



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

By His Excellency SIR CHARLES AUGUSTUS FITZ ROY, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, with the advice and consent of the Legislative Council.

No. VI.

An Act to authorise the enclosure of the Public Road running through Hyde Park, in the City of Sydney, known as a continuation of Macquarie-street, and for other purposes relating thereto. [Assented to, 4th December, 1851.]

WHEREAS it is expedient that the parts hereinafter described of Preamble.
the road or street, known as Macquarie-street, in the City of Sydney, should be stopped as a public highway, and that the same should be enclosed with and form part of the Domain, or reserve for public health and recreation, known as Hyde Park, and that other improvements should be made in the said Park: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That it shall be lawful for the Surveyor General of the said Colony to cause to be enclosed with the now separated portions of the said Domain, known as Hyde Park, so as to unite the parts thereof now separated by the said street, all that part of the road or street forming a continuation or part of the street known as Macquarie-street, in the City of Sydney, commencing at the northern end of the said Domain, and running through the same to the northern side line of the street or road, in continuation of the street known as Park-street, and also all that other part of the said street or continuation of the street known as Macquarie-street, commencing at the southern side line of the said street known as Park-street, or the continuation thereof, and running through the said Domain to the southern extremity thereof; and that from and after the enclosure thereof, as aforesaid, the said several parts of the said street or road, forming continuations or parts of Macquarie street aforesaid, shall cease to be, or to be used or enjoyed as, parts of the streets or highways of the said City, and shall thenceforth be and form parts of the said Domain, or reserve for public health and recreation.

The portions of Macquarie-street running through Hyde Park, to be enclosed.

II.

Hyde Park.—1851.

Surveyor-General
may cause certain
streets surrounding
Hyde Park to be
widened.

II. And be it enacted, That it shall be lawful for the Surveyor General, if at any time or times so directed by the Governor, to cause the several streets or roads around the said Park, or either of them, to be widened, by cutting off and adding to the same a space of not exceeding twenty feet in width from the Park, next to their boundaries respectively, or by adding the existing foot-paths to the carriage ways, and forming adjacent foot-paths within the enclosure of the Park; and it shall also be lawful for the Surveyor General, if at any time so directed as aforesaid, to open a road at the north-western end of the Park, to lead from Macquarie-street to Elizabeth-street, and to correspond as near as conveniently may be with the road at the north-eastern end or part of the said Park; and also by the like direction to enclose the whole or any part of the open space adjoining the Park, in front of the building now known as the Immigrants' Barracks; and not encroaching on the line of Macquarie-street, or of the road now running along the north-eastern boundary of the Park; and also by the like direction to enclose the whole or any part of the space which will intervene between the said intended new road and the land occupied by and with the Supreme Court House and St. James' Church.

Penalty for injuring
or destroying fences
&c.

III. And be it enacted, That any person who shall maliciously or wantonly destroy or injure, or endeavour to destroy or injure, any of the fences, or any other wood or iron work, of or in the said Domain, or any tree or shrub there growing, or shall offend against decency, or conduct himself in a riotous, turbulent, or disorderly manner, in any part of the said Domain, or shall obstruct any overseer, park-keeper, or workman therein, in the performance of his duty, shall be liable to a fine of not less than five shillings, nor more than five pounds, to be imposed and recovered as hereinafter mentioned; and, if found committing any of the said offences, the person so offending may be apprehended by any constable, or by any such overseer, or park-keeper, and conveyed before some Justice of the Peace, to be dealt with according to law.

Mode of proceeding.

IV. And be it enacted, That every such offence may be inquired of, and determined, and every fine in respect thereof be imposed in a summary way by any Justice of the Peace, and without any formal information in writing in that behalf; and payment thereof be enforced, or, in default, such term of imprisonment in lieu be awarded, as by any law now is or shall be provided, in respect of fines for offences imposed in a summary way by Justices of the Peace; and upon the hearing of any such charge the person preferring the same shall be a competent witness; and one moiety of every such fine as aforesaid, shall go and be paid to Her Majesty for the public uses of the Colony, and in support of the Government thereof, and shall be applied in such manner as may from time to time be directed by any Acts of the said Governor and Legislative Council, and the other moiety thereof, to the use of the informer or party prosecuting.

*Passed the Legislative Council, this third
day of December, one thousand eight hun-
dred and fifty-one.*

WM. MACPHERSON,

CLERK OF THE COUNCIL.

CHARLES NICHOLSON,
SPEAKER.

In the name and on the behalf of Her Majesty, I assent to this Act,

CH^s. A. FITZ ROY,
GOVERNOR-GENERAL.

Govt. House, Sydney, 4th December, 1851.