

New South Wales.



ANNO QUARTO DECIMO

GEORGI V REGIS.

Act No. 12, 1923.

An Act to amend the Public Roads Act, 1902 ; to validate certain notifications purporting to be made under the provisions of that Act ; and for other purposes incidental thereto. [Assented to, 4th October, 1923.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Public Roads Short title. (Amendment) Act, 1923," and shall be read with the Public Roads Act, 1902, hereinafter called the Principal Act.

2.

Public Roads (Amendment).

Meaning of "description" in s. 7 of the Principal Act.

2. Where under the provisions of section seven of the Principal Act it is necessary to publish and post a notice giving a description of certain land which it is proposed to resume for the purpose of opening a road, such description shall be deemed sufficient if it gives the information in the form set out in the Schedule hereto.

Validation of certain notices.

3. All notices purporting to be under the provisions of the abovementioned section published and posted before the commencement of this Act, which but for this Act would be invalid by reason only of the insufficiency of the description of the land proposed to be resumed are hereby declared valid :

Provided this section shall not validate such notices where legal proceedings with reference to them have been commenced prior to the commencement of this Act.

New s. 6A.

4. The following new section and short heading are inserted next after section six of the Principal Act :—

The Under Secretary for Lands may deal with certain matters on behalf of the Minister.

Under Secretary may deal with matters.

6A. The Under Secretary for Lands shall have power on behalf of the Minister to deal with such formal matters as may from time to time be prescribed ; and, where in pursuance of this section a decision is given by the Under Secretary on behalf of the Minister, it shall have the same effect as if given by the Minister in person.

Amendment in Principal Act.

5. The following amendments are made in the Principal Act :—

Sec. 6.

Section six : The definition of "chief surveyor" is omitted, and the following is inserted in lieu thereof at the end of the section—" Surveyor-General means the officer of the Department of Lands who bears that designation, or the officer performing his duties for the time being."

Sec. 26.

Section twenty-six : Omit "chief surveyor" wherever occurring, and insert " Surveyor-General " in lieu thereof.

Sec. 30.

Section thirty : Omit "chief surveyor," insert " Surveyor-General " in lieu thereof.

Public Roads (Amendment).

SCHEDULE.

Particulars of land proposed to be resumed for a road, or part of a road, or deviation of a road.

