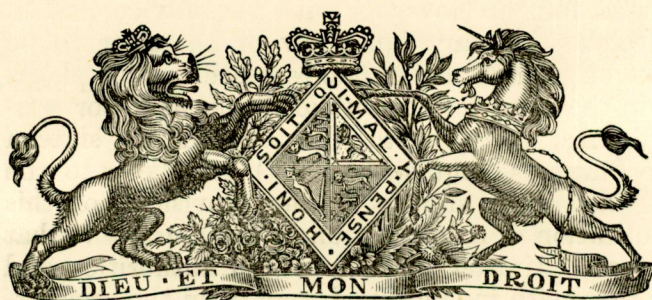


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 24 September, 1884. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. .

An Act for the better Regulation and Protection of Public Parks or places of Public Recreation and of lands dedicated purchased or resumed for Public purposes for bringing certain Lands within the operation of this Act and for other purposes.

BE it 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:—

- 5 1. This Act may be cited for all purposes as the "Public Parks Act of 1884" and from and after the passing thereof the Act eighteenth Victoria number thirty-three being the "Public Parks Act of 1854" shall be repealed. Provided that such repeal shall be without prejudice to anything lawfully done or commenced under the authority of the
10 said Act.
2. Subject to the provisions of this Act all Trustees in whom any lands are now vested by virtue of any grant from the Crown for a public park or for the recreation convenience health or enjoyment of the inhabitants of any city town or place and all Trustees appointed
15 by the Governor of lands dedicated to the purposes aforesaid pursuant to the provisions of the Act hereby repealed shall continue to be bodies corporate.
- Continuance of existing Trustees of Parks &c. as bodies corporate.
- Short title and repeal of Public Parks Act of 1854.

Public Parks (No. 2).

corporate under their respective corporate names having perpetual succession and a common seal competent and liable to sue and be sued by such names in all Courts whatsoever and capable of holding real and personal property and of exercising all powers and authorities
5 conferred on Trustees by this Act.

3. It shall be lawful for the Governor with the advice of the Executive Council to appoint Trustees of any lands which have been already or may hereafter be dedicated by proclamation or notification in the *Gazette* or purchased for the purposes of public recreation
10 convenience health or enjoyment or which have been used by the public with the acquiescence of Her Majesty for such purposes and such Trustees and their successors shall be a body corporate having all the corporate capacities and liabilities mentioned in the second section of this Act.

Power to appoint Trustees.

4. It shall be lawful for the Governor with the advice and in manner aforesaid to declare that any land now or hereafter to be resumed for public parks or grounds for public recreation or as places
15 for bathing and vested in the Minister for Public Works as a Corporation sole by virtue of the Act forty-fourth Victoria number sixteen (the "Lands for Public Purposes Acquisition Act") shall be as to the whole or any portion of such lands subject to the provisions of this Act And upon the publication of a notification in the *Gazette* to that effect the estate of the said Minister and all powers authorities and liabilities in connection therewith in such land shall upon the appoint-
20 ment of Trustees under this Act be held by and attach to such Trustees for the purposes mentioned in the *Gazette* notification in the same manner and with the same powers and liabilities as if such land had originally been dedicated under this Act.

As to Parks &c. resumed under the "Lands for Public Purposes Acquisition Act."

5. It shall be lawful for the Governor with the advice and
30 in manner aforesaid to appoint the Council of any Borough or Municipal District within the limits of which any land dedicated or granted under the Act hereby repealed or now or hereafter to be resumed for a public park or ground for public recreation under the "Lands for Public Purposes Acquisition Act" or now or hereafter to
35 be purchased for such purposes or to be dedicated under this Act is situated to be the Trustees of such land in their corporate name as such Council and thereupon such Council shall be Trustees of such land for all purposes of this Act.

Municipal Councils may be appointed Trustees.

6. Trustees shall for all purposes of this Act and of any by-law
40 thereunder be deemed to hold an estate in fee simple in the land vested in them but shall not be capable of alienating charging or in any way disposing of such land or any part thereof Provided always that it shall be lawful for Trustees to lease or grant grazing or other temporary licenses to occupy or use any portion of such land for such purposes
45 (not being inconsistent with their trust) at such rents and for such terms and subject to such conditions as the Governor with the advice aforesaid may approve.

Estate of Trustees.

