prosecute, in Her Majesty’s name, such
 “ violations of the law whenever he has good reason to believe that such
 “ facts can be established by proof, in every case of public general interest;
 “ but in any other case he is not bound to do so unless sufficient security is
 “ given to indemnify the Government against all costs to be incurred upon
 “ such proceeding; and in such case the special information must mention
 “ the names of the person who has solicited the Attorney-General to take
 “ such legal proceeding, and of the person who has become security for
 “ costs.”

See also the French version.

The intention was that the Attorney-General should, in his discretion, prosecute a corporation for penalties or for forfeiture of their charter, where the corporation had rendered itself liable to these results; but it was not intended that the Attorney-General should take proceedings for the demolition of structures, and obtain power to demolish them himself.

This is not a proceeding at common law for the abatement of a nuisance, but a special proceeding under Article 997.

Any such Action against the Respondents could not be taken in the name of the Attorney-General for Quebec, as the infraction of the law is alleged to have been committed by a Company incorporated by an Act of the Dominion Legislature, against the provisions of the Dominion Railway Act; and it is the Attorney-General of Canada who if any one would be the proper party to complain.

Further, as the Action was taken after the coming into force of the new Railway Act, 51 Vic., cap. 29, the remedy of the parties aggrieved was by application and complaint to the Railway Committee of the Privy Council of Canada, which has under section 11, paragraph (H) an exclusive jurisdiction; and at any rate can give adequate relief, and therefore this extraordinary remedy should not have been permitted, and the proceedings should have been quashed.

23. On the third question it is submitted that the Attorney-General could and did validly discontinue the proceedings taken in his name. It was for the Attorney-General and not for the Court to decide what should be done; whether the use of his name should be allowed in the first instance, or whether on fuller information, further consideration or changed conditions, its continued use should be allowed.

In this regard the Attorney-General is answerable to the Legislature alone and not to any Court, and no Court can enquire into his reasons.

It is further submitted that the Attorney-General having once disavowed his attorneys and discontinued the Action, neither they nor the private relator, Walker, had any status in the case, except perhaps, to contest the disavowal, which they did not do. The mandamus having been dismissed, and no appeal taken, the judgment in this respect constitutes *res judicata*; and there remains nothing in the Record contesting the disavowal or the discontinuance.

24. On the fourth question it is submitted that, even if the Action would lie as brought, the object of it being the re-opening of a lane in Montreal which had been closed, the City (being, if it were in truth a public lane, the owner in trust and having control of the lane) should have been an original party; and that this defect was not cured by the subsequent intervention of the City. See the City Charter (37 Vic. cap. 51.) and also the Revised Statutes of Quebec.

The intervention of the city having been dismissed by the judgment of the Court of Queen's Bench, and the city not having appealed from that judgment, it is now no longer a party to the suit; and it is submitted that the Respondents cannot be condemned to re-open the street, in view of the fact that the city is no longer a party, and does not ask for its re-opening.

25. It is submitted that even assuming that Blache Lane was a public street the Respondents had sufficiently complied with the requirements of the Railway Act, and had in substance and in fact obtained the leave of the City Council before closing the lane, and that the Council acquiesced therein.

It is submitted, however, that the evidence does not establish that Blache Lane was a public street, but shows that it was only a private lane or way for the use of all the adjoining proprietors.

It is submitted that the properties immediately surrounding the lane having been acquired by the Railway Company, the object and usefulness of the lane was at an end, and the only person who could have any claim against the Railway Company would be the original proprietor of the lane itself. The public does not appear to have ever had any rights or interests in the lane, and the whole evidence shows that no public injury was done by closing it.

The Judge in the Superior Court relied upon the decision in "*Johnson v. Archambault*" in 1864. In that case, on the evidence before it, the Court held that the lane was a public one; but it is submitted that that Judgment, being purely on a question of fact, is not binding upon the Respondents nor upon the Court in the present case, and that the Court of Queen's Bench have rightly so held. Rec. pp. 256-258.

26. Finally, it is submitted that the Action is not maintainable against the Respondents. It is true they constructed the works; but their railway is now, and was at the date of the institution of the suit, in the possession and under the control of the Canadian Pacific Railway Company, and part of that railway. It is proved that this piece of the railway forms part of the entrance to the Windsor Street Station of the Canadian Pacific Railway Company, in the City of Montreal, on the line of the Canadian Pacific Railway Company between that station and Montreal Junction and the St. Lawrence Bridge, and over which the whole of the enormous passenger traffic of the Canadian Pacific Railway Company from the West, North and South passes into the City. Rec. pp. 420-421.

Under the Acts affecting the Atlantic and North Western Railway Company, the Ontario and Quebec Railway Company and the Canadian Pacific Railway Company, and by valid transactions between the parties this line became part of the latter Company's Railway as soon as built. It is clear, therefore, that the Respondents have no right of property in the part of the railway in question, and could not be compelled and are not entitled to demolish the property of another Company.

It is submitted on behalf of the Respondents that the Appeal ought to be dismissed for the following, amongst other

REASONS.

1. Because the Respondents, in closing Blache Lane, did not in so doing, under all the circumstances, exercise any power, franchise or privilege which did not belong to them or was not conferred upon them by law, but on the contrary the Respondents having acquired all the land surrounding Blache Lane, and the rights of the abutting proprietors therein, had a right to close the lane by constructing their Railway upon it as they did.

2. Because the Attorney-General of Quebec cannot bring or maintain this Action for the end indicated under Article 997 of the Code of Civil Procedure and the following Articles, and the Superior Court for Lower Canada had no jurisdiction to try and determine such an Action, or to render such a judgment.

3. Because the Attorney-General did validly discontinue and withdraw the Action and disavow his Attorneys.

4. Because no mandamus will lie against the Crown or its officers in this connection.

5. Because the Action was improperly brought in the first instance without making the City of Montreal a party thereto and was *ab initio* bad, and the subsequent intervention of the City of Montreal did not cure the original defect in the Action.

6. Because the intervention of the City of Montreal having been dismissed by the Judgment of the Court of Appeal, and the City not having appealed therefrom, it is no longer a party to the Action, and no condemnation can be pronounced against the Respondents without the City being a party to the Action.

7. Because the Respondents obtained the permission of the proper municipal authority, to wit, the City of Montreal, to build their Railway upon the lane.

8. Because the railway works covering and closing the said lane are not the property of the Respondents, but are the property of the Canadian Pacific Railway Company, and part of the line of railway of the latter.

9. Because the Action cannot be maintained as against the Respondents.

EDWARD BLAKE.

H. ABBOTT.

In the Privy Council.

ON APPEAL from the Court of Queen's Bench
for Lower Canada, Province of Quebec
(Appeal Side).

Between

THE HON. THOMAS CHASE CASGRAIN

(Respondent in the Court of Queen's Bench)

Appellant

AND

THE ATLANTIC AND NORTH WEST
RAILWAY COMPANY

(Appellants in the Court of Queen's Bench)

Respondents

AND

THE CITY OF MONTREAL

Intervening Party.

Case

ON BEHALF OF THE RESPONDENTS.

BOMPAS, BISCHOFF, DODGSON, COXE & BOMPAS,

4, GREAT WINCHESTER STREET,

Respondents' Solicitors.