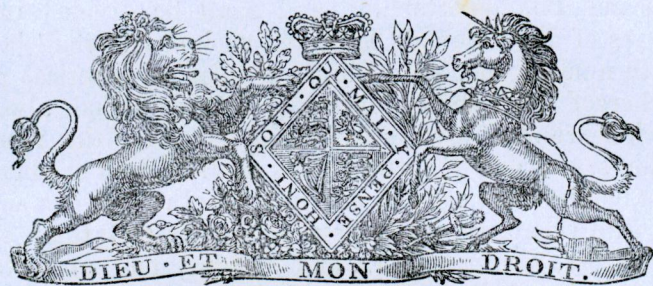


New South Wales.



ANNO VICESIMO

VICTORIÆ REGINÆ.

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An Act to Incorporate a Company to be called the Richmond Bridge Company, and to erect and maintain a Bridge over the River Hawkesbury at the Richmond Ferry, in direct continuation of the public road, and to take Tolls thereat for a term of years, and for other purposes therein mentioned. [Assented to, 18th March, 1857.]

WHEREAS the great increase of population in the districts of North Richmond and Kurryjong, in the County of Cook, and the extension of the traffic across the River Hawkesbury have rendered the erection of a Bridge at or near the site of the present Ferry at North Richmond desirable: 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:—

1. William Bowman, Robert Fitzgerald, John Hoskinson, George Bowman, William Lamrock, James T. Ryan, William Parnell, Richard Skuthorpe, George Douglass, Benjamin Richards, John Town, Thomas Case, Thomas Eather, senior, Charles Eather, and all and every other person and corporation who shall hereafter become subscribers to the said undertaking, and their several and respective successors, executors, administrators, and assigns, shall be and are united into a Company, for making, building, completing, and maintaining a substantial Bridge, of a width not to be less than twenty-six feet at the place hereinafter mentioned, at or near the Richmond ferry, to continue the present line of the public road in the County of Cumberland on the east side of the River Hawkesbury with the road on the opposite or west side of the same, in the County of Cook, and for that purpose shall be one body corporate, by the name, style, and title of "The Richmond Bridge Company," and by that name shall have perpetual succession and a common Seal, and by that name shall and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all Courts and places

Preamble.

Company incorporated.

Seal.

Power to sue and be sued, and to make by-laws.

whatsoever,

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whatsoever, and the said Company shall from time to time and at all times have full power and authority to constitute, make, ordain, and establish such by-laws, regulations, and ordinances as may be deemed necessary for the good rule and government of the said Company: Provided that such by-laws be not inconsistent herewith, or with any laws in force in this Colony or repugnant to the laws of England.

Capital divided into twelve hundred shares at five pounds each.

2. The capital stock of the Company hereby established shall be Six Thousand Pounds Sterling, and shall be divided into Twelve Hundred Shares of Five Pounds each, and such shares shall be numbered beginning with number one, and so on in regular arithmetical progression ascending, whereof the common excess or difference shall always be one, and every such share shall always be distinguished by the number to be applied to the same, and the said shares shall be, and are hereby vested in the persons hereinbefore named, and in such other persons as shall take shares in the said Company, and their successors and their several and respective executors, administrators, and assigns, and upon taking any share every subscriber shall pay to the Treasurer or other proper officer of the said Company, the sum of two shillings and sixpence sterling for every share which shall be so taken, and shall pay the remaining amount of every such share to the said Treasurer or other officer in such parts or proportions as the directors of the said Company shall deem necessary and from time to time call for and require: Provided always that no such call shall exceed the sum of One Pound Sterling for or in respect of any one share, and that no call or calls be made but at the distance of two months at the least from another, and that notice thereof in writing shall be given to each and every shareholder by the Secretary or other proper officer of the Company fifteen days at least before the time appointed for the payment of the same; and on the demand of the holder of any share the directors for the time being shall cause a certificate, under the Seal of the said Company, of the proprietorship of such share to be delivered to such shareholder, and the same shall be according to the form in Schedule A to this Act annexed, or to the like effect, and the said shares shall be and be deemed personal estate, and transferable and transmissible accordingly, and every such share shall entitle the holder thereof to a proportionate part of the profits and dividends of the said Company.

Periods for calls and amount of payment.

Share to be personal estate.

Register of Shareholders to be kept.

3. The said Company shall, so soon as the same can be done, cause the names additions and addresses of the several proprietors of shares in the said Company, together with the number of shares to which they shall be respectively entitled, and also the proper number by which every such share shall be distinguished, to be fairly and distinctly entered in a register book, to be kept in the office of the said Company for that purpose, and to be called the Register of Shareholders, to the end that each proprietor for the time being and his interest in the Company may be known, and that when and so often as any change of ownership in such shares shall take place by transfer or otherwise, such change of ownership shall be duly entered in the said book.

Shares may be sold

Form of conveyance.

4. It shall be lawful for the proprietor of any share in the said undertaking and his executors or administrators to sell and dispose of any share to which he shall be entitled therein, subject to the provisions herein contained, and the form of the conveyance of shares shall be in conformity with Schedule B hereunto annexed, and in every such case the said deed or conveyance being duly executed shall be delivered to the Secretary or other proper officer of the said Company to be kept by him, and the said Secretary or other proper officer shall enter a memorial of such transfer and sale, for the use of the said Company, in a book to be kept for that purpose, and shall endorse such entry on the conveyance, and on the request of the purchaser of any share, an endorsement of such transfer shall be made on the certificate of such share instead of a new certificate being granted, and such endorsement being signed by the Secretary or other proper officer of the said Company shall be considered in every respect the

same

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same as a new certificate; and until such transfer shall be so delivered to the Secretary or other proper officer as aforesaid, the vendor of the share shall continue liable to the Company for any calls that may be made upon such share, and the purchaser or purchasers of the share shall not be entitled to receive any share of the profits of the said undertaking or to vote in respect of such share.

