

Wahgunyah Murray Bridge Company.

An Act to incorporate a Company to be called
 “The Wahgunyah Murray Bridge Company”
 and to enable the said Company to erect and
 maintain a Bridge over the Murray River at
 the end of Ford-street in the Township of
 Wahgunyah and to take Toll thereat and for
 other purposes. [10th May, 1861.]

WAHGUNYAH
 MURRAY BRIDGE
 COMPANY.

WHEREAS the construction of a bridge over the River Murray at the northern end or termination of Ford-street Wahgunyah in the Colony of Victoria to connect said township with Corowa on the New South Wales side of the river and the overland road to Sydney will be of great advantage to the public generally and it is therefore advisable to grant encouragement to such persons as may be willing to make and maintain such bridge by granting to them an Act of incorporation 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—

Preamble.

1. That John Foord Christopher Godfrey Baldock and Henry Baylis Esquires 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 constructing completing and maintaining the bridge and other works by this Act authorized to be made and executed and for that purpose shall be one body corporate by the name and style of “The Wahgunyah Murray Bridge Company” and by that name shall have perpetual succession and shall have 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.

Proprietors incorporated by the name of “The Wahgunyah Murray Bridge Company.”

Seal.

Power to sue and be sued.

2. The capital stock of the company hereby established shall be eight thousand pounds sterling and shall be divided into one thousand six hundred shares of five pounds each and upon taking any share any subscriber shall pay to the secretary or other proper officer of the said company the sum of ten shillings 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 and notice of such call or calls shall be given in the *New South Wales* and *Victoria Government Gazette* and in one or more of the newspapers published in the Colonies of New South Wales and Victoria and likewise by letter under seal of the company to every shareholder fifteen days at least before the day appointed for the payment of the same.

Capital to be £8,000 divided into shares of £5 each.

Periods and amounts of call.

3. If before or on the day appointed for the payment of any call any shareholder shall not pay the amount of such call he shall be liable to pay interest for the same at the rate of ten per centum per annum from the day appointed for the payment of such call to the time of the actual payment thereof.

Interest on over-due calls.

4. 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 and to pay interest at a rate

Advances from shareholders on interest.

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rate not exceeding eight pounds per centum per annum upon the principal moneys so paid in advance or so much thereof as shall from time to time exceed the amount of the calls then made upon the shares in respect of which such advances shall be made.

Application of
money to be raised
on deposits and calls.

5. The money to be raised or received by the said company by virtue of this Act shall be laid out and applied in the first place in paying and discharging all costs and expenses incurred in applying for obtaining and passing this Act and all other expenses preparatory or relating thereto and the remainder of such money shall be applied in and towards the making and maintaining the said bridge and other works and in otherwise carrying this Act into execution.

Shares to be per-
sonal estate.

6. All shares in the undertaking shall be personal estate and transmissible as such and shall not be of the nature of real estate.

Shareholders.

7. Every person who shall have subscribed the prescribed sum or upwards to the capital of the company or shall otherwise have become entitled to a share in the company and whose name shall have been entered on the register of shareholders hereinafter mentioned shall be deemed a shareholder of the company,

Registry of share-
holders.

8. The company shall keep a book to be called "The Register of Shareholders" and in such book shall be fairly and distinctly entered from time to time the names and addresses of the several shareholders of the company together with the number of shares to which such shareholders shall be respectively entitled distinguishing each share by its number and the amount of the subscriptions paid on such shares and the surnames or (in the case of corporations) the corporate names of the said shareholders shall be placed in alphabetical order and such book shall be authenticated by the common seal of the company being affixed thereto and such authentication shall take place at the first ordinary meeting or at the next subsequent meeting of the company and so from time to time at each ordinary meeting of the company and such book may at all convenient times be perused by the shareholders respectively.

Certificates of shares
to be issued to the
shareholders.

9. On demand of the holder of any share the company shall cause a certificate of the proprietorship of such share to be delivered to such shareholder and such certificate shall have the common seal of the company affixed thereto and such certificate shall specify the share in the undertaking to which such shareholder is entitled and the same may be according to the form in the Schedule A to this Act annexed or to the like effect and for such certificate the company may demand any sum not exceeding two shillings and sixpence.

Certificates to be
evidence.

10. The said certificate shall be admitted in all Courts as *prima facie* evidence of the title of such shareholder his executors administrators successors or assigns to the share therein specified nevertheless the want of such certificate shall not prevent the holder of any share from disposing thereof.

Certificate to be
renewed when
destroyed.

