

No. III.

EAST MAITLAND
PUBLIC RESERVE.

An Act for vesting in the Municipal Council of East Maitland the Land known as the East Maitland Pasturage Reserve. [14th July, 1875.]

Preamble.

WHEREAS by a certain deed poll or land grant dated the twenty-seventh day of February in the year one thousand eight hundred and sixty-four under the hand of His Excellency Sir John Young then being Governor General of the Colony of New South Wales and sealed with the public seal of the said Colony certain lands described in the Schedule hereto were under the provisions of the "Crown Lands Alienation Act of 1861" granted unto Alexander Dodds Joseph Chambers Enoch Cobcroft James M'Laughlin and Joseph O'Meagher and their successors as a body corporate with perpetual succession under the name of the Trustees of the East Maitland Pasturage Reserve subject to the several and respective reservations set forth in the said land grant and hereinafter mentioned to hold unto the said Trustees and their successors as a body corporate created under the provisions of the Act of the eighteenth Victoria number thirty-three called the "Public Parks Act of 1854" with perpetual succession under the name of the Trustees of East Maitland Pasturage Reserve as and for

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a public and common pasturage for the convenience of the inhabitants of the Town of East Maitland and for such other purposes of public recreation convenience health and enjoyment of the said inhabitants as to the said Trustees should seem best subject to the reservation to Her Majesty her heirs and successors of all such parts and so much of the said land as might thereafter be required for public ways canals and railroads in over and through the same and to be set out by the Governor for the time being of the said Colony or by any person lawfully authorized in that behalf and also reserving unto Her Majesty her heirs and successors the right of taking and removing all stone gravel and indigenous timber and all other materials being the produce of the same land which might be required at any time for the construction and repair of ways roads railroads or bridges or any fences embankments sewers or drains necessary for the same and all indigenous timber which might be required for naval purposes or for public works And also saving and reserving unto Her Majesty her heirs and successors and her and their lessee or lessees all mines of gold and silver and of coals and other minerals with full and free liberty and power to search for dig and take away the same And also saving and reserving unto Her Majesty her heirs and successors and her and their lessee or lessees and to all persons authorized by the Governor for the time being of the said Colony in that behalf full and free ingress egress and regress for all the purposes aforesaid on the said land and any and every part thereof And also saving and reserving unto Her Majesty her heirs and successors and her and their lessee or lessees and every person authorized by the Governor for the time being of the said Colony in that behalf full and free right and liberty to search for dig and carry away the products of all mines of gold silver or coal or other minerals in upon or under the surface of the said land with full and complete power and authority to appropriate and have the exclusive use and enjoyment during the currency of any mining lease or license which might be granted by Her Majesty her heirs or successors to dig or work for such gold silver or coal or any other minerals of such portion or portions of the said lands not exceeding in the whole thirty-three acres thereof for the purpose of erecting thereon such mining works as the Governor for the time being of the said Colony should at the time of the granting of any such lease or leases license or licenses and from time to time upon the granting of every such lease or leases license or licenses declare to be requisite and necessary for the erection of mining works as aforesaid And whereas in or about the month of April in the year one thousand eight hundred and seventy-one the said Joseph O'Meagher one of the aforesaid Trustees died and Edward Sparke was thereupon afterwards appointed by the Governor for the time being of the said Colony by virtue of the authority vested in him by the last-mentioned Act to be a Trustee of the said East Maitland Pasturage Reserve as successor to and in room of the said Joseph O'Meagher deceased And the said appointment was notified in the *Gazette* dated the twenty-ninth day of September in the year one thousand eight hundred and seventy-one And the said land and reserve thereupon became vested in the said Edward Sparke together with the other surviving Trustees aforesaid And whereas certain portions of the said reserve have been used and appropriated for other purposes than those expressly limited and appointed in and by the aforesaid land grant and doubts have arisen whether the said grant has not become thereby forfeited And whereas it would be of great public benefit to the aforesaid inhabitants of the Town of East Maitland to vest the said land and reserve in the Municipal Council of the said town to hold manage and protect the said land for purposes

Joseph O'Meagher
died and
Edward Sparke
appointed Trustee in
his room.

of

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of pasturage or of public recreation convenience health and enjoyment or for the interment of the dead or for any other public purpose beneficial to the said inhabitants. 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 in this present Parliament assembled and by the authority of the same as follows (that is to say)—

The East Maitland Pasturage Reserve is hereby vested in the Municipal Council of East Maitland.

1. From and after the passing of this Act all the land described in the Schedule hereto and in the said land grant and called the East Maitland Pasturage Reserve and which was vested in the aforesaid Trustees by the said land grant shall be and the same is hereby vested in the Municipal Council of East Maitland subject to the several reservations in the said land grant set forth and hereinbefore mentioned to hold manage and protect the said reserve and land for the purposes of a public and common pasturage and of public recreation convenience health and enjoyment and for the interment of the dead and for any other purposes for the benefit of the Inhabitants of the Town of East Maitland for ever.