5. A certificate of the proprietorship of any share in the said Company under the seal of the said Company as aforesaid shall be admitted in all Courts as *prima facie* evidence of the title of any shareholder, his executors, administrators, or assigns to the share therein specified.

Evidence of property in shares.

6. No shareholder shall sell or transfer any share which he shall possess in the said Company after any call shall have been made by the said directors for any sum or sums of money in respect of such share, unless he at the time of such transfer shall have paid or discharged to the Treasurer of the said Company, or to such other person as the directors shall authorize to receive the same, the whole and entire sum of money which shall have been called for in respect of such share so to be sold and transferred.

No share to be transferred while in arrear.

7. The said Company shall not be bound to see to the execution of any trust implied or constructive to which any of the said shares may be subject, and the receipt of the party in whose name any such share shall stand in the books of the said Company, and if it shall stand in the name of more parties than one, the receipt of one of the parties named in the register of shareholders shall from time to time be a sufficient discharge to the said Company for any dividend, or other sum of money payable on account of any such share, notwithstanding any such trusts to which such share may then be subject, unless the said Company shall have notice of such trusts; and the said Company shall not be bound to see to the application of the money paid upon such receipt.

Company not bound to see to execution of trusts in respect of shares.

8. The several persons who have subscribed, or who shall hereafter subscribe any money towards the said undertaking, or their legal representatives respectively, shall pay the sums respectively so subscribed, or such portions thereof as shall from time to time be called for by the directors of the said Company, at such times and places as shall be appointed for the payment thereof, and with reference to the provisions in this Act contained for enforcing the payment of calls, the word "Shareholder" shall extend to and include the personal representatives of such shareholder.

Subscribers to the stock or their representatives to pay as appointed by the directors.

Term shareholder includes representatives.

9. It shall be lawful for the directors of the said Company from time to time to make such calls of money upon the several shareholders in respect to the amount of capital subscribed or owing by them respectively as they shall deem necessary, provided that fifteen days' notice at the least be given of each and every such call, and that successive calls be not made at less than the prescribed interval of two months as aforesaid, and that no call exceed the prescribed amount as aforesaid, and that every shareholder shall be liable to pay the amount of the calls so made in respect of the shares held by him to the Treasurer of the said Company, or other person appointed as aforesaid, at the times and places from time to time appointed by the directors of the said Company.

Power to make calls upon the shareholders and obligations to pay.

10. If before or on the day appointed for such payment any shareholder shall not pay the amount of any call to which he is liable, every such shareholder shall be liable to pay interest for the same at the rate of seven pounds per cent per annum from the day appointed for the payment thereof to the time of the actual payment.

Interest to be paid on overdue calls.

11. It shall be lawful for the said Company, if they think fit, to receive from any of the shareholders who shall be willing to advance the same, all or any part of the money due upon their respective shares beyond the sums actually called for.

Power to receive advances from shareholders.

12. If at any time appointed by the said Company, or the directors thereof, for the payment of any call any shareholder shall fail to pay the amount

Power to sue defaulting shareholders.

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amount of such call to which he shall be liable, it shall be lawful for the said Company to sue such shareholder for the amount thereof in any Court of Law or Equity having competent jurisdiction, and to recover the same with interest as aforesaid from the day on which such call was payable.

Register of shareholders to be *prima facie* evidence.

13. The production of the register of shareholders required to be kept in the office of the said Company shall be *prima facie* evidence of such defendants being a shareholder, and of the number and amount of his shares.

Shares in arrear may be declared forfeited.

14. If any shareholder shall fail to pay any call payable by him together with interest, if any shall have accrued, due thereon, the directors of the said Company at any time after the expiration of two months from the day appointed for payment of such call, may if they shall think fit declare the share in respect of which such default shall have been made forfeited, and that whether the said Company shall have sued for the amount of such call or not.

Twenty-one days' notice to be given of intention to declare share forfeited.

15. Before declaring any share forfeited the directors of the said Company shall cause notice of their intention to declare such share to be forfeited to be left at or transmitted by post to the usual or last known place of abode of the person appearing by the register of shareholders required to be kept in the office of said Company, to be the proprietor of such share, and if the holder of any such share shall be beyond the limits of this Colony, or if his or their usual or last place of abode be not known to the said directors, or if the interest in any such share shall be known to the said directors to have become transmitted otherwise than by transfer, and so the address of the party to whom the said share may for the time being belong shall not be known to the said directors, the said directors shall give public notice of such intention in the *New South Wales Government Gazette*, and also in one or more of the newspapers published in the City of Sydney, and the several notices aforesaid shall be given twenty-one days at least before the said directors shall make such declaration of forfeiture.

Forfeited shares may be sold.

16. That after such forfeiture as aforesaid it shall be lawful for the said directors to sell the forfeited share or shares either by public auction or private contract, and if there be more than one forfeited share, then either separately or together, as to them shall seem fit, and any shareholder may purchase any forfeited share so sold as aforesaid, and the receipt of the officer of the said Company authorized by the directors to receive payment of the price of such share shall constitute a good title to such share, and a certificate of proprietorship shall be delivered to such purchaser, and thereupon he shall be deemed the holder of such share, discharged from all calls made prior to such purchase, and he shall not be bound to see to the application of the purchase money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

Evidence of proprietorship in purchaser of forfeited shares.