11. If any such certificate be worn out or damaged then upon the same being produced at some meeting of the directors such directors may order the same to be cancelled and thereupon another similar certificate shall be given to the party in whom the property of such certificate and of the share therein mentioned shall be at the time vested or if such certificate be lost or destroyed then upon proof thereof to the satisfaction of the directors a similar certificate shall be given to the party entitled to the certificate so lost or destroyed and in either case a due entry of the substituted certificate shall be made by the secretary in the register of shareholders and for every such certificate so given or exchanged the company may demand a sum not exceeding two shillings and sixpence.

Shares may be sold.

12. It shall be lawful for any shareholder and his executors or administrators to sell and dispose of any share to which he shall be entitled

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entitled subject to the provisions herein contained and the assignment of shares may be according to the form in the Schedule B to this Act annexed.

13. The said assignment or transfer (when duly executed) shall be delivered to the secretary and be kept by him and the secretary shall enter a memorial thereof in a book to be called "The Register of Transfers" and shall indorse such entry on the deed of transfer and shall on demand deliver a new certificate to the purchaser and for every such entry together with such indorsement 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 indorsement of such transfer shall be made on the certificate of such share instead of a new certificate being granted and such indorsement being signed by the secretary shall be considered in every respect the same as a new certificate and until such transfer has been so delivered to the secretary 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 of the share shall not be entitled to receive any share of the profits of the undertaking or to vote in respect of such share.

Transfer of shares to be registered &c.

14. No shareholder shall be entitled to transfer any share after any call shall have been made in respect thereof until he shall have paid all calls for the time being due on every share held by him.

Transfer not to be made until calls paid.

15. If the interest in any share have become transmitted in consequence of the death or bankruptcy or insolvency of any shareholder or in consequence of the marriage of a female shareholder or by any other lawful means than by a transfer according to the provisions of this Act such transmission shall be authenticated by a declaration in writing as hereinafter mentioned or in such other manner as the directors shall require and every such declaration shall state the manner in which and the party to whom such share shall have been so transmitted and shall be made and signed by some credible person before a Justice or a Master or Master Extraordinary of the High Court of Chancery or a Notary Public or a Commissioner of the Supreme Court of any of the Australian Colonies for taking affidavits and such declaration shall be left with the secretary and thereupon he shall enter the name of the person entitled under such transmission in the register of shareholders and for every such entry the company may demand any sum not exceeding five shillings and until such transmission has been so authenticated no persons claiming by virtue of any such transmission shall be entitled to receive any share of the profits of the undertaking nor to vote in respect of any such share as the holder thereof.

Transmission of shares by other means than transfer to be authenticated by a declaration.

16. If such transmission be by virtue of the marriage of a female shareholder the said declaration shall contain a copy of the register of such marriage or other particulars of the celebration thereof and shall declare the identity of the wife with the holder of such share and if such transmission have taken place by virtue of any testamentary instrument or by intestacy the probate of the will or the letters of administration or an official extract therefrom shall together with such declaration be produced to the secretary and upon such production in either of the cases aforesaid the secretary shall make an entry of the declaration in the said register of transfers.

Proof of transmission by marriage will &c.

17. The company shall not be bound to see the execution of any trust whether express 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 company or if it stands in the names of more parties than one the receipt of one of the parties named first in the register of shareholders shall from time to time be a sufficient discharge to the company for any dividend or other

Company not bound to regard trusts.

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other sum of money payable in respect of such share notwithstanding any trusts to which such share may then be subject and whether or not the company have had notice of such trusts and the company shall not be bound to see to the application of the money paid upon such receipt.

Enforcement of calls
by action.

18. If at the time appointed by the directors for the payment of any call any shareholder fail to pay the amount of such call it shall be lawful for the 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 at eight per cent. from the day on which such call was payable.

Declaration in action
for calls.

19. In any action or suit to be brought by the company against any shareholder to recover any money due for any call it shall not be necessary to set forth the special matter but it shall be sufficient for the company to declare that the defendant is the holder of one share or more in the company (stating the number of shares) and is indebted to the company in the sum of money to which the calls in arrear shall amount in respect of one call or more upon one share or more (stating the number and amount of each of such calls) whereby an action hath accrued to the company by virtue of this Act.

Matter to be proved
in action for calls.

20. On the trial or hearing of such action or suit it shall be sufficient to prove that the defendant at the time of making such call was the holder of one share or more in the undertaking and that such call was in fact made and that such notice thereof given as is directed by this Act and it shall not be necessary to prove the appointment of the directors who made such call nor any other matter whatsoever and thereupon the company shall be entitled to recover what shall be due upon such call with interest thereon unless it shall appear that due notice of such call was not given or that the amount of such call was not in fact due by the defendant to the company in respect of the shares held by him.

Proof of proprietor-
ship.