7. It shall be lawful for the Governor with the advice aforesaid
by notification in the *Gazette* to declare that any public highway or
50 thoroughfare public or private or right-of-way on over or affecting any land now or hereafter dedicated as a public park or place of public recreation convenience health or enjoyment or any land purchased for any public purpose or resumed for such under the "Lands for Public Purposes Acquisition Act" shall be extinguished And upon the
55 publication of such notification in the *Gazette* and after the same has been laid before Parliament for a period of thirty days and has not within such period been disallowed by resolution of either House such public highway thoroughfare or private right-of-way shall be extinguished and the site thereof absolutely freed and discharged therefrom
shall

Extinguishment of ways &c.

Public Parks (No. 2).

shall vest in the Trustees if any and if and so long as there are no Trustees shall vest in the person entitled to the legal estate in the land traversed or affected by such highway thoroughfare or right-of-way.

8. When any Trustee not being a member of a Municipal Council appointed to execute any trust under this Act shall die or be absent from the Colony for more than twelve months or shall resign or refuse or become incapable to act in the trusts or powers reposed in him in relation to the said lands it shall be lawful for the Governor with the advice aforesaid to appoint a new Trustee in his place.

9. Trustees may frame by-laws regulating their meetings and the conduct of business thereat for the protection of the shrubs trees and herbage growing upon the land vested in them for regulating the use and enjoyment of such lands for the removal of trespassers and other persons causing annoyance or inconvenience thereon and may impose penalties on the breach of any such by-law thereof not in any case to exceed the sum of ten pounds. Provided always that no such by-laws shall be of any force until the same shall be approved by the Governor with the advice aforesaid nor until a copy thereof shall have been posted in some conspicuous place on the said land and been published in the *Gazette* for at least one month.

10. Proceedings for the recovery of any penalty imposed for the breach of any such by-law may be taken in a summary way before any Stipendiary or Police Magistrate or before any two Justices at the Court of Petty Sessions nearest to the place where the breach of such by-law was committed and the whole amount of all such penalties shall be paid to the said Trustees for the purposes of their trust. And in any such proceedings the person prosecuting shall not be called upon to prove such by-laws or the boundaries of such public park or place of public recreation convenience health or enjoyment where the complaint is for an offence committed in such park or place but the production of the *Gazette* containing any proclamation or notification of such by-laws or of such park or place shall be conclusive evidence thereof.

11. Nothing in this Act shall affect the validity of any rules and regulations made under the Act hereby repealed which shall for all purposes of this Act be deemed to have the same force and effect as by-laws duly made hereunder.

12. It shall be lawful for the Trustees or any ranger or other officer appointed by them to call in the aid of the police for the removal by force if necessary of any person who shall be found committing a breach of any by-law or who shall by disorderly or insulting conduct in the immediate neighbourhood of the lands vested in such Trustees cause annoyance or inconvenience to persons being on the said lands or going to or coming from the same.

13. In this Act the word "Trustees" means the Trustees in whom any park or place of public recreation convenience health or enjoyment is vested by law and "Trustee" means any one of such Trustees.

14. The Minister for Lands shall be the Minister for the administration of this Act.

P. 100 (100)

1. The first part of the report is a general statement of the work done during the year.

2. The second part is a statement of the work done during the year.

3. The third part is a statement of the work done during the year.

4. The fourth part is a statement of the work done during the year.

5. The fifth part is a statement of the work done during the year.

6. The sixth part is a statement of the work done during the year.

7. The seventh part is a statement of the work done during the year.

8. The eighth part is a statement of the work done during the year.

9. The ninth part is a statement of the work done during the year.

10. The tenth part is a statement of the work done during the year.

11. The eleventh part is a statement of the work done during the year.

12. The twelfth part is a statement of the work done during the year.

13. The thirteenth part is a statement of the work done during the year.

14. The fourteenth part is a statement of the work done during the year.

15. The fifteenth part is a statement of the work done during the year.

16. The sixteenth part is a statement of the work done during the year.

17. The seventeenth part is a statement of the work done during the year.

18. The eighteenth part is a statement of the work done during the year.

19. The nineteenth part is a statement of the work done during the year.

20. The twentieth part is a statement of the work done during the year.

21. The twenty-first part is a statement of the work done during the year.

22. The twenty-second part is a statement of the work done during the year.

23. The twenty-third part is a statement of the work done during the year.

24. The twenty-fourth part is a statement of the work done during the year.

25. The twenty-fifth part is a statement of the work done during the year.

26. The twenty-sixth part is a statement of the work done during the year.

27. The twenty-seventh part is a statement of the work done during the year.

28. The twenty-eighth part is a statement of the work done during the year.

29. The twenty-ninth part is a statement of the work done during the year.

30. The thirtieth part is a statement of the work done during the year.

PUBLIC PARKS BILL.

