

LEFEBVRE v. HIS MAJESTY THE KING.

1919

*Mar. 21.

ON APPEAL FROM THE EXCHEQUER COURT OF CANADA.

Expropriation—Contract—Sale of land—Option—Privity.

APPEAL from the judgment of the Exchequer Court of Canada (1), dismissing the appellant's, suppliant's, action with costs.

It is a petition of right to recover compensation, under an option, with respect to certain land taken by the Crown for the construction of a barrier or dam on the River St. Charles, P.Q.

The Exchequer Court held that, under the circumstances of the case, the suppliant was not entitled to any portion of the relief sought by his petition of right.

The suppliant appealed to the Supreme Court of Canada, which, after hearing counsel on his behalf, and without calling on counsel for the respondent, dismissed the appeal.

Appeal dismissed with costs.

E. A. D. Morgan K.C. for the appellant.

Bernier K.C. and *Billy* for the respondent.

*PRESENT:—Sir Louis Davies C.J. and Idington, Anglin, Brodeur and Mignault JJ.

(1) 16 Ex. C.R. 241; 38 D.L.R. 674.