

SECOND. Should the Senate hereafter decide upon forming a Botanic Garden within the ground so to be demised for a Park, then there shall be also reserved the right to occupy that portion of the land designated upon the plan, "Botanic Garden" for that purpose, such garden to be made and maintained at the expense of the University, and to be open to the public, under such restrictions and conditions as the Senate may impose.

THIRD. No building or buildings shall be erected or placed within the Public Park or Avenues.

FOURTH. Those persons to whom the University shall lease or sell building lots fronting on the Public Park, or on the Avenues, shall have free access through the Park and Avenues at all times.

FIFTH. Free access to the Park shall be provided by the University at all times through the two gates on the east and the gate on the north, as shewn upon the plan, or in such other way as the Senate and City may agree upon.

SIXTH. The roads and ornamental grounds within the Public Park, the lodges connected with the Park, and the approaches thereto, the approaches or avenues, with the gates and fences belonging thereto, shall be put in repair and kept in all necessary repairs by the City Council. It shall also be the duty of the City Council to provide for and carry into effect that proper care shall be taken of the same, and that the avenues shall be sufficiently lighted with gas, and watched by the City Police. This shall not, however, include the Botanic Garden, should the Senate establish one.

SEVENTH. The City Council shall construct a suitable fence around the Public Park herein mentioned, or such part of it as they may be required so to do by the Senate.

EIGHTH. All the roads, lodges, fences, &c., which the City Council is hereby required to construct and put in repair, shall be so constructed and repaired within one year from the date of the lease hereby authorized to be executed.

NINTH. The lease of the said grounds authorized by this statute shall contain full and proper covenants, both on the part of the City Council and the University of Toronto, for the due performance of the stipulations herein mentioned, and shall also contain proper conditions and provisos that the same shall become void in case of neglect or refusal on the part of the City Council to perform the stipulations on their part, and in such case the Bursar may re-enter the lands demised.

AND WHEREAS, the said By-law was afterwards duly approved of by the Governor-in-Council, subject, however, to the right of the Government to use the stone building reserved, as mentioned, for the temporary accommodation of Lunatics.

AND WHEREAS, the terms and conditions in the said By-law mentioned, and other conditions, have been mutually agreed upon between the said authorities of the said University and the Corporation of the City of Toronto, and the same are embodied in the different covenants, provisos, and conditions contained in this Indenture.