

shall and may be recovered before any one of His Majesty's Justices of the Peace, in the Town of Halifax, and be applied towards defraying the expences of the said Watch.

V. *And be it further enacted*, That this Act shall be and continue in force for one year from the publication thereof, and from thence to the end of the next Session of the General Assembly.

Continuation.

## CAP. XIII.

### An ACT for the improvement of the Common of Halifax.

Preamble.

**W**HEREAS, two hundred and forty acres of Land, were, on the twenty-third day of June, in the third year of His present Majesty's Reign, granted to John Collier, Charles Morris, Richard Bulkely, William Nesbitt, Charles Proctor, and William Best, the survivor of them, and the heirs of such survivor, for the use of the Inhabitants of the Town of Halifax, as a Common: And whereas, owing to the death of the said Grantees, and the absence and minority of the persons in whom the legal estate in the said Common, may be now vested, it is expedient to appoint Trustees, in whom the legal estate in the said Common may be vested, for the more effectually carrying into execution the purposes of this Act:

Estate in the Common divested.

I. *BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly*, That all the estate and interest of the heirs at law of the before-named grantees, be, and the same is hereby, divested, and for ever determined.

Estate in the Common re-invested.

II. *And be it also enacted*, That the legal estate, title and interest, in the said two hundred and forty acres of land, and in all the Common of Halifax, be, and the same is hereby vested in the Chief Justice, the Attorney General, the Solicitor-General, and the Surveyor-General, of the Province, and their successors in office, for ever, for the use of the Inhabitants of the Town of Halifax.

Preamble.

And whereas, it would be advantageous to the Town of Halifax, if part of the said Common, which is now waste and unproductive, were leased in convenient lots, for the purpose of enabling persons whose occupations require the keeping of Horses and Cattle, to build thereon, and in order that part of the said Common may be gradually improved by inclosures and trees planted thereon:

Twenty-five acres of the Common to be leased in lots.

III. *Be it therefore enacted*, That it shall and may be lawful for the said Trustees to lease part of the said Common, not exceeding twenty-five acres, in lots of half an acre each, for the term of nine hundred and ninety-nine years; which leases shall be made of such parts of the said Common as are described in a plan submitted to the General Assembly in this present Session; which plan is signed by the President of His Majesty's Council, and the Speaker of the Assembly.

Lots to be let at Auction.

IV. *And be it further enacted*, That the said lots shall be put up separately at Public Auction, by the Commissioners herein after named, excepting such lots or parcels of ground as are marked by a blue line in the said plan, which shall be reserved for Markets, or other public uses of the Town, and shall be leased to the best bidder; who shall covenant to perform the conditions of the lease; and the substance of all the several covenants, intended to be inserted in such lease, shall be publicly notified to the bidders at the time and place of holding such auction or auctions.

Payment of rents.

V. *And be it further enacted*, That in addition to the covenants usually inserted in leases, there shall be inserted these following:—That one year's rent shall be paid upon the lease being executed; that the rent shall, after the first year, be paid annually at the expiration of each year; that the lessee shall cause the lot to be inclosed with a good and sufficient fence within one year after receiving possession, and shall plant and set out at least ten trees; that no

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