(Amendments to be proposed [on Re-committal] by
SIR ALFRED STEPHEN.)

- Page 2, clause 2, line 1. *After* "names" *insert* "as the same may heretofore have been or may hereafter be prescribed by the Governor"
- Page 2, clause 3, lines 6 and 7. *Omit* "with the advice of the Executive Council"
- Page 2, clause 4, lines 15 and 16. *Omit* "with the advice and in manner aforesaid"
- Page 2, clause 4, line 22. *Omit* "upon" *insert* "after"
- Page 2, clause 5, lines 29 and 30. *Omit* "with the advice and in manner aforesaid"
- Page 2, clause 5, line 31. *Omit* "within the limits of which" *insert* "whose limits include"
- Page 2, clause 5, lines 35 and 36. *Omit* "is situated"
- Page 2, clause 6, lines 40 and 41. *Omit* "vested in them" *insert* "for which they were appointed"
- Page 2, clause 6, line 43. *After* "Trustees" *insert* "with the consent of the Minister"
- Page 2, clause 6, line 43. *Omit* "lease or"
- Page 2, clause 6, line 45. *Omit* "(not being inconsistent with their trust) at such rents and for" *insert* "on"
- Page 2, clause 6, lines 46 and 47. *Omit* "the Governor with the advice aforesaid" *insert* "he"
- Page 2, clause 7, line 48. *Omit* "with the advice aforesaid"
- Page 2, clause 7, line 53. *Omit* "for such"
- Page 2, clause 7, line 54. *Omit* "upon" *insert* "after"
- Page 2, clause 7, line 55. *Omit* "after the same has" *insert* "its having"
- Page 2, clause 7, lines 56 and 57. *Omit* "and has not within such period been disallowed" *insert* "without disallowance"
- Page 2, clause 7, line 59. *After* "extinguished" *insert* "accordingly" *omit* remainder of clause.
- Page 3, clause 8, line 7. *After* "Act" *insert* "or shall at six consecutive meetings cease to act"
- Page 3, clause 8, line 8. *Omit* "in relation to the said lands"
- Page 3, clause 8, line 9. *Omit* "with the advice aforesaid"
- Page 3, clause 9, line 18. *Omit* "with the advice aforesaid"
- Page 3, clause 9, line 20. *Before* "published" *insert* "twice" *omit* "for at least one month"
- Page 3, clause 10, line 30. *Omit* "offence" *insert* "Act"
- Page 3, clause 10, line 32. *Omit* "park or place" *insert* "boundaries"
- Page 3, clause 10. At end of clause *add* "and it shall be presumed that such by-laws were duly posted and published until the contrary be shown"
- Page 3, clause 12, line 38. *After* "for" *insert* "any of"
- Page 3, clause 12, line 39. *Before* "removal" *insert* "apprehension and"
- Page 3, clause 12, line 41. *After* "conduct" *insert* "upon or"
- Page 3, clause 13. At end of clause *add* "and the word Governor means the Governor acting with the advice of the Executive Council"
- Page 3. *After* clause 14 *insert* new clause:—
15. Nothing in this Act shall prevent any prosecution or proceeding under any other Act but so always that no person shall be twice punished or proceeded against in respect of the same offence.

PUBLIC PARKS BILL.

SCHEDULE of the Amendments referred to in Message of 14th October, 1884.

