

lots in front of the said City for that purpose, interfering with and interrupting the approach to all wharves, docks and piers, and the enjoyment of the same by their respective owners and occupiers as little as possible, and the expenses of filling up and grading the same shall be ascertained in manner hereinafter mentioned, and shall be repaid to the said the Mayor, Aldermen and Commonalty of the City of Toronto by the owners and other persons having estates in the land on which such grading, levelling and filling shall be done, such persons being charged in an equitable proportion according to the nature and extent of their estate in said lands, and any contract or contracts for the like purpose that may heretofore and before the passing of this Act have been entered into by the Mayor of the said City of Toronto on the behalf of the said City, under the sanction and authority of any resolution of the Common Council of the said City, shall be legal, valid and binding on all parties named in the said contract, and shall be taken and considered for all intents, purposes, and uses whatsoever, as a contract made under the authority and provisions of this Act.

How the cost of filling shall be paid.

The said Corporation may forthwith borrow money for defraying the cost of the said filling.

III. For and notwithstanding any Act of the Parliament of this Province, or any clause, matter or thing therein contained to the contrary, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Toronto, forthwith, and without further notice or other proceeding, to pass a By-law to raise a Loan for such an amount not exceeding _____, as may be necessary for the purpose of filling in, grading and levelling the said space between the north line of the Esplanade and the shore of the Bay, and the extensions thereof as aforesaid, and to issue any number of Debentures payable in this Province or elsewhere in sums of not less than _____ which may be requisite and necessary therefor, payable in twenty years from the respective dates thereof, and for the purpose of redeeming the same and paying the interest thereon, a special rate may be imposed as provided in the Act hereinbefore mentioned, and shall be applied in payment of interest and in forming a sinking fund for principal in like manner as therein provided.

Mode of ascertaining the share of the cost to be paid by each party interested.

IV. The amount to be paid to the City for the said filling in, grading and levelling of such vacant space shall be ascertained in the first instance by the City Surveyor in manner as provided in the said Act in respect to the said Esplanade, and so much of the said Act hereinbefore mentioned as refers to the settlement of claims arising out of or under the said Act by arbitration is hereby repealed, and all sums to be paid to the owners of water lots in fee, their assignees, lessees or representatives, in respect of the land or lands covered with water taken by the said the Mayor, Aldermen and Commonalty of the City of Toronto for the purposes of the said Esplanade, as well as the amounts to be paid to the said the Mayor, Aldermen and Commonalty of the City of Toronto by the lessees or occupants of the water lots belonging to the City of Toronto for the construction of the said Esplanade, or by any party or parties whomsoever for the filling up, grading and levelling of the said space north of the Esplanade hereinbefore mentioned; if the same cannot be agreed upon and adjusted between the said parties interested therein, shall be ascertained and settled by the Commissioner to be appointed as hereinafter provided, anything in the said Act hereinbefore mentioned to the contrary notwithstanding.