21. The production of the register of shareholders shall be *prima facie* evidence of such defendant being a shareholder and of the number and amount of his shares.

Forfeiture of share.

22. If any shareholder fail to pay any call payable by him together with the interest (if any) that shall have accrued thereon the directors at any time after the expiration of two months from the day appointed for payment of such call may declare the share in respect of which such call was payable forfeited and that whether the company have sued for the amount of such call or not.

Notice of forfeiture.

23. Before declaring any share forfeited the directors shall cause notice in writing 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 to be the proprietor of such share and if the holder of any such share shall be beyond the limits of the Colonies of New South Wales and Victoria or if his or their last place of abode be not known to the said directors or if the interest in any share shall be known by 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 *Government Gazettes* of New South Wales and Victoria and also in one or more of the newspapers published in the Colonies of New South Wales and Victoria and the several notices aforesaid shall be given twenty-eight days at least before the said directors shall make such declaration of forfeiture.

Forfeiture to be
confirmed by a
general meeting.

24. The said declaration of forfeiture shall not take effect so as to authorize the sale or other disposition of any share until such declaration has been confirmed at some general meeting of the company to

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to be held after the expiration of two months at the least from the day on which such notice of intention to make such declaration of forfeiture shall have been given. And it shall be lawful for the company to confirm such forfeiture at any such meeting and by an order at such meeting or at any subsequent general meeting to direct the share so forfeited to be sold or otherwise disposed of.

25. The company shall not sell or transfer more of the shares of any such defaulter than will 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 interest and the expenses attending such sale and the declaration of forfeiture and if the money produced by the sale of any such forfeited shares 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 the sale thereof the surplus shall on demand be paid to the defaulter.

No more shares to be sold than sufficient for payment of calls.

26. If payment of such arrears of calls and interest and expenses be made before any share so forfeited and vested by the company shall have been sold such share shall revert to the party to whom the same belonged before such forfeiture in such manner as if such calls had been duly paid.

Reversion of shares to party on payment of arrears.

27. As soon as one thousand shares of the said company shall have been subscribed for and the deposits paid as aforesaid the first general meeting of the shareholders for putting this Act into execution shall be held at some convenient place in the township of Wahgunyah between the hours of ten and four in the day time of which meeting not less than fourteen days notice shall be given by advertisement in the *New South Wales* and *Victoria Gazettes* and in two of the newspapers published in each of the said Colonies one of which said newspapers shall be that which is published nearest to the township of Wahgunyah and such meeting may be convened by any three shareholders of the said company and at such first general meeting the shareholders then present shall by themselves or their proxies proceed to elect by the majority of votes eight shareholders qualified as hereinafter provided to be directors of the company. And the future general meetings of the said company shall be held in the months of January and July in each year or at such other stated periods as shall be appointed for that purpose by an order of a general meeting and the meetings so appointed to be held as aforesaid shall be called "ordinary meetings" and all meetings whether ordinary or extraordinary shall be held at the time and place prescribed at any previous ordinary meeting (if any) and if no time or place shall have been so prescribed then at some time and place to be appointed by the directors.

First general meeting.

28. No matters except such as are appointed by this Act to be done at an ordinary meeting shall be transacted at any such meeting unless special notice of such matters have been given in the advertisement concerning such meeting.

Business at ordinary meetings.

29. Every general meeting of the shareholders other than an ordinary meeting shall be called "an extraordinary meeting" and such meetings may be convened by the directors at such times as they shall think fit.

Extraordinary meetings.

30. It shall be lawful for five or more shareholders holding in the aggregate not less than one-eighth of the capital of the company in writing under their hands at any time to require the directors to call an extraordinary meeting of the 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 company or given to at least three directors or left at their last or usual places of abode and forthwith

Extraordinary meetings may be required by shareholders.

upon

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upon the receipt of such requisition the directors shall convene a meeting of the shareholders and if for twenty-one days after such notice the directors fail to call such meeting the shareholders signing such requisition and qualified as aforesaid may call such meeting by giving fourteen days public notice thereof.

Business at extra-ordinary meetings.

31. No extraordinary meeting shall enter upon any business not set forth in the notice upon which it shall have been convened.

Notice of meetings.

32. Fourteen days public notice at the least of all meetings whether ordinary or extraordinary shall be given by advertisement which shall specify the place the day and the hour of meeting and every notice of an extraordinary meeting or of an ordinary meeting if any other business than the business hereby appointed for ordinary meetings is to be done thereat shall specify the purpose for which the meeting is called.

Quorum for a general meeting.

