

cers in charge of the said Fortifications, shall appear necessary or expedient, and free and absolutely discharged and released of and from all claim, title and interest, whatsoever, of the Trustees of the said Common, or their Heirs or Assigns, or of the Inhabitants of Halifax, in, to or upon, the said described Land or Premises, or any part thereof, with the appurtenances thereto belonging.

Roads to be made

II. *Provided always, and be it further enacted*, That the said Grant and Appropriation of the said piece or parcel of Land, part of the said Common, to and for Military purposes as aforesaid, is made on the express condition that the proper Officers of His Majesty's Ordnance or Engineer Departments, or others thereto appointed, do and shall, as soon as conveniently may be, make, form and construct a good and sufficient new Public Main Road or Highway, of the breadth of fifty feet, commencing at the corner of the Artillery Park, and to run in prolongation of Sackville-Street aforesaid,—Westwardly along the North side of the Fields or Property of the late John George Pyke, Esquire, and of the said Doctor Lewis Johnston, to the west side line of the property of the said Doctor Johnston, being the east side line of the Common aforesaid, and thence to continue on a line running north forty-four and a half degrees west along part of the piece of land above described, and to be continued in a straight line on the said course till it strikes the Main Road near to the Bridge thereon, situate about the centre of the Common aforesaid; and do and shall also make and construct the Cross Road laid down on the said plan, and coloured yellow, to connect the Road last described with the old Road along the Picket Fence, and outside the piece of Land herein before described. *And provided also*, that the said New Road or Highway so to be opened in the direction aforesaid, be made and completed as a Main Road, and in all respects to the satisfaction of the Lieutenant-Governor or Commander in Chief for the time being, and without cost or charge therefor to the Inhabitants of Halifax.

Land granted may be enclosed

III. *And be it further enacted*, That when and so soon as the said new Main Roads or Highways in the courses and direction above described, shall have been made and completed to the satisfaction of His Excellency the Lieutenant-Governor for the time being, it shall and may be lawful for the Officers in charge of, or entrusted with, the construction of the said Fortifications, to shut up, stop, and entirely close, the way or passage now used, in, through and over, the roads or highways which pass from the corner of the Artillery Park aforesaid, through the piece or parcel of Land herein before particularly described, and set out by metes and bounds as aforesaid: and thenceforth the said Roads and Highways, and all right of way and passage, in, to, over and upon the same, as now used, shall absolutely cease and determine; and the scite of the said Roads and Highways shall be wholly appropriated to and for Military purposes as aforesaid.

Leases of Common Lots confirmed with reservations

IV. *And be it further enacted*, That the several and respective Lessees of Lots of Land on the said Common of Halifax, as set forth in the Fourth Section of the said above recited Act, entitled, An Act concerning the Common of Halifax, and the several and respective assigns of the said Lessees, shall and may severally and respectively hold, occupy and enjoy, the several demised lots and parcels of Land and Premises, for the residue of the terms in the Leases thereof respectively mentioned, and in manner and form as in the said Fourth Section of the said Act is provided: but nevertheless, as to such, and so many and such, parts of the said Lots, as are situate and lying within the space or circuit of six hundred yards from the salient angles or extreme points of the Fortifications of the said Citadel Hill, subject to, and under the further condition and restriction, that there shall not henceforth be built, made or erected, on any part of the said Lots lying within the space or distance aforesaid from the said Fortifications, any Houses, Buildings, Walls, Ditches, or Permanent Fences whatsoever, other than and except such Houses, Buildings, Walls, Ditches and Fences, as His Excellency the Lieutenant-Governor or Commander in Chief for the time being may deem it proper to permit to be built and erected thereon, and which he shall think may be erected without obstructing or injuring the defences of the said Citadel Hill. *Provided always*, that, whenever, for the protection and security thereof, or for the defence of Halifax, the said

Lieutenant