

And the parties of the second part also agree, for themselves and their successors, to and with the parties of the first part and their successors, that should the taking up and relaying of the track upon the Church street route above mentioned or upon that portion of the Queen street route above mentioned, lying eastward of Parliament street be rendered necessary, either by the re-construction of the present Church street sewer or by the construction of a sewer upon the said portion of Queen street, they, the said parties of the second part will take up and re-lay the same at their own cost, charges and expenses. This provision is not however to apply to any future case of re-building, altering or repairing said sewer or sewers other than the cases above expressly provided for, nor to be considered a waiver of the original rights of the said parties of the second part except in the cases above expressly provided for.

And it is expressly agreed and understood by and between the parties hereto that nothing herein contained shall operate to prejudice, interfere with, derogate from, or in any wise modify (except as herein expressly provided,) the rights and liabilities of the parties hereto under the agreement, by-law and statutes heretofore in force regulating the relations of the parties hereto, and that the lines of railway tracks to be laid by the parties of the second part under this agreement shall, when built, be considered as coming, to all intents and for all purposes, within the operation of the said agreement, by-law and statutes, except as herein otherwise expressly provided.

In witness whereof, the parties hereto have hereunto set their corporate seals, and the hands of the proper officers the day and year first above written.

Signed, sealed and executed in the presence of	(Signed)	FRANK SMITH, <i>President.</i> [L.S.]
(Signed) JOHN SMITH,	}	JAMES GUNN, <i>Secretary.</i>
<i>Witness.</i>		W. BARCLAY McMURRICH, <i>Mayor.</i> [L.S.]
		SAMUEL B. HARMAN, <i>Treasurer.</i>

CLXVI.

Toronto, 20th April, 1883.

To the Chairman of the Committee on Works, Toronto.

DEAR SIR,—I desire on behalf of the Company to make to your Committee, through you, two suggestions with regard to the contemplated laying of block pavements upon Queen and King streets. These suggestions are not made only in the interests of this Company, but very largely in that of the City and the public.

You are aware that considerable difficulty has arisen with respect to the Yonge street pavement. For some reason—whether the negligence of the contractor or the natural difficulty caused by the severe frosts, does not now seem to be material—the position of the pavement between the stringers on which our track is laid, has not proved a very satisfactory piece of work.