- Page 2, clause 2, line 1. *Omit* "having" *insert* "as the same may heretofore have been or may
"hereafter be prescribed by the Governor and shall have"
- Page 2, clause 2, line 3. *After* "seal" *insert* "and shall be"
- Page 2, clause 3, lines 8 and 9. *Omit* "with the advice of the Executive Council"
- Page 2, clause 4, lines 17 and 18. *Omit* "with the advice and in manner aforesaid"
- Page 2, clause 4, line 24. *Omit* "upon" *insert* "after"
- Page 2, clause 5, lines 31 and 32. *Omit* "with the advice and in manner aforesaid"
- Page 2, clause 6, lines 42 and 43. *Omit* "vested in them" *insert* "for which they were appointed"
- Page 2, clause 6, line 45. *After* "Trustees" *insert* "with the consent of the Minister"
- Page 2, clause 6, line 48. *Omit* "(not being inconsistent with their trust) at such rents and for"
insert "on"
- Page 2, clause 6, lines 49 and 50. *Omit* "the Governor with the advice aforesaid" *insert* "he"
- Page 2, clause 7, line 51. *Omit* "with the advice aforesaid"
- Page 2, clause 7, line 56. *Omit* "for such"
- Page 2, clause 7, line 57. *Omit* "upon" *insert* "after"
- Page 3, clause 7, lines 1 and 2. *After* "extinguished" *omit* remainder of clause *insert* "accordingly"
- Page 3, clause 8, line 11. *Omit* "in relation to the said lands"
- Page 3, clause 8, line 12. *Omit* "with the advice aforesaid"
- Page 3, clause 9, line 16. *Omit* "s" from lands
- Page 3, clause 9, line 20. *Omit* "s" from by-laws
- Page 3, clause 9, line 21. *Omit* "with the advice aforesaid"
- Page 3, clause 9, line 23. *Before* "published" *insert* "twice"
- Page 3, clause 9, line 23. *Omit* "for at least one month"
- Page 3, clause 10, line 29. *Omit* "said"
- Page 3, clause 10, line 33. *Omit* "offence" *insert* "act"
- Page 3, clause 10, line 35. *Omit* "park or place" *insert* "boundaries"
- Page 3, clause 10. At the end of clause *add* "and it shall be presumed that such by-laws were duly
"posted and published until the contrary be shown"
- Page 3, clause 12, line 42. *After* "for" *insert* "any of"
- Page 3, clause 12, line 46. *After* "conduct" *insert* "upon or"
- Page 3, clause 13. At the end of clause *add* "and the word 'Governor' means the Governor acting
"with the advice of the Executive Council"
- Page 3. *After* clause 14 *insert* new clause 15.

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, 24 September, 1884. }*

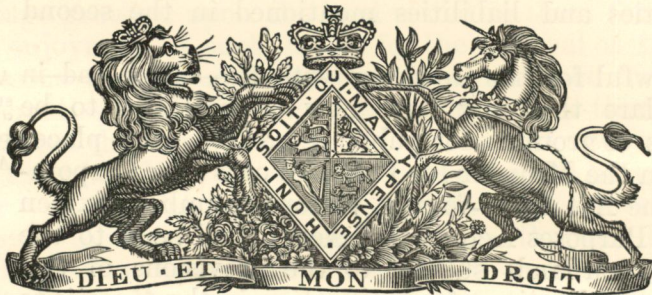
*STEPHEN W. JONES,
Clerk of Legislative Assembly.*

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

*Legislative Council Chamber,
Sydney, 14th October, 1884. }*

*JOHN J. CALVERT,
Clerk of the Parliaments.*

New South Wales.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. .

An Act for the better Regulation and Protection of Public Parks or places of Public Recreation and of lands dedicated purchased or resumed for Public purposes for bringing certain Lands within the operation of this Act and for other purposes.

BE it 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:—

5 1. This Act may be cited for all purposes as the "Public Parks Act of 1884" and from and after the passing thereof the Act eighteenth Victoria number thirty-three being the "Public Parks Act of 1854" shall be repealed. Provided that such repeal shall be without prejudice to anything lawfully done or commenced under the authority of the said Act.

Short title and repeal of Public Parks Act of 1854.

10 2. Subject to the provisions of this Act all Trustees in whom any lands are now vested by virtue of any grant from the Crown for a public park or for the recreation convenience health or enjoyment of the inhabitants of any city town or place and all Trustees appointed by the Governor of lands dedicated to the purposes aforesaid pursuant to the provisions of the Act hereby repealed shall continue to be bodies corporate

Continuance of existing Trustees of Parks &c. as bodies corporate.

1040—

corporate

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

Public Parks (No. 2).

corporate under their respective corporate names ~~having as the same~~
~~may heretofore have been or may hereafter be prescribed by the~~
~~Governor and shall have perpetual succession and a common seal and~~
~~shall be competent and liable to sue and be sued by such names in~~
 5 all Courts whatsoever and capable of holding real and personal property
 and of exercising all powers and authorities conferred on Trustees by
 this Act.