From

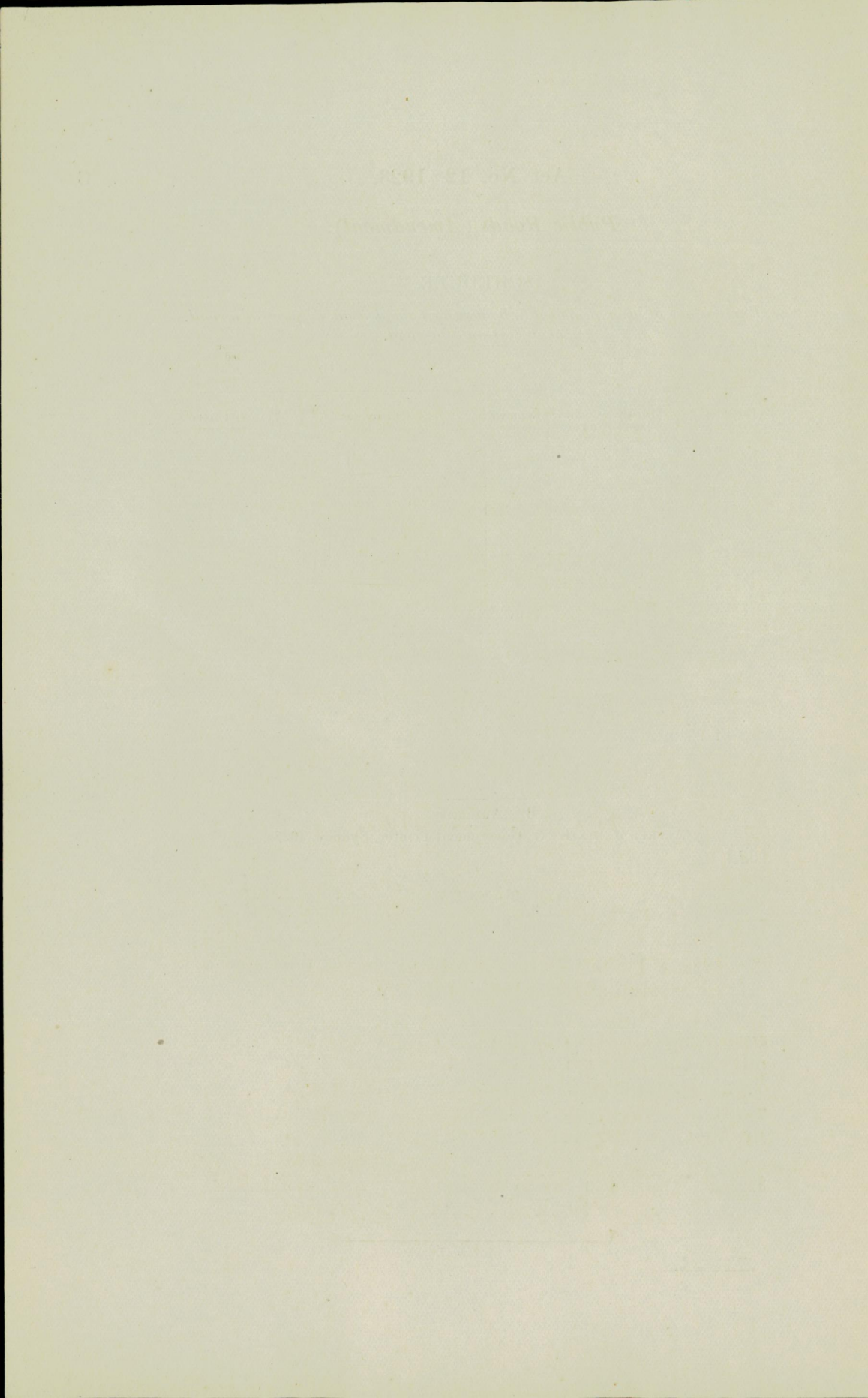
to

Parish No.	Area.	Parish name.	County name.	Reputed owner.	Occupier.	Character of holding.	Width of land to be resumed.	Area to be resumed.

By Authority :

ALFRED JAMES KENT, Government Printer, Sydney, 1923.

[3d.]



I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

C. H. H. CALVERT,
For the Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 27th September, 1923.*

New South Wales.



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Provided this section shall not validate such notices where legal proceedings with reference to them have been commenced prior to the commencement of this Act.

New s. 6A.

4. The following new section and short heading are inserted next after section six of the Principal Act:—

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6A. The Under Secretary for Lands shall have power on behalf of the Minister to deal with such formal matters as may from time to time be prescribed; and, where in pursuance of this section a decision is given by the Under Secretary on behalf of the Minister, it shall have the same effect as if given by the Minister in person.

Amendment
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Act.
Sec. 6.

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Section six: The definition of "chief surveyor" is omitted, and the following is inserted in lieu thereof at the end of the section—"Surveyor-General means the officer of the Department of Lands who bears that designation, or the officer performing his duties for the time being."

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SCHEDULE.

Public Roads (Amendment).

SCHEDULE.

Particulars of land proposed to be resumed for a road, or part of a road, or deviation of a road.