No more shares to be sold than are sufficient to pay off arrears and expenses.

17. The said Company shall not sell or transfer more of the shares of any such defaulter than shall be sufficient, as nearly as can be ascertained at the time of such sale, to pay the arrears then due from such defaulter on account of any calls, together with the interest payable in respect thereof, and the expense attending such sale and declaration of forfeiture, and if the money produced by the sale of any such forfeited share be more than sufficient to pay all arrears of calls and interest thereon due at the time of such sale, and the expenses attending the declaration of forfeiture and sale thereof, and the proof thereof, and the certificate of proprietorship to the purchaser, the surplus shall on demand be paid to the defaulter.

On payment of arrears before sale, shares to revert to the party.

18. If payment of such arrears of call and interest and expenses be made before any shares so forfeited and vested in the said Company shall have been sold as aforesaid, such share shall revert to the party to whom the same belonged before such forfeiture in such manner as if such call had been duly paid.

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19. So soon as the capital stock of the said Company shall have been actually subscribed for, and the sum of Two Thousand Pounds paid up, and not before, it shall be lawful for the said Company, and they are hereby authorized and empowered by themselves, their agents, deputies, officers and workmen, to construct, build, or cause to be constructed, built, and completed, a good substantial bridge not less than twenty-six feet wide over that part of the river Hawkesbury over which the present road from North Richmond to the ferry would pass, if prolonged in a straight line from the point at which it diverges towards the south to reach the said ferry, and to dig and make proper foundations in the said river, or on the banks thereof, and to cut, remove, and carry away all roots of trees, beds of gravel, sand, earth, mud, or other impediment whatsoever, which may in any way interrupt or hinder the erecting or completing the said bridge, and generally to do and execute all and every other act, matter, and thing required and necessary, convenient or useful, for erecting, building, preserving, protecting and repairing the said bridge, and the course or channel of the said river, and making such proper embankments ways and approaches thereto as may be required according to the true intent and meaning of this Act: Provided that no such embankment, ways, or approaches shall be made except on public land without the consent of the owner; and provided also, that if the present Lessee of the Ferry at North Richmond should sustain any pecuniary injury from the exercise by the said Company of the powers hereby conferred on it, he shall be entitled to recover from the said Company adequate compensation for such injury.

On payment of £2000  
Company authorized  
to commence work.

20. The immediate government and management of the affairs of the said Company shall be vested in seven directors, who shall be proprietors of at least twenty shares each, and who shall be chosen by the shareholders of the said Company in the manner hereinafter provided; but not less than three directors shall constitute a board for the transaction of business, of which the chairman shall always be one, except in case of sickness or necessary absence, in which case the directors present may choose one of their number as chairman in his stead; and the chairman shall vote at the Board as a director, and in case of there being an equal number of votes for and against any question before them the chairman shall have the casting vote.

Company's affairs to  
be managed by a  
board of directors.

Quorum for business.

21. No shareholder shall be entitled to vote in the deliberations of the said Company who shall not be possessed of ten shares at the least in the capital stock of the said Company, and every shareholder who shall be possessed of ten or more shares in the said Company shall for the first ten shares be entitled to one vote, and for every additional number of ten shares to one additional vote: Provided that no shareholder shall be entitled to more than ten votes in the said deliberations, and all shareholders may vote by proxy, if they shall see fit, provided such proxy be a shareholder, and do produce from the shareholder whom he shall represent, or for whom he shall vote, an appointment to the following effect, and in this form:—"I (or we) of do hereby nominate and appoint

No vote under ten  
shares; one vote for  
ten, and a vote for  
every additional ten.

Vote by proxy.

one of the proprietors of the "Richmond Bridge Company" to be my proxy in my name and in my absence to vote and give my assent or dissent from any business, matter, or thing relating to the said Company, that shall be mentioned or proposed at the general or special meeting of the said Company to be holden on the day of or any adjournment thereof, if I shall not be present, in such manner as he shall think fit for the benefit of the said Company: In witness whereof I have hereunto set my hand this day of , 18 ."

And every question of election of public officers, or other matters or things which shall be proposed, discussed, or considered at any public meeting of the said Company under the authority of this Act, shall be determined and be decided by the majority of votes and proxies then and there present: Provided always

Form of proxy limited  
to each particular  
meeting.

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always that the same person shall not vote as proxy for any number of persons who shall be together proprietors of more than three hundred shares.

Votes of lunatics and minors.

22. If any shareholder be a lunatic or idiot, such lunatic or idiot may vote by his committee, and if any shareholder shall be a minor, he or she may vote by his or her guardian, and every such vote may be given either in person or by proxy.

First general meeting of the shareholders to organize the Company.