33. In order to constitute a meeting whether ordinary or extraordinary there shall be present either personally or by proxy a quorum of eight shareholders representing one hundred shares and if within one hour from the time appointed for such meeting the said quorum be not present no business shall be transacted at the meeting other than the declaring of a dividend in case that shall be one of the objects of the meeting but such meeting shall except in the case of a meeting for the election of directors hereinafter mentioned be held to be adjourned *sine die*.

Chairman at general meetings.

34. At every meeting of the company one or other of the following persons shall preside as chairman that is to say the chairman of the directors or in his absence the deputy chairman (if any) or in the absence of the chairman and deputy chairman some one of the directors of the company to be chosen for that purpose by the meeting or in the absence of the chairman and deputy chairman and of all the directors any shareholder to be chosen for that purpose by a majority of the shareholders present at such meeting.

Business at meetings and adjournments.

35. The shareholders present at any such meeting shall proceed in the execution of the powers of the company with respect to the matters for which such meeting shall have been convened and those only and every such meeting may be adjourned from time to time and from place to place and no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which such adjournment took place.

Votes of joint shareholders.

36. If several persons be jointly entitled to a share the person whose name stands first in the register of shareholders as one of the holders of such share shall for the purpose of voting at any meeting be deemed the sole proprietor thereof and on all occasions the vote of such first named shareholder either in person or by proxy shall be allowed as the vote in respect of such share without proof of the concurrence of the other holders thereof.

Vote of lunatics and minors &c.

37. 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 may vote by his guardian or any one of his guardians and every such vote may be given either in person or by proxy.

Proof of a particular majority of votes only required in the event of a poll being demanded.

38. Whenever in this Act the consent of any particular majority of votes at any meeting of the company is required in order to authorize any proceeding of the company such particular majority shall only be required to be proved in the event of a poll being demanded at such meeting and if such poll be not demanded then a declaration by the chairman that the resolution authorizing such proceeding has been carried and an entry to that effect in the book of proceedings of the company shall be sufficient authority for such proceeding without proof of the number or proportion of votes recorded in favour of or against the same.

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39. There shall be eight directors of the said company who shall be proprietors of at least twenty shares each and who shall be elected by the shareholders of the said company by ballot and not less than three directors shall constitute a board for the transaction of business of which the chairman of the directors 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 at that meeting in his stead and the chairman at that meeting shall vote at the board as a director and in case of there being an equal number of votes for or against any question before them he shall have the casting vote.

Board of directors.

40. The directors shall have the management and superintendence of the affairs of the said company and they may lawfully exercise all the powers of the 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 in accordance with and subject to the provisions of this Act and also to the control and regulation of any general meeting of the said company specially convened for the purpose but not so as to render invalid any act done by the directors prior to any resolution passed by such general meeting.

Powers of directors.

41. 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.

Retirement of directors.

Proviso.

42. If at any meeting at which an election of directors ought to take place the prescribed quorum shall not be present within one hour from the time appointed for the meeting no election of directors shall be made but such meeting shall stand adjourned to the following day at the same time and place and if at the meeting so adjourned the prescribed quorum be not present within one hour from the time appointed for the meeting the existing directors shall continue to act and retain their powers until new directors be appointed at the general meeting of the following year.

Existing directors continued on failure of meeting for election of directors.

43. No director by being party to or executing in his capacity of director any contract or other instrument on behalf of the company or otherwise lawfully executing any of the powers given to the directors shall be subject to be sued or prosecuted either individually or collectively by any person whomsoever and the bodies or goods or lands of the directors shall not be liable to execution of any legal process by reason of any contract or other instrument so entered into signed or executed by them or by reason of any other lawful act done by them in the execution of any of their powers as directors and the directors their heirs executors and administrators shall be indemnified out of the capital of the company for all payments made or liability incurred in respect of any acts done by them and for all losses costs and

Directors not to be personally liable and indemnified.

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and damages which they may incur in the execution of the powers granted to them and the directors for the time being of the company may apply the existing funds and capital of the company for the purposes of such indemnity and may if necessary for that purpose make calls of the capital remaining unpaid if any.

Meetings of
directors.

44. The directors shall hold meetings at such times as they shall appoint for the purpose and they may meet and adjourn as they think proper from time to time and from place to place and at any time any two of the directors may require the secretary to call a meeting of the directors and in order to constitute a meeting of directors there shall be present at the least the prescribed quorum and when no quorum shall be prescribed there shall be present at least one-third of the directors and all questions at any such meeting shall be determined by the majority of votes of the directors present and in case of an equal division of votes the chairman shall have a casting vote in addition to his vote as one of the directors.

Committees of
directors powers of
committee.

45. It shall be lawful for the directors to appoint one or more committees consisting of such number of directors as they think fit within the prescribed limits if any and they may grant to such committees respectively power on behalf of the company to do any acts relating to the affairs of the company which the directors could lawfully do and which they shall from time to time think proper to intrust to them.

