

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, 12 March, 1873. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly

## New South Wales.



ANNO TRICESIMO SEXTO

# VICTORIÆ REGINÆ.

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No. .

An Act to authorize the erection of Public Gates across certain Roads.

**W**HEREAS it is expedient to make provision for the erection of Preamble.  
Public Gates by the owners or occupants of land through which any public road may pass across such roads Be it therefore enacted by the Queen's Most Excellent Majesty by and with the  
5 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 shall come into force on the first day of July and may be cited as the "Public Gates Act of 1873." Commencement and short title.
- 10 2. In the construction of this Act the word "occupant" means any person in legal possession of land and not being the owner thereof as hereinafter defined The word "owner" means any person in the like possession of land and having an estate or interest equal to an estate of freehold therein The term "public road" means any road or  
15 portion of a road heretofore or hereafter to be dedicated to and lawfully used by the public. Interpretation of terms.

*Public Gates.*

3. The owner or occupant of any land through which any public road passes may at his own cost place a gate or gates across such road where the same passes through his land upon obtaining permission so to do from the Secretary for Lands Provided that notice of intention to grant such permission shall be published in the *Government Gazette* and some local newspaper if any at least thirty days before commencing the erection of such gate or gates and that the form and position thereof shall have been approved by the said Secretary for Lands And any such gate shall during its continuance be designated a "public gate" and shall have the words "public gate" painted and maintained thereon in legible characters not less than three inches in length.

Erection of gates  
across roads.

4. The Secretary for Lands may after six months notice in writing to the owner and in the said *Gazette* of his intention so to do revoke and cancel wholly or in part any such permission for the erection of gates And the continuance of any such gate after the publication in the said *Gazette* and of such notice to the owner of the revocation of any such permission shall be illegal and any gate so continued may be dealt with as a common nuisance.

Revocation of per-  
mission.

5. Whosoever after having opened or passed through any public gate on which the words "public gate" are at the time painted as hereinbefore prescribed shall fail to close the same shall on conviction thereof before any Justice of the Peace forfeit and pay over and above the amount of the injury (if any) occasioned by such neglect such sum of money not exceeding five pounds as to such Justice shall seem meet to be recovered in a summary way in pursuance of the provisions of the Act or Acts in force for the time-being regulating proceedings on summary convictions before Justices And in default of payment thereof together with the costs if ordered the offender shall be imprisoned for a period not exceeding two months or until payment be sooner made And if it be proved that such gate was wilfully left open the offender shall on conviction thereof before any two Justices forfeit and pay over and above the amount of the injury occasioned by such misconduct such sum of money not exceeding twenty pounds as to the Justices shall seem meet to be recovered as aforesaid and in default of payment thereof together with the costs (if ordered) shall be imprisoned for a period not exceeding six months or until payment be sooner made.

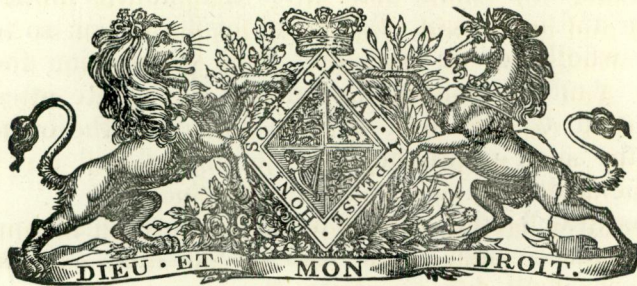
Penalty for leaving a  
public gate open.

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, 12 March, 1873. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO TRICESIMO SEXTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

(As amended in Committee of the Whole Council.)

An Act to authorize the erection of Public Gates across certain Roads.

**W**HEREAS it is expedient to make provision for the erection of <sup>Preamble.</sup> Public Gates by the ~~owners or~~ occupants of land through which any unfenced public road may pass ~~across such roads~~ Be it therefore enacted by the Queen's Most Excellent Majesty by and <sup>5</sup> 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 shall come into force on the first day of July and <sup>Commencement and short title.</sup> may be cited as the "Public Gates Act of 1873."
- <sup>10</sup> 2. In the construction of this Act the word "occupant" <sup>Interpretation of terms.</sup> shall means any person in legal **lawful** possession of land and ~~not being the owner thereof as hereinafter defined~~ The word "owner" means any person in the like possession of land and having an estate or interest equal to an estate of freehold therein The term "public road" <sup>15</sup> shall means any road or portion of a road heretofore or hereafter to be dedicated to and lawfully used by the public.

