

ANNO OCTAVO  
GULIELMI IV. REGIS.

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No. I.

SYDNEY SURVEYOR.

An Act for regulating the appointment of the Surveyor of the Town of Sydney and for transferring to other Persons certain powers heretofore vested in the Surveyor General of the Colony of New South Wales and in the Surveyors and Assistant Surveyors of Roads in the said Colony. [28th June, 1837.]

Preamble.

4 Gul. IV. No. 7.

5 Gul. IV. No. 20.

Governor to appoint  
Town Surveyor.

Who shall exercise  
certain powers  
heretofore vested in  
Surveyor General

WHEREAS by an Act of the Governor and Legislative Council of the Colony of New South Wales passed in the fourth year of the reign of His present Majesty intituled "*An Act for regulating the Police of the Town and Port of Sydney and for removing and preventing Nuisances and Obstructions therein*" it is among other things enacted that the Surveyor General of the said Colony for the time being shall appoint one or more fit and proper persons as Surveyor or Surveyors of the said Town subject to the approbation of the Governor and whereas by the said Act as also by another Act of the said Governor and Council passed in the fifth year of the reign of His said Majesty intituled "*An Act for better regulating the alignment of Streets in the Town of Sydney*" certain duties powers and indemnities set forth in the said two several Acts are imposed and conferred upon the Town Surveyor so appointed by the Surveyor General under the provisions of the said first recited Act and whereas it is expedient to amend the said first recited Act so far as relates to the mode of appointing the said Town Surveyor Be it therefore enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council thereof That from and after the passing of this Act it shall be lawful for the Governor of New South Wales for the time-being to appoint one or more fit and proper person or persons to be Surveyor or Surveyors of the said Town of Sydney and all the duties powers and indemnities imposed and conferred by the said two recited Acts upon the Town Surveyor or Surveyors appointed by the Surveyor General under the provisions of the said first recited Act shall be henceforth imposed and conferred upon the person or persons appointed or to be appointed by the said Governor to be Surveyor or Surveyors of the said Town of Sydney under the provisions of this Act.

2. And whereas by the said before recited Acts certain duties powers and indemnities are imposed and conferred upon the Surveyor General of New South Wales and his assistants and on the persons appointed by him and it is expedient to amend the same Be it enacted That the said duties powers and indemnities shall be imposed and conferred on the Surveyor or Surveyors of the Town of Sydney appointed

*Sydney Surveyor.*

appointed under the provisions of this Act and on any person or persons appointed by or serving under him or them.

3. And whereas by an Act of the said Governor and Council passed in the fourth year of the reign of his said Majesty intituled *"An Act for making altering and improving the Roads throughout the Colony of New South Wales and for making and opening the Streets in the Towns thereof"* among other things certain powers and authorities are given to the said Surveyor General for opening altering and improving the streets of Sydney and certain indemnities for all acts done by virtue of the said Act and it is expedient to amend the same Be it therefore enacted That from and after the passing of this Act the said powers and authorities and the said indemnities so far as regards any acts to be done by virtue of the powers and authorities hereby transferred shall be vested in and exercised by the Surveyor or Surveyors of the Town of Sydney appointed under the provisions of this Act.

As also certain other powers vested in Surveyor General by 4 Gul. IV. No. 11.

4. And whereas by the said before recited Act passed in the fourth year of the reign of his said Majesty intituled *"An Act for making altering and improving the Roads throughout the Colony of New South Wales and for opening and improving the Streets in the Towns thereof"* certain further duties powers and indemnities are imposed and conferred upon the said Surveyor General and his assistants and it is expedient to amend the same Be it therefore enacted That from and after the passing of this Act all the said duties powers and indemnities so imposed and conferred upon the said Surveyor General and his assistants by the said Act shall be imposed and conferred upon the officer commanding the Royal Engineers in New South Wales and his assistants or upon such other person or persons as shall be duly appointed by the Governor of the said Colony to the charge of tracing laying out making repairing or fencing of any road or roads or to the charge of constructing or repairing any bridges in the said Colony or to any other duties set forth in the said last recited Act.

Certain powers conferred by 4 Gul. IV. No. 11 upon Surveyor General henceforth vested in Royal Engineer Commanding.

5. And whereas by a certain other Act of the said Governor and Council passed in the third year of the reign of His said Majesty intituled *"An Act to consolidate and amend the Laws for the transportation and punishment of Offenders in New South Wales and for defining the respective powers and authorities of General Quarter Sessions and of Petty Sessions and for determining the places at which the same shall be holden and for better regulating the summary jurisdiction of Justices of the Peace and for repealing certain Laws and Ordinances relating thereto"* it is amongst other things enacted that any Surveyor or Assistant Surveyor of Roads being an officer in the Surveyor General's Department and duly appointed by writing under the hand of the Governor in this behalf should have authority to hold a Court and exercise certain summary powers at the place where any ironed gang or road party shall be stationed and it is expedient to extend the said powers as hereinafter mentioned Be it therefore enacted That any Assistant Engineer or Superintendent of any ironed gang or of convicts employed upon the roads or public works duly appointed by writing under the hand of the Governor in this behalf shall have and exercise the powers and authorities heretofore conferred by such writing upon any Surveyor or Assistant Surveyor of Roads being an officer of the Surveyor General's Department under and by virtue of the said last recited Act.

3 Gul. IV. No. 3 s. 28.

Assistant Engineers and Superintendents of ironed gangs to have summary jurisdiction over convicts employed upon public works.