



ANNO DUODECIMO

## VICTORIÆ REGINÆ,

No. 4.

*By His Excellency SIR WILLIAM THOMAS DENISON, Knight,  
Lieutenant-Governor of the Island of Van Diemen's Land  
and its Dependencies, with the Advice of the Legislative  
Council.*

*AN ACT for repairing and maintaining the Roads  
leading from Hobart Town to Brown's River.*

**W**HEREAS an Act of Council or Ordinance of this Island was passed in the tenth year of the reign of Her present Majesty Queen VICTORIA intituled *An Act for regulating Cross and Bye Roads* whereby it was amongst other things enacted that the Cross Roads in each district should be under the control and management of the Court of Quarter Sessions holden in and for such district and should be maintained and repaired under the order and direction of such Court—AND WHEREAS it is expedient to exempt from the operation of the said Act the Cross Roads leading from Hobart Town to Brown's River and to make other provision in lieu thereof for and in respect of such Roads—**BE IT THEREFORE ENACTED** by His Excellency SIR WILLIAM THOMAS DENISON Knight Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies with the advice of the Legislative Council of the said Island that from and after the time when this Act shall come into operation the said Cross Roads leading from Hobart Town to Brown's River shall be wholly exempted from the operation of the said recited Act and all and singular the provisions therein contained.

PREAMBLE.

10 Vict. No. 18.

Roads from  
Hobart Town to  
Brown's River  
exempted from  
the operation of  
the Cross and Bye  
Roads Act.

II. AND BE IT ENACTED that at any time after this Act shall come into operation it shall be lawful for any seven or more householders residing within the boundaries of the District hereinafter described to convene a Public Meeting of the inhabitant householders of such District for the purpose of electing Trustees for carrying out the provisions of this Act such meeting to be convened by public advertisement to be inserted in two consecutive numbers of at least two

Seven inhabitant  
householders in  
the District de-  
fined by this Act  
may call meeting  
to elect Trustees.

newspapers published in Hobart Town such advertisement to name the day time and place of holding such meeting which day shall be at least seven clear days from the time of such last publication and such advertisement shall also state the objects and purposes for which such meeting is called and be signed by the persons convening the same.

Election of Trustees and manner in which such election shall take place.

III. AND BE IT ENACTED that at any such meeting so holden as last aforesaid it shall be lawful for the inhabitant householders within the boundaries of the District hereinafter described who shall be present at such meeting to appoint a chairman or person to preside thereat and immediately thereupon to proceed to elect and to elect from among the householders residing within such District as aforesaid any unequal number not being less than three nor more than five as and to be Trustees for the purposes of this Act and every such election shall and may be made by the votes of the inhabitant householders so present as aforesaid and the votes of the majority thereof shall be conclusive as to the person or persons so elected as aforesaid—PROVIDED that such person or persons so elected shall then and there assent or express himself or themselves willing to become such Trustee or Trustees and to take upon himself or themselves the duties thereof—PROVIDED ALSO that every vote tendered at the said meeting may be objected to by any such inhabitant householder present as aforesaid on the ground that the person or persons tendering the same is or are not inhabitant householders within the meaning of this Act and not otherwise and every such objection shall be decided by the chairman or person presiding at such meeting and every such decision shall be final as to the vote or votes so tendered—AND PROVIDED ALSO that if the number of Trustees so elected shall exceed three any three of such Trustees shall be a quorum and may lawfully exercise and do the several powers and authorities acts matters and things by this Act provided to be exercised or done by the Trustees elected as by this Act directed.

Three of elected Trustees to be a quorum.

Trustees to be elected annually.

