

Rules to be observed in estimating compensation.

money to be paid by the said Mayor, Aldermen and Commonalty of the City of Toronto for the said damages, and shall, in estimating the amount of such damages, take down in writing the evidence upon oath of such witnesses as may be brought before them to give evidence touching the matters in controversy, which oath the said arbitrators, or any of them, are hereby empowered to administer, and shall also take into consideration any damage or inconvenience, as well as any advantage or convenience which may accrue or arise to the respective owners, lessees or occupiers of the said water lots or premises, as well by the construction of the said Esplanade as by the conveyance to them of the strips of land between the top of the bank and water's edge and the pieces of land covered with water in front of their said respective lots, according to the provision of the said letters patent, and the value thereof; And the decision of such three persons, or the majority of them, reduced to writing under their hands and seals, shall be final and conclusive between all parties whomsoever, and the amount so assessed shall be paid or satisfied to the party or parties respectively by the said the Mayor, Aldermen and Commonalty of the City of Toronto, in debentures to be issued as hereinafter is provided, at par, or in money, at the option of the said Mayor, Aldermen and Commonalty of the City of Toronto within

Award, how to be made, &c.,

Payment of Corporation.

Proviso : Award may be set aside for cause.

after such decision shall be made as aforesaid : Provided always, that such award may be set aside on application to any of the Superior Courts, on the same grounds as any award between party and party may be set aside.

If the sum mentioned in the amended Act be insufficient, a further sum may be raised, and how.

II. In case the sum of £120,000, provided for in the Act above mentioned, shall not be found sufficient to construct the said Esplanade and make compensation for damages, as is hereinbefore provided, it shall and may be lawful for the said the Mayor, Aldermen and Commonalty of the City of Toronto, notwithstanding any Act of the Parliament of this Province to the contrary, to pass a By-law to raise a loan or loans of money sufficient to meet the whole expense of constructing the said Esplanade together with the said damages, and to issue any number of Debentures (payable as in the said Act provided) which may be requisite and necessary therefor—which said By-law, as well as the By-law to raise the said sum of £120,000 authorized by the said Act, and all debentures issued thereupon, shall be valid and effectual for such purpose, immediately on the passing thereof and the issuing of the said debentures, to all intents and purposes whatsoever. And the Esplanade Rate imposed by the said Act to form a sinking fund for the redemption of the debentures therein mentioned, shall apply to all debentures issued under this and the said recited Act to pay for the construction of the said Esplanade and damages as aforesaid. And the special rate imposed by the third Section of the said in part recited Act, shall be chargeable upon all holders of water lots, whether the same be held by them under lease from the Mayor, Aldermen and Commonalty of the City of Toronto, or by Patent from the Crown, or otherwise howsoever.

Esplanade Rate to apply to Debentures under this Act.

Special Rate to be chargeable on certain lots, without exception.

Corporation to dispose of strip of land mentioned in Sect. 8 of amended Act, &c.

III. So soon as the space or strip of land mentioned in the eighth section of the said in part recited Act shall be surrendered to the said the Mayor, Aldermen and Commonalty of the City of Toronto as is provided by the said Act, the said space or strip of land heretofore mentioned, together with all the strip of land vested in the said the Mayor, Aldermen and Commonalty of the City of Toronto, under the said license of occupation mentioned in the said in part recited Act, and dated the twenty-ninth day of March, 1853, shall be absolutely vested in the said the Mayor, Aldermen and Commonalty of the City of Toronto, with power to sell and dispose of the same in such way as the Common Council of the City of Toronto shall by