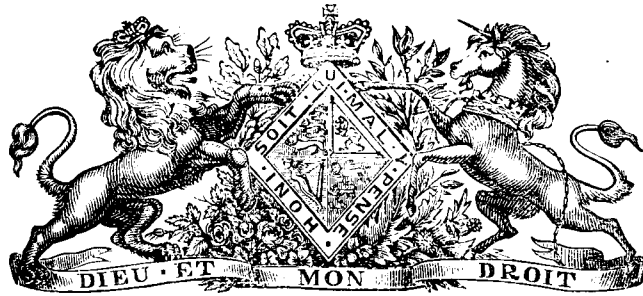


New South Wales.



ANNO QUINQUAGESIMO QUINTO

VICTORIÆ REGINÆ.

An Act to enable “Mort’s Dock and Engineering Company (Limited)” to close portions of certain streets at Mort Bay in the Borough of Balmain, being the north-east end of College-street and the north-east end of Trouton-street, and to establish a new street in lieu thereof. [21st November, 1891.]

MORT’S DOCK AND
ENGINEERING
COMPANY (LIMITED)
ENABLING.
—

WHEREAS “Mort’s Dock and Engineering Company (Limited),” ^{Preamble.}
a duly registered Company carrying on business at the head of Waterview or Mort Bay, Balmain, near Sydney, is seised in fee of certain lands on which the works of the said Company are carried on, including the piece or parcel of land mentioned and described in Schedule A hereto. And whereas the several pieces or parcels of land respectively mentioned and described in Schedule B hereto, being portions of certain roads or streets within the Borough of Balmain, known respectively as College-street and Trouton-street, are now in use as roads or streets leading to public wharves and to the shores of the said bay. And whereas the said portions of the said roads or streets now meet at right angles, and divide the said lands of the said Company, and interfere to some extent with the free and profitable use and enjoyment of the said lands, and the extension of the works and of the dock accommodation of the said Company. And whereas it would be of great advantage and convenience to the said
a Company

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Company for the purpose of extending their works and affording further and improved dock accommodation of great public utility, that they should be enabled to close up and have the exclusive use and possession of the said portions of the said roads or streets described in Schedule B hereto. And whereas the closing of the said portions of the said roads or streets would not create any public loss, disadvantage, or inconvenience, if the angle formed by the junction of the said portions of the said roads or streets were cut off, and a new and more direct road or street, from College-street to Trouton-street aforesaid, through and over the lands of the said Company, were substituted in lieu of the portions so closed. And whereas the said piece or parcel of land described in Schedule A hereto, being portion of the lands of the said Company, is situate between College and Trouton streets aforesaid, and would form a shorter and more convenient means of access from College-street to Trouton-street aforesaid, and thence to the said public wharves and to the shores of the said bay, and would also afford greater facilities for drainage and other purposes. And whereas the Borough Council of Balmain as custodian of the said roads and streets is willing to consent to the said portions of College and Trouton Streets aforesaid described in Schedule B hereto being closed, and the soil thereof vested in the said Company upon the said Company dedicating to the public and undertaking to form as a road or street the said piece or parcel of land described in Schedule A hereto. And whereas the said Company is ready and willing to substitute, dedicate, and form as a road or street the said lastmentioned piece or parcel of land in lieu of the said portions of College and Trouton Streets aforesaid, upon being permitted to close up and have the exclusive use and possession of the said pieces or parcels of land described in Schedule B hereto. And whereas it is greatly for the benefit of the public that every facility should be given for the extension and improvement of the works, and of the dock accommodation, of the said Company. And whereas an Act of the Legislature is necessary for enabling and authorizing the said Company to close up the said portions of College and Trouton Streets aforesaid described in Schedule B hereto, and to have the soil and the exclusive use and possession of such portions of the said streets as aforesaid vested in the said Company: 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:—

On dedication of land in Schedule A and land in Schedule B to vest in Company, and existing road over same closed.