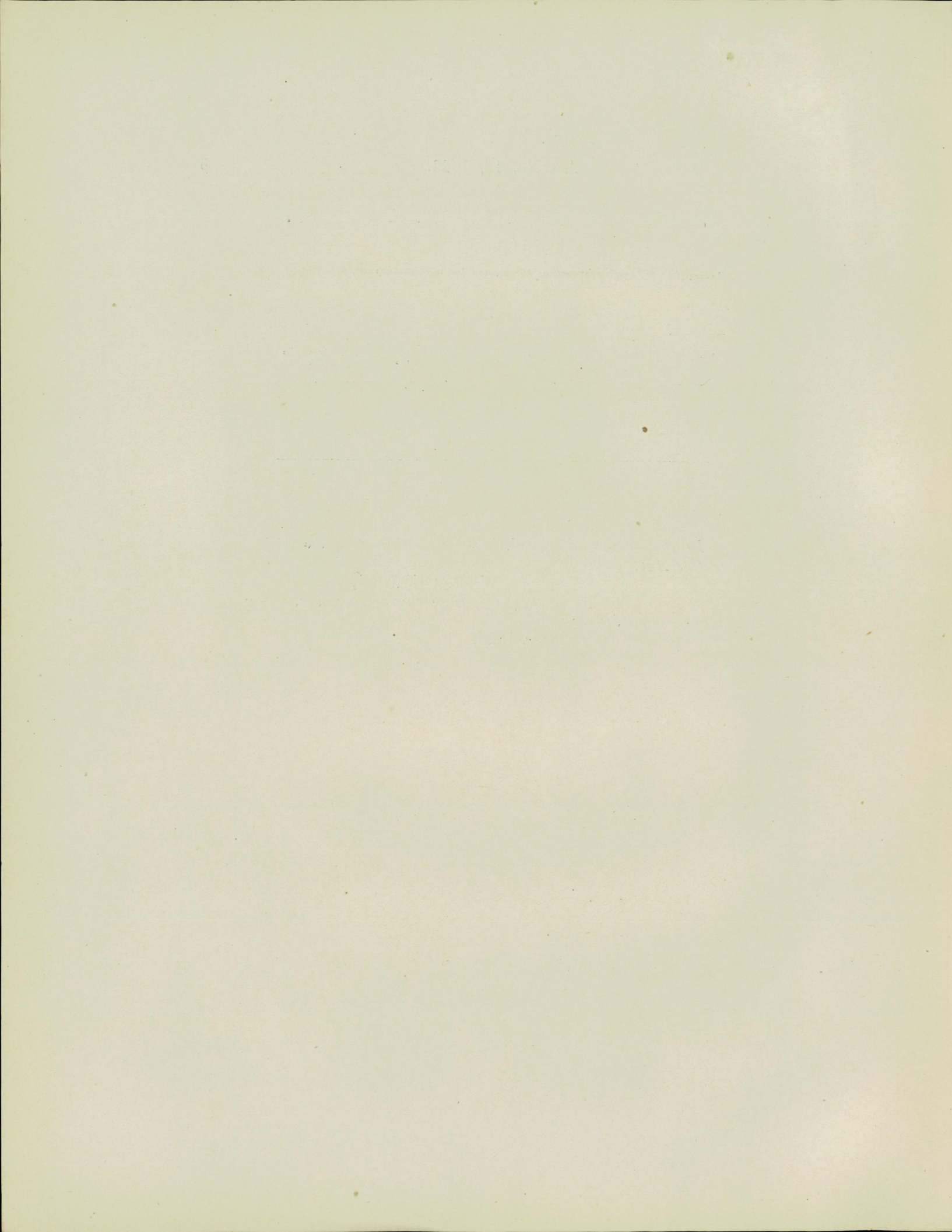
From to

Parish No.	Area.	Parish name.	County name.	Reputed owner.	Occupier.	Character of holding.	Width of land to be resumed.	Area to be resumed.

In the name and on behalf of His Majesty I assent to this Act.

W. P. CULLEN,
Lieutenant-Governor.

*Government House,
Sydney, 4th October, 1923.*



Public Roads (Amendment) Bill.

EXPLANATORY NOTE.

THIS is a small machinery measure which if passed will save the publication of lengthy technical descriptions of land which it is intended to resume for the purpose of opening a road.

The Equity Court has held (in *Rea v. Walker*, 1903) that under the existing law the Crown's resumption of a certain road was inoperative by reason of the Gazette notice of intention to resume containing an insufficient description, having regard to the terms of Section 7 of the Public Roads Act, 1902.

That section provides that notice of the Minister's intention to open a road through any land which is not Crown land shall be published in the Gazette and in a local newspaper, giving a description of the land it is proposed to resume.

The decision of the Equity Court necessitates the preparation, gazettal, and advertising of elaborate technical descriptions, which are costly, and, except for the Court's decision, are needless.

The objects of the Bill are to amend the Public Roads Act, 1902, so as to dispense with such lengthy descriptions and provide a short but sufficient description giving just the requisite particulars.

The Bill also will validate action which had been taken prior to the Equity Court's decision.

An amendment is also made in the definition of the Chief Surveyor, whose duties are now performed by the Surveyor-General.

Clause 4 proposes to give the Under Secretary power to deal with certain formal matters on behalf of the Minister as under the Crown Lands Acts.

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This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 13th September, 1923.*

New South Wales.



ANNO QUARTO DECIMO

GEORGI V REGIS.

Act No. , 1923.

An Act to amend the Public Roads Act, 1902; to validate certain notifications purporting to be made under the provisions of that Act; and for other purposes incidental thereto.

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Public Roads (Amendment).

2. Where under the provisions of section seven of the Principal Act it is necessary to publish and post a notice giving a description of certain land which it is proposed to resume for the purpose of opening a road, such description shall be deemed sufficient if it gives the information in the form set out in the Schedule hereto.

Meaning of "description" in s. 7 of the Principal Act.

3. All notices purporting to be under the provisions of the abovementioned section published and posted before the commencement of this Act, which but for this Act would be invalid by reason only of the insufficiency of the description of the land proposed to be resumed are hereby declared valid:

Validation of certain notices.

Provided this section shall not validate such notices where legal proceedings with reference to them have been commenced prior to the commencement of this Act.