IV. AND BE IT ENACTED that every such election of Trustees so to be had and made as aforesaid shall be finished in one day without any adjournment whatsoever and the Trustees so elected shall continue and remain in office for the period of one year thence next ensuing and at and after the expiration of the said term of one year a new election of the same or new Trustees or Trustee shall and may be had and made in the manner aforesaid for the period of one year and so from time to time at and after the expiration of any and every year for which Trustees shall be so elected as aforesaid new elections of Trustees shall and may be had and made in manner aforesaid—PROVIDED ALWAYS that if at the expiration of any year for which any such Trustees may have been elected as aforesaid no such meeting as is hereinbefore provided shall be called for the purpose of electing new Trustees or if no such meeting shall take place or no new Trustees or Trustee shall be elected or the same re-elected then and in any such case the Trustees last elected shall continue to be such Trustees until such meeting shall be called and such election of other or the same Trustees or Trustee

If no new Trustees elected old ones to continue in office.

shall be made in manner aforesaid and the Trustees so continuing in office beyond the said period of one year shall so long as they remain such Trustees have all the powers and authorities and be subject to all the liabilities which they would have enjoyed or been subject to had they been duly re-elected by the inhabitant householders at such meeting as aforesaid any thing in this Act to the contrary in any wise notwithstanding.

V. AND BE IT ENACTED that immediately after any such election shall have been so had and made as aforesaid the Chairman of or person presiding at any such meeting shall cause to be published in at least two of the Hobart Town newspapers the names additions and places of residence of such Trustees so elected or re-elected as aforesaid —PROVIDED ALWAYS that if at any time during the continuance in office as aforesaid any Trustee shall die absent himself or from any cause whatsoever become incapable or unfit to act under the provisions of this Act it shall be lawful for the surviving or continuing Trustees and they are hereby required to nominate and appoint some fit and proper person being an inhabitant householder resident within such boundaries as aforesaid to act as Trustee in conjunction with such surviving or continuing Trustees until a new election shall be had and made in manner aforesaid and whenever any such appointment shall be made the same shall immediately be published in at least two Hobart Town newspapers in manner aforesaid and upon such nomination and appointment all powers and authorities which by virtue of this Act ~~were~~ theretofore vested in or were exercisable by such Trustee so dying absenting himself or becoming incapable or unfit to act as aforesaid shall immediately become and be wholly transferred to vested in and exercisable by such person so appointed as last aforesaid.

Election of Trustees to be published in newspapers.

Provision in case of death absence or incapacity of any Trustee during his period of office.

VI. AND BE IT ENACTED that it shall be lawful for the said Trustees and they are hereby authorised and empowered to cause such and so many toll-bars toll-gates and toll-houses to be erected and established upon any existing road leading from Hobart Town to Brown's River as aforesaid and to cause such reasonable toll to be demanded and taken at such toll-bars toll-gates or toll-houses as to them shall seem necessary and proper for the due and sufficient repairing and maintaining such road or roads and for defraying the expenses of and incident to such toll-bars toll-gates and toll-houses and the collection of the tolls thereat and to appoint Collectors of tolls at such toll-bars toll-gates and toll-houses and from time to time to alter increase or reduce the rates of toll to be taken at such toll-bars toll-gates or toll-houses and to remove such toll-bars toll-gates or toll-houses to any other part of such road—PROVIDED ALWAYS that such toll or tolls shall not at any time exceed the rates mentioned in the Schedule to this Act annexed marked A—PROVIDED ALSO that no toll shall be demanded or taken at any such toll-bar toll-gate or toll-house until the place or situation of any such toll-bar toll-gate or toll-house and the rates of toll payable thereat shall have been publicly notified in two newspapers published in Hobart Town at least one week before the same

*was in the original*

Trustees may erect toll-bars appoint Collectors and fix rate of toll to be taken not exceeding rates specified in Schedule A.

Rate of tolls and situation of toll-bars to be published in newspapers before toll demanded and boards specifying

rates of toll chargeable thereat to be put up at toll-bars.

shall be demanded nor unless there shall be at the time of demanding any such toll affixed to such toll-bar toll-gate or toll-house in some conspicuous place a board on which shall be painted in legible characters in white upon a black ground the tolls payable at the same respectively—PROVIDED ALSO that if more than one toll-bar toll-gate or toll-house shall be erected under the authority of this Act payment of toll at any one of such toll-bars or toll-gates shall exempt the animal or vehicle in respect of which such toll shall have been paid from the payment of the toll to which they would but for the exemption thereby conferred have been liable at any other of such toll-bars or toll-gates.

