

A PERPETUAL FRANCHISE.

Danger in Toronto and York Radial Railway Bill.

Mr. Lennox's bill respecting the Toronto & York Radial Company was debated at length in the Railway Committee of the Legislature yesterday and comes up again to-day, the preamble and several clauses having been held over. Mr. Walter Barwick, K.C., for the company, explained that three charters—the Scarborough, Metropolitan and Mimico Railways—had been acquired by the Toronto & York Radial. The powers were separated, but the bill gives the powers held by the Metropolitan, and confirms the agreement between Scarborough and the railway, providing for renewal of the contract at the end of 25 years, subject to arbitration. The radial railway is also empowered by the bill to extend its lines to Bowmanville and Cobourg, via Whitby.

Mr. Grant, on behalf of East Toronto, maintained that this bill would confer on all the radial lines, including the Metropolitan and Mimico roads, a perpetual franchise. He thought this was dangerous. Mr. Barwick disputed his interpretation of the law, and Mr. Hendrie thought the point of sufficient importance to be looked into carefully.

The bill was then taken up clause by clause by the committee. Clause three occasioned the most discussion, Mr. Grant reiterating his contention that this gave a perpetual franchise to the Mimico line as well as the Scarborough.

Wm. Moore, manager of the York Radial line, said Mayor Richardson, Solicitor Grant and others called at his office the other day and asked the Toronto & York Company to pay part of the cost of a bridge which was needed. He explained that the franchise expired in 1912, and he could not make any arrangements on so short a franchise. If they would give a franchise like Scarborough the company would build the bridge. Although at first willing, the Mayor and the others were injured at something said and refused.

"They are here to injure us through spite," opined Mr. Moore.

"I repudiate that as strong as words can do so," replied Mayor Richardson. He said they had submitted terms, but Mr. Moore refused to entertain them unless accompanied by exclusive rights and a perpetual franchise.

Dr. Nesbitt and Mr. Downey approved the arbitration provision. They thought it was unfair that one township should be able to hold up several other townships if one was opposed to terms to which others agreed.

Clause three was finally passed, being understood that an addition would be inserted protecting East Toronto.

Another clause gives the company power to acquire lands for parks and markets. They propose to erect markets at East Toronto and the Woodbine if they cannot secure access to Toronto market.

The "railways mentioned in the said acts" are to be put in operation within five years.

ABOLISH TRADING STAMPS.

A Lively Discussion Before the Municipal Committee.

There was a long and at times lively discussion in the Municipal Committee of the Legislature yesterday over the clause in Mr. Downey's bill to amend the municipal act by absolutely prohibiting the use of trading stamps and premiums of any kind instead of leaving the question to be dealt with by the Municipal Councils. Mr. E. M. Trowern, Secretary of the Retail Merchants' Association, spoke strongly in favor of the clause. He pointed out some methods by which the act was now evaded, and denounced the scheme as a fake, claiming that many merchants and manufacturers who were opposed to it were practically forced into the idea.

Mr. E. E. A. Du Vernet, representing a number of merchants, opposed the proposal on constitutional grounds, claiming that, as it was a question affecting trade, the Legislature had no right to deal with it. Mr. E. F. B. Johnston, K.C., speaking for some of the trading companies, took much the same view, and also argued the right of persons to conduct their businesses in their own way so long as they obeyed the law.

A number of merchants and several members of the committee took part in the discussion. Finally, on suggestion of Messrs. Pattinson and Pense, it was decided that the law clerk of the Legislature, the solicitors for both sides and Hon. Mr. Hanna should confer, with a view to drawing up an amendment to meet the exigencies of the case, and to report to the committee this morning.

AVENUE ROAD ANNEXATION.

Clause Rejected in City's Bill to be Reconsidered This Morning.

The clause in a city of Toronto bill validating the annexation of the Avenue road district was thrown out by the Private Bills Committee of the Legislature after two hours' discussion yesterday morning. The clause was strongly opposed, on the ground of legal rights, by Mr. Wm. Laidlaw, K.C., acting for Mr. Wm. Mackenzie, and was supported by Corporation Counsel Fullerton and other city officials. Finally Chairman Carscallen said he understood the Government's view was that the proclamation could not be confirmed while legal rights under it were in dispute. Then the committee acted as stated, but shortly after the adjournment of the committee it was found that the intention of the Government had not been accomplished by the action taken. Nor could the definite effect of the striking out of the clause be ascertained. In consequence the clause will be reconsidered in the committee this morning, and the whole question thus remains open.