

CAP. IV.

An Act in addition to, and amendment of, the Act concerning the Common of Halifax.

[Passed the 11th Day of January, 1831.]

WHEREAS, in the Tenth year of the Reign of His late Majesty King George the Fourth, a certain Act of the General Assembly of the Province of Nova-Scotia, was made and passed, entitled, An Act concerning the Common of Halifax, but with and subject to a Proviso, that nothing therein contained should be of any force or effect until His Majesty's Pleasure should be known thereupon :

Preamble

AND WHEREAS, His Majesty's Pleasure hath not yet been signified touching the said Act, and since the passing thereof it has been found expedient to alter and amend the said Act, as is hereinafter mentioned :

AND WHEREAS, certain Fortifications, for the protection and defence of the Town of Halifax, are now being constructed on the Grounds called the Citadel Hill, on the west side of the said Town, and for and towards the completion of the said Works, and for other Military purposes, it hath been found necessary, not only to prevent any further building upon and enclosure of the said Common Lands, within a certain distance from the said Fortifications ; but also to obtain and appropriate for Military purposes, from and out of the tract or parcel of Land in the said Act referred to, and mentioned as the Common of Halifax, the piece or parcel of Land hereinafter described, that is to say ; All that piece or parcel of Land, parcel of the Common of Halifax, and lying on the western side of the Lands or Grounds called the Citadel Hill, and adjoining to the same, and described as follows, that is to say—beginning at the north-west angle of the Fence now enclosing the said Citadel Hill Grounds—which angle is formed by the intersection of the south side line of the Street running westwardly from the North Suburbs by the North Barracks, with the east side line of the Common, then from the said angle to run as the Picket Fence now stands, south two degrees east, twenty-five chains and thirty-six links, thence south forty-four and a half degrees east eight chains fifty-two links, to a point in the eastern side line of the Common, at the distance of fifty feet from the north-west corner of the Field now or lately owned by Doctor Lewis Johnston, and in a line with the west side of that Field—then from the said point to run east eight chains and forty links, more or less, and in a line with Sackville-Street, till it strikes the Fence of the Citadel Hill Grounds, opposite the Artillery Park, and on the north side of Sackville Street, aforesaid, and thence to the bounded by the Citadel Hill Grounds, to the place of beginning, containing about twelve acres, more or less, as in and by a plan of the said piece of Land and the roads thereon, filed in the Office of the Surveyor-General, at Halifax, and signed by the Officers of the Ordnance Department, and by His Excellency the Lieutenant-Governor, will on reference thereto more particularly appear.

AND WHEREAS, for the purposes of the said Fortifications, it also is necessary that the Public Highways now running across and through the said described piece or parcel of Land, should be changed, and that, instead thereof, another Highway be made and formed in the line or direction on the said plan, represented by yellow lines, and as is hereinafter set forth.

I. Be it therefore enacted by the Lieutenant-Governor, the Council and Assembly, That henceforth so much and such part of the above described parcel of Land as forms a portion of, or is comprehended within, the original grant of the Tract called the Common of Halifax, shall be, to all intents and purposes, and fully and absolutely granted, assigned, appropriated to, and vested in His Majesty, His Heirs and Successors, forever, to and for such Military uses and purposes, connected with the said Fortifications, or otherwise, as to His Majesty, His Heirs or Successors, or to the Commander in Chief for the time being of His Majesty's Forces in this Province, or other His Majesty's Offi-

Grant of por-
tion of the
Common to
His Majesty