People using road liable to tolls so published which to be paid to Collector who may recover same by distress and sale of animal or thing on which toll imposed

VII. AND BE IT ENACTED that after such publication in such newspapers as aforesaid the toll or tolls according to the rate or rates specified in and by any such toll-board shall be of the same force and effect as if the same were specifically directed to be paid by this Act and the same shall be paid to the respective Collectors thereof at the respective rates for the respective animals or vehicles as the same shall be specified in and by any such board and if any person shall neglect refuse or fail to pay any such toll when lawfully demanded by any such Collector it shall be lawful for any such Collector by himself or taking such assistance as he shall think necessary to seize and distrain any horse beast cattle carriage or other vehicle or thing upon or in respect of which any such toll is imposed and payable or any of the goods or chattels of the person or persons so neglecting or refusing to pay and if the toll or any part thereof so neglected or refused to be paid and the reasonable charges of such seizure and distress shall not be paid within the space of four days next after such seizure and distress made the person so seizing and distraining may sell the horse beast cattle carriage vehicle or thing or other the goods and chattels so seized and distrained or a sufficient part thereof returning the overplus of the money to arise by such sale (if any) and what shall remain unsold upon demand to the owner thereof after such tolls and the reasonable charges occasioned by such seizure distress and sale shall be deducted—PROVIDED ALWAYS that no toll shall be demanded or taken by virtue of this Act of or from any person in respect of any horse or other beast or any vehicle on or in which he or they may be going to or returning from his or their usual place of religious worship on Sundays or of or from any person in respect of any horse or other beast or any vehicle on or in which he or they may be going to or returning from any funeral or from any Minister of Religion going to or returning from visiting any sick person or prisoner in gaol or on any other such like charitable or religious mission.

Penalty for evading tolls or forcing toll-bars or toll-gates.

VIII. AND BE IT ENACTED that if any person shall go off or pass from any road with any horse beast cattle carriage vehicle or thing in respect of which toll is payable by virtue of this Act through or over any land or ground near or adjoining thereto not being a public highway and such person not being the owner or occupier or servant or one of the family of the owner or occupier of such land with intent to

evade the payment of the tolls fixed by any such Trustees as the same shall be specified in and by such toll-board as aforesaid or if any owner or occupier of any such land shall knowingly or wilfully permit or suffer any person except as aforesaid with any horse beast cattle carriage vehicle or thing whatsoever to go or pass through or over such land with intent to evade any such tolls or if any person shall fraudulently or forcibly pass through or by any such toll-bar toll-gate or toll-house with any horse beast cattle carriage vehicle or thing or shall fraudulently leave upon any such road as last aforesaid any horse beast cattle carriage vehicle or thing whatsoever by reason whereof the payment of any tolls shall be avoided or lessened or shall take off or cause to be taken off any horse beast or other cattle from any carriage or vehicle before having passed through any toll-bar or toll-gate or having passed through any toll-bar or toll-gate shall afterwards add or put any horse beast or other cattle to any such carriage or vehicle and draw therewith upon any part of any such road so as to increase the number of horses or other beasts drawing the said carriage or vehicle after the same shall have passed through any toll-bar or toll-gate whereby the payment of all or any of the tolls shall or may be evaded or if any person shall do any other act whatever in order or with intent to evade the payment of all or any of such tolls and whereby the same shall be evaded every such person shall for every such offence forfeit and pay any sum not exceeding Five Pounds.