23. Whenever six hundred shares of the said capital stock shall have been subscribed, and the deposits paid as aforesaid, the first general meeting of the shareholders for putting this Act in execution shall be held at some convenient place in the Borough of Richmond, between the hours of ten in the forenoon and four in the afternoon, of which meeting not less than fifteen days' notice shall be given by advertisement in the *New South Wales Government Gazette*, and in one or more of the newspapers published in the City of Sydney, which notice three or more of the said shareholders are hereby authorized to give; and there shall be held in each and every year after the present year two general meetings of the shareholders, to be convened upon the second Wednesday in the months of January and July in each year, at the hour of eleven in the forenoon, in the said borough, or at such other hour or place as the said Company at the preceding general meeting shall from time to time direct and appoint, of which future general meeting not less than fifteen days' notice shall be given by such public advertisements as hereinbefore mentioned, or in such other manner as the said Company at their respective general meetings shall direct, and at such first general meeting the shareholders then present shall by themselves or their proxies proceed to elect by the majority of votes of shareholders at the time possessed of not less than ten shares each, seven persons out of such shareholders as at the time of such election shall respectively be possessed in their own right of not less than thirty shares each in the said Company, to be directors to manage and conduct the affairs of the said Company, and the directors so chosen shall choose out of their number one who shall be the chairman of the said Company: Provided always that the omission to meet as hereinbefore required shall work no forfeiture, but the shareholders may be afterwards called together by the directors of the said Company for the time being.

Fifteen days' notice to be given.

Omission to meet not to work a forfeiture.

Retirement of directors.

24. At each general meeting which shall be held in the month of July in each year, two directors shall retire from office, such retirement to be decided by lot, until all the first set of directors in office at the first general meeting shall have so retired, and then in each succeeding year the directors who shall have been longest in office shall retire, and so on from time to time during the continuance of the said Company, and at every such general meeting in the month of July in each and every year the shareholders then present by themselves or their proxies shall elect two new directors in the place of the directors who shall have so retired, in the manner hereinbefore provided for the election of the first set of directors: Provided always that every director who shall by rotation or otherwise go out of office on any general day of election shall be eligible to be immediately re-elected a director of the said Company, and any director who shall at any time be re-elected shall be deemed to have been in office only from the time of such re-election, and all the first set of directors shall have so retired before any new or re-elected directors shall retire.

Directors retiring may be immediately re-elected.

Director to continue in office till new one selected.

25. In case any general meeting of the Company at which a new director ought to have been chosen shall have been adjourned from any cause whatever, and a new director shall not have been chosen at such meeting, then and in every such case the directors in office for the time being shall continue and have full power to act until a new director shall be duly chosen.

Vacancy in the office of director to be filled up within two months

26. Every vacancy in the office of director occasioned by death, resignation, disqualification, or removal, or by any other means than by going out of office by rotation as aforesaid, shall be filled up by the election of

of

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of a new director at a special general meeting of the shareholders to be convened by the board of directors for that purpose, within two calendar months next after such vacancy shall occur; and every shareholder who shall be elected to supply any vacancy in the office of director occasioned by the death, resignation, disqualification, or removal of any director as aforesaid, shall continue in office so long only as the person in whose place or stead he may be elected, would have been entitled to continue in office, if such death, resignation, disqualification or removal had not happened.

27. No person concerned or interested in any contract under the said Company shall be capable of being a director of the said Company, and no director shall be capable of being interested in any contract with the Company during the time he holds such office.

No person concerned in contracts under Company shall be capable of being a director.

28. The said directors shall have the power of nominating, appointing, and discharging all and every the officers and persons connected with the said Company, at such salaries or rates of remuneration as to the said directors shall seem proper, and shall have the management and superintendence of the affairs of the said Company, and they may lawfully exercise all the powers of the said Company, except as to such matters as are directed by this Act to be transacted by a general meeting of the Company; but the exercise of all such powers shall be subject to the by-laws, rules, and regulations of the said Company, and the shareholders shall have power from time to time to alter and amend or to make such rules, by-laws, and regulations for the good government of the said Company, and of such bridge, works, and property hereinbefore mentioned, and for the due collection of the tolls to be hereinafter reserved, and for the well governing the workmen and other persons employed by the said Company, which said rules, by-laws, and regulations being put into writing under the common seal of the said Company, shall be published in the *New South Wales Government Gazette*, and also in one or more of the newspapers published in the City of Sydney, and shall be binding upon and observed by all parties, and shall be sufficient in any Court of Law to justify all persons who shall act under the same.

Directors to appoint officers.

29. It shall be lawful for not less than five shareholders, holding in the aggregate two hundred shares, by writing under their hands, at any time to require the said directors to call an extraordinary meeting of the said Company, and such requisition shall fully express the object of the meeting required to be called, and shall be left at the office of the said Company; and forthwith upon the receipt of such requisition the directors shall convene a meeting of the shareholders, and if after fifteen days after such notice the directors shall fail to call such meeting, the shareholders aforesaid, qualified as aforesaid, may call such public meeting by giving thirty days' public notice thereof in the *New South Wales Government Gazette*, and in one of the newspapers published in the City of Sydney.

Call of extraordinary meeting of the Company.

30. Fifteen days' notice, at the least, of all meetings, whether general or extraordinary, shall be given by advertisement in one of the newspapers published in the City of Sydney, which notice shall specify the place, day, and hour of meeting, and every notice of an extraordinary meeting shall specify the purpose for which such meeting is called.

Fifteen days' notice of all meetings of Company.

31. In consideration of the great charges and expenses which the said Company must necessarily incur in erecting, building, completing, and sustaining in good repair the said bridge, and the road over the same, upon the proper completion thereof within two years from the passing of this Act, and provided the same be kept in proper repair by the said Company, it shall be lawful for the said Company, their servants, agents, or tenants, during the residue of the term of Forty years hereinafter specified for the continuance of this Act, to ask, demand, recover, and receive at a toll-bar or gate to be erected on or at the said bridge, the tolls hereafter determined by the directors of the said Company, provided such tolls shall in no case exceed the tolls specified in the Schedule marked

Tolls granted to the Company.

