

No. XXI.

AMENDED
RANDWICK AND
COOGEE
ROADS TRUST.

An Act to amend the Act known as the Old Botany Randwick and Coogee Roads Trust Act 18 Victoria No. 14. [1st February, 1868.]

Preamble.

WHEREAS it is expedient to make further provision for the making repairing upholding and extension of the Roads referred to in the Schedule of the Act of Council eighteenth Victoria number fourteen 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 :—

Commissioners may borrow money.

1. It shall be lawful for the Commissioners of the said Trust to borrow and take up at interest on the credit of the tolls arising on the roads within the said Trust such sum or sums of money as they shall from time to time think proper and to mortgage the tolls on such roads or any part or parts thereof the costs and charges of which mortgages shall be paid out of the tolls as a security to any person or persons or their trustees who shall advance such sum or sums of money And it shall be lawful for said persons respectively to whom any mortgage shall be made as aforesaid or who shall be from time to time entitled to the money thereby secured to assign or transfer his her or their right title and interest in and to such mortgage and the principal money and interest secured to any other person or persons whomsoever Provided always that the sum or sums of money so borrowed shall not exceed six times the amount of tolls received on the roads within the said Trust on the credit of which such sum or sums shall be intended to be secured during the year ending on the thirty-first day of December immediately preceding And provided also that no sum or sums of money be so borrowed which would if added to the previous debt or debts of the said Trust make the aggregate of the debt or debts of the said Trust to exceed six times the amount of the tolls so received within the year immediately preceding as aforesaid.

Mayor of Sydney to be member of Trust.

2. The Mayor of Sydney for the time being shall *ex officio* be a member of the Trust.

Commissioners may transfer &c.

3. It shall be lawful for the Commissioners of the said Trust with the consent of the Governor and Executive Council to transfer the road mentioned in the third paragraph of Schedule A 1 to the said Act to any Municipal Council or Councils through which the said road passes who may desire to possess or procure the same Provided that if the tolls should be mortgaged the mortgagee shall consent to such transfer.

Amended Randwick and Coogee Roads Trust.

4. It shall be lawful for the said Commissioners by a notice to be published in the New South Wales *Government Gazette* to appoint and direct tolls to be demanded taken and levied upon such road or roads within their said Trust and in such notice shall be stated the rates of such tolls and from time to time to alter such rates as they may deem fit Provided that such rates to be so stated and altered shall not exceed in amount the rates mentioned in the Schedule to this Act annexed And provided that when any toll has been paid at any turnpike-gate erected within the limits of the said Trust the payment of such toll shall free the same traffic through all the toll-gates within the said Trust on its return the same day Provided further that all licensed vehicles which during any day on which an advertised race shall be run on the Randwick Racecourse shall pass through any of such toll-gates shall be liable to the payment of toll at half the rate mentioned in the said Schedule for every journey they may perform to and fro notwithstanding that toll may have been previously paid thereon on the same day.

Commissioners may levy tolls.

5. The said Commissioners shall have power to extend the road mentioned in the second paragraph of Schedule A 1 to the said Act to thirty chains from its present terminus at Whale-street to the waters of Coogee Bay.

Power of Commissioners to extend road.

6. Any person being an uncertificated insolvent or under composition with his creditors by any deed of assignment duly executed by him in pursuance of the provisions of any Act relating to insolvency in force for the time being shall be disqualified from acting as trustee under this Act.

Disqualification.

7. All the clauses in the said recited Act shall continue in force excepting clauses five and twenty-one.

Clauses in 18 Vict. No. 14 retained excepting Nos. 5 and 21.

8. In any proceeding under this amended Act the production of the New South Wales *Government Gazette* containing such notice shall be *prima facie* evidence that such notice was duly published by the direction of the said Commissioners until the contrary shall be shewn.

Production of Government Gazette containing notice to be considered as evidence.

9. This Act may be cited as the "Amended Randwick and Coogee Roads Trust Act of 1868" and shall take effect from and after the passing thereof.

Commencement and short title of Act.

SCHEDULE.

	s.	d.
For every sheep lamb pig or goat.....	0	0½
For every ox or head of neat cattle.....	0	2
For every horse mare gelding ass mule or colt	0	2
For every cart dray gig chaise or other such vehicle with two wheels drawn by one horse or other animal.....	0	6
For every additional horse or other animal drawing such cart dray gig chaise or other such vehicle with two wheels ...	0	3
For every wain waggon coach chariot or other such carriage with four wheels drawn by two horses or other animals	1	0
For every additional horse or other animal drawing such wain waggon coach chariot or other such carriage with four wheels	0	3
For every coach chariot chaise or other carriage with four wheels drawn by one horse or other animal	0	9
For every empty cart dray gig chaise or other vehicle tied or secured to any other carriage the same toll as if drawn by one horse and every empty four-wheel carriage the same rate of toll as if drawn by two horses but if such have goods conveyed in them other than the harness they shall pay double toll.		