

## No decision yet . . .

(Continued from Page One)

Exclusion of alternate routes from the expropriation hearings they argued was hampering their clients and gave Ontario Hydro the advantage. The hearings were the only opportunity for citizens to voice objections to Hydro's plans, they told the court.

The objectors are not saying build the corridor on someone else's property. Mr. Paroian told the court, but that there was insufficient information if cross-examination and evidence are restricted to Ontario Hydro's choice of route. There may be a better alternative. It would be poor policy to decide before all the evidence is in, he said.

"The broader the hearing, the better the decision," he told Mr. Justice Reid. Mr. Justice Krevor and Mr. Justice Rutherford, who heard the arguments.

Mr. Paroian submitted it was the purpose of the expropriation hearings to get as much information to the Ministry of Energy as possible so the political body could do with it what they wished. He said the hearings were not a charade where people spoke out and were not heard. He said if the hearings were restricted to the actual route Ontario Hydro chose it would be a denial of citizens' rights.

Paroian also claimed Ontario Hydro knowing the narrow parameters, could choose their own questions and answers because the normal rules of evidence have not been defined.

The nub of the case, Paroian told the tribunal, is whether alternative routes were proper to the investigation. He cited precedents to back his case where hearing officers had allowed evidence and cross-examination of alternate sites.

Ontario Hydro's lawyer, Tom Marshall argued that expropriation hearings should not recognize boundaries beyond the narrow 500 feet Hydro has set out for its 500kV transmission corridor. He claimed the Solandt Commission had made a detailed analysis and recommended the corridor go through Limehouse and the only area which should be dealt with at the expropriation hearings in Acton should be the 500 foot, 14-mile strip and those people directly on the route.

"Are neighbors not affected by the towers?" asked Mr. Justice Reid.

Not under the terms of the Act, Marshall said, he told the court they would be dealt with under the "Injurious Affection" procedures Hydro has laid down. He said allowing neighbors of the corridor to participate would compound an uncontrollable process.

Mr. Marshall pointed out the Inquiry Officer had no powers, that the hearings did not have the trappings of judicial process and the officer's report expressed an opinion which the Minister of Energy could ignore if he chose. He said there was not even an obligation to publish the officer's report.

Mr. Justice Krevor asked Mr. Marshall what the purpose of the hearing was, then if that was so.

Marshall replied the purpose was to deal with specific proposals from land owners along the route and move the transmission towers to avoid obstacles such as swimming pools or a sugar bush and other matters of that ilk within the knowledge of the owners.

Marshall said the Act restricted officers from hearing evidence that dealt with whether hydro needed the line or not or where it should go. That has all been predetermined by Ontario Hydro, he said. Hearings should avoid contentious

issues.

Mr. Justice Krevor said he could not understand this interpretation because the adversary procedures had been spelled out as it allowed examination or cross-examination which meant contentious issues.

Mr. Justice Reid asked Mr. Marshall why the Act did not say just "land affected" if his narrow context was to be followed.

Marshall replied the decision was made by the Government, which had already determined the need. He said there should be no enquiry into the need for a corridor.

Mr. Justice Reid said it would not be incumbent for an enquiry officer to put on blinders and still decide whether the proposal is sound. How could he carry out his function properly if blind himself to interest of owners in areas alongside the corridor.

Marshall said the plans for the corridor were approved by the Ministry and they determined the rules.

Mr. Justice Krevor noted the burden was on the individual to come forward and make his case but the historic concern of legislation was to put the burden on the Expropriation Authority to prove expropriation is fair, sound and necessary.

Mr. Justice Reid suggested owners also have rights and questioned Mr. Marshall why Hydro had put the Solandt Report and other evidence in the hearing exhibits if they didn't think the expropriation hearings were inquisitorial. Why all the background if they are irrelevant? he asked.

What's so wrong about allowing the officer to contemplate effects outside the corridor boundaries if he has no power to decide on the case? Justice Reid asked.

Mr. Marshall said it would be just a waste of time. He told the court it was not really a matter of what was going on

the property for the expropriation hearings to decide. The function of the hearings was only to expropriate the property, he told the court.

He said it would be impossible to conduct hearings in an orderly and timely way if evidence for all alternatives for the route decided by Hydro were allowed in the hearings. There was an urgency to get the job done and if compulsory acquisition of land was necessary land owners would be even more hostile.

Lawyer Dick Howitt concluded the case by stating he felt the intention of the Expropriation Act was to correct abuses of the past when expropriations had been carried out without any rights to land owners, and the machinery had been set up to avoid narrow interpretations such as Mr. Marshall's.

He said claim of increased costs might better be reduced costs because their broader scope would cause better investigations. He felt increased costs were a frail excuse for exercise of arbitrary powers.

The court case was precipitated when Hearing Officer Donald Meyrick adjourned expropriation hearings in Acton November 25 when his ruling that evidence and cross-examination on alternate routes could not be accepted was challenged by lawyers Paroian, Howitt and Susan Tanner. He adjourned the hearings until the Divisional Court decides whether the hearings could allow evidence and cross-examination on alternatives.

Both Mr. Paroian and Mr. Howitt said the decision would be a precedent which could set the guidelines for future expropriation hearings.

No date has been set for announcement of the decision.



HEART FUND FLAG goes up in front of the cenotaph signalling the start of the Heart Fund campaign. Vic Bristow does the flag-raising honours.

## Heart fund drive underway in area

The raising of the Heart fund flag at the cenotaph on Monday marked the official beginning of National Heart Month in Acton.