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marked C annexed to this Act; and no higher tolls shall be charged, demanded, or received than such as are specified therein for each and every person, animal, cart, carriage, dray, waggon, and other vehicle which shall pass over such bridge.

Liberty to erect toll bar, and appoint collectors.

32. It shall be lawful for the said Company to erect, or cause to be erected, a toll bar or gate at, upon, or near to such part of the said bridge as to the said Company shall seem expedient, and to collect and receive the aforesaid tolls thereat, or to nominate and appoint some fit and proper person to attend the said toll bar or gate, to collect and receive the tolls thereat: Provided that at the expiration of this Act the said bridge, toll house, land, premises, and appurtenances shall be and from thenceforth be deemed to be public property and vested in the Crown accordingly.

Exemption of Governor General and servants, clergymen, mails, military, police, or persons employed on the road, from payment of tolls.

33. Toll shall not be demandable or taken by virtue of this Act for any horses or carriages of or belonging to the Governor of the said Colony for the time being, or to any person in actual attendance upon him, or for or in respect of any horse beast carriage or other vehicle conveying any clergyman in the discharge of his duty, or any other person or persons going to or returning from the proper church, chapel, or other place of worship, of the person or persons riding or driving the same, or parties proceeding to or returning from a funeral, nor for any clergyman or minister or other person or persons going to or returning from his, her, or their place of worship, on Sunday, Christmas Day, or Good Friday, nor for or in respect of any horse, beast, carriage, or other vehicle carrying the post office mails, nor from any of Her Majesty's officers and soldiers being in proper staff regimental or military uniform dress or undress, nor from any policeman or constable carrying his staff of office, or in his proper dress, in respect of themselves or their horses, nor for any carriages or horses belonging to Her Majesty, or employed in her service when conveying persons, baggage, arms, or ammunition, or returning therefrom, nor from any person or persons, horse, beast, carriage, or other vehicle employed in the repairs of the public roads or bridges, whilst engaged in carrying on such repairs or drawing materials for the same.

Tolls may be let.

34. It shall and may be lawful for the said Company to demise and to farm let, the tolls demandable under and by virtue of this Act, at or upon the said bridge, and the lessee or lessees shall have the same power of demanding collecting and taking the said tolls as are hereby given to the said Company.

Lessee may appoint collectors.

35. The said lessee or lessees during such time as the said tolls shall be so leased to them as aforesaid, shall and may nominate and appoint such other person or persons as he, she, or they, may think necessary to collect, demand, and take tolls so demised leased and farmed, and such person or persons so appointed as aforesaid shall and may use all methods for the recovery thereof in case of non-payment or evasion as the said Company and such lessee or lessees might or could use under and by virtue of this Act.

In case of non-payment of rent or avoidance lessees and occupiers removable by order of a Justice of the Peace.

36. In case the tolls demandable at or upon the said bridge shall be demised by the said Company to any person or persons, and the lessee or lessees shall neglect or refuse to perform the conditions upon which the same shall be so let, or in case the rent or rents agreed to be paid by such lessee or lessees, or any part thereof, shall be in arrear for the space of ten days next after the day on which the same ought to be paid; or in case the term for which such lessee or lessees held the same shall in any manner become void or have expired, and the lessee or lessees neglect or refuse to deliver up possession to the said Company, it shall and may be lawful for any Justice of the Peace, upon complaint made upon oath by or on behalf of the directors of the said Company, by warrant under his hand and seal to order a constable or other peace officer, with such assistance as may be necessary, to enter upon and take possession of the said bridge and the toll house at or thereon, and all appurtenances thereto belonging



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belonging and to remove and put out such lessee or lessees, and the collectors, keepers, servants, or other person or persons who shall be found therein, together with his, her, or their goods from the possession thereof, and from the collection of the tolls thereof, and the lease, contract, or agreement for the same shall thenceforth cease and be utterly void to all intents and purposes, except as to the conditions or agreements contained therein on the lessees part and behalf, and which shall or may have been broken, and the same tolls and toll house may be given let or demised to any other person or persons, and may in the mean time be collected by the said Company their servants or agents in that behalf.

37. The said Company are hereby required and the lessee or lessees of the said tolls shall and are hereby required during the whole time that he or they shall take or continue to be the lessee or lessees of the said tolls, to put up, or cause to be put up and continued, in some conspicuous place at or near the toll gate, or at or upon the toll house, at or on the said bridge a table in distinct legible black letters on a board with a white ground, containing at the top thereof the name of the bridge, and also a list of tolls payable at the said bridge, distinguishing severally the amount of toll and the different sorts of cattle, beast, carriages, or other vehicles for which they are severally to be paid, where there shall be any variation therein, and the said Company and the said lessee or lessees during the whole time that he or they shall continue to take or be the lessee or lessees of the said tolls, shall place on some conspicuous place near to such board the christian and surname of the collector of the said tolls, who shall be on duty for the time being, and shall continue the same during the whole time such collector or keeper of the said tolls shall be on duty, and shall alter the same on every change that may take place in such collector or keeper on duty, to the names of the collector or keeper that may succeed, as often as any change may take place; and if the said Company while they shall take the said tolls, or their lessee or lessees, shall neglect or refuse to put up such table of tolls as aforesaid, or to cause the name or names of the said collector or keeper of such tolls for the time being to be put up as aforesaid or if the collector or keeper of such tolls be not in attendance at all times by day and night, at the place at which he is stationed or ought to be, or shall demand or take a greater toll from any person than he is hereby authorized to do, or shall refuse to permit and suffer any person or persons to read, or shall in any manner hinder or prevent any person or persons from reading the inscription on the said boards, or the name or names so fixed up as aforesaid, or shall refuse to tell his christian and surnames to any person or persons who on paying the said toll shall demand to know the same, or any of them, or upon the legal toll being tendered or paid shall unnecessarily detain or wilfully obstruct, hinder or delay any passenger or passengers from going through the toll gate at or upon the said bridge, then and in each and every such case the said collector or collectors of the said tolls shall forfeit and pay for every such offence any sum not exceeding forty shillings, to be recovered and applied as hereinafter mentioned.