*Public Gates.*

3. The ~~owner or~~ occupant of any land through which any **unfenced** public road passes may at his own cost place ~~a gate or gates~~ across such road ~~where the same passes through his land~~ wherever the same intersects any fence enclosing his land or any part thereof upon  
 5 obtaining permission so to do from the Secretary for Lands. Provided that notice of intention to grant such permission shall be published in the *Government Gazette* and some local newspaper if any at least thirty days before commencing the erection of such gate or gates and that the form and position thereof shall have been approved by the said  
 10 Secretary for Lands. And any every such gate shall during its continuance be designated a "public gate" and shall have the words "public gate" painted and maintained thereon in legible characters not less than three inches in length. Provided that the Secretary for  
 15 enclosed lands has been securely fenced on both sides revoke and cancel the permission granted for the erection of gates across such road or portion of road.

Erection of gates across roads.

4. The Secretary for Lands may after six months notice in writing to the owner and in the said *Gazette* of his intention so to do  
 20 revoke and cancel wholly or in part any such permission for the erection of gates. And the continuance of any such gate after the publication in the said *Gazette* and of such notice to the owner of the revocation of any such permission shall be illegal and any gate so continued may be dealt with as a common nuisance.

Revocation of permission.

25 5. Whosoever after having opened or passed through any public gate on which the words "public gate" are at the time painted as  
 30 hereinbefore prescribed shall fail to close the same or whosoever shall break or injure such gate or deface or attempt to deface the words painted thereon shall on conviction thereof before any Justice of the Peace forfeit and pay over and above the amount of the injury (if any) occasioned by such neglect **misconduct** such sum of money not exceeding five pounds as to such Justice shall seem meet to be recovered in a summary way in pursuance of the provisions of the Act or Acts in force for the time-being regulating proceedings  
 35 on summary convictions before Justices. And in default of payment thereof together with the costs if ordered the offender shall be imprisoned for a period not exceeding two months or until payment be sooner made. And if it be proved that such gate was wilfully left open the offender shall on conviction thereof before any two Justices forfeit  
 40 and pay over and above the amount of the injury occasioned by such misconduct such sum of money not exceeding twenty pounds as to the Justices shall seem meet to be recovered as aforesaid and in default of payment thereof together with the costs (if ordered) shall be imprisoned for a period not exceeding six months or until payment be  
 45 sooner made.

Penalty for leaving a public gate open.

PUBLIC GATES BILL.

*SCHEDULE of the Amendments referred to in Message of 3rd April, 1873.*

JOHN J. CALVERT,  
Clerk of the Parliaments.

- Page 1, Preamble, line 2. *Omit " owners or "*  
" " " *After " of " insert " inclosed "*  
" " line 3. *After " any " insert " unfenced "*  
" " " *Omit " across such roads "*  
" clause 2, line 10. *After " occupant " insert " shall "*  
" " line 11. *Omit " s " in means*  
" " " *Omit " legal " insert " lawful "*  
" " lines 11 to 14. *Omit " and not being the owner thereof as hereinafter*  
*" defined The word 'owner' means any person in the like possession of*  
*" land and having an estate or interest equal to an estate of freehold therein "*  
" " line 14. *After " public road " insert " shall "*  
" " line 15. *Omit " s " in means*  
" " " *After " road " insert " or portion of a road and also any*  
*" track or portion of a track within the meaning of the nineteenth*  
*" section of the Crown Lands Occupation Act of 1861 "*  
" " line 17. *Omit " or portion of a road "*  
" " line 18. *Omit " and " insert " or "*  
Page 2, clause 3, line 1. *Omit " owner or "*  
" " line 2. *Before " public " insert " unfenced "*  
" " " *Omit " a gate or "*  
" " line 3. *Omit " where the same passes through his land " insert*  
*" wherever the same intersects any fence enclosing or bounding his*  
*" land or any part thereof "*  
" " line 10. *Omit " any " insert " every "*  
" " line 13. *After " length " add " Provided that the Secretary for*  
*" Lands may so soon as any road or portion of road passing through*  
*" enclosed lands has been securely fenced on both sides revoke and cancel*  
*" the permission granted for the erection of gates across such road or*  
*" portion of road "*  
" clause 4. *Omit clause 4.*  
" clause 5, lines 26 and 27. *Omit on which the words " public gate " are at the*  
*" time painted as hereinbefore prescribed "*  
" " line 27. *After " same " insert " or whosoever shall break or injure*  
*" such gate or deface or attempt to deface the words painted thereon "*  
" " line 31. *Omit " neglect " insert " misconduct "*