IX. AND BE IT ENACTED that if any Toll Collector shall demand and take a greater or less toll from any person than he shall be authorised to do by the Trustees appointed by virtue of this Act or shall refuse to permit or suffer any person to read or shall in any wise hinder any person from reading the inscriptions on such toll-boards as aforesaid or shall refuse to tell his Christian and surname to any person who shall require the same on payment of the tolls demanded by such Collector or any of them or shall in answer to such demand give a false name or names or upon the legal toll being paid or tendered shall unnecessarily detain or wilfully obstruct hinder or prevent any person his or their horse beast or other animal or his or their vehicle of any kind whatsoever from passing through any such toll-bar or toll-gate or shall be guilty of misconduct in his office then and in every such case every such Toll Collector shall forfeit and pay for every such offence any sum not exceeding Five Pounds.

Penalty on Collector taking more or less than proper toll or misconducting himself.

X. AND BE IT ENACTED that if any Collector of Tolls appointed by the said Trustees under this Act shall neglect or refuse to account for and pay over to such Trustees upon demand by them made the moneys collected received by or paid to such Collector under the authority of this Act every such Collector shall for every such offence forfeit and pay a penalty not exceeding Fifty Pounds and if any such Collector or person appointed by the Trustees or by the lessee or farmer of tolls under the authority of this Act who shall be entrusted with the receipt or disposal of moneys shall fraudulently dispose of or retain in his own possession or apply to his own use or shall not duly account for any money with the receipt or disposal of which he shall have been so

Collectors neglecting or refusing to account and pay over moneys subject to a penalty and persons entrusted with moneys under this Act fraudulently disposing of or retaining same guilty of larceny.

entrusted as aforesaid such person shall be deemed and taken to have stolen the same and shall be guilty of larceny and it shall be sufficient in every information or indictment to lay the property in the sum charged therein to have been stolen as the property of any one of the Trustees under this Act for the time being or of such lessee or farmer of tolls.

Wilfully injuring toll-bars or other works for sustentation of road a misdemeanor.

XI. AND BE IT ENACTED that if any person or persons shall knowingly and wilfully dig up break or pull down spoil destroy injure or damage any of the toll-bars toll-gates or toll-houses or other erections or buildings lamps bars toll-boards direction-boards mile-stones posts rails walls fences or any culvert or covered drain erected put up made or cut by authority of this Act or shall knowingly and wilfully in any manner whatsoever injure or destroy any other work made used or designed for the sustentation of any road repaired or maintained under the authority of this Act he shall be guilty of a misdemeanor and for such offence shall be punished by fine and imprisonment at the discretion of the Court before which such person shall be tried.

Tolls or proceeds thereof to be at the disposal of the Trustees for repairing roads &c.

XII. AND BE IT ENACTED that all tolls collected at any such toll-bars toll-gates or toll-houses as also any rent or sums received for such tolls as hereinafter provided shall be at the sole and absolute disposal of the Trustees elected or appointed under the authority of this Act to be by them applied for the purposes of erecting or paying for the erection of any toll-bars toll-gates or toll-houses the payment of the necessary expences attending the collection of such tolls and for the repairing completing fencing and maintaining any such Road or parts thereof leading from Hobart Town to Brown's River as aforesaid as well as for the payment of any outlay or expence that the said Trustees shall necessarily incur in carrying out the objects of this Act.

Trustees may enter upon existing roads to repair improve fence or maintain same.

XIII. AND BE IT ENACTED that it shall be lawful for the Trustees so elected or appointed as aforesaid and they are hereby authorised and empowered by themselves or any other person or persons for that purpose appointed or employed by them and with all necessary and proper means appliances and materials of any nature or kind whatsoever to enter upon any existing line or lines of such Road or Roads or parts or parcel thereof which so lead from Hobart Town to Brown's River as aforesaid for the purpose of repairing improving fencing or maintaining the same and the said Trustees may and are hereby authorised and empowered so respectively to repair improve fence or maintain any such existing line or lines of Road or parts or parcel thereof as aforesaid.

Trustees may enter upon adjoining lands for the purpose of performing works of the road and upon uncultivated lands for materials.

