

No. XI.

An Act to authorize the resumption and rededication of Ham Common. [23rd *March, 1871.*]

HAM COMMON
RESUMPTION.

WHEREAS by grant under the Great Seal of the Colony bearing Preamble. date the eleventh day of August one thousand eight hundred and four the land therein described was granted to the trustees therein named as a Common for depasturing the cattle and other stock belonging to the settlers and cultivators holding grants or leases within the District of Richmond Hill. And whereas in a second grant under the Great Seal of the Colony bearing date the thirtieth day of September one thousand eight hundred and fifty-one it is recited that the said first-mentioned grant was deemed insufficient in law for the purposes of securing and regulating the rights of Common intended to be thereby granted

Ham Common Resumption.

granted and it is in the said grant erroneously recited that the land in the first-mentioned grant described was allotted as Common land for the use of the settlers cultivators and other inhabitants of the township of Richmond in the parishes of Saint Matthew and Ham in the county of Cumberland. And whereas by the said second grant the land therein described was granted unto the Trustees therein named and their successors as a Common to permit the use and benefit of the same to the settlers cultivators and other inhabitants for the time-being of the said township of Richmond. And whereas it is desirable that the error contained in such second grant should be rectified and the land therein described and intended to be thereby granted should be resumed by the Crown for the purpose of rededication upon the trusts and for the purposes as nearly as practicable which were declared by the said first-mentioned grant. 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:—

Resumption of
Ham Common.

Governor to re-
dedicate same.

1. Upon the passing of this Act the land described in the Schedule shall be resumed by and revested in Her Majesty Her Heirs and Successors as fully and effectually as if the same had never been dedicated or granted by the Crown as a Common. And all trusts declared or created by either of the instruments hereinbefore recited and all rights-of-way or other easements over the said land or any part thereof are hereby extinguished.

2. It shall be lawful for the Governor in Council to cause a grant of the said land to be issued vesting the same in Trustees to be by him appointed as a Common for the use of the settlers cultivators and residents of the district formerly known as Richmond Hill and the townships of Windsor and Richmond respectively and all lawful acts done or purporting to be done and all leases granted by the Trustees of the Common hereby resumed by the Crown shall so far as the same are not inconsistent with the purposes of this Act be and continue as valid and effectual in law as if this Act had not been passed and shall be equally binding upon the Trustees of the said Common appointed under this Act and all moneys in the hands of the Trustees of the said Common at the time of the passing of this Act received or recovered by them in pursuance of the provisions of the Act eleventh Victoria number thirty-one shall be by them handed over to the Trustees appointed under this Act and shall be held and disposed of by them as by law directed.

SCHEDULE.

ALL that piece or parcel of land situated in the county of Cumberland parishes of Saint Matthew and Ham containing by admeasurement six thousand and six acres be the same more or less commencing at the west corner of D. M'Arty's forty acres and bounded first on the south by a line bearing west twelve degrees north to the village of Little Richmond dividing it from various grants then on the north-west by the south-east boundary-line of the village of Little Richmond bearing north forty degrees east then on the south-west by the north-east boundary-line of that village bearing north fifty degrees west then on the south-east by the north-west boundary-line of that village bearing south forty degrees west to the northern boundary-line of William Minchin's two hundred acres then again on the south by that boundary-line bearing west twelve degrees north to Yellow Mundy Lagoon thence on the west by Yellow Mundy Lagoon to the southern corner of Charles Webb's one hundred acres then again on the north-west by Charles Webb's one hundred acres bearing north fifty-four degrees east to a reserved road thence across that road to the south-east corner of Thomas M. Pitt's one hundred acres and thence by the following farms bearing north forty degrees east (namely:—Thomas M. Pitt's one hundred acres Mary Pitt's one hundred acres Thomas Spence's one hundred acres and William Small's one hundred acres) to the western corner of the township of Richmond then on the north-east by the south-west boundary of that township bearing east forty degrees south eighty-one chains seventy-five links then

Certain Unclaimed Balances Appropriation.

then again on the north-west by the south-east boundary of that town bearing north thirty-eight degrees twenty minutes east fifty-five chains twenty-seven links to the south-west side of Paget-street then on the north-east by a line bearing east nineteen degrees south twenty-two chains then on the north-west by a line bearing north nineteen degrees to Richard Dalton's one hundred acres then on the north by the southern boundary-lines of Richard Dalton's one hundred acres of Thomas Arkell's one hundred acres and John Earl's one hundred acres bearing east twenty degrees north to the south-west corner of G. W. Evans' five hundred and nineteen acres and thence by the southern boundaries of that land of W. and J. Cox's two hundred acres and of Robert Forrester's seventy acres then on the east by Wm. Naish's one hundred and eight acres bearing south then on the north-east by Wm. Ezzy's one hundred and thirty acres bearing south thirty-two degrees east to the glebe land then on the south-east by the glebe land bearing west thirty-seven degrees south then again on the north-east by the glebe land bearing east forty degrees south then again on the north-west by the glebe land bearing north thirty-four degrees east to a point where the south-west boundary-line of the Benevolent Asylum land prolonged would meet the glebe land then again on the north-east by a line to the west corner of the Benevolent Asylum land and thence by its south-west boundary-line bearing east thirty-three degrees thirty minutes south then again on the north-west by the south-east boundary-line of that land bearing north thirty-three degrees thirty minutes east to the south-west police boundary of the town of Windsor, then again on the north-east by that police boundary-line bearing east thirty-four degrees south then again on the north by the south police boundary-line of that town bearing east to Thomas Cross' thirty acres then again on the east by part of the west boundary-line of that farm and by John Burn's thirty acres then again on the south by part of Jacob Russell's thirty acres then again on the east by Russell's land then again on the north by part of that land to the north-west corner of Edward Johnston's twenty-five acres then again on the north-east by Edward Johnston's twenty-five acres and by Charles King's thirty acres bearing south twenty degrees east then by Richard Ridge's fifty acres and by J. Podgett's thirty acres bearing south twenty-eight degrees east then by thirty acres of land granted to Edward Perkins in the year one thousand seven hundred and ninety-four (but since cancelled) then again on the south-east by Luar's or Freeman's grant bearing south-westerly then again on the north-east by that grant bearing south thirty degrees east to D. M'Arty's forty acres and then again on the south-east by D. M'Arty's forty acres bearing west thirty degrees south to the point of commencement (advertised as number forty-one in the Government notice, dated 11th July, 1850).