3. It shall be lawful for the Governor ~~with the advice of the~~ Power to appoint Trustees.
~~Executive Council~~ to appoint Trustees of any lands which have been
 10 already or may hereafter be dedicated by proclamation or notification
 in the *Gazette* or purchased for the purposes of public recreation
 convenience health or enjoyment or which have been used by the
 public with the acquiescence of Her Majesty for such purposes and
 such Trustees and their successors shall be a body corporate having
 15 all the corporate capacities and liabilities mentioned in the second
 section of this Act.

4. It shall be lawful for the Governor ~~with the advice and in~~ As to Parks &c. re-
~~manner aforesaid~~ to declare that any land now or hereafter to be sumed under the
 resumed for public parks or grounds for public recreation or as places "Lands for Public
 20 for bathing and vested in the Minister for Public Works as a Corpora- Purposes Acquisition
 tion sole by virtue of the Act forty-fourth Victoria number sixteen Act."
 (the "Lands for Public Purposes Acquisition Act") shall be as to the
 whole or any portion of such lands subject to the provisions of this
 Act And ~~upon~~ after the publication of a notification in the *Gazette* to
 25 that effect the estate of the said Minister and all powers authorities and
 liabilities in connection therewith in such land shall upon the appoint-
 ment of Trustees under this Act be held by and attach to such Trustees
 for the purposes mentioned in the *Gazette* notification in the same
 manner and with the same powers and liabilities as if such land had
 30 originally been dedicated under this Act.

5. It shall be lawful for the Governor ~~with the advice and~~ Municipal Councils
~~in manner aforesaid~~ to appoint the Council of any Borough or may be appointed
 Municipal District within the limits of which any land dedicated or Trustees.
 granted under the Act hereby repealed or now or hereafter to be
 35 resumed for a public park or ground for public recreation under the
 "Lands for Public Purposes Acquisition Act" or now or hereafter to
 be purchased for such purposes or to be dedicated under this Act is
 situated to be the Trustees of such land in their corporate name as such
 Council and thereupon such Council shall be Trustees of such land for
 40 all purposes of this Act.

6. Trustees shall for all purposes of this Act and of any by-law Estate of Trustees.
 thereunder be deemed to hold an estate in fee simple in the land vested
~~in them for which they were appointed~~ but shall not be capable of
 alienating charging or in any way disposing of such land or any part
 45 thereof Provided always that it shall be lawful for Trustees ~~with the~~
 consent of the Minister to lease or grant grazing or other temporary
 licenses to occupy or use any portion of such land for such purposes
 (not being inconsistent with their trust) at such rents and for on such
 terms and subject to such conditions as the Governor with the advice
 50 aforesaid he may approve.

7. It shall be lawful for the Governor ~~with the advice aforesaid~~ Extinguishment of
 by notification in the *Gazette* to declare that any public highway or ways &c.
 thoroughfare public or private or right-of-way on over or affecting any
 land now or hereafter dedicated as a public park or place of public
 55 recreation convenience health or enjoyment or any land purchased for
 any public purpose or resumed ~~for such~~ under the "Lands for Public
 Purposes Acquisition Act" shall be extinguished And ~~upon~~ after the
 publication of such notification in the *Gazette* and after the same has
 been laid before Parliament for a period of thirty days and has not
 60 within such period been disallowed by resolution of either House such
 public

Public Parks (No. 2).

public highway thoroughfare or private right-of-way shall be extinguished and the site thereof absolutely freed and discharged therefrom shall vest in the Trustees if any and if and so long as there are no Trustees shall vest in the person entitled to the legal estate in the land traversed or affected by such highway thoroughfare or right-of-way accordingly.

8. When any Trustee not being a member of a Municipal Council appointed to execute any trust under this Act shall die or be absent from the Colony for more than twelve months or shall resign or refuse or become incapable to act in the trusts or powers reposed in him in relation to the said lands it shall be lawful for the Governor with the advice aforesaid to appoint a new Trustee in his place. Vacancies how supplied.

