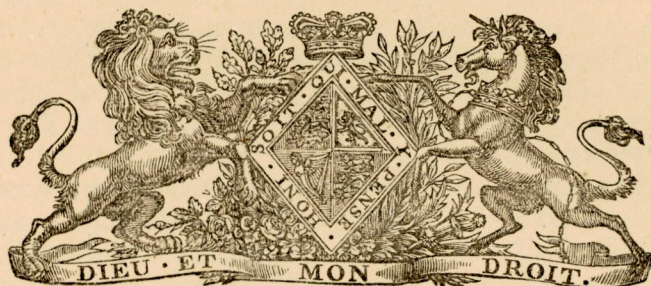


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 9 December, 1867. }*

CHA. TOMPSON,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

No.

An Act to authorize the appropriation of the Old Burial Ground or Cathedral Close in Sydney to certain Municipal and other Public purposes.

WHEREAS the ground commonly called the Old Burial Ground Preamble. or Cathedral Close in the city of Sydney bounded on the east by George-street on the south by land attached to the Church of England Cathedral on the north by Druitt-street and on the west by 5 sundry allotments in the occupation of private individuals was by proclamation bearing date the sixteenth day of January in the year one thousand eight hundred and sixty-six duly issued under the provisions of the Act eighteenth Victoria number thirty-three dedicated and set apart for the recreation and use of the inhabitants of the city 10 of Sydney and certain persons were by the same proclamation in pursuance of the said Act appointed Trustees of the ground for the purpose aforesaid but the said ground has never been made available for that purpose and the Trustees have no funds applicable for its improvement in any way And whereas the convenience of the 15 inhabitants and others interested in city property and the traffic of the city would be materially promoted and that portion of the city be much improved and beautified if the ground so dedicated be resumed by the Crown and be granted in the manner hereinafter specified

Cathedral Close.

And whereas the Municipal Council of Sydney are desirous of obtaining a portion of the said ground for the purpose of erecting a Town Hall on the same and are willing in consideration of obtaining such portion for the purpose aforesaid to expend in the erection of the
 5 said Town Hall not less than twenty-five thousand pounds and to embellish and improve the residue of the said ground and to keep the same so embellished and improved for the recreation and use of the inhabitants of the said city Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legis-
 10 lative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. The land commonly called the Old Burial Ground or
 Cathedral Close in the city of Sydney shall revert to Her Majesty
 as fully and to all intents and purposes as if the same had never been
 15 dedicated as aforesaid.

The Old Burial Ground &c. to revert to the Crown.

2. It shall be lawful for the Governor with the advice of the
 Executive Council to grant to the Municipal Council of Sydney the
 land commonly called the Old Burial Ground or Cathedral Close in
 the city of Sydney on condition that a portion of the same not being
 20 more than half an acre shall be set apart for the erection of a Town
 Hall thereon and the residue used as a place of recreation to which
 the public shall have free ingress and egress from five o'clock forenoon
 to ten o'clock afternoon Provided that the portion of said Old Burial
 Ground being seven-and-a-half feet frontage to the line of Clarence-
 25 street by a depth of thirty-eight feet promised by the Government to
 the Trustees of Saint Andrew's Presbyterian Church in one thousand
 eight hundred and thirty-six be granted to said Trustees.

The Governor to grant the same to the Corporation.

3. The said Municipal Council shall cause twenty-five thou-
 sand pounds at the least to be expended in building on the land so set
 30 apart a Town Hall to be completed and fit for use on or before the first
 day of January in the year one thousand eight hundred and seventy-
 one and if the said sum be not expended as aforesaid or the Town Hall
 be not completed within the time limited as aforesaid the said Muni-
 cipal Council shall be subject to a penalty of one thousand pounds
 35 monthly until the said sum shall be so expended or the said building
 shall be completed and any colonist may through any competent
 Court sue for and shall be entitled to the said penalty or penalties.

Erection of Town Hall.

4. The Municipal Council of Sydney shall within twelve months
 after the passing of this Act enclose the land so to be granted as afore-
 40 said with a dwarf stone wall and iron palisading gates and entrances
 and shall on or before the first day of January in the year one thousand
 eight hundred and seventy embellish the portion of the same not set
 apart as hereinbefore provided for a Town Hall with such walks
 ornamental trees and shrubberies as the Director of the Botanical
 45 Gardens for the time being shall recommend and the said Municipal
 Council shall preserve maintain and keep in a cleanly and orderly
 state and condition the said land and the said walls palisading gates
 entrances walks trees and shrubberies thereto belonging And if the
 said walls palisading and gates are not completed to the satisfaction
 50 of the Colonial Architect for the time being and the trees shrubberies
 and walks laid out and planted to the satisfaction of the Director of
 the Botanical Gardens and further if the said improvements are not
 kept in good order and condition to the satisfaction of the said two
 public officers the said Municipal Council shall be subject to a penalty
 55 of twenty pounds and one pound per diem for each and every day
 that the said improvements may so remain incompleated or may not be
 kept in good order and condition after being so completed and any
 colonist may through any competent Court sue for and shall be
 entitled to the said penalty or penalties Provided also that the said

Municipal Council to embellish and lay out the land.