4. The following new section and short heading are inserted next after section six of the Principal Act:—

New s. 6A.

The Under Secretary for Lands may deal with certain matters on behalf of the Minister.

6A. The Under Secretary for Lands shall have power on behalf of the Minister to deal with such formal matters as may from time to time be prescribed; and, where in pursuance of this section a decision is given by the Under Secretary on behalf of the Minister, it shall have the same effect as if given by the Minister in person.

Under Secretary may deal with matters.

5. The following amendments are made in the Principal Act:—

Amendment in Principal Act.

Section six: The definition of "chief surveyor" is omitted, and the following is inserted in lieu thereof at the end of the section—"Surveyor-General means the officer of the Department of Lands who bears that designation, or the officer performing his duties for the time being."

Sec. 6.

Section twenty-six: Omit "chief surveyor" wherever occurring, and insert "Surveyor-General" in lieu thereof.

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Public Roads (Amendment).

SCHEDULE.

Particulars of land proposed to be resumed for a road, or part of a road, or deviation of a road.

From to

5	Parish No.	Area.	Parish name.	County name.	Reputed owner.	Occupier.	Character of holding.	Width of land to be resumed.	Area to be resumed.

Public Health (Continued)

1. The Board of Health shall have the honor and pleasure of presenting to the Board of Commissioners the following report for the year ending December 31, 1933:

2. The Board of Health has the honor to report that during the year ending December 31, 1933, the following diseases were reported to the Board of Health:

3. The Board of Health has the honor to report that during the year ending December 31, 1933, the following diseases were reported to the Board of Health:

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The Board of Health (Continued)

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1923.

Legislative Council.

Public Roads (Amendment) Bill.

EXPLANATORY NOTE.

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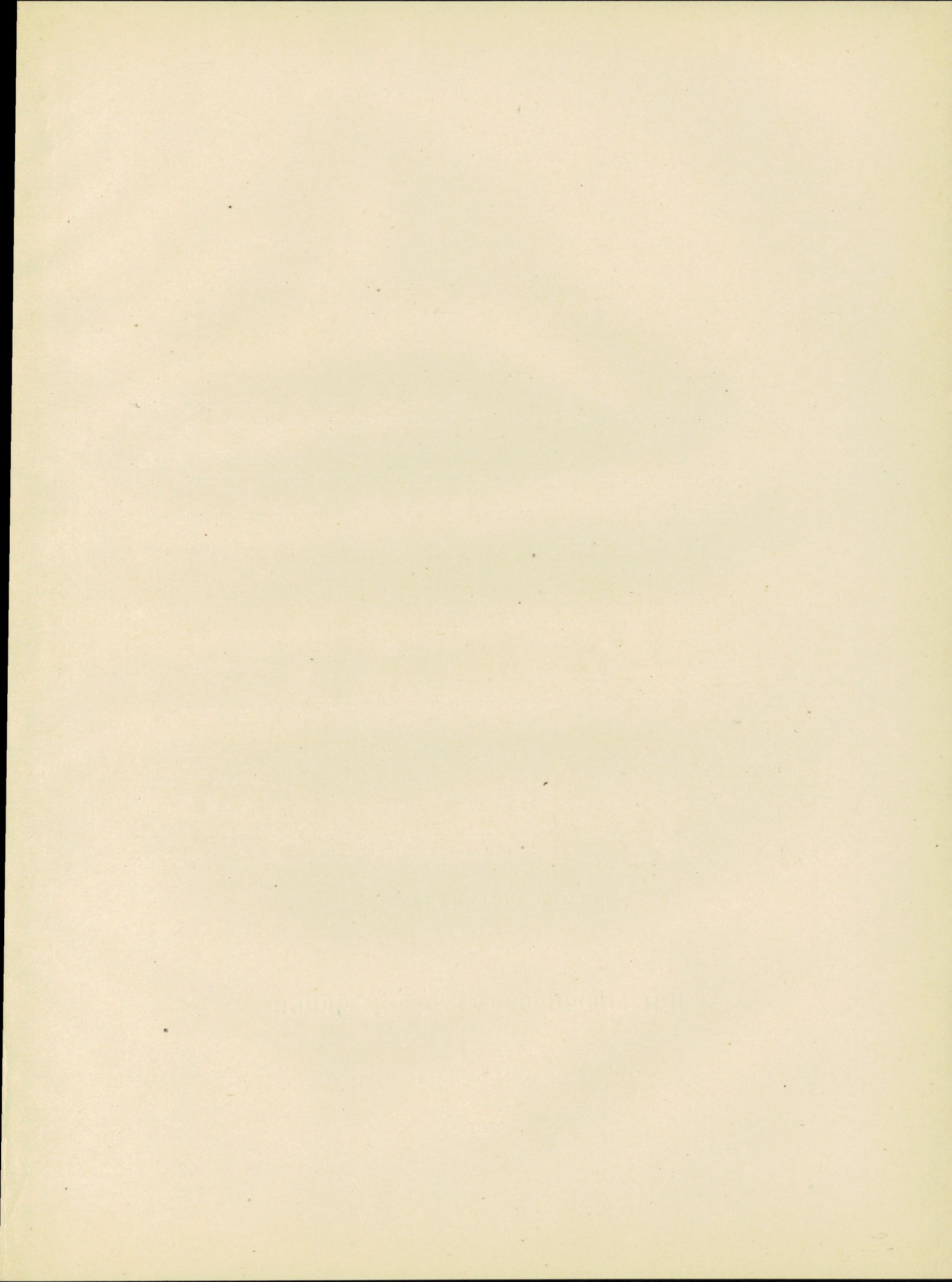
The decision of the Equity Court necessitates the preparation, gazettal, and advertising of elaborate technical descriptions, which are costly, and, except for the Court's decision, are needless.