Meetings of com-
mittees.

46. The said committees may meet from time to time and may adjourn from place to place as they think proper for carrying into effect the purposes of their appointment and no such committee shall exercise the powers intrusted to them except at a meeting at which there shall be present the prescribed quorum or if no quorum be prescribed then a quorum to be fixed for that purpose by the general body of the directors and at all meetings of the committees one of the members present shall be appointed chairman and all questions at any meetings of the committee shall be determined by a majority of votes of the members present and in case of an equal division of votes the chairman shall have a casting vote in addition to his vote as a member of the committee.

Proceedings to be
entered in a book
and to be evidence.

47. The directors shall cause notes minutes or copies as the case may require of all appointments made or contracts entered into by the directors and of the orders and proceedings of all meetings of the company and of the directors and committees of directors to be duly entered in the books to be from time to time provided for the purpose which shall be kept under the superintendence of the directors and every such entry shall be signed by the chairman of such meeting and such entry so signed shall be received as evidence in all Courts and before all Judges Justices and others without proof of such respective meetings having been duly convened or held or of the persons making or entering such orders or proceedings being shareholders or directors or members of committee respectively or of the signature of the chairman or of the fact of his having been chairman all of which last-mentioned matters shall be presumed until the contrary be proved.

Cases in which office
of director shall
become vacant.

48. If any of the directors at any time subsequently to his election accept or continue to hold any other office or place of trust or profit under the company or be either directly or indirectly concerned in any contract with the company or participate in any manner in the profits of any work to be done for the company or if such director at any time cease to be a holder of the prescribed number of shares in the company then in any of the cases aforesaid the office of such director shall become vacant and thenceforth he shall cease from voting or acting as a director.

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49. If any director die or resign or become disqualified or incompetent to act as a director or cease to be a director by any other cause than that of going out of office by rotation as aforesaid the remaining directors if they think proper so to do may elect in his place some other shareholder duly qualified to be a director and the shareholder so elected to fill up any such vacancy shall continue in office as a director so long only as the person in whose place he shall have been elected would have been entitled to continue if he had remained in office.

Supply of occasional vacancies in office of directors.

50. All acts done by any meeting of the directors or of a committee of directors or by any person acting as a director shall notwithstanding it may be afterwards discovered that there was some defect in the appointment of any such director or persons acting as aforesaid or that they or any of them were or was disqualified be as valid as if every such person had been duly appointed and was qualified to be a director.

Informalities in appointment of directors not to invalidate proceedings.

51. Except as otherwise provided for by this Act the following powers of the company that is to say the choice and removal of the directors the determination as to the amount of money to be borrowed as to the augmentation of capital and the declaration of dividends shall be exercised only at a general meeting of the company.

Powers of general meeting.

52. Shareholders shall be entitled to vote either by themselves or by their agents holding their letter of authority under their signature to exercise their right to vote at general meetings (the said letter of authority from shareholder to his agent to be lodged prior to exercising the right to vote with the secretary of the company) according to the following scale—for any number of shares up to and inclusive of five shares one vote for any number of shares up to and inclusive of ten shares two votes for any number above ten and not exceeding twenty three votes for any number above twenty and not exceeding fifty four votes and for any number above fifty and not exceeding one hundred five votes and for any number exceeding one hundred six votes. Provided always that no shareholder shall be entitled to vote at any meeting unless he shall have paid all the calls then due upon the shares held by him.

Scale of voting.

53. It shall be lawful for the company from time to time to make such by-laws as they think fit for the purpose of regulating the conduct of the officers and servants of the company and for providing for the due management of the affairs of the company in all respects whatsoever and from time to time to alter or repeal any such by-laws and make others provided such by-laws be not repugnant to the laws of the realm or to the provisions of this Act and such by-laws shall be reduced into writing and shall have affixed thereto the common seal of the company and a copy of such by-laws shall be given to every officer and servant of the company affected thereby.

By-Laws.

Power to make by-laws for the officers of the company.

54. It shall be lawful for the company by such by-laws to impose such reasonable penalties upon all persons being officers or servants of the company offending against such by-laws as the company think fit not exceeding five pounds for any one offence.

Fines for breach of such by-laws.

55. All the by-laws to be made by the company shall be so framed as to allow the Justice before whom any penalty imposed thereby may be sought to be recovered to order a part only of such penalty to be paid if such Justice shall think fit.

By-laws to be so framed as that penalties may be mitigated.

56. The production of a written or printed copy of the by-laws of the company having the common seal of the company affixed thereto shall be sufficient evidence of such by-laws in all cases of prosecution under the same.