38. If any person liable to the payment of any of the said tolls under this Act shall after demand neglect or refuse to pay the same, or any part thereof, it shall be lawful for the person having right or authority at the time to collect the same, to prevent such person or persons from passing through the said toll gate, and to shut, close, and fasten the same, and to keep and continue the same closed and fastened until the said toll be paid.

39. All cattle, horses, sheep, and other beasts for which toll is demandable and payable under this Act, may be counted by the lessee or collector of tolls, or keeper of the said gate under this Act, before such cattle, horses, sheep, or other beasts shall pass over the said bridge.

40. If any person or persons shall resist or make forcible opposition against, or shall assault any person or persons having right or authority

Table of tolls to be affixed to toll house together with name of collector.

Persons refusing to pay may be prevented passing.

Cattle horses or sheep to be counted by lessee or collector before passing.

Penalty of passing bridge without paying toll.

to

*Richmond Bridge Company's Act.—1857.*

to collect the said toll in the execution of their duty, or shall pass through the toll gate at or upon the said bridge, or shall drive or cause to be driven any cattle, or any horse, sheep, or other beast for which toll shall be payable, through the said toll gate without paying the legal toll to which he or they is or are liable, every such person shall for every such offence forfeit and pay a sum not exceeding five pounds, to be recovered and applied as hereinafter mentioned.

If lessee or collector detain or obstruct passengers or be insolent to be fined.

41. If any lessee or collector of tolls under this Act, or any keeper of a gate on the said bridge, shall, upon the legal toll being tendered or paid, unnecessarily or for any unreasonable time wilfully obstruct, hinder, or delay any passenger or passengers, or his or their horses, beasts, carriages, carts, and other vehicles from passing over the said bridge, or if any such lessee or collector of tolls, or keeper of any gate at or on the said bridge, shall make use of any uncivil, scurrilous, threatening, or abusive language or behaviour, to any traveller or passenger over the said bridge, then, and in each and every such case, the said lessee or collector of tolls, or keeper of a gate on the said bridge, shall forfeit and pay for every such offence any sum not exceeding five pounds, to be recovered and applied as hereinafter directed.

Persons destroying or injuring bridge to be deemed guilty of felony.

42. If any person or persons shall unlawfully and maliciously pull down, or in any way destroy or do any injury to the said bridge, with intent and so as thereby to render such bridge or any part thereof dangerous or impassable, every such offender shall be deemed guilty of felony, and being convicted thereof in any Court of competent jurisdiction, shall be liable to be kept to hard labour on the roads or other public works of the Colony for such term as the said Court shall think fit.

Penalty for injuring or destroying toll gate or any part of the said bridge.

43. If any person or persons whosoever shall wilfully or maliciously injure, pull, or cut down, pluck up, throw down, break, level, or otherwise damage, demolish, or destroy any toll gate, chain, post, rail, bar, wall, or other fence or fences, lamp or lamps, belonging to the toll gate at or upon the said bridge, or table of tolls put up thereat, or any part of the said bridge or approaches thereto, then and in each and every such case, the person so offending shall forfeit and pay for every such offence a sum not exceeding ten pounds over and above the damage occasioned thereby, to be recovered and applied as hereinafter mentioned.

Justice of the Peace to hear and determine offences.

44. It shall be lawful for any one or more Justice or Justices of the Peace to hear and determine, in a summary way, all offences committed against the true intent and meaning of this Act, (except in cases of felony hereinbefore mentioned,) and for that purpose to summon before him or them any party or parties accused of being an offender or offenders against the same, and in case the party accused shall not appear on such summons, or offer reasonable excuse for his default, then and in every such case any such Justice or Justices is or are hereby authorized and required to proceed to make inquiry touching the matters complained of, and to examine any witness or witnesses who shall be offered on either side on oath, which oath every such Justice is hereby authorized to administer, and after hearing the parties who shall appear, and the witnesses offered on either side, such Justice or Justices shall convict or acquit the party or parties accused, and if the penalty or money forfeited or directed to be paid in any conviction be not duly paid forthwith, then every such Justice or Justices shall, on the non-payment of the penalty or sum of money directed to be paid, and the charges thereon, by warrant under his or their hand and seal, or hands and seals, commit every such offender or offenders to some one of the common gaols of the said Colony for any period not exceeding three months: Provided always that no person or persons shall be convicted of any offence or offences contrary to the provisions of this Act, in a summary way as aforesaid, after the expiration of three months from the time when any such offence or offences shall have been committed.

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45. One moiety of all penalties or sums of money recovered under this Act shall be paid to the informer, and the other moiety to Her Majesty, Her Heirs and Successors, for the public uses of the Colony, and for the support of the Government thereof.