9. Trustees may frame by-laws regulating their meetings and the conduct of business thereat for the protection of the shrubs trees and herbage growing upon the land vested in them for regulating the use and enjoyment of such lands for the removal of trespassers and other persons causing annoyance or inconvenience thereon and may impose penalties on the breach of any such by-law thereof not in any case to exceed the sum of ten pounds. Provided always that no such by-laws shall be of any force until the same shall be approved by the Governor with the advice aforesaid nor until a copy thereof shall have been posted in some conspicuous place on the said land and been twice published in the *Gazette* for at least one month. Power to make by-laws.

10. Proceedings for the recovery of any penalty imposed for the breach of any such by-law may be taken in a summary way before any Stipendiary or Police Magistrate or before any two Justices at the Court of Petty Sessions nearest to the place where the breach of such by-law was committed and the whole amount of all such penalties shall be paid to the said Trustees for the purposes of their trust. And in any such proceedings the person prosecuting shall not be called upon to prove such by-laws or the boundaries of such public park or place of public recreation convenience health or enjoyment where the complaint is for an offence act committed in such park or place but the production of the *Gazette* containing any proclamation or notification of such by-laws or of such park or place boundaries shall be conclusive evidence thereof and it shall be presumed that such by-laws were duly posted and published until the contrary be shown. Recovery. Application of penalties.

11. Nothing in this Act shall affect the validity of any rules and regulations made under the Act hereby repealed which shall for all purposes of this Act be deemed to have the same force and effect as by-laws duly made hereunder. As to rules and regulations made under the repealed Act.

12. It shall be lawful for any of the Trustees or any ranger or other officer appointed by them to call in the aid of the police for the removal by force if necessary of any person who shall be found committing a breach of any by-law or who shall by disorderly or insulting conduct upon or in the immediate neighbourhood of the lands vested in such Trustees cause annoyance or inconvenience to persons being on the said lands or going to or coming from the same. Aid of police may be called in if necessary.

13. In this Act the word "Trustees" means the Trustees in whom any park or place of public recreation convenience health or enjoyment is vested by law and "Trustee" means any one of such Trustees and the word "Governor" means the Governor acting with the advice of the Executive Council. Interpretation of terms.

14. The Minister for Lands shall be the Minister for the administration of this Act. Minister of this Act.

15. Nothing in this Act shall prevent any prosecution or proceeding under any other Act provided that no person shall be twice punished or proceeded against in respect of the same offence. Prosecution under other Acts.

Public Parks (No. 2).

public highway thoroughfare or private right-of-way shall be extinguished and the title thereto shall vest in the person entitled to the legal estate in the land shall vest in the person entitled to the legal estate in the land traversed or affected by such highway thoroughfare or right-of-way accordingly.

8. When any Trustee not being a member of a Municipal Council appointed to exercise any trust under the Act shall die or be absent from the Colony for more than twelve months or shall resign or refuse or become incapable to act in the trusts or powers reposed in him in relation to the estate it shall be lawful for the Governor with the advice and consent to appoint a new Trustee in his place.

9. Trustees may from time to time regulate their meetings and the conduct of business thereat for the protection of the trusts and the persons growing upon the land vested in them for regulating the use and enjoyment of such lands for the benefit of the public and other persons concerned and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands.

10. Trustees may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands.

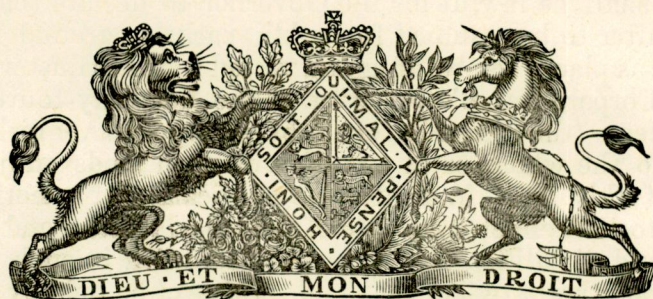
11. Trustees may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands.

12. Trustees may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands.

13. Trustees may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands.

14. Trustees may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands and may from time to time make and alter by-laws for the regulation of the use and enjoyment of such lands.

New South Wales.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. XXII.

An Act for the better Regulation and Protection of Public Parks or places of Public Recreation and of lands dedicated purchased or resumed for Public purposes for bringing certain Lands within the operation of this Act and for other purposes. [Assented to, 31st October, 1884.]

BE it 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 may be cited for all purposes as the "Public Parks Act of 1884" and from and after the passing thereof the Act eighteenth Victoria number thirty-three being the "Public Parks Act of 1854" shall be repealed. Provided that such repeal shall be without prejudice to anything lawfully done or commenced under the authority of the said Act.

