

No. VI.

HYDE PARK PARTIAL
ENCLOSURE.

An Act to authorize the enclosure of the Public Road running through Hyde Park in the City of Sydney known as a continuation of Macquarie-street and for other purposes relating thereto. [4th December, 1851.]

Preamble.

The portions of Macquarie street running through Hyde Park to be enclosed.

WHEREAS it is expedient that the parts hereinafter described of the road or street known as Macquarie-street in the City of Sydney should be stopped as a public highway and that the same should be enclosed with and form part of the Domain or reserve for public health and recreation known as Hyde Park and that other improvements should be made in the said Park Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That it shall be lawful for the Surveyor General of the said Colony to cause to be enclosed with the now separated portions of the said Domain known as Hyde Park so as to unite the parts thereof now separated by the said street all that part of the road or street forming a continuation or part of the street known as Macquarie-street in the City of Sydney commencing at the northern end of the said Domain and running through the same to the northern side line of the street or road in continuation of the street known as Park-street and also all that other part of the said street or continuation of the street known as Macquarie-street commencing at the southern side line of the said street known as Park-street or the continuation thereof and running through the said Domain to the southern extremity thereof and that from and after the enclosure thereof as aforesaid the said several parts of the said street or road forming continuations or parts of Macquarie-street aforesaid shall cease to be or to be used or enjoyed as parts of the streets or highways of the said City and shall thenceforth be and form parts of the said Domain or reserve for public health and recreation.

Surveyor General may cause certain streets surrounding Hyde Park to be widened.

2. And be it enacted That it shall be lawful for the Surveyor General if at any time or times so directed by the Governor to cause the several streets or roads around the said Park or either of them to be widened by cutting off and adding to the same a space of not exceeding twenty feet in width from the Park next to their boundaries respectively or by adding the existing footpaths to the carriage-ways and forming adjacent footpaths within the enclosure of the Park and it shall also be lawful for the Surveyor General if at any time so directed as aforesaid to open a road at the north-western end of the Park to lead from Macquarie-street to Elizabeth-street and to correspond as near as conveniently may be with the road at the north-eastern end or part of the said Park and also by the like direction to enclose the whole or any part of the open space adjoining the Park in front of the building now known as the Immigrants' Barracks and not encroaching on the line of Macquarie-street or of the road now running along the north-eastern boundary of the Park and also by the like direction to enclose the whole or any part of the space which will intervene between the said intended new road and the land occupied by and with the Supreme Court House and St. James' Church.

Penalty for injuring or destroying fences &c.

3. And be it enacted That any person who shall maliciously or wantonly destroy or injure or endeavour to destroy or injure any of the fences or any other wood or iron work of or in the said Domain or any

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any tree or shrub there growing or shall offend against decency or conduct himself in a riotous turbulent or disorderly manner in any part of the said Domain or shall obstruct any overseer park-keeper or workman therein in the performance of his duty shall be liable to a fine of not less than five shillings nor more than five pounds to be imposed and recovered as hereinafter mentioned and if found committing any of the said offences the person so offending may be apprehended by any constable or by any such overseer or park-keeper and conveyed before some Justice of the Peace to be dealt with according to law.

4. And be it enacted That every such offence may be inquired Mode of proceeding. of and determined and every fine in respect thereof be imposed in a summary way by any Justice of the Peace and without any formal information in writing in that behalf and payment thereof be enforced or in default such term of imprisonment in lieu be awarded as by any law now is or shall be provided in respect of fines for offences imposed in a summary way by Justices of the Peace and upon the hearing of any such charge the person preferring the same shall be a competent witness and one moiety of every such fine as aforesaid shall go and be paid to Her Majesty for the public uses of the Colony and in support of the Government thereof and shall be applied in such manner as may from time to time be directed by any Acts of the said Governor and Legislative Council and the other moiety thereof to the use of the informer or party prosecuting.