Municipal

Cathedral Close.

Municipal Council shall so soon as shall be practicable construct a way for foot-passengers from Druitt-street extending from and in prolongation of Clarence-street to Bathurst-street and shall erect a wicket-gate or gates at each end of such footway which shall be kept open 5 every day for the accommodation of the public from five o'clock before noon till ten o'clock after noon.

5. The Municipal Council of Sydney may make such rules and regulations for the protection of the walls palisading gates entrances walks trees and shrubberies belonging to the said land and for regu-
10 lating the use and enjoyment of such land by the public and for the removal of trespassers thereon and other persons causing annoyance or inconvenience thereon as to them shall seem fit and for the enforcement of such rules and regulations may impose fines not in any case to exceed the sum of five pounds for the breaches thereof respectively
15 Provided always that no such rules or regulations shall be in force until the same shall have been approved of by the Governor and Executive Council and a copy of the *Government Gazette* containing such rules and regulations shall be sufficient evidence of the validity thereof.

Municipal Council to make rules and regulations.

20 6. All fines imposed under any rule or regulation made in pursuance of this Act may be recovered before any Justice of the Peace in a summary way and in case of non-payment may be enforced by a levy and distress upon the offenders goods.

Recovery of penalties.

25 7. The Municipal Council shall within three months after the passing of this Act cause the remains of all persons buried in the ground herein authorized to be granted (so far as they can by reasonable search be discovered) together with all slabs or tombstones in relation thereto having any legible inscription thereon to be collected with due care and removed to the Necropolis and shall there cause
30 such remains to be reverently interred in such manner as the Minister for Lands shall direct.

Provision for interment of human remains.

st
in
je
pa
gr
ab
rel
vit
ant
or

ST. ANDREW'S CATHEDRAL CLOSE BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill intituled
" An Act to authorize the appropriation of the Old Burial Ground or Cathedral
" Close in Sydney to certain Municipal and other public purposes " *returned to*
the Legislative Assembly with Message of 20th December, 1867.

R. O'CONNOR,
Clerk of the Parliaments.

Page 1, preamble, line 18. *Omit "and be" insert "and a portion thereof dedicated*
" to the enlargement of George-street and another portion thereof to
" the connection of the several parts of Clarence-street on either side
" thereof and the residue thereof"

Page 2, clause 2, line 17. *After "Sydney" insert "that part of"*

" " line 19. *After "Sydney" insert "which is described in the first*
" Schedule hereto and in like manner to grant to the Bishop of Sydney
" and his successors in trust for the purposes of the Cathedral the land
" described in the second Schedule to this Act"

" clause 2, line 24. *After "residue" insert "subject to the provisions herein-*
" after contained"

" clause 4, line 44. *After "said" insert "subject to the provisions hereinafter*
" contained"

After clause 4 insert new clauses 5 and 6.

After clause 7. 9. insert First and Second Schedules.

ST. ANDREW'S CATHEDRAL CHURCH

THE CHURCH OF ST. ANDREW THE APOSTLE
CATHEDRAL CHURCH
1000 ...

...

...

...

...

...

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

*Legislative Assembly Chamber,
Sydney, 9 December, 1867. }*

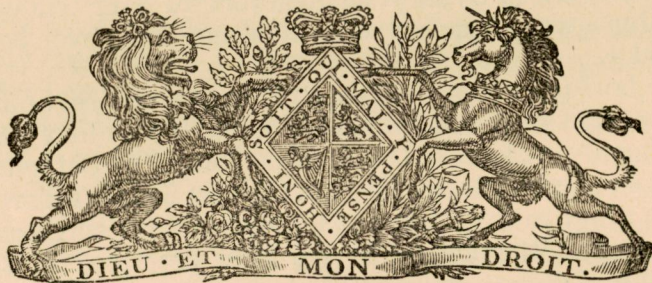
CHA. TOMPSON,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 20th December, 1867. }*

R. O'CONNOR,
Clerk of the Parliaments.

New South Wales.



ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

No.

An Act to authorize the appropriation of the Old Burial Ground or Cathedral Close in Sydney to certain Municipal and other Public purposes.

WHEREAS the ground commonly called the Old Burial Ground ^{Preamble.} or Cathedral Close in the city of Sydney bounded on the east by George-street on the south by land attached to the Church of England Cathedral on the north by DrUITT-street and on the west by 5 sundry allotments in the occupation of private individuals was by proclamation bearing date the sixteenth day of January in the year one thousand eight hundred and sixty-six duly issued under the provisions of the Act eighteenth Victoria number thirty-three dedicated and set apart for the recreation and use of the inhabitants of the city 10 of Sydney and certain persons were by the same proclamation in pursuance of the said Act appointed Trustees of the ground for the purpose aforesaid but the said ground has never been made available for that purpose and the Trustees have no funds applicable for its improvement in any way And whereas the convenience of the 15 inhabitants and others interested in city property and the traffic of the city would be materially promoted and that portion of the city be much improved and beautified if the ground so dedicated be resumed by the Crown ~~and be~~ and a portion thereof dedicated to the enlargement of George-street and another portion thereof to the 20 connection of the several parts of Clarence-street on either side thereof and the residue thereof granted in the manner hereinafter specified

95—

And

NOTE.—The words to be omitted are ruled through; the words to be inserted are printed in black letter.

Cathedral Close.

And whereas the Municipal Council of Sydney are desirous of obtaining a portion of the said ground for the purpose of erecting a Town Hall on the same and are willing in consideration of obtaining such portion for the purpose aforesaid to expend in the erection of the
 5 said Town Hall not less than twenty-five thousand pounds and to embellish and improve the residue of the said ground and to keep the same so embellished and improved for the recreation and use of the inhabitants of the said city Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legis-
 10 lative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. The land commonly called the Old Burial Ground or
 Cathedral Close in the city of Sydney shall revert to Her Majesty
 as fully and to all intents and purposes as if the same had never been
 15 dedicated as aforesaid.

The Old Burial Ground &c. to revert to the Crown.

2. It shall be lawful for the Governor with the advice of the
 Executive Council to grant to the Municipal Council of Sydney that
 part of the land commonly called the Old Burial Ground or Cathedral
 Close in the city of Sydney which is described in the first Schedule hereto
 20 and in like manner to grant to the Bishop of Sydney and his successors in trust for the purposes of the Cathedral the land described in the second Schedule to this Act on condition that a portion of the same not being more than half an acre shall be set apart for the erection of a Town Hall thereon and the residue subject to the provisions herein-
 25 after contained used as a place of recreation to which the public shall have free ingress and egress from five o'clock forenoon to ten o'clock afternoon Provided that the portion of said Old Burial Ground being seven-and-a-half feet frontage to the line of Clarence-street by a depth of thirty-eight feet promised by the Government to the Trustees of
 30 Saint Andrew's Presbyterian Church in one thousand eight hundred and thirty-six be granted to said Trustees.

The Governor to grant the same to the Corporation.

3. The said Municipal Council shall cause twenty-five thou-
 sand pounds at the least to be expended in building on the land so set
 apart a Town Hall to be completed and fit for use on or before the first
 35 day of January in the year one thousand eight hundred and seventy-one and if the said sum be not expended as aforesaid or the Town Hall be not completed within the time limited as aforesaid the said Municipal Council shall be subject to a penalty of one thousand pounds monthly until the said sum shall be so expended or the said building
 40 shall be completed and any colonist may through any competent Court sue for and shall be entitled to the said penalty or penalties.

Erection of Town Hall.

4. The Municipal Council of Sydney shall within twelve months
 after the passing of this Act enclose the land so to be granted as afore-
 said subject to the provisions hereinafter contained with a dwarf
 45 stone wall and iron palisading gates and entrances and shall on or before the first day of January in the year one thousand eight hundred and seventy embellish the portion of the same not set apart as hereinbefore provided for a Town Hall with such walks orna-
 mental trees and shrubberies as the Director of the Botanical
 50 Gardens for the time being shall recommend and the said Municipal Council shall preserve maintain and keep in a cleanly and orderly state and condition the said land and the said walls palisading gates
 entrances walks trees and shrubberies thereto belonging And if the
 said walls palisading and gates are not completed to the satisfaction
 55 of the Colonial Architect for the time being and the trees shrubberies and walks laid out and planted to the satisfaction of the Director of the Botanical Gardens and further if the said improvements are not kept in good order and condition to the satisfaction of the said two public officers the said Municipal Council shall be subject to a penalty
 of

Municipal Council to embellish and lay out the land.

