



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

By His Excellency SIR CHARLES AUGUSTUS FITZ ROY, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, with the advice and consent of the Legislative Council.

An Act to Incorporate a Company to be called the Penrith Nepean Bridge Company, and to enable the said Company to erect and maintain a Bridge over the River Nepean at Penrith, in direct continuation of the present line of the Great Western Road, and to take Toll thereat for a term of years ; and for other purposes therein mentioned. [Assented to, 15th December, 1851.]

WHEREAS the very considerable traffic between the Western part of this Colony and its shipping port, is greatly impeded and delayed at the passage of the River Nepean at Penrith, the only mode of transit being by the Government Punt or Ferry, known as Emu Ferry, and the tolls payable thereat are onerous and disproportioned to the convenience afforded to the public by the same: And whereas the building and maintaining a bridge over the said river, uniting the Great Western Road in a direct line across it, would prevent such impediments and delays, and the loss and inconvenience to the public consequent thereon, and be a great public good; and it is deemed right to grant encouragement to enterprising persons who may be desirous and willing to make and maintain such bridge, by granting to them an Act of Incorporation: And whereas the eastern bank of the said river, at the point where the main public road diverges to the punt, is comprised in a Grant by the Crown to Daniel Woodriff, and it is necessary in erecting the said bridge that a portion containing seventy-eight feet in length from east to west, and eighty feet in breadth from north to south of the said eastern bank should be occupied by the eastern abutments of the same: And whereas the public will be greatly benefited by the facility afforded by a bridge at the said spot; and it is therefore expedient to authorise the erection of such part of the bridge as may be required to be on the said eastern bank, upon payment of reasonable compensation to the present proprietor thereof, for the land to be occupied thereby: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the

Preamble.

Penrith Nepean Bridge—1851.

Proprietors incorporated by the name of 'The Penrith Nepean Bridge Company.'

the Legislative Council thereof, That John Tindale, James Ryan, John Perry, George Thomas Clarke, John Mac Henry, Alfred Cox, Robert Fitzgerald, Archibald Bell Cox, Jeremiah Grant, Edward Flood, Edward King Cox, John Lakeman Mortimer, Andrew Kerr, Henry Hall, Henry Wilson, Henry Whyte, John Wallis, Thomas Boulton Perry, 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 spot on the river bank in the Borough of Penrith where the road diverges at a right angle to descend to the present ferry, to continue the line of the Great Western Road in the County of Cumberland, on the east side of the River Nepean, straight to the line of the Bathurst or Great Western 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 and style of the Penrith Nepean 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 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.

Seal.

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

Capital divided into twelve hundred shares of five pounds each.

Periods for calls, and amount of payment.

Share to be personal estate.

Register of Shareholders to be kept.

II. And be it enacted, That 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 Manager 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 such person or persons, and 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 ten shillings 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 of every such call shall be given in the *New South Wales Government Gazette*, and in one or more of the newspapers published in the City of Sydney, thirty days at the least before the day appointed for the payment of the same; and on the demand of the holder of any share the Company 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 that the said shares shall be and be deemed personal estate, and transferable and transmissible accordingly, and that every such share shall entitle the holder thereof to a proportionate part of the profit and dividends of the said Company.

III. And be it enacted, That the said Company shall, as soon as the same can be done, cause the names, additions, and addresses, of the several proprietors of shares in the capital stock of the said Company, together with the number of shares to which they shall be respectively entitled, and

Penrith Nepean Bridge—1851.

and also the proper number by which every such share shall be distinguished, and the amount of the subscriptions paid thereon, 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.

IV. And be it enacted, That it shall be lawful for the proprietor Shares may be sold. 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 conveyance of shares may be in the following words, or to the like effect, varying the names and descriptions of the contracting parties as the case may require:— Form of conveyance.

“ I of in consideration of paid to
 “ me by of , do hereby bargain, sell, assign, and trans-
 “ fer to the said share (or shares as the case may be,) num-
 “ bered of and in the Penrith Nepean Bridge Company; to hold
 “ unto the said his executors, administrators, and assigns, sub-
 “ ject 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 ;” 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 shall on demand deliver a new certificate to the purchaser, and for every such entry, together with such endorsement and certificate, the Company may demand any sum not exceeding two shillings and sixpence; 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 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.

V. And be it enacted, That a certificate of the proprietorship Evidence of property in shares. 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.

VI. And be it enacted, That no Shareholder shall sell or transfer No share to be transferred while in arrear. 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 Manager of the said Company, or to such other person as the Directors shall authorise 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.

VII. And be it enacted, That the said Company shall not be Company not bound to see to execution of trusts in respect of shares. 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,
 or

Penrith Nepean Bridge—1851.

or 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.

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

VIII. And be it enacted, That 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 by the said Directors; and with respect 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.