Evidence of by-laws.

57. As soon as one thousand shares of the capital stock of the said company shall have been actually subscribed for and the sum of

Commencement of works.

five

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five hundred pounds sterling paid up it shall be lawful for the said company and they are hereby authorized and empowered to make and construct a Bridge over the River Murray at and from the northern end of Ford-street Wahgunyah aforesaid to and upon the land being Crown land on the New South Wales side of the river at the spot named in the preamble to this Act being situate immediately above the present punt road and in the river frontage reserve in the parish of Corowa.

Power to enter upon
and take lands.

58. For the purposes and subject to the provisions of this Act it shall be lawful for the said company their successors agents and workmen and all other persons by them authorized and they are hereby empowered to make from and set out a proper commodious and convenient road and approach to the said bridge the road to be three chains wide and the approach to be from the present terminus and meeting of the two lines of Government surveyed road each one and a half chains wide and also upon obtaining the necessary consent and authority in that behalf through and along the aforesaid line or direction to dig and make proper foundations in the said river or on the banks thereof and to cut remove and carry away and use any earth gravel stone timber or any other material or things which may be dug or obtained therein or otherwise in the execution of the powers of this Act and which may be proper and necessary for making maintaining altering repairing or using any such bridge and the course or channel of the river and making such proper embankments ways and approaches thereto as may be required or which may obstruct the making maintaining altering repairing or using the same respectively according to the true intent and meaning of this Act Provided always that a due regard be paid by the company to the interests of those engaged now or hereafter in the navigation of the River Murray that is to say that a specific height of not less than fifteen feet be preserved from the highest known flood water level to the crown of the centre of the bridge and moreover that all impediments or obstructions to the navigation of the river at this spot be removed after completion of the bridge.

No obstruction to be
offered to the navi-
gation of the river.

Tolls allowed.

59. In consideration of the great charges and expenses which the said company must necessarily incur and sustain in making and maintaining the said bridge and other the works hereby authorized to be made it shall be lawful for the said company upon the completion thereof from time to time and at all times hereinafter to ask demand take 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 Schedule 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.

Toll bar and house
and collectors.

60. It shall be lawful for the said company to erect and make a toll bar or gate at upon or near to such part of the said bridge as to the company shall seem expedient and to collect and receive the tolls thereat and to nominate and appoint some fit and proper person to attend to 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 henceforth deemed to be public property and vested in the Crown accordingly.

Exemption from
tolls.

61. Toll shall not be demandable or taken by virtue of this Act for any horses or carriages of or belonging to the Governor General of New South Wales 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 carrying the Post Office mails nor for any officers and soldiers

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soldiers of Her Majesty's forces or of any corps of volunteers 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 of 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.

62. It shall 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. Tolls may be let

63. 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 as the said company and such lessee or lessees might or could do under and by virtue of this Act. Lessee may appoint collector.

64. In case the toll demandable at or on 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 or 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 mean time be collected by the said company their servants or agents in that behalf. Remedy against lessee.

65. 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 when 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 Table of tolls with name of collector.

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shall continue to take or to be the lessee or lessees of the said tolls shall place in 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 in 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 refuse or neglect 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 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 or surname to any person or persons who on paying the said tolls 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.

No passing without payment of toll.

66. 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.

Cattle &c. counted.

67. All cattle horses sheep and other beasts for which toll is demandable and payable under this Act shall be counted by the lessee or collectors 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.

Penalty on passing without paying toll.

68. 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 tolls in the execution of their duty or shall pass through the toll-gate at or on 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 on demand 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.

Misconduct of lessee or collector.

69. 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 or carriages carts or other vehicles from passing over the said bridge or if 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.

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70. 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 and 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 imprisoned or kept to hard labor on the roads or other public works of the Colony for such term not exceeding three years as the said Court shall think fit.

Destroying or
injuring bridge
felony.

71. If any person or persons whosoever shall wilfully or maliciously injure pull down or cut down pluck up throw down break level or otherwise damage demolish or destroy any toll gate chain post or 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 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.

Injuring toll-gate or
any part of bridge.

72. 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.

Summary
adjudication.

73. 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.

74. 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 and 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.

Want of form cured.

75. The directors of the said company shall at each of the half-yearly general meetings made 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

Half-yearly divi-
dends of profits.

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proper by the said directors consistent with the by-laws rules and regulations of the said company.

Receipts of guardians
of minors &c.

76. 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.

Profits reserved.

77. 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.

Dividend on shares
in arrear.

78. 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.

Receipt of minors or
lunatics.

79. 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 for the same.

Profits reserved.

80. 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 deem proper to meet contingencies or for enlarging repairing or improving the said bridge toll-gate or anything connected therewith and may divide the balance only among the shareholders.

