

of which it is the successor), were cited in the argument, but their Lordships are unable to discover in any of such Acts any legislative provision which exempts the appellants from the performance of the conditions of the agreements under which they have obtained these privileges and franchises which they still enjoy. According to the well-known principles of the construction of statutes, clear words are required to give to them a meaning which would interfere with existing contractual arrangements, and their Lordships are of opinion that, so far as concerns the said privileges and franchises obtained under the said two agreements, such words are entirely absent in the present case. It is unnecessary, therefore, to examine in detail the portions of these statutes which were cited in argument of excepting, so far as may be necessary to understand, the decision of the Ontario Railway and Municipal Board which formed the subject of the appeal to the Court below.

By an Act of 1893, the Metropolitan Street Railway Company of Toronto changed its name to the Metropolitan Street Railway Company, and by an Act of 1897 it again changed its name to the Metropolitan Railway Company, but such changes of name have no effect on the rights of the parties to this dispute. On the 6th day of April, 1894, an agreement was made between the Municipal Corporation of the County of York and the Metropolitan Street Railway Company, whereby, amongst other things, it was provided that the company might deflect its line from Yonge street and operate same across and along private properties, after expropriating the necessary rights of way under the provisions of the statutes in that behalf. At the date of such agreement, the County of York had no rights whatever in the portion of Yonge street to which the present dispute relates, except the small portion at the northern end hereinbefore referred to, and it is not contested that the agreement in question could not affect the rights of the appellants, otherwise than with regard to such portion of their track in Yonge street as lay north of the then boundary of the city. But it is necessary to refer to this agreement, inasmuch as much reliance was put upon it as justifying the deviation from Yonge street, north of the city boundary. Their Lordships do not feel called upon to decide whether, as against the Municipality of the County of York, the appellants acquired the right to make the line in its new position, or