Short title and repeal of Public Parks Act of 1854.

2. Subject to the provisions of this Act all Trustees in whom any lands are now vested by virtue of any grant from the Crown for a public park or for the recreation convenience health or enjoyment of the inhabitants of any city town or place and all Trustees appointed by the Governor of lands dedicated to the purposes aforesaid pursuant to the provisions of the Act hereby repealed shall continue to be bodies corporate under their respective corporate names as the same may heretofore have been or may hereafter be prescribed by the Governor and

Continuance of existing Trustees of Parks &c. as bodies corporate.

Public Parks (No. 2).

and shall have perpetual succession and a common seal and shall be competent and liable to sue and be sued by such names in all Courts whatsoever and capable of holding real and personal property and of exercising all powers and authorities conferred on Trustees by this Act.

Power to appoint Trustees.

3. It shall be lawful for the Governor to appoint Trustees of any lands which have been already or may hereafter be dedicated by proclamation or notification in the *Gazette* or purchased for the purposes of public recreation convenience health or enjoyment or which have been used by the public with the acquiescence of Her Majesty for such purposes and such Trustees and their successors shall be a body corporate having all the corporate capacities and liabilities mentioned in the second section of this Act.

As to Parks &c. resumed under the "Lands for Public Purposes Acquisition Act."

4. It shall be lawful for the Governor to declare that any land now or hereafter to be resumed for public parks or grounds for public recreation or as places for bathing and vested in the Minister for Public Works as a Corporation sole by virtue of the Act forty-fourth Victoria number sixteen (the "Lands for Public Purposes Acquisition Act") shall be as to the whole or any portion of such lands subject to the provisions of this Act And after the publication of a notification in the *Gazette* to that effect the estate of the said Minister and all powers authorities and liabilities in connection therewith in such land shall upon the appointment of Trustees under this Act be held by and attach to such Trustees for the purposes mentioned in the *Gazette* notification in the same manner and with the same powers and liabilities as if such land had originally been dedicated under this Act.

Municipal Councils may be appointed Trustees.

5. It shall be lawful for the Governor to appoint the Council of any Borough or Municipal District within the limits of which any land dedicated or granted under the Act hereby repealed or now or hereafter to be resumed for a public park or ground for public recreation under the "Lands for Public Purposes Acquisition Act" or now or hereafter to be purchased for such purposes or to be dedicated under this Act is situated to be the Trustees of such land in their corporate name as such Council and thereupon such Council shall be Trustees of such land for all purposes of this Act.

Estate of Trustees.

6. Trustees shall for all purposes of this Act and of any by-law thereunder be deemed to hold an estate in fee simple in the land for which they were appointed but shall not be capable of alienating charging or in any way disposing of such land or any part thereof Provided always that it shall be lawful for Trustees with the consent of the Minister to lease or grant grazing or other temporary licenses to occupy or use any portion of such land for such purposes on such terms and subject to such conditions as he may approve.

Extinguishment of ways &c.

7. It shall be lawful for the Governor by notification in the *Gazette* to declare that any public highway or thoroughfare public or private or right-of-way on over or affecting any land now or hereafter dedicated as a public park or place of public recreation convenience health or enjoyment or any land purchased for any public purpose or resumed under the "Lands for Public Purposes Acquisition Act" shall be extinguished And after the publication of such notification in the *Gazette* and after the same has been laid before Parliament for a period of thirty days and has not within such period been disallowed by resolution of either House such public highway thoroughfare or private right-of-way shall be extinguished accordingly.

Vacancies how supplied.

8. When any Trustee not being a member of a Municipal Council appointed to execute any trust under this Act shall die or be absent from the Colony for more than twelve months or shall resign or refuse or become incapable to act in the trusts or powers reposed in him it shall be lawful for the Governor to appoint a new Trustee in his place.

Public Parks (No. 2).

9. Trustees may frame by-laws regulating their meetings and the conduct of business thereat for the protection of the shrubs trees and herbage growing upon the land vested in them for regulating the use and enjoyment of such land for the removal of trespassers and other persons causing annoyance or inconvenience thereon and may impose penalties on the breach of any such by-law thereof not in any case to exceed the sum of ten pounds Provided always that no such by-law shall be of any force until the same shall be approved by the Governor nor until a copy thereof shall have been posted in some conspicuous place on the said land and been twice published in the *Gazette*.