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An amendment is also made in the definition of the Chief Surveyor, whose duties are now performed by the Surveyor-General.

Clause 4 proposes to give the Under Secretary power to deal with certain formal matters on behalf of the Minister as under the Crown Lands Acts.



Legislative Council.

No. , 1923.

A BILL

To amend the Public Roads Act, 1902; to validate certain notifications purporting to be made under the provisions of that Act; and for other purposes incidental thereto.

[SIR JOSEPH CARRUTHERS;—6 *September*, 1923.]

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Section twenty-six: Omit "chief surveyor" wherever occurring, and insert "Surveyor-General" in lieu thereof. 35

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SCHEDULE.

*Particulars of land proposed to be resumed for a road, or part of a road,
or deviation of a road.*

From to

5	Parish No.	Area.	Parish name.	County name.	Reputed owner.	Occupier.	Character of holding.	Width of land to be resumed.	Area to be resumed.

2. When the President is unable to discharge the powers and duties of his office, he shall transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives a written declaration to that effect, and thereupon they shall each take the oaths and discharge the powers and duties of the office until the President is able to discharge the same.

Name	Rank	Party	State	Term	Remarks
John Adams	President	Federalist	Massachusetts	1789-1797	First President
Thomas Jefferson	President	Democratic-Republican	Virginia	1800-1809	Second President
James Madison	President	Democratic-Republican	Virginia	1809-1817	Third President
James Monroe	President	Democratic-Republican	Virginia	1817-1825	Fourth President

3. The President shall have the right to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

4. He shall have the right to make appointments and dismissals of officers in the Army, Navy, and Air Force, and of all civil officers of the United States, except those whose appointments are by and with the advice and consent of the Senate.

5. He shall have the right to make appointments and dismissals of judges of the Supreme Court and of all inferior courts, except those whose appointments are by and with the advice and consent of the Senate.

6. He shall have the right to make appointments and dismissals of officers of the United States Postal Service, except those whose appointments are by and with the advice and consent of the Senate.

7. He shall have the right to make appointments and dismissals of officers of the United States Mint, except those whose appointments are by and with the advice and consent of the Senate.

8. He shall have the right to make appointments and dismissals of officers of the United States Treasury, except those whose appointments are by and with the advice and consent of the Senate.

9. He shall have the right to make appointments and dismissals of officers of the United States Customs Service, except those whose appointments are by and with the advice and consent of the Senate.

10. He shall have the right to make appointments and dismissals of officers of the United States Coast and Geodetic Survey, except those whose appointments are by and with the advice and consent of the Senate.

11. He shall have the right to make appointments and dismissals of officers of the United States Fish and Wildlife Service, except those whose appointments are by and with the advice and consent of the Senate.

12. He shall have the right to make appointments and dismissals of officers of the United States Geological Survey, except those whose appointments are by and with the advice and consent of the Senate.

13. He shall have the right to make appointments and dismissals of officers of the United States National Park Service, except those whose appointments are by and with the advice and consent of the Senate.

14. He shall have the right to make appointments and dismissals of officers of the United States National Aeronautics and Space Administration, except those whose appointments are by and with the advice and consent of the Senate.

15. He shall have the right to make appointments and dismissals of officers of the United States National Science Foundation, except those whose appointments are by and with the advice and consent of the Senate.