Term "Shareholder" includes representatives.

Power to make calls upon the Shareholders, and obligation to pay.

IX. And be it enacted, That 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 of the amount of capital subscribed or owing by them respectively, as they shall deem necessary, provided that thirty 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 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 persons and at the times and places from time to time appointed by the said Company or the Directors thereof.

Interest to be paid on overdue calls.

X. And be it enacted, That 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.

Power to receive advances from Shareholders.

XI. And be it enacted, That 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 moneys due upon their respective shares beyond the sums actually called for.

Power to sue defaulting Shareholders.

XII. And be it enacted, That 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 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 the Shareholders to be prima facie evidence.

XIII. And be it enacted, That 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 defendant's being a Shareholder, and of the number and amount of his shares.

Shares in arrear may be declared forfeited.

XIV. And be it enacted, That 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.

XV. And be it enacted, That 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 the said Company, to be the proprietor of such share, and if the holder of any such share shall

Penrith Nepean Bridge—1851.

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 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.

XVI. And be it enacted, 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 authorised 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 an irregularity in the proceedings in reference to such sale.

Forfeited shares may be sold.

Evidence of proprietorship in purchaser of forfeited shares.

XVII. And be it enacted, That 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 with the proof thereof, and the certificate of proprietorship to the purchaser, the surplus shall on demand be paid to the defaulter.

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

XVIII. And be it enacted, That 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.

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

XIX. And be it enacted, That so soon as the Capital Stock of the said Company shall have been actually subscribed for, and the sum of three thousand pounds paid up, and not before, it shall be lawful for the said Company, and they are hereby authorised and empowered by themselves, their agents, deputies, officers and workmen, to construct and build, or cause to be constructed, built, and completed, a good substantial bridge, not less than twenty-six feet wide, over the River Nepean, from the spot where the road diverges at a right angle to descend to the present ferry, on the eastern bank of the said river, in a direct line across to the western bank, continuing thereby the Great Western Road in a straight line to Emu Plains, in the County of Cook, 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, 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.

On payment of £3,000 Company authorised to commence work.

Power to Company to construct a bridge on land described in Schedule B, the property of Daniel James Woodriff.

XX. And be it enacted, That it shall be lawful for the said Company, their agents, deputies, officers, and workmen, to make, construct, and build whatever portion of the said bridge, or the road to or over the same, shall require to be on the land and within the lines described in the Schedule hereto annexed, marked B, the property of one Daniel James Woodriff, but so that the said road and part of the bridge shall not occupy in any part thereof a greater space in breadth than eighty feet, including the abutments, supports, and foundations thereof: Provided always, that the said bridge shall be constructed and brought into use within the term of three years from the passing of this Act.

Site of such portion of land to be vested in the Company without conveyance.

XXI. And be it enacted, That the ground and soil of the said portion of land so required for the purposes of the said bridge, and contained within the lines so set out in the Schedule aforesaid, together with such right of ingress upon the adjacent land as shall be necessary for the erecting, constructing, and building the said bridge, and for the repair thereof, shall be vested by virtue of this Act, and without the necessity of any deed of conveyance of the land, in the said Company, for the purpose of the said bridge and roadway, for their use, and the use of their servants, agents, deputies, and workmen, subject to the provisos hereinbefore contained.

Compensation to be paid to Daniel James Woodriff, at £20 per acre.

XXII. Provided nevertheless, and be it enacted, That the said Company shall pay to the said Daniel James Woodriff at the rate of twenty pounds per acre for such land of the said Daniel James Woodriff as the said bridge and roadway, including the supports, embankments, abutments, and foundations thereof shall occupy; but in case the said Daniel James Woodriff shall deem the said price or compensation insufficient, it shall be lawful for him within the space of twenty-four calendar months from the passing of this Act, to apply to His Excellency the Governor to appoint, and he shall thereupon appoint accordingly, Commissioners to inquire into and assess the same, in like manner as is enacted and directed in the case of a road through private property proclaimed by the Government under and by virtue of an Act of the Governor and Legislative Council, passed in the fourth year of the reign of his late Majesty King William the Fourth, intituled, "*An Act for making, altering, and improving the roads throughout the Colony of New South Wales, and for opening and improving the streets in the Towns thereof*"; and, for the purpose of such assessment, the said Commissioners, or any two of them, shall have and possess all the powers vested in them, or any two of them, by the said Act, and the like duties, powers, and regulations shall attach and apply to the parties, jurors, witnesses, and others occupied and concerned in relation thereto; and in case the price assessed, on such inquiry, be in excess of the sum awarded by this Act, such excess shall, in addition to the price awarded by this Act, be paid by the said Company accordingly, together with the costs of the inquiry; but if the price awarded upon the said inquiry shall not exceed the sum awarded by this Act, the costs of the inquiry shall be paid by the parties demanding the same, the amount of which costs shall be assessed, and the person or persons by and to whom the same shall be paid shall be ascertained by the said Commissioners, and may be recovered by action of debt, if not paid on demand, pursuant to such order.

4 Wm. IV, No. 11.

Fence to be made and kept in repair by Company on each side of bridge.

XXIII. Provided also and be it enacted, That the said Company shall make and complete, and from time to time keep in repair, a good and substantial two-railed fence, at a distance of one rod upon each side of so much of the said bridge or roadway as shall pass on the land of the said Daniel James Woodriff, dividing the same from the land adjacent, and if any damage shall be committed to or upon such adjacent land, in the building, erecting, constructing, or repairing the said bridge by the said Company, they shall forthwith make good the same; and if the said Company shall make default in erecting or keeping repaired, the said

fence

Penrith Nepean Bridge.—1851.

fence, the said Daniel James Woodriff, his heirs or assigns, shall be at liberty to erect or repair the same, as the case may be, and recover the expense necessarily incurred therein by action of debt.

XXIV. And be it enacted, That 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 thirty 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; that 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.

XXV. And be it enacted, That no Shareholder shall be entitled to vote in the deliberations of the said Company who shall not be possessed of four shares, at the least, in the Capital Stock of the said Company, and that every Shareholder who shall be possessed of four or more shares in the said Company shall for the first four shares, be entitled to one vote, and for every additional number of eight 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 "one of the Proprietors of the Penrith Nepean Bridge Company, to be "my proxy, in my name and in my absence to vote and give my assent "to or dissent from any business, matter, or thing relating to the said "Company that shall be mentioned or proposed at the General or Special "Assembly 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 decided by the majority of the votes and proxies then and there present: Provided 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.

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

Vote by proxy.

Form of proxy limited to each particular meeting.

XXVI. And be it enacted, That if any Shareholder be a lunatic or idiot, such lunatic or idiot may vote by his Committee; and if any Shareholder 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.

Votes of Lunatics and Minors.

XXVII. And be it enacted, That 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 within the borough of Penrith, 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 authorised 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 first 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

First General Meeting of the Shareholders to organize the Company.

Fifteen days' notice to be given.

hour

Penrith Nepean Bridge.—1851.

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 Meeting 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 four 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.

Omission to meet not to work a forfeiture.

Retirement of Directors.

XXVIII. And be it enacted, That 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 that all the first set of Directors shall have so retired before any new or re-elected Director shall retire.

Directors retiring may be immediately re-elected.

Director to continue till new one elected.

XXIX. And be it enacted, That 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 office of Director to be filled up within two months.

XXX. And be it enacted, That 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 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.

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

XXXI. Provided always, and be it enacted, That no person being 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 shall be a Director.

Directors to appoint officers.

XXXII. And be it enacted, That 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

Penrith Nepean Bridge.—1851.

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, and for regulating the securities to be required from the officers and persons who shall be entrusted with the moneys of the said Company, as to the major part of the Shareholders shall seem meet, 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.

XXXIII. And be it enacted, That 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 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.

XXXIV. And be it enacted, That 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.

XXXV. And, 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: Be it enacted, That upon the proper completion thereof, within three 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 Thirty-three 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 to be hereafter determined by the Directors of the said Company, provided such tolls shall in no case exceed the tolls specified in the third Schedule, marked C, annexed to this Act; and no higher tolls shall be charged, demanded, or received, than such as are specified in the said Schedule for each and every person, animal, cart, carriage, dray, wagon, and other vehicle which shall pass over such bridge.

Tolls granted to the Company.

XXXVI. And be it enacted, That 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

Liberty to erect toll-bar and appoint collectors.

Penrith Nepean Bridge.—1851.

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 and servants, clergymen, mails, military, police, and persons employed on the roads from payment of tolls.

XXXVII. And be it enacted, That 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, nor for any Clergyman or Minister, or other person or persons going to or returning from his, her, or their proper 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.

XXXVIII. And be it enacted, That 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 powers of demanding, collecting, and taking the said tolls, as are hereby given to the said Company.

Lessee may appoint collectors.

XXXIX. And be it enacted, That 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 the tolls so demised, leased, and farmed; and such person or persons so appointed as aforesaid, shall and may use all means and methods for the recovery thereof, in case of non-payment or evasion, as the said Company, and such lessee or lessees might or could do 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.

XL. And be it enacted, That 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 on 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 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, 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 lessee's 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 meantime be collected by the said Company, their servants or agents in that behalf.

XLI.

Penrith Nepean Bridge.—1851.

XLI. And be it enacted, That 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 the tolls payable at the said bridge, distinguishing severally the amount of tolls, and the different sorts of cattle, beasts, carriages, or other vehicles, for which they are severally to be paid, where there shall be any variation therein; and that 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 or keeper 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 change 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 such 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 by 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 authorised 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.

