

(No. 113.)



1869.

T A S M A N I A.

NEW NORFOLK BRIDGE.

PETITION.

Presented by Mr. Charles Meredith, October 7, 1869, and ordered by the House
to be printed.



To the Honorable the Speaker and Members of the House of Assembly.

The humble Petition of the undersigned Residents in the District of New Norfolk.

SHOEWETH :

1st. THAT your Petitioners have learned with alarm that the New Norfolk Bridge Company have introduced to your Honorable House a Bill to extend their power to levy Tolls for a period of 30 years, which, if passed, would be unjust to the District, and indefensible.

2nd. That the law of the land for the last 29 years has been, that at the end of 30 years from the 5th September, 1842, the New Norfolk Bridge should cease to be under the control of the Bridge Company and be thrown open to the public.

3rd. That in reliance on that existing law local capitalists have invested ; and if the time is further extended 30 years by legislation, faith will be broken with the general public, and serious and permanent injury be suffered through continued depreciation of property.

4th. That the observation ascribed to Sir John Pedder in the Bridge Company's Petition (parag. 9) is not founded in fact, no record of such being found in the Papers of the then Legislative Council ; and Captain Fenton, at that time and for many years a prominent Member of the Legislature, positively asserts that no such remark was made in the House. Moreover, the records of the Legislative Council show that the Chief Justice was absent during the first and second reading of the Bill.

5th. That the Bridge Company, knowing that the first proposed Act required the Royal Assent before becoming law, entered into Contracts before that Assent was obtained : did so, aware of the risk ; and it would be unjust to make the present and future inhabitants of New Norfolk pay for their rashness.

6th. That the original Bridge Act made it imperative (1st Section) that the sum of £2500 should be actually subscribed before the powers of the Act came into force ; and this condition was never complied with.

7th. That the 3rd and 14th paragraphs of their Petition are contradictory, inasmuch as it is stated that in reliance upon the provisions of the said Act (meaning the original Act) divers persons took Shares in the Company, and contributed the sum of £1300 ; whereas, in truth, it was not until after the passing of the amended Act in September, 1840, and even after the completion of the Bridge in January, 1842, that the sum of £1300 was raised ; and one portion of the amount, viz., £100, as late as the year 1844 (see 14th paragraph, Petition). And further, that £1000 of the £1300 was contributed by the late Mr. Dobson, who, in consequence of pecuniary difficulties, ceased to have any interest in it, and it cannot therefore be now claimed as an asset by the few remaining members of the Copartnership.

8th. That the Company exceeded their powers (10th paragraph Petition), by expending the sum of £218 over and above the authorised amount £4500.

9th. That the Bridge Company do not set forth in their Petition the fact of their being entitled to levy Tolls until 5th September, 1872.

10th. That the Company, not having published their Accounts as required by 23rd Section of the Act, leave the public in ignorance of their accuracy, and induce suspicion as to whether their proceedings have been fair and above-board. One reason assigned for non-compliance with that provision is, that there was no penalty attached to the non-performance. Another, that as the Company did not pay, they were unwilling to incur expense by their publication. This excuse is unsatisfactory, as the Accounts would have been published free of expense in accordance with the provisions of the Act.

11th. That the Tolls of the Bridge during the last 27 years have amