

"extend the franchise of the Metropolitan Street Railway Company beyond the period to which they would originally have been entitled under By-law and Agreements existing previous to 1864, on the following grounds: That two and three-quarter miles of Yonge Street are situate within the limits of the Municipal Corporation of the Town of North Toronto, and will have to be maintained entirely by the Town; that by previous agreement, confirmed by special legislation, the control of the Metropolitan Street Railway Company is left in the hands of the County Engineer, and not of the Engineer appointed by the Town; that the rates of fares which the various agreements entered into (between the County and the Railway Company), allow, are in excess of what should be allowed to be charged by the Railway Company; and on the ground that the date at which the Lieutenant-Governor-in-Council approved of the By-law of the County of York abandoning the York Roads, and following thereon the date at which the City of Toronto passed the necessary By-law to abolish market fees within the city, and entered into the necessary agreement to carry out such By-law, the rights of the County of York over Yonge Street, in so far as that portion of the same passing through the Town of North Toronto is concerned, ceased; and that the County are not from such date entitled to pass any By-law or enter into any agreement which might be prejudicial to the interests of the Town of North Toronto, or in any way interfere with the autonomy of the said Town in the discharge of its duties with regard to running through the said town.

I wish to draw particular attention to the fact that when the expiring County Council granted the privileges to the Metropolitan in the extract above quoted, they knew perfectly well, and were legally advised at the time, that their proceeding was illegal, also why did they in their Agreement (giving the extension and franchise to the Company), protect themselves with the proviso—  
*"that in case it should be held by any Court of Competent Jurisdiction that this Corporation*

*"has not the power to grant such extension, then the said Company shall have no claim against the County, but the same shall be construed and accepted as conferring on them such privileges and powers as this Corporation has power to grant."*

On the first meeting of the North Toronto Council (after the County Council had outrageously and heartlessly inflicted a gross wrong on a young and struggling municipality), the ex-Mayor Fisher was ordered to instruct the Town's Solicitors to enter a Suit in Court against the infamous bequest, conferred by the dying Council of the County of York, on our already overburdened and sparsely populated Town, whose inhabitants, become incensed, and expressed themselves as determined to fight to the bitter end to get relieved from the clutches of this soulless and grasping Railway Corporation, who have had their heels upon our necks ever since they laid the first rail upon their track.

Now came the SEVENTY-FIVE DOLLARS' Opinion from Christopher Robinson, Q.C., that ex-Mayor Fisher applied for. When the North Toronto Council read this Opinion they felt perfectly justified—as did every one of their constituents—that it was right and proper to proceed with the Suit, as it was fully understood that the Town Solicitors had, according to directions, in their regular order of business, duly entered the Suit.

Just here will be a very suitable place to again quote the SEVENTY-FIVE DOLLARS' Opinion, and which will keep up the connection between what had been done by the County Council in November last and the getting of the following Opinion from Christopher Robinson, Q.C.:—

Toronto, Dec. 3rd, 1866.

"I have considered the question submitted to me as to the right of the County of York, by their By-Law recently passed to extend the time for the completion of the Metropolitan Street Railway to Richmond Hill, from 30th November, 1866, the time allowed by the county by-law, passed on the 21st November, 1865, to the 31st May, 1867."