

Re-assessed ¹⁸⁶⁴ 27th Vict (1864) c. 81. ss 552-563.
 Full Vict (1871) c. 58. ss 684-697

CHAPTER V.

Common.

OF THE COMMON.

Half-acre lots held under lease.

1. The several lessees and their assigns, and those who derive title under them, to whom leases were granted under an act of this province passed in the fifty-eighth year of his late majesty king George the third, chapter thirteen, of certain half acre lots lying on each side of the road leading westwardly from Pyke's bridge, out of the original common of Halifax, for the term of nine hundred and ninety-nine years, shall hold the same agreeably to the terms of their leases, as modified by the act passed in the tenth year of the reign of his late majesty king George the fourth, chapter thirty-second.

Cemetery and crown allotments.

2. The portions of the common which have been under former laws appropriated as a public cemetery, as well as a portion containing twelve acres, granted and relinquished to the crown by an act of the provinces passed in the first year of his late majesty king William the fourth, chapter fourth, shall all remain and be for ever so appropriated. All other leases and appropriations which have been heretofore lawfully made of any portion of the common, are hereby confirmed.

Fences, &c. not to be put up near citadel hill.

3. No person shall put up any building, fence, or other erection, within eighteen hundred feet of the salient angles of the fortress of citadel hill, without the permission of the commander-in-chief of her majesty's forces in this province;—and in time of war, or of a hostile attack upon Halifax being threatened, the commander-in-chief may demolish all buildings, fences and trees within that distance which may be upon any part of the original common, and no compensation shall be due to the party damaged.

Exercising ground.

4. The exercising ground at the north end of the common shall remain always open and free for the use of her majesty's troops.

Common, how vested.

5. Subject to the foregoing appropriations and leasehold interests, the common shall be vested for ever in the city of Halifax in fee simple.

Regulation of common.

6. The city council shall by their bye-laws make rules and regulations for the care, management and improvement of the common, and may impose fines, not to exceed forty shillings, on every person who shall trespass thereon in any way. Persons convicted of digging up the soil, of encumbering it with manure, offal, dirt, ashes, earth, stone or rubbish,—of destroying, removing, or damaging buildings, fences, trees or shrubs thereon,—of injuring the