

An Act to amend an Act passed in the sixteenth year of Her Majesty's Reign, intituled "An Act conveying to the City of Toronto certain Water Lots, with power to the said City for the construction of an Esplanade."

WHEREAS under and by virtue of an Act of the Parliament of this Province, passed in the 16th year of Her Majesty's Reign, intituled: "An Act conveying to the City of Toronto certain Water Lots with power to the said City for the construction of an Esplanade," the Mayor, Aldermen and Commonalty of the City of Toronto entered into a contract for the construction of the said Esplanade, according to a plan adopted by the Common Council of the City of Toronto, in pursuance of the said Act, on the day of 185 , but doubts have been raised whether under the said Act the said the Mayor, Aldermen and Commonalty of the City of Toronto can legally construct such Esplanade, according to the said plan, and it is expedient to amend the said Act:—Be it therefore enacted, &c. that,—

Preamble.  
16 Vic. c. 219.  
Contract made by Corporation.

I. It shall and may be lawful for the said the Mayor, Aldermen and Commonalty of the City of Toronto to construct the said Esplanade according to the plan mentioned in the Preamble to this Act, and for the purpose of constructing the same, to enter upon all water lots and premises in front of the said City of Toronto, upon, over or through which the said Esplanade, according to the said plan, shall pass, whether the same be held by lease under the said the Mayor, Aldermen and Commonalty of the City of Toronto, or by patent from the Crown, or otherwise howsoever, and take and to appropriate so much thereof as may be required for the said Esplanade, and by their officers, servants and contractors to erect, build, and construct the said Esplanade according to the said plan, and in the course of the construction thereof, to make such alterations and improvements in such plan as by the Common Council of the City of Toronto may be deemed requisite, and may be by resolution thereof adopted. Provided always that reasonable satisfaction be made to the owner or owners, lessee or lessees, occupier or occupiers, of the said water lots or premises over, upon, or through which the said Esplanade shall be constructed, for any damages he, she, or they may sustain in or by the construction thereof. And in case the said owner or owners, lessee or lessees, occupier or occupiers shall not be satisfied with the amount which shall be offered for such damages, he, she, or they shall forthwith give notice thereof in writing to the Chamberlain of the said City of Toronto, and in such notice shall name a person to act as arbitrator for him, her or them in the premises, and the said the Mayor, Aldermen and Commonalty of the City of Toronto shall, within ten days after service of such notice, appoint a person to act as arbitrator for them, and the two arbitrators so named shall, within one week thereafter, nominate a third person, and such three persons, or a majority of them, are hereby authorized to ascertain and assess the sum or sums of

Corporation may construct the Esplanade according to the said contract and the plan referred to in it.  
And may take all requisite lands.  
Provido : reasonable compensation to be made.  
Arbitration, if the Corporation and owners do not agree.