PUBLIC WATER BILL

ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF CALIFORNIA

JANUARY 1, 1907

SECTION 1

That the public water supply of the State of California shall be conserved and distributed to the people of the State in a just and equitable manner, and that the State shall have the right to acquire and control the water rights of the State, and to regulate the use thereof, and to prevent the waste of water, and to protect the public interest in the water supply of the State.

SECTION 2

That the State shall have the right to acquire and control the water rights of the State, and to regulate the use thereof, and to prevent the waste of water, and to protect the public interest in the water supply of the State.

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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, 12 March, 1873. }

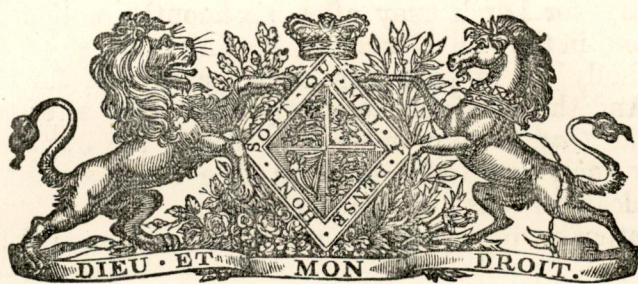
STEPHEN W. JONES,  
Clerk of Legislative Assembly.

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

Legislative Council Chamber, }  
Sydney, 3rd April, 1873. }

JOHN J. CALVERT,  
Clerk of the Parliaments.

## New South Wales.



ANNO TRICESIMO SEXTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to authorize the erection of Public Gates across certain Roads.

**W**HEREAS it is expedient to make provision for the erection of <sup>Preamble.</sup> Public Gates by the ~~owners or~~ occupants of inclosed land through which any unfenced public road may pass across such roads Be it therefore enacted by the Queen's Most Excellent Majesty by and <sup>5</sup> 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 shall come into force on the first day of July and <sup>Commencement and short title.</sup> may be cited as the "Public Gates Act of 1873."

10 <sup>10</sup> 2. In the construction of this Act the word "occupant" shall <sup>Interpretation of terms.</sup> means any person in legal lawful possession of land and ~~not being the owner thereof as hereinafter defined~~ The word "owner" means any person in the like possession of land and having an estate or interest equal to an estate of freehold therein The term "public road" shall <sup>15</sup> means any road or portion of a road and also any track or portion of a track within the meaning of the nineteenth section of the Crown Lands Occupation Act of 1861 ~~or portion of a road~~ heretofore or hereafter to be dedicated to and or lawfully used by the public.

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

*Public Gates.*

3. The ~~owner or~~ occupant of any land through which any ~~unfenced~~ public road passes may at his own cost place a ~~gate or~~ gates Erection of gates across roads. across such road where ~~the same passes through his land wherever the same intersects any fence enclosing or bounding his land or any part~~ thereof upon obtaining permission so to do from the Secretary for Lands. Provided that notice of intention to grant such permission shall be published in the *Government Gazette* and some local newspaper if any at least thirty days before commencing the erection of such gate or gates and that the form and position thereof shall have been approved 10 by the said Secretary for Lands. And ~~any every~~ such gate shall during its continuance be designated a "public gate" and shall have the words "public gate" painted and maintained thereon in legible characters not less than three inches in length. Provided that the Secretary for 15 Lands may so soon as any road or portion of road passing through enclosed lands has been securely fenced on both sides revoke and cancel the permission granted for the erection of gates across such road or portion of road.

