

party hereto of the first part, and to relieve and indemnify the said party hereto of the first part from all the said claims and demands.

AND WHEREAS, under the Provisions of an Act of the Legislature of this Province, entitled "An Act to authorise the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," the said party hereto of the first part are authorised and empowered to contract with the party hereto of the second part for the construction of the said Esplanade, or of any portion thereof. AND WHEREAS the said party hereto of the first part are desirous of contracting with the said party hereto of the second part, for the construction of the works hereinafter mentioned.

NOW these presents witness, that the party hereto of the first part, for themselves and their successors, and the party hereto of the second part, for themselves and their successors, mutually covenant, promise and agree the one to and with the other as follows :—

FIRST—The party of the second part agree to assume the settlement of all claims existing between C. S. Gzowski, D. L. Macpherson, L. H. Holton, and A. T. Galt, and the party hereto of the first part, and to indemnify and relieve the said party of the first part of and from the same.

SECOND—The parties hereto agree forthwith to submit the said claims, as matters in dispute between them, to the award, final end and determination of A. M. Ross and T. C. Keefer, Esqrs., and of a third Arbitrator, to be chosen by the persons so named before proceeding with the said arbitration; and the parties hereto mutually covenant the one with the other, for themselves and their successors, that they will well and truly stand to, abide by, perform, fulfil and keep any award which may be made by the Arbitrators so named and chosen or by a majority of them. Provided that such award be made in writing, ready to be delivered to the said parties on or before the first day of March next, the said Arbitrators or a majority of them to have the power to enlarge the time for making their award by writing, under their hand, and to examine all persons and witnesses upon oath. Provided always, and it is hereby agreed, that the said party of the first part shall be at liberty, before the said