Power to make
by-laws.

10. Proceedings for the recovery of any penalty imposed for the breach of any such by-law may be taken in a summary way before any Stipendiary or Police Magistrate or before any two Justices at the Court of Petty Sessions nearest to the place where the breach of such by-law was committed and the whole amount of all such penalties shall be paid to the Trustees for the purposes of their trust And in any such proceedings the person prosecuting shall not be called upon to prove such by-laws or the boundaries of such public park or place of public recreation convenience health or enjoyment where the complaint is for an act committed in such park or place but the production of the *Gazette* containing any proclamation or notification of such by-laws or of such boundaries shall be conclusive evidence thereof and it shall be presumed that such by-laws were duly posted and published until the contrary be shown.

Recovery.
Application of
penalties.

11. Nothing in this Act shall affect the validity of any rules and regulations made under the Act hereby repealed which shall for all purposes of this Act be deemed to have the same force and effect as by-laws duly made hereunder.

As to rules and
regulations made
under the repealed
Act.

12. It shall be lawful for any of the Trustees or any ranger or other officer appointed by them to call in the aid of the police for the removal by force if necessary of any person who shall be found committing a breach of any by-law or who shall by disorderly or insulting conduct upon or in the immediate neighbourhood of the lands vested in such Trustees cause annoyance or inconvenience to persons being on the said lands or going to or coming from the same.

Aid of police may
be called in if
necessary.

13. In this Act the word "Trustees" means the Trustees in whom any park or place of public recreation convenience health or enjoyment is vested by law and "Trustee" means any one of such Trustees and the word "Governor" means the Governor acting with the advice of the Executive Council.

Interpretation of
terms.

14. The Minister for Lands shall be the Minister for the administration of this Act.

Minister of this Act.

15. Nothing in this Act shall prevent any prosecution or proceeding under any other Act provided that no person shall be twice punished or proceeded against in respect of the same offence.

Prosecution under
other Acts.

The first of these is the question of the origin of the human race. It is a question which has been discussed for many years, and has given rise to many different theories. The most common of these is the theory of evolution, which holds that the human race has evolved from a common ancestor. This theory is supported by many facts, and is generally accepted by the scientific community. Another theory is the theory of creation, which holds that the human race was created by God. This theory is also supported by many facts, and is generally accepted by the religious community. The question of the origin of the human race is a complex one, and it is not possible to give a definitive answer at this time.

The second of these is the question of the development of the human race. It is a question which has also been discussed for many years, and has given rise to many different theories. The most common of these is the theory of evolution, which holds that the human race has evolved from a common ancestor. This theory is supported by many facts, and is generally accepted by the scientific community. Another theory is the theory of creation, which holds that the human race was created by God. This theory is also supported by many facts, and is generally accepted by the religious community. The question of the development of the human race is a complex one, and it is not possible to give a definitive answer at this time.

The third of these is the question of the future of the human race. It is a question which has also been discussed for many years, and has given rise to many different theories. The most common of these is the theory of evolution, which holds that the human race has evolved from a common ancestor. This theory is supported by many facts, and is generally accepted by the scientific community. Another theory is the theory of creation, which holds that the human race was created by God. This theory is also supported by many facts, and is generally accepted by the religious community. The question of the future of the human race is a complex one, and it is not possible to give a definitive answer at this time.

The fourth of these is the question of the present of the human race. It is a question which has also been discussed for many years, and has given rise to many different theories. The most common of these is the theory of evolution, which holds that the human race has evolved from a common ancestor. This theory is supported by many facts, and is generally accepted by the scientific community. Another theory is the theory of creation, which holds that the human race was created by God. This theory is also supported by many facts, and is generally accepted by the religious community. The question of the present of the human race is a complex one, and it is not possible to give a definitive answer at this time.

The fifth of these is the question of the past of the human race. It is a question which has also been discussed for many years, and has given rise to many different theories. The most common of these is the theory of evolution, which holds that the human race has evolved from a common ancestor. This theory is supported by many facts, and is generally accepted by the scientific community. Another theory is the theory of creation, which holds that the human race was created by God. This theory is also supported by many facts, and is generally accepted by the religious community. The question of the past of the human race is a complex one, and it is not possible to give a definitive answer at this time.