4. The Secretary for Lands may after six months notice in writing to the owner and in the said *Gazette* of his intention so to do Revocation of permission. 20 revoke and cancel wholly or in part any such permission for the erection of gates. And the continuance of any such gate after the publication in the said *Gazette* and of such notice to the owner of the revocation of any such permission shall be illegal and any gate so continued may be dealt with as a common nuisance.

25 5. Whosoever after having opened or passed through any public gate on which the words "public gate" are at the time painted as Penalty for leaving a public gate open. hereinbefore prescribed shall fail to close the same or whosoever shall break or injure such gate or deface or attempt to deface the words painted thereon shall on conviction thereof before any Justice 30 of the Peace forfeit and pay over and above the amount of the injury (if any) occasioned by such neglect misconduct such sum of money not exceeding five pounds as to such Justice shall seem meet to be recovered in a summary way in pursuance of the provisions of the Act or Acts in force for the time-being regulating proceedings 35 on summary convictions before Justices. And in default of payment thereof together with the costs if ordered the offender shall be imprisoned for a period not exceeding two months or until payment be sooner made. And if it be proved that such gate was wilfully left open the offender shall on conviction thereof before any two Justices forfeit 40 and pay over and above the amount of the injury occasioned by such misconduct such sum of money not exceeding twenty pounds as to the Justices shall seem meet to be recovered as aforesaid and in default of payment thereof together with the costs (if ordered) shall be imprisoned for a period not exceeding six months or until payment be 45 sooner made.



New South Wales.



ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

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No. XIX.

An Act to authorize the erection of Public Gates across certain Roads. [Assented to, 24th April, 1873.]

WHEREAS it is expedient to make provision for the erection of <sup>Preamble.</sup> Public Gates by the occupants of inclosed land through which any unfenced public road may pass Be it therefore enacted by the Queen'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 shall come into force on the first day of July and may be cited as the "Public Gates Act of 1873." <sup>Commencement and short title.</sup>

2. In the construction of this Act the word "occupant" shall mean any person in lawful possession of land <sup>Interpretation of terms.</sup> The term "public road" shall mean any road or portion of a road and also any track or portion of a track within the meaning of the nineteenth section of the Crown Lands Occupation Act of 1861 heretofore or hereafter to be dedicated to or lawfully used by the public.

*Public Gates.*

Erection of gates  
across roads.

3. The occupant of any land through which any unfenced public road passes may at his own cost place gates across such road wherever the same intersects any fence enclosing or bounding his land or any part thereof upon obtaining permission so to do from the Secretary for Lands Provided that notice of intention to grant such permission shall be published in the *Government Gazette* and some local newspaper if any at least thirty days before commencing the erection of such gate or gates and that the form and position thereof shall have been approved by the said Secretary for Lands And every such gate shall during its continuance be designated a "public gate" and shall have the words "public gate" painted and maintained thereon in legible characters not less than three inches in length. Provided that the Secretary for Lands may so soon as any road or portion of road passing through enclosed lands has been securely fenced on both sides revoke and cancel the permission granted for the erection of gates across such road or portion of road.

Penalty for leaving a  
public gate open.

4. Whosoever after having opened or passed through any public gate shall fail to close the same or whosoever shall break or injure such gate or deface or attempt to deface the words painted thereon shall on conviction thereof before any Justice of the Peace forfeit and pay over and above the amount of the injury (if any) occasioned by such misconduct such sum of money not exceeding five pounds as to such Justice shall seem meet to be recovered in a summary way in pursuance of the provisions of the Act or Acts in force for the time-being regulating proceedings on summary convictions before Justices And in default of payment thereof together with the costs if ordered the offender shall be imprisoned for a period not exceeding two months or until payment be sooner made And if it be proved that such gate was wilfully left open the offender shall on conviction thereof before any two Justices forfeit and pay over and above the amount of the injury occasioned by such misconduct such sum of money not exceeding twenty pounds as to the Justices shall seem meet to be recovered as aforesaid and in default of payment thereof together with the costs (if ordered) shall be imprisoned for a period not exceeding six months or until payment be sooner made.

By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1873.

[3d.]