1. From and after the passing of this Act it shall be lawful for the said "Mort's Dock and Engineering Company (Limited)," upon dedicating the piece or parcel of land described in Schedule A hereto for the use and for the purpose of a public road or street, to close up and have the exclusive use and possession of the pieces or parcels of land described in Schedule B hereto, and to prevent all persons from coming or passing along or in any way using the same, and the said pieces or parcels of land shall thereupon become, remain, and be vested in the said "Mort's Dock and Engineering Company (Limited)" for an estate in fee simple free from all rights, easements, and privileges of any person or body corporate then previously existing or claimed in, upon, or with respect to such pieces or parcels of land.

On dedication of land in Schedule A same to be a public road.

2. Immediately upon and from and after such dedication as aforesaid of the said piece or parcel of land described in Schedule A hereto, the same shall be and remain for ever, independently of user or non-user for such purposes, a public road and street, and the sole control and management of the same shall be in and with the persons, or body corporate, for the time being having the control and management of the roads, ways, and streets in the district in and of which such piece or parcel of land shall form part.

3.

Mort's Dock and Engineering Company (Limited) Enabling.

3. The said Company shall, before closing up either portion of the roads or streets hereinbefore mentioned and described in Schedule B hereto, form, make, and complete as a road or street with foot-paths, kerbs, and gutters, to the satisfaction of the Borough Council of Balmain, the piece or parcel of land described in Schedule A hereto in substitution for and in lieu of such portions of the said roads or streets as aforesaid. Company to form road.

4. If any action, or suit, or other legal proceedings shall be instituted or taken by any person or body corporate against the said Company after the dedication by the said Company of the said piece or parcel of land as aforesaid in respect of the said pieces or parcels of land described in Schedule B hereto, or of any right, easement, or privilege in respect thereof, it shall be lawful for the said Company and their assigns to plead the general issue, and give this Act in evidence thereunder. Company may plead general issue to any proceeding.

5. This Act may be cited as the "Mort's Dock and Engineering Company (Limited) Enabling Act of 1891." Short title.

SCHEDULES.

SCHEDULE A.

All that piece or parcel of land situate in the borough of Balmain, parish of Petersham, county of Cumberland, and Colony of New South Wales, being portion of the land of the said Company lying between College and Trouton Streets in the said borough, containing by admeasurement twenty-one perches, more or less: Commencing at a point in the south-eastern boundary-line of College-street aforesaid, one hundred and ninety feet from the junction of that street on its south-eastern side with Cameron-street; and bounded thence on the south-east by a line bearing north-easterly two hundred and twenty-one feet to the south-west boundary-line of Trouton-street aforesaid; thence by that line bearing north-westerly thirty-seven feet to a point in that line; thence by a line bearing south-westerly one hundred and thirty-five feet to the south-east boundary-line of College-street; and thence by that line bearing south-westerly seventy-eight feet, to the point of commencement.

SCHEDULE B.

All those pieces or parcels of land situate in the Borough of Balmain, parish of Petersham, county of Cumberland, and Colony of New South Wales, being portions of College and Trouton Streets respectively in the said borough, containing by admeasurement thirty perches, more or less: Commencing at a point on the north-western boundary-line of College-street aforesaid, one hundred and ninety-six feet from the junction of that street on its north-western side with Cameron-street; and bounded on the north-west by a portion of the north-west boundary-line of College-street aforesaid bearing north-easterly two hundred and twenty-three feet to its junction with the north-east boundary-line of Trouton-street aforesaid; thence by that line bearing south-easterly one hundred and sixteen feet six inches to a point in that line; thence by a line bearing westerly and south-westerly twenty-five feet in a curve, and twenty feet straight, to the south-western boundary-line of Trouton-street aforesaid; thence by that line bearing north-westerly fifty-eight feet to its junction with the south-east boundary-line of College-street aforesaid; thence by that line bearing south-westerly one hundred and twenty-two feet to a point in that line; and thence by a line bearing south-westerly seventy-eight feet, to the point of commencement.