Cathedral Close.

of twenty pounds and one pound per diem for each and every day that the said improvements may so remain incompleated or may not be kept in good order and condition after being so completed and any colonist may through any competent Court sue for and shall be
 5 entitled to the said penalty or penalties Provided also that the said Municipal Council shall so soon as shall be practicable construct a way for foot-passengers from Druitt-street extending from and in pro-
 longation of Clarence-street to Bathurst-street and shall erect a wicket-
 gate or gates at each end of such footway which shall be kept open
 10 every day for the accommodation of the public from five o'clock before noon till ten o'clock after noon.

5. The said Municipal Council shall be bound to enlarge George-
 street on its western side along the entire length of the lands so granted
 respectively and thence to Bathurst-street to the satisfaction of the
 15 Minister for Lands. Enlargement of George-street.

6. The said Municipal Council shall be at liberty to continue
 and connect the several parts of Clarence-street on either side of the
 said Old Burial Ground or Cathedral Close and shall when such street
 shall be so continued and connected be entitled to sell and convey so
 20 much of the land to be so granted to the Municipal Council as lies to the west of the line of Clarence-street as so continued and connected. Continuation of Clarence-street.

5- 7. The Municipal Council of Sydney may make such rules and
 regulations for the protection of the walls palisading gates entrances
 walks trees and shrubberies belonging to the said land and for regu-
 25 lating the use and enjoyment of such land by the public and for the removal of trespassers thereon and other persons causing annoyance or inconvenience thereon as to them shall seem fit and for the enforcement of such rules and regulations may impose fines not in any case to exceed the sum of five pounds for the breaches thereof respectively
 30 Provided always that no such rules or regulations shall be in force until the same shall have been approved of by the Governor and Executive Council and a copy of the *Government Gazette* containing such rules and regulations shall be sufficient evidence of the validity thereof. Municipal Council to make rules and regulations.

35 6- 8. All fines imposed under any rule or regulation made in pursuance of this Act may be recovered before any Justice of the Peace in a summary way and in case of non-payment may be enforced by a levy and distress upon the offenders goods. Recovery of penalties.

7- 9. The Municipal Council shall within three months after the
 40 passing of this Act cause the remains of all persons buried in the ground herein authorized to be granted (so far as they can by reasonable search be discovered) together with all slabs or tombstones in relation thereto having any legible inscription thereon to be collected with due care and removed to the Necropolis and shall there cause
 45 such remains to be reverently interred in such manner as the Minister for Lands shall direct. Provision for interment of human remains.

FIRST SCHEDULE.

All that piece or parcel of land containing by admeasurement one acre three roods and thirty-eight perches situate in the parish of Saint
 50 Andrew City of Sydney County of Cumberland and Colony of New South Wales commencing at the intersection of the south building alignment of Druitt-street with the west building alignment of George-street and bounded thence on the east by the western building alignment of George-street being a line bearing south three degrees east two
 55 hundred and fifty-one feet thence on the south by a line bearing south eighty-four

Cathedral Close.

eighty-four degrees ten minutes west two hundred and sixty-four feet
 thence again on the east by a line bearing south fifteen degrees east
 sixty-two feet thence again on the south by part of the northern
 boundary of allotment number nine granted for a Presbyterian Church
 5 being a line bearing south eighty-three degrees forty-five minutes west
 one hundred and two feet thence on the west by a line bearing north
 twelve degrees west one hundred and forty feet six inches forming the
 eastern boundary of allotment number nine aforesaid and of allotments
 numbers eight seven six five four and three to the southern building
 10 line of Druitt-street and thence on the north by that building line being
 a line bearing north eighty-two degrees forty minutes east three
 hundred and thirty-four feet to point of commencement.

SECOND SCHEDULE.

All that piece or parcel of land containing by admeasurement one rood
 15 and seventeen and a half perches situate in the Parish of Saint Andrew
 City of Sydney County of Cumberland and Colony of New South Wales
 commencing at a point on the west building alignment of George-
 street bearing north three degrees west from the intersection of the
 south building alignment of Druitt-street with the west building
 20 alignment of George-street and distant two hundred and fifty-one feet
 from that point and bounded thence on the east by a line bearing south
 three degrees east sixty feet thence on the south by a line bearing south
 eighty-three degrees forty-five minutes east two hundred and fifty-one
 feet thence on the west by a line bearing north fifteen degrees west
 25 sixty-two feet and thence on the north by a line bearing north eighty-
 four degrees ten minutes east two hundred and sixty-four feet to the
 point of commencement.