Organizer Vic Bristow raised the flag and told the Free Press of this year's campaign. He explained there are 85 canvassers this year, up ten from last year. He pointed out the new people in town accounted for the canvasser increase. These dedicated volunteers will be knocking on doors in town asking for donations. There will also be boxes in banks

throughout the town, with plastic roses in them. Any donation is welcome, Mr. Bristow said.

The cold weather held the canvassers up last week, but once the temperatures warmed up a bit, they were out knocking on doors. Mr. Bristow himself does the businesses and industries.

Anyone who wishes to make a donation but has not spoken to a canvasser, or anyone who wishes to make donations in memoriam may call Mr. Bristow at his Elizabeth Dr. Home.

## New casual ice rates

Halton Hills council approved new casual use ice rates Monday night.

The casual rates will be employed during those times when the rinks aren't booked. In most cases figure skating instructors and their students will be the ones who decide to snap up the unreserved ice time.

The fee will be \$5 an hour for skating instructors who work for local clubs, \$2 per student per hour if they live in Halton Hills and \$4 per student per hour if they are from-out of town.

These rates will apply at all three rinks.

The outdoor skating rinks are being maintained by town men and are used regularly these days.

## Town offices cramped...

(Continued from Page 1)

building for meetings which sometimes attract large groups of people. When this happens washroom facilities are sadly deficient.

He reported there is a lack of storage space for sealed ballot boxes and other written materials and documents.

Pritchard says there is barely enough room for everyone in the clerks department now but if a municipal solicitor or by-law enforcement officer are ever added to the staff there just isn't the room.

He added the council chambers need to be ventilated, wiring in the building needs to be looked at, some windows leak and the face brick of the building needs repairs.

Pritchard says centralizing of municipal departments increases efficiency and pro-

vides a convenience to the public.

Venditti reports his staff is frequently shunted off into the council chambers to work since his department has only 400 square feet of space and has four employees. In addition in the summer when two students have been employed they have ended up being moved all over the administration building to work.

There is a need for 200 to 300 square feet of filing space since drawings are stored in the clerk's department right now and project and closed files are also stored outside planning.

With town growth and staff increases over the next five years the planning department will need 2,000 square feet of office space and Venditti suggests his depart-

(Continued on page 5)

## Four fire trucks crowded in the hall

There are four fire trucks housed in the fire hall, not three as reported last week.

No. 1 truck is known as the town truck; it's a 1969 Ford which is mainly used for alarms in town.

No. 2 truck is a 1975 Ford and is used mainly for rural calls.

No. 3 truck, a 1968 Ford, is also used mainly in the rural areas.

The recent addition is the newly-renovated 1927 Studebaker. It is presently parked in behind the other trucks. Firefighters are working on its restoration in their spare time.

## Pull burning car from garage, flames put out

Acton Volunteer Firefighters had to tow a car out of a garage at the home of James Brown, R. R. 4, Rockwood on February 1 after the vehicle caught fire and threatened to spread flames throughout the garage and house.

Fire Chief Mick Holmes said the blaze, at 7:15 a.m., totally destroyed the 1968 Ford, but did not harm the garage before it was taken from the structure.

The chief explained he did not know the cause of the fire yet.

## Truck fire

A Halton Hills works department employee got more than he bargained for yesterday, when he went into Double Happiness restaurant to pick up a cup of coffee.

When Ernie Corbett got back to the department's truck, he discovered smoke had filled the cab so he called the Acton Volunteer Fire Department. However, explained fire chief Mick Holmes, when the fire trucks arrived at the scene, the fire had "died out itself." He attributed the fire to faulty wiring under the dashboard.

The truck is owned by Armbr Construction, but rented by the town for use as a sander.

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## Legion skating party brings back memories

Many Acton residents shipped back to their youth Saturday evening at the Legion skating party.

The concept of the party started with Ab Irwin who, reminiscing about his boyhood days, found himself thinking about the good times he had clearing a spot on Fairy Lake to skate, and gathering with his friends around a huge bonfire afterwards.

This was the scene Saturday night behind the Legion.

## Louis Charlebois . . .

(Continued from Page One)

and said his office is making material available to its sub-committees. "The thing we can do is help to gather facts. . . then the decision will be based on facts."

A community has a need to be somebody - that means community identity and interaction with one another. The choice has got to be yours, he said.

Re-elected president Charlebois reviewed the Chamber's objectives and accomplishments of the past year.

He hopes 1977 will be a year of progress with an increase in membership and innovative projects.

Mr. Pollock of the Department of Industry and Tourism was asked from the floor why nothing is done to promote this part of Ontario. Mr. Pollock admitted that the fact this area is "well-endowed" works against us. "Make your concerns known," he ad-

vised. Be a squeaky wheel. Kevin Conroy introduced the head table.

The group stood and observed a minute's silence in memory of a charter member of the Chamber of Commerce, Ted Tyler Sr.

It's become traditional to ask long-time member Fred Wright to say Grace, he was at the head table to perform this function again Monday.

Guests introduced were George Gray, president of the Georgetown Chamber of Commerce and Mrs. Gray, Halton Hills planner Mario Venditti, Chamber of Commerce charter member John Goy and past president Roy Goodwin.

and Ivan Kilby, busied themselves in the kitchen making several pots of chili for the hungry and cold skaters.

The evening didn't end there, however. After a hearty meal, the parties were invited into the dance which was in the main hall.

For the adults who took part in the skating, fond memories were aroused. For the younger set, they had a glimpse at what it was like before arenas, and perhaps even before television, when youngsters had to make their own kind of fun.

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