Dividend on shares
in arrear.

81. 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.

Liability of
shareholders.

82. 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 the amount of their subscribed shares in the capital of the company only Provided always that no such execution shall issue against any shareholder except upon an order of the 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 executions to issue accordingly and for the purpose of ascertaining the names of the shareholders and the amount of their respective shares it shall be lawful for any person entitled to any such execution at all reasonable times to inspect without fee the register of shareholders required to be kept by the company in pursuance of one of the clauses of the Imperial Act herewith incorporated 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 for any of the matters or things authorized by this Act to be made done or completed beyond the extent of double the amount of his shares in the capital of the said company as aforesaid any law custom or usage to the contrary thereof in anywise notwithstanding.

Reimbursement of
such shareholders.

83. 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.

Increase of capital.

84. It shall be lawful for the said company to raise any further sum or sums of money not exceeding altogether four thousand pounds in addition to the said capital of eight thousand pounds for executing
completing

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completing and maintaining the bridge and other works hereby authorized and the said company are hereby authorized and empowered to raise any such further sum or sums by contributing among themselves or by the admission of other persons as subscribers to the said company and issuing new shares of five pounds each to such contributors or subscribers but so that each such subscriber or contributor 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 dealt with and be transmissible accordingly and every corporation and person who shall contribute and pay upon and 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 entitled to be incorporated with the said company.

85. In case it shall at any time be thought expedient by the said company to raise any sum or sums of money by way of loan it shall be lawful for the said company by any order of any general meeting of the said company to borrow and take up at interest in addition to the money which the said company are authorized by the fifth clause of this Act to receive in advance from the shareholders any such sum as to them shall seem meet and convenient not exceeding at any time one half of the amount of the capital of the said company then actually paid up and the said company after an order shall have been made for that purpose by any general meeting are hereby authorized and empowered to assign the property of the said company and the rates arising and to arise by virtue of this Act or any part thereof (the costs and charges of assigning the same to be paid out of the same rates) as a security for any such sum of money to be borrowed as aforesaid with interest to such person or his trustee as shall advance the same all which said mortgages or assignments shall be made under the common seal of the said company and in the words or to the effect set forth in the Schedule D to this Act annexed And all and every the person or persons to whom such mortgage or assignment shall be made shall be equally entitled one with the other to his or her or their proportion or proportions of the said rates and premises according to the respective sums in such mortgages or assignments mentioned to be advanced without any preference by reason of the priority of date of any such mortgage or assignment for any amount whatsoever and an entry or memorial of every such mortgage or assignment containing the number and date thereof and the name or names of the person or persons with the proper additions to whom the same shall have been made and of the sum borrowed together with the rate of interest to be paid thereon shall within seven days next after the date thereof be entered in a book or books to be kept by the secretary or other proper officer of the said company which said book or books shall and may be perused at all reasonable times by any of the proprietors mortgagees or creditors of the said company or other person interested therein without fee or reward and every person to whom any such mortgage or assignment shall have been made as aforesaid or who shall be entitled to the money due thereon shall and may from time to time transfer his right and interest therein to any person whomsoever which transfer shall or may be indorsed in the words or to the effect set forth in the Schedule E to this Act annexed And every such transfer shall within fourteen days after the date thereof be produced to the secretary of the said company who shall cause an entry or memorial to be made thereof in the same manner as the original mortgages and assignments for which the said secretary shall be paid such sum as the said company shall appoint

Borrowing on
mortgage.

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not exceeding five shillings and after such entry made every transfer shall entitle such assignee his executors administrators and assignees to the full benefit thereof and payment thereon and it shall not be in the power of any person who shall have made such transfer to make void release or discharge the same or any sum of money therein due or thereby secured or any part thereof.

Interest on
mortgage.

86. The interest of the money which shall be raised by mortgage as aforesaid shall be paid half-yearly to the several persons entitled thereto in preference to any interest or dividends due or payable by virtue of this Act to the said shareholders or any of them.

Mortgagee not
to vote.

87. No person to whom any such mortgage or assignment shall be made or transferred as aforesaid shall be deemed a proprietor of any share or shall be capable of acting or voting by virtue of such assignment either as principal or by letter of authority to an agent at any meeting of the said company for or on account of his having lent or advanced any sum of money on the credit of any mortgage or assignment.

New mortgage.