Municipal Council to have all the powers and authority vested in Trustees by the "Public Parks Act of 1854."

2. The Municipal Council shall and may have and exercise all the powers and authority vested in Trustees by the Act eighteenth Victoria number thirty-three called the "Public Parks Act of 1854" in respect to the said reserve and land.

Title.

3. This Act may be cited as the "East Maitland Public Reserve Act."

SCHEDULE.

All that piece or parcel of land in the said Colony containing by admeasurement six hundred and four acres be the same more or less situated in the county of Northumberland and parish of Maitland at Maitland (East) Commencing at the north-western corner of E. C. Close's five hundred and sixty acres and bounded thence on the north by the southern boundary-line of E. C. Close's two thousand and fifty acres bearing west eighty chains to the eastern boundary-line of the Municipality of East Maitland on the west by part of that boundary-line bearing south seventeen chains to a point distant one chain and fifty links due west from the north-western corner of the reserve for racecourse and public recreation thence on the south by a line bearing east to that corner and by the northern boundary-line of that reserve bearing east forty-one chains and sixty links again on the west by the eastern boundary-line of that reserve bearing south twenty-five chains and sixty links on the north-west by the south-eastern boundary-line of that reserve bearing south sixty-eight degrees thirty minutes west twenty-six chains and twenty links to the road from Maitland to Raymond Terrace and by that road south-easterly to the western corner of the General Cemetery on the south-east by the north-western boundary of that cemetery being lines bearing north sixty-five degrees east five chains and sixty links and north seventy-eight degrees east eleven chains and south seventy-four degrees east one chain and eighty links to the road from the coal-pits to Morpeth thence by a line crossing that road bearing south seventy-four degrees east one chain thence by that road bearing south fifteen and a-half degrees west eleven chains and sixty links to the Maitland and Raymond Terrace Road and thence by that road bearing south fifty-five degrees east thirty-three chains eighty links thence again on the north-west by a line forming partly the south-eastern boundary of that cemetery (crossing the road aforesaid from Maitland to Raymond Terrace) bearing south thirty-five degrees west five chains on the north-east by lines forming the south-western boundaries of that cemetery bearing north fifty-five degrees west thirty-three chains fifty links and thence crossing the aforesaid road from the coal-pits to the Morpeth Road by the south-western boundary of the General Cemetery being a curved line parallel with the railway line about twenty-five chains to the south-western corner of the General Cemetery thence again on the south-east by a line forming partly the north-western boundary of that cemetery bearing north thirteen and one-half degrees east five chains crossing the road aforesaid from Maitland to Raymond Terrace thence again on the north-east by the north-eastern side of that road north-westerly to the eastern boundary of the Municipality of East Maitland aforesaid again on the west by part of that boundary bearing south to the north-western corner of J. F. Wickham's six hundred and forty acres again on the south by the northern boundary of that land bearing east eighty chains to the western boundary of Joseph Moore's two thousand five hundred

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hundred and sixty acres on the east by part of that boundary and the western boundary of E. C. Close's five hundred and sixty acres northerly to the north-western corner of that five hundred and sixty acres aforesaid thence by a line bearing south thirty-six degrees thirty minutes west five chains and nineteen links and one-half of a link to the north-eastern corner of the West Maitland Volunteer Rifle Range again on the south-west by the north-eastern boundary-line of that range bearing north fifty-four degrees west four chains and fifty-four and one-half links again on the south-east by the north-western boundary-line of that range bearing south thirty-six degrees west forty-five chains and eighty-six links again on the north-east by the south-western boundaries of that range and the Maitland and Morpeth Volunteer Rifle Range being a line bearing south fifty-four degrees east six chains and six links again on the north-west by the south-eastern boundary of the Maitland and Morpeth Volunteer Rifle Range bearing north thirty-six degrees east forty-five chains and eighty-six links again on the south-west by the north-eastern boundary of the Maitland and Morpeth Volunteer Rifle Range bearing north fifty-four degrees west one chain and fifty-one and one-half links to the north-eastern corner of the West Maitland Volunteer Rifle Range aforesaid thence by a line bearing about west five degrees south thirty-four chains to the north-eastern corner of the burial-ground for Pagans &c. again on the west by the eastern boundary-line of that burial-ground bearing south two chains and twenty-five links again on the north by the southern boundary-line of that burial-ground bearing west two chains and twenty-five links again on the east by the western boundary-line of that burial-ground and bearing north two chains and twenty-five links and again on the south by the northern boundary-line of that burial-ground bearing east two chains and twenty-five links to its north-eastern corner aforesaid reserving for public use the railway-line and roads and J. Hickey being allowed to occupy the sixty acres of land within the following boundaries during his life namely commencing at the south-western corner of E. C. Close's five hundred and sixty acres and bounded thence on the east by part of the western boundary-line of that land bearing north forty chains on the north by a line bearing west fifteen chains on the west by a line bearing south forty chains and on the south by a line bearing east fifteen chains to the south-western corner of E. C. Close's five hundred and sixty acres aforesaid.