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

XLII. And be it enacted, That 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.

Persons refusing to pay may be prevented passing.

XLIII. And be it enacted, That all cattle, horses, sheep, and other beasts for which toll is demandable and payable under this Act, shall 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.

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

XLIV. And be it enacted, That if any person or persons shall resist or make forcible opposition against, or shall assault any person or persons having right or authority 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, 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.

Penalty on passing bridge without paying toll.

XLV.

Penrith Nepean Bridge.—1851.

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

XLV. And be it enacted, That 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 detain or 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 on the said bridge, shall make use of any uncivil, scurrilous, threatening, or abusive language or behaviour to any traveller or passenger, travellers or passengers 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.

XLVI. And be it enacted, That 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 labor 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.

XLVII. And be it enacted, That 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; 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.

XLVIII. And be it enacted, That 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 authorised 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 authorised 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.

Application of penalties recovered.

XLIX. And be it enacted, That 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.

Penrith Nepean Bridge.—1851.

L. And be it enacted, That 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*.

LI. And be it enacted, That 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.

LII. And be it enacted, That 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.

LIII. And be it enacted, That 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.

LIV. And be it enacted, That 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.

LV. And be it enacted, That 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 from or by the said Company, or in anywise relating to the said undertaking, for any of the matters or things authorised 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.

LVI. And be it enacted, That 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.

LVII. And be it enacted, That it shall be lawful for the said Company, by order of any General Meeting of the said Company, to raise any further sum or sums of money, not exceeding altogether nine thousand

Power to raise a further capital of £9,000.

U

pounds

Penrith Nepean Bridge.—1851.

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 authorised; and the said Company are hereby authorised 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 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.

LVIII. And be it enacted, That all the 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.

LIX. And be it enacted, That 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 the 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, 9 Victoria, No. 9, 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 or its Dependencies, by any person who shall sue for the same: Provided that such action be commenced within two years from the time the offence shall be alleged to have been committed.

Penalty for neglect.

Persons whose names
are recorded to be
deemed proprietors.

LX. And be it enacted, That 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 names 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 pur-
chasing the Bridge
and its appurtenances
at a fixed price.

LXI. And be it enacted, That 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 appurte-

nances,

Penrith Nepean Bridge.—1851.

nances, 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 sum 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 thirty-three years, if it be considered expedient, and a General Meeting of the said Company shall have authorised 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 thirty-three years.

LXII. And be it enacted, That at any time after the expiration of thirty-three 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 Penrith Nepean Bridge Company shall *ipso facto* be dissolved and cease.

Power to dissolve the Corporation after thirty-three years.

LXIII. And be it enacted, That this Act shall continue and be in force thirty-three years: Provided that unless the said bridge shall be properly built and perfected within three 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.

LXIV. And be it enacted, That 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 him or them.

Rights of the Crown not affected.

LXV. And be it enacted, That 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.

Passed the Legislative Council, this twelfth day of December, one thousand eight hundred and fifty-one.

CHARLES NICHOLSON,
SPEAKER.

WM. MACPHERSON,
CLERK OF THE COUNCIL.

In the name and on the behalf of Her Majesty, I assent to this Act,

CH^s A. FITZ ROY,
GOVERNOR-GENERAL

Govt. House, Sydney, 15th December, 1851.

SCHEDULE

Penrith Nepean Bridge.—1851.

SCHEDULE A.

FORM OF CERTIFICATE OF SHARE.

No.

PENRITH NEPEAN BRIDGE COMPANY.

This is to certify, that A. B., of _____ is the proprietor of the _____ share (or shares) numbered _____ of the Penrith Nepean Bridge Company, subject to the regulations of the said Company. Given under the common seal of the Company, the _____ day of _____ in the year of our Lord one thousand eight hundred and _____

SCHEDULE B.

WOODRIF'S LAND.

All that parcel of land, situated on the bank of the Nepean River, in the borough of Penrith, and county of Cumberland, bounded on the east by the roadway of the Western Road, on the north and south by westerly continuations of the north and south boundaries of the Western Road, and on the west by the Nepean River, and comprising by admeasurement 22½ perches, more or less.

SCHEDULE C.

TABLE OF TOLLS.

	s.	d.
For every person crossing the Bridge in any manner	0	1
„ horse, mare, gelding, ass, or mule, drawing or not drawing	0	4
„ ox or head of neat cattle, drawing	0	2
„ „ in a drove	0	1
„ sheep, lamb, pig, or goat	0	0½
„ carriage on springs, with two wheels	0	6
„ carriage on springs, with four wheels	1	0
„ vehicle with two wheels, without springs	0	4
„ vehicle with four wheels, without springs	0	8

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