

"LEASEHOLD ARBITRATIONS."

Opinions of the Press.

[TORONTO GLOBE, 22ND APRIL, 1890.]

THE LEASEHOLD PROBLEM.

Mr. Phillips Thompson, in a terse and well-reasoned argument, has brought before the public again the injustice that so often attends upon leasehold arbitrations in this city. The author uses no honeyed words in describing the existing condition of affairs. He points out how formidable the power of the ground landlord has become in the business quarter of Toronto, and how, especially by two or three estates which control large tracts of land, existing statutes and forms of contract "have been wrested from their original purport and have become the instruments of plunder and confiscation." In opening it is pointed out that during the boom land was valued not according to what it would produce if properly used for permanent business, but for what it would sell for to some third party to sell again. "A poker-chip value," Mr. Thompson calls this, and quite independent of the earning capacity. This fictitious value was made the basis of renewals of ground leases during and after the boom. The conservative principle, that land is worth what it will produce in rent, properly used, was laid aside, and the gambling standard was applied by valuers and arbitrators drawn from the ranks of land-boomers, and naturally in favor of keeping up the fictitious values.

Mr. Thompson gives a sketch of what actually occurred in many an arbitration, which resulted in the ground landlord securing an exorbitant rent and the lessee being stripped of his buildings and left penniless, when he speaks thus of "expert" testimony:—

"Arbitrators are under obligation to decide upon the evidence presented to them, and any qualms of conscience were apt to be speedily set at rest by the appearance of a host of 'expert' witnesses summoned on behalf of the landlord. In judicial affairs professional expert testimony has become a by-word and a mockery. It is notoriously the most contradictory, unreliable and generally suspicious class of evidence with which Courts have to deal. It is beyond the reach of perjury penalties, as an expert merely swears to his professional opinion, and, however absurd or erroneous it