XIV. AND BE IT ENACTED that it shall and may be lawful for such Trustees so elected or appointed as aforesaid and for every other person acting under their orders to enter upon land adjoining any road under the care or management of such Trustees for the purpose of constructing or repairing any drains or culverts or performing any other repairs or works that may be necessary for such Roads—AND it shall also be lawful for any such Trustees and for every other person acting

under their orders and they are hereby respectively empowered to enter upon any uncultivated lands with all necessary and proper carriages oxen and horses and to cut down all such indigenous timber and to dig and quarry all such gravel stone lime and soil as may be required for making and repairing any such line or lines of Road or parts or parcel thereof as aforesaid or for constructing or repairing any drain or culvert or performing any other work necessary thereto and to carry away the same and the said Trustees may so enter for all or any or either of the purposes aforesaid without being deemed a trespasser or trespassers on any such lands—PROVIDED that such Trustees shall cause to be filled up or in other respects rendered secure all pits or quarries that may have been opened or used by them for the purposes aforesaid and shall so soon as such work is completed cause all fences taken down in the prosecution of such work to be well and sufficiently restored by and at the expence of such Trustees.

XV. AND BE IT ENACTED that if any person shall make or cause to be made any dwelling-house or other building or any hedge or other fence on or at the sides of any road so to be repaired improved or maintained under the authority of this Act in such manner as to reduce the breadth or confine the limits thereof or shall fill up or obstruct any ditch at the sides thereof or shall make any drain gutter sink or water-course ~~or~~ or otherwise break up or injure any such road as aforesaid or any part thereof or shall in any manner whatsoever obstruct the free use of any such road every person so offending shall forfeit and pay for every such offence a penalty or sum not exceeding Twenty Pounds—PROVIDED that no such person shall be liable to any such penalty unless such encroachment obstruction or nuisance shall be continued after twenty-four hours' notice in writing by the Trustees for the time being or any of them to remove or abate the same and in case of neglect so to do it shall be lawful for such Trustees at the expiration of twenty-four hours after the service of such notice as aforesaid to cause such dwelling-house or other building hedge ditch fence drain sink water-course gutter or other encroachment or obstruction to be removed filled up or cleansed and it shall be lawful for any two Justices of the Peace of whom one shall be the Police Magistrate of the District of Hobart Town upon proof thereof to them made upon oath to levy the expences of removing or taking down any such dwelling-house or other building hedges fences or other encroachments or of filling up or cleansing any such ditches drains or other obstructions as aforesaid by distress and sale of the offender's goods and chattels rendering the overplus if any to such offender on demand thereof.

Penalty for infringing upon injuring or obstructing the free use of any road.

XVI. AND BE IT ENACTED that if any person shall ride upon any footpath or causeway by the side of any such road as aforesaid made or set apart for the use or accommodation of foot passengers or shall wilfully lead or drive any horse ass mule swine or cattle or vehicle of any description or any wheel-barrow truck or sledge or any single wheel of any waggon cart or carriage upon any such footpath or causeway or shall designedly cause any injury or damage to be done to the

Penalty for injuring footpaths or damaging or leaving obstructions on roads.

same or shall haul or draw or cause to be hauled or drawn upon any part of any such Road as aforesaid any timber stone or other thing otherwise than upon wheel~~ed~~ carriages or vehicles or shall suffer any timber stone or other thing which shall be carried principally or in part upon wheel~~ed~~ carriages to drag or trail upon such road to the injury thereof or shall use any material or instrument whatsoever for the purpose of retarding the descent of any cart or other carriage down any hill in such manner as to destroy or injuriously disturb the surface thereof or shall make any fire upon any such road as aforesaid or shall lay or cause or direct to be laid any timber stone hay straw dung manure lime soil ashes rubbish or other matter or thing whatsoever upon any such road or if any person shall after having blocked or stopped any cart waggon or other carriage in going up a hill or rising ground cause or suffer to be or remain on such road the stone or other thing with which such cart or other carriage shall have been blocked or stopped every person offending in any of the cases aforesaid to the injury or obstruction of any such footpath causeway or road or the use or enjoyment thereof shall for each and every such offence forfeit and pay a penalty not exceeding Five Pounds.

