

## No. XXII.

An Act to authorize the resumption of certain portions of land situate in the parish of Newcastle and county of Northumberland for the purpose of enabling the Government to arrest as far as possible the further deposit of sand thereon and to reclaim for public purposes and dispose of the said lands as hereinafter provided. [14th October, 1886.]

NEWCASTLE SAND-DRIFT RECLAMATION.

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 as the "Newcastle Sand-drift Reclamation Act" and in its construction the word "Governor" except as appearing in the fifth section of this Act shall mean the "Governor with the advice of the Executive Council" and the words "Principal Act" shall mean the Act forty-fourth Victoria number sixteen as amended by the Act forty-fifth Victoria number twenty-six.

Short title.  
Construction.

2. For the purpose of arresting as far as possible the further deposit of sand upon the lands respectively described in Schedules A B C D and E of this Act and to enable the said lands to be reclaimed it shall be lawful for the Governor to resume the said lands or any part thereof in the same manner and subject to the same provisions and conditions as lands may be resumed for public purposes under the Principal Act and such reclamation shall be deemed to be a public work and undertaking within the meaning of the said Principal Act and such Act shall for all purposes apply to the said lands and to the resumption thereof except that the lands so resumed shall vest in the Secretary for Mines.

Power to resume for purposes of Act lands described in Schedules A B C D and E.

3. The said resumption shall not have the effect of passing any estate or interest in or right to any coal or other mineral under the surface of the land resumed and the persons entitled to mine for any such mineral under the surface of such land shall not be prejudiced or affected in respect of their right so to mine by reason of anything contained in this Act or in the Principal Act.

Qualified effect of resumption.

4. The said lands when reclaimed may be sold or leased by public auction for such price or yearly rent and subject to such terms and conditions as the Governor may determine. Provided always that it shall be lawful for the Governor to set apart any portion of the said lands not exceeding one-fourth part thereof as a reserve for public recreation or for any other public purpose.

Disposal of resumed lands.

5. The Colonial Treasurer shall by virtue of warrants of the Governor under his hand (which he is hereby authorized to issue) pay out of the Consolidated Revenue Fund such sums of money as shall be found necessary to provide compensation moneys for lands resumed under this Act. Provided always that the proceeds of sale of any portion of such resumed lands and the rents and profits derived from the leasing of any portion of such lands or buildings erected thereon shall be paid over to the said Treasurer and be by him carried to the credit of the Consolidated Revenue Fund.

Compensation for lands resumed and disposal of proceeds &amp;c.

**SCHEDULES.****SCHEDULE A.***Description.*

Nineteen acres one rood twenty-one perches county of Northumberland parish of Newcastle portion two hundred and fifty-five. Commencing at a point bearing north twenty-eight degrees six minutes east one chain twenty-three and a half links from the north-eastern corner of portion two hundred and fifty-six and bounded thence on the south by Macquarie-street bearing south eighty-two degrees ten minutes west fourteen chains and one link on the west by a line bearing north five minutes west six chains and thirty-seven links on the north-west by a line bearing north thirty-five degrees twelve minutes east twelve chains and fifty seven links on the north-east by Dumaresque-street bearing south sixty-one degrees forty-seven minutes east twelve chains and eighty links and on the south-east by Darby-street bearing south twenty-eight degrees six minutes west nine chains and eighty-six links to the point of commencement.

**SCHEDULE B.***Description.*

Five acres three roods thirty-five perches county of Northumberland parish of Newcastle portion two hundred and fifty-six. Commencing at a point bearing south eighty-nine degrees fifty-five minutes west fifty-seven links from the north-western corner of portion two hundred and fifty-eight and bounded thence on the south by a line bearing south eighty-nine degrees fifty-five minutes west ten chains on the west by a line bearing north five minutes west four chains thirty-five links on the north by Macquarie-street bearing north eighty-two degrees ten minutes east thirteen chains and forty-three links and on the south-east by Darby-street bearing south twenty-eight degrees six minutes east seven chains to the point of commencement.

**SCHEDULE C.***Description.*

Forty-one acres one rood thirteen perches county of Northumberland parish of Newcastle portion two hundred and fifty-seven. Commencing on the south-eastern side of the building-line of Darby-street at its intersection by the south-easterly prolongation of the south-western side of the building-line of Parry-street and bounded thence on the north-east south-east north-east south-east and north-east by lines bearing respectively south sixty-one degrees forty-seven minutes east two chains and seventy-five links south twenty-eight degrees six minutes west twelve chains and fifty links south sixty-one degrees fifty-four minutes east eleven chains and twenty links south twenty-eight degrees six minutes west nine chains south sixty-one degrees fifty-four minutes east two chains and fifty links south seventeen degrees twenty-two minutes east eight chains and fifty-eight links on the south by the northern boundary of portion two hundred and fifty-eight bearing south eighty-nine degrees fifty-five minutes west twenty-five chains and sixty links on part of the north-west by Darby-street bearing north twenty-eight degrees six minutes east thirty chains and sixty links on the remainder of the north-east part of the north-west and the south-west by the south-western south-eastern and north-eastern boundaries of portion two hundred and fifty-nine bearing respectively south sixty-one degrees fifty-four minutes east two chains and fifty links north twenty-eight degrees six minutes east one chain and north sixty-one degrees fifty-four minute west two chains and fifty links and on the remainder of the north-west by Darby-street bearing north twenty-eight degrees six minutes east eight chains to the point of commencement.

**SCHEDULE D.***Description.*

Twenty-six acres county of Northumberland parish of Newcastle portion two hundred and fifty-eight. Commencing at the easternmost corner of portion two hundred and fifty-seven and bounded thence on the north by the southern boundary of that portion and a line in all bearing south eighty-nine degrees fifty-five minutes west twenty-six chains and twenty-six links on the west by a line bearing south eight degrees eight minutes east twenty-one chains and fifty links on the south-west by lines bearing respectively north forty-one degrees twenty-five minutes east fifteen chains and north fifty-five degrees forty minutes east sixteen chains and ten links and on the east by a line bearing north five minutes west one chain to the point of commencement.

**SCHEDULE E.**

*Vine Diseases.*

## SCHEDULE E.

*Description.*

One rood county of Northumberland parish of Newcastle portion two hundred and fifty-nine Commencing at a point bearing south twenty-eight degrees six minutes west eight chains from the northernmost corner of portion two hundred and fifty-seven and bounded thence on the north-east by a south-western boundary of that portion bearing south sixty-one degrees fifty-four minutes east two chains and fifty links on the south-east by a north-western boundary of portion two hundred and fifty-seven aforesaid bearing south twenty-eight degrees six minutes west one chain on the south-west by a north-eastern boundary of the same portion bearing north sixty-one degrees fifty-four minutes west two chains and fifty links and on the north-west by Darby-street bearing north twenty-eight degrees six minutes east one chain to the point of commencement.

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