Application of penalties recovered.

46. No summary conviction under this Act shall be quashed for want of form, or be removed or removable by writ of certiorari or otherwise into the Supreme Court, and no warrant or commitment shall be held void by reason of any defect therein, provided that it be therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

Conviction not to be quashed for want of form, or removable by certiorari.

47. The Directors of the said Company shall, at each of the half-yearly general meetings, make dividends of the surplus tolls and profits arising to the said Company, after deducting therefrom the costs, charges, and expenses of the said Company, as well as of the repairs of the said bridge, toll gate, or toll house belonging to them, as for the salaries and allowances of the several officers and agents, and for such other purposes connected with the said Company as may be deemed proper by the said directors, consistent with the by-laws, rules, and regulations of the said Company.

Half-yearly dividends of profits to be made.

48. If any money be payable from the said Company to any shareholder or other person being a minor, idiot, or lunatic, the receipt of the guardian of such minor, or the receipt of the committee of such idiot or lunatic, shall be a sufficient discharge to the said Company.

Receipts of guardians of minors, &c. to be good discharges.

49. Before apportioning the profits to be divided among the shareholders, the said directors may if they think fit set aside therefrom such sum as they may think proper to meet contingencies, or for improving or repairing the said bridge, toll gate, or anything connected therewith, and may divide the balance only, among the shareholders.

Portion of profits may be reserved before declaring dividends.

50. No dividend shall be paid in respect of any share until all calls then due in respect of such and every other share held by the person to whom such dividend may be payable shall have been paid.

No dividend to be paid on shares in arrear.

51. If any execution either at law or in equity shall have been issued against the property or effects of the said Company, and if there cannot be found sufficient whereon to levy such execution, then such execution may be issued against any of the shareholders, to the extent of their shares respectively in the capital of the Company not then paid up: Provided always that no such execution shall issue against any shareholder except upon the order of any Court in which the action, suit, or other proceeding shall have been brought or instituted, made upon motion in open Court, after sufficient notice in writing to the persons sought to be charged, and upon such motion such Court may order execution to issue accordingly, and for the purpose of ascertaining the names of the shareholders and the amount of capital remaining to be paid up, on their respective shares, it shall be lawful to any person entitled to any such execution, at all reasonable times to inspect the register of shareholders required to be kept in the office of the said Company as aforesaid, without fee: Provided further that nothing herein contained shall extend to charge or make liable any shareholder of the said Company, or his real or personal estate, with or for any debt or demand whatever due or to become due by or from the said Company, or in anywise relating to the said undertaking, for any of the matters or things authorized in this Act to be made, done, or completed beyond the extent of his shares in the capital of the said Company not then paid up, any law, custom, or usage to the contrary thereof in anywise notwithstanding.

Execution against shareholders to the extent of their unpaid shares.

Shareholders not liable beyond the amount of their unpaid shares.

52. If by means of any such execution any shareholder shall have paid any sum of money beyond the amount then due from him in respect of calls, he shall forthwith be reimbursed such additional sum by the directors out of the funds of the Company.

Shareholders to be reimbursed amounts paid beyond calls due.

53. It shall be lawful for the said Company, by order of any general meeting, to raise any further sum or sums of money, not exceeding altogether

Power to raise a further capital of £3,000.

*Richmond Bridge Company's Act.—1857.*

altogether three thousand pounds in addition to the said capital of six thousand pounds, for erecting, building, completing, and maintaining the bridge, toll gate, and toll house hereby authorized; and the said Company are hereby authorized and empowered to raise any such further sum or sums by contribution amongst themselves, or by the admission of other persons as subscribers to the said Company, and by issuing new shares of five pounds each to such contributors or subscribers, but so that each such contributor or subscriber shall not pay a less price than five pounds for each new share, and that all such new shares shall be and be deemed personal estate, and shall be transmissible accordingly, and every person who shall contribute and pay up on, or in respect of, such new shares, or who may become entitled thereto, and their several and respective successors, executors, administrators, and assigns, shall be and are hereby declared to be owners or proprietors of shares in the said Company, and shall become united to and incorporated with the said Company.

Application of money  
to be raised.

54. All money to be raised by the said Company by virtue of this Act shall be laid out and applied in the first place for and towards the payment discharge and satisfaction of all costs charges and expenses incurred in applying for obtaining and passing this Act, and of all other expenses preparatory or relating thereto, and all the residue and remainder of such money shall be applied in and towards the erecting, building, completing, and maintaining the said bridge, toll gate, and house at, near, or on the same, and other the purposes of this Act.

Names of proprietors  
to be recorded yearly.

55. The chairman of the said Company shall within thirty days from and after the first day of January in each and every year, or as soon thereafter as may be practicable, cause a true and correct list of the names of all persons who shall be then existing proprietors or shareholders of the said Company, with their respective places of abode and descriptions, verified by a declaration to be made by such chairman, in pursuance of the Act of the Governor and Legislative Council, ninth Victoria, number nine, to be recorded in the office of the Registrar General of the said Colony, and the same shall be open for inspection, at all reasonable times, by any person requiring the same on the payment of a fee of one shilling for each such inspection, and if any such chairman shall omit or neglect to cause such list to be recorded in manner aforesaid, or shall wilfully falsify any such list, he shall be subject and liable to a penalty of Fifty Pounds, to be recovered by an action of debt in the Supreme Court or any other Court of competent jurisdiction of the said Colony, by any person who shall sue for the same, provided that such action be commenced within two years from the time the offence shall have been committed.