Dimensions of roads and other particulars relating thereto to be ascertained and determined by Trustees but roads not to exceed fifty feet in width.

XVII. AND BE IT ENACTED that the roads to be repaired maintained or improved under the authority of this Act shall be so repaired maintained or improved in the manner directed by the said Trustees and the breadth width or dimensions of such roads as shall be so repaired maintained or improved and all other particulars in relation thereto shall be ascertained fixed and determined upon by the said Trustees in accordance with their view of the wants and necessities of the said District—PROVIDED that it shall not be lawful for the said Trustees to make any road of a greater width than fifty feet nor to remove or cause or give notice to be removed any existing fence or obstruction where the width of the road left free from any such fence or obstruction shall be in the clear fifty feet.

Trustees may let the tolls and lessee have the same powers to collect them as the Trustees.

XVIII. AND BE IT ENACTED that it shall and may be lawful for the Trustees elected or appointed under and by virtue of this Act if they shall see fit so to do to let or farm out for any term not exceeding the period of twelve months the tolls authorised to be collected under the provisions of this Act together with any toll-bar toll-gate or toll-house such letting or farming out to be either by tender to be advertised in two consecutive numbers of two Hobart Town newspapers seven days at least before the day appointed for the opening of such tenders or otherwise by public auction duly advertised in like manner such security being taken in either case by the said Trustees as they may deem necessary and desirable for the due payment of the rent or sum stipulated to be paid for such tolls and such lessee or farmer during the continuance of any such letting or farming out or any Collector by him appointed is hereby authorised and empowered to demand take have and receive such tolls so let or farmed out and to ensure and enforce the recovery thereof in the same mode and by the same ways and means in all respects as the said Trustees



of Collectors by them appointed might and could under and by virtue of this Act if the same tolls had not been so let or farmed out—PROVIDED ALWAYS that previously to letting or farming out any such tolls as herein provided the said Trustees shall fix and determine the maximum rate which may be demanded and taken for any animal vehicle or thing passing any such toll-gate toll-bar or toll-house by the person renting or farming any such toll—PROVIDED ALSO that such maximum rate so fixed by the said Trustees shall in no case exceed the rate or rates specified in Schedule A to this Act annexed and that it shall not be competent to such Trustees to increase or decrease such rate or rates during the continuance of any such letting or farming out.

XIX. AND BE IT FURTHER ENACTED that all right interest and property of and in all the toll-gates toll-bars toll-houses lamps bars toll-boards direction-boards mile-stones posts rails walls fences and other erections buildings and things which shall be erected or provided in pursuance of this Act with the several appliances and appurtenances thereto respectively belonging and the materials of which the same shall consist and all materials tools implements and things which shall be furnished and provided by the Trustees for repairing maintaining or improving the said roads together with the scrapings of such roads shall be vested in the Trustees for the time being elected or appointed under this Act.

Toll-gates and other road property vested in Trustees.

XX. AND BE IT ENACTED that any one of the Trustees elected or appointed under this Act may sue and be sued in the name of the whole and no action suit or other proceeding commenced or had by or against such Trustee shall abate or be in any way affected by reason of the death absence change or new election or appointment of any Trustees or Trustee under this Act but the same may be carried on and proceeded in in the name of the Trustee in whose name such suit was instituted in such and the same manner in all respects as if no such death absence change or new election or appointment had taken place or been and if any action shall be brought against any Trustee Surveyor or Collector or any other person whatsoever for any thing done under the authority or in pursuance of this Act such Trustee Surveyor Collector or other person may plead the general issue and give this Act and the special matter in evidence and if the plaintiff shall fail in any such action such Trustee Surveyor Collector or other person shall be entitled to double costs.

Trustees may sue and be sued in the name of one. No action to be affected by the death absence or change of Trustees.

Persons acting under this Act may plead general issue and give special matter in evidence.

XXI. AND BE IT ENACTED that the Trustees for the time being elected or appointed as aforesaid shall one month before the expiration of each and every year publish in at least two Hobart Town newspapers a true and faithful account signed by such Trustees of all tolls and other moneys received by such Trustees under the authority of this Act during such year together with the mode in which and purposes to which such tolls and other moneys shall have been appropriated.

Trustees to publish their accounts annually.

XXII. AND BE IT ENACTED that any breach whatsoever of any or either of the provisions of this Act for which any pecuniary penalty is imposed shall be deemed and taken to be an offence against this Act

Offences not otherwise provided for to be

heard and determined in a summary way.

Appropriation of penalties.

Interpretation clause.

and where no other mode or remedy is by this Act specifically provided all offences against this Act shall upon information in that behalf exhibited be heard and determined in a summary way by and before any Justice or Justices of the Peace in the mode prescribed by the Act of this Island intituled *An Act to regulate Summary Proceedings before Justices of the Peace* and all penalties imposed or forfeitures incurred by or under this Act shall except as aforesaid be levied and recovered in the manner prescribed by the said last recited Act and every person aggrieved by any conviction under this Act may appeal therefrom in the manner provided by the said last recited Act and all fines penalties and forfeitures imposed or incurred by or under this Act shall go and be applied one moiety thereof to the use of the informer or person prosecuting and the other moiety to the Trustees elected or appointed under this Act to be applied in repairing maintaining and improving the roads under their care and management and for otherwise effectuating the several purposes of this Act as the same are herein provided for.

XXIII. AND BE IT ENACTED that the terms "inhabitant householder" as used by this Act shall mean and include every free person being a householder who resides or who shall by himself or his servants actually occupy any house or land within the Parish of Queenborough or that part of the Parish of Kingborough which lies to the north of North West Bay and North West River the annual value of whose residence or land shall be Ten Pounds and the term "District" as used by this Act shall mean and include the Parish of Queenborough and that part of the Parish of Kingborough which lies to the north of North West Bay and North West River and the term "Collector" as used by this Act shall mean and include any and every person who by virtue of this Act shall for the time being actually collect or receive the toll or tolls at any toll-gate toll-bar or toll-house erected or established as aforesaid whether such Collector or person collecting or receiving such tolls shall be appointed by the Trustees or shall be the person to whom any such tolls may have been let or farmed out or any person acting for such person and the word "Trustees" shall for the purposes of this Act be held to extend and apply as well to the whole body of such Trustees elected or appointed under the provisions of this Act as to any quorum of such Trustees or to any single Trustee who shall be deputed by such whole body or quorum to do any matter or thing authorised to be done by virtue or in furtherance of this Act so as such single Trustee shall do every such matter or thing in the name of such whole body or quorum and every word or term used in the singular number only and every word importing the masculine gender only shall be respectively construed to signify and include the plural number and feminine gender or *vice versa* unless such construction be in any wise repugnant to the spirit or context of the provisions of this Act.

W. T. DENISON.

Passed the Legislative Council, this twenty-sixth day of September, one thousand eight hundred and forty-eight,

J. W. KIRWAN, *Clerk of the Council.*

**SCHEDULE A.**

The maximum Rate of Tolls to be taken at any Toll-bar Toll-gate or Toll-house erected or established under this Act.

	<i>s.</i>	<i>d.</i>
For each Horse Ass Mule Colt or Foal.....	0	1
For each Cow Bull Ox Steer Calf or Heifer.....	0	0½
For each score of Sheep or each half score of Pigs .....	0	2
For any number of Sheep under one score or of Pigs under half a score	0	1
For each Wheel of every Vehicle drawn by any animal exclusive of the rate for the animal or animals drawing the same .....	0	1

Payment of any toll above specified shall exempt the animal or vehicle in respect of which the same shall have been paid from any toll for once returning through the same toll-bar or toll-gate during one and the same day.