88. In case the said company shall raise any sum or sums of money by mortgage and shall afterwards be required or be desirous to pay off and shall pay off all or any part of the principal sum secured by such mortgages or any of them then and in every such case it shall be lawful for the said company and they are hereby authorized and empowered immediately or at any time or times thereafter again to raise in lieu of the principal money so paid off or to be paid off by them so much and such sums of money as they shall from time to time have paid off or be required and be desirous to pay off to the holder of such mortgages or any of them or any part thereof and so from time to time as often as the same shall happen but so nevertheless that the mortgage debts of the said company shall not in any event exceed one-half of the amount of the capital of the said company actually paid up.

Purchase of the
bridge by Govern-
ment.

89. It shall be lawful for the Governor of the said Colony for the time being with the advice of the Executive Council thereof at any time after the expiration of twenty-one years from the completion of the said bridge to purchase the same with all its appurtenances in the name and on behalf of Her Majesty or Her Successors upon giving to the said company six 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 Chief 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 twenty-one 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 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.

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90. If any person shall wilfully make any false statement as to any material particular in any declaration made and subscribed by him under the provisions of this Act he shall be deemed guilty of a misdemeanor and punished accordingly. False declaration.

91. When in this Act any word is used importing the singular number or masculine gender only the same shall be understood also to include several matters several persons and females as well as males and when the word "lands" is used the same shall be understood to include tenements and hereditaments and when the word "corporation" is used the same shall be understood to mean any body politic corporate or collegiate civil or ecclesiastical aggregate or sole and when the word "bridge" is used the same shall be understood to mean and comprehend every road constructed by the company unless in any of the cases aforesaid it be otherwise specially provided or there be something in the subject or context repugnant to such construction and the word "prescribed" shall be construed to refer to any matter prescribed or provided for by this Act and the expression "the undertaking" shall mean the construction of a Bridge over the River Murray from the end of Ford-street Wahgunyah Victoria to the Corowa Reserve aforesaid and any other works or undertakings by this Act authorized to be constructed or executed and the expression "director" and the expression "shareholder" shall mean director and shareholder respectively of the aforesaid company and the expression "company" shall mean the aforesaid "Wahgunyah Murray Bridge Company." Rules of interpretation.

92. At any time of the expiration of ninety-nine 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 *Gazette* of the said Colony to dissolve and determine the said corporation and thereupon the said corporation of the "Wahgunyah Murray Bridge Company" shall *ipso facto* be dissolved and cease. Dissolution of corporation after ninety-nine years.

93. 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.

94. 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.

SCHEDULES REFERRED TO.

SCHEDULE A.

Form of Certificate of Shares.

The Wahgunyah Murray Bridge Company number _____ This is to certify
that A. B. of _____ is the proprietor of the share number _____ of the
Wahgunyah Murray Bridge Company subject to the regulations of the said company.

Given under the common seal of the said company the _____ day
of _____ in the year of our Lord _____

SCHEDULE B.

Wahgunyah Murray Bridge Company.

SCHEDULE B.

Form of Assessment of Shares.

I of in consideration of paid to me
 by of do hereby assign and transfer to the said
 share (or shares as the case may be) numbered of and in the Wahgunyah Murray
 Bridge Company To hold unto the said his executors and administrators and
 assigns subject to the several conditions on which I held the same immediately before the
 execution hereof and I the said do hereby agree to purchase and hold the said
 share (or shares) subject to the same rules orders restrictions and conditions As witness
 our hands the day of A.D. 18

SCHEDULE C.

Table of Tolls.

	s.	d.
For every foot passenger	0	3
For every pig or goat	0	2
For every sheep or lamb	0	0½
For every horse mare ass or mule	1	0
For every head of neat cattle	0	4
For every cart dray or other vehicle drawn by one or more beast	1	0 per wheel
For every such beast	0	6

N.B.—No second tolls payable upon returning the same day nor double tolls on Sunday.

SCHEDULE D.

Form of Mortgage.

No. The Wahgunyah Murray Bridge Company by virtue of an Act passed in the
 year of Her present Majesty Queen Victoria intituled "*An Act to incorporate a
 Company to be called 'The Wahgunyah Murray Bridge Company'*" in consideration of the sum
 of paid to the said company by doth assign
 unto the said his (or her) executors administrators and assigns the
 bridge and other works of the said company and all and singular the rates arising by virtue
 of the said Act and all the estate right title and interest of in and to the same to hold unto
 the said his (or her) executors administrators and assigns until the
 said sum of together with interest for the same after the rate of
 for every one hundred pounds for a year shall be fully paid and satisfied.
 Given under the common seal of the said company this
 day of in the year of our Lord one thousand eight
 hundred and

SCHEDULE E.

Form of Transfer of Mortgage.

I (or we) of in consideration of the sum of
 paid by of do hereby transfer the written mortgage
 and premises and all my right and property therein to the said
 his heirs executors administrators and assigns.
 Dated this day of in the year of our Lord
 one thousand eight hundred and