Penalty for neglect.

Persons whose names  
are recorded to be  
deemed proprietors.

56. Every person whose name shall be so recorded as aforesaid shall be thereby considered, taken, and held *prima facie* to be a proprietor or shareholder of the said Company, and shall be liable as such until a new list of the proprietors or shareholders of the said Company shall be recorded as aforesaid, or until he shall have retired from and given notice in the New South Wales *Government Gazette* of his retirement from the said Company: Provided however that nothing herein contained shall be deemed to absolve any person from liability on account of any debts incurred by the said Company during the time such person remained a proprietor or member of the same, or to render any individual proprietor or member of the said Company liable for any debts incurred by the said Company, except so far as he may be liable under the provisions of this Act.

The Government to  
have the right of  
purchasing the  
bridge and its ap-  
purtenances at a  
fixed price.

57. It shall be lawful for the Governor of the said territory for the time being, with the advice of the Executive Council thereof, at any time after the expiration of seven years from the completion of the said bridge, to purchase the same with all its appurtenances in the name and on the behalf of Her Majesty or Her Successors upon giving to the said Company three calendar months' notice in writing of the intention so to do, and upon payment to the said Company of a sum equal to the whole amount expended

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expended in erecting and completing the said bridge and its appurtenances, together with a premium thereon of ten per cent: Provided always that the said Company shall within one calendar month after the completion of the said bridge, file in the office of the Colonial Secretary of the said Colony a true and faithful account in detail of all costs and expenses occasioned by, and incident to the erection of the said bridge, and verified by the declaration of the chairman of the said Company, and that the amount of such costs and expenses shall be the sum upon which the said premium shall be estimated: Provided also that at any time during the continuance of the said term of Forty years, if it be considered expedient, and a general meeting of the said Company shall have authorized the same, it shall be lawful for the said Company to sell and dispose of the said bridge and its appurtenances, and to assign the interest of the said Company in the same to Her Majesty and Her Successors, upon such other terms as may in such case be agreed upon between the said Company and the Governor of the said Colony for the time being; and that upon the completion of such sale the right of the said Company to demand and take tolls, and their liability to keep and maintain the said bridge in repair under this Act, shall cease and determine.

Proviso that a verified account of the costs of the bridge be filed in the office of the Colonial Secretary.

Company may sell at any time during the term of Forty years.

58. At any time after the expiration of Forty years from the passing of this Act it shall be lawful for the Governor for the time being of the said Colony, with the advice of the Executive Council thereof, by advertisement in the Government Gazette of the said Colony, to dissolve and determine the said corporation, and thereupon the said corporation of the "Richmond Bridge Company" shall ipso facto be dissolved and cease.

Power to dissolve the corporation after Forty years.

59. This Act shall continue and be in force Forty years: Provided that unless the said bridge shall be properly built and perfected within two years after the passing of this Act, this Act shall thereupon cease to be in force, and the said Company be ipso facto dissolved.

Duration of Act.

60. Nothing in this Act contained shall be deemed to affect or apply to any right, title, or interest of Her Majesty, Her Heirs and Successors, or of any body or bodies politic or corporate, or of any other person or persons, excepting such as are mentioned herein, or of those claiming by, or under her or them.

Rights of the Crown not affected.

61. This Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others without being specially pleaded.

This Act to be deemed a public Act.

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SCHEDULES REFERRED TO.

(A.)

FORM OF CERTIFICATE OF SHARE.  
RICHMOND BRIDGE COMPANY.

No. This is to certify that A. B. of \_\_\_\_\_ is proprietor of the Share numbered \_\_\_\_\_ of the Richmond Bridge Company, subject to the regulations of the said Company. Given under the common Seal of the \_\_\_\_\_ day of \_\_\_\_\_ in the year of Our Lord One thousand eight hundred and \_\_\_\_\_

(B.)

I, \_\_\_\_\_ of \_\_\_\_\_ in consideration of \_\_\_\_\_ paid to me by \_\_\_\_\_ of \_\_\_\_\_ do hereby bargain, sell, assign, and transfer to the said \_\_\_\_\_ Share (or Shares, as the case may be) numbered \_\_\_\_\_ of and in the Richmond Bridge Company, to hold unto the said \_\_\_\_\_ his executors, administrators, and assigns, subject to the same conditions as I held the same immediately before the execution hereof. And I the said \_\_\_\_\_ do hereby agree to accept and take the said Share (or Shares), subject to the same rules, orders, restrictions and conditions. As witness our hands and Seals the \_\_\_\_\_ day of \_\_\_\_\_ in the year of Our Lord One thousand eight hundred and \_\_\_\_\_

(C.)

TABLE OF TOLLS.

	s.	d.
For every person crossing the bridge on foot .....	0	2
For every horse, mare, gelding, ass, or mule, drawing or not drawing .....	0	6
For every ox or head of neat cattle drawing .....	0	4
For every ox or head of neat cattle in drove .....	0	1
For every sheep, lamb, pig, or goat .....	0	$\frac{1}{4}$
For every carriage on springs with two wheels .....	1	0
For every carriage on springs with four wheels .....	2	0
For every vehicle with two wheels without springs .....	1	0
For every vehicle with four wheels without springs .....	1	4
Unbroken horses in drove .....	0	3

No double toll to be charged on Sunday, nor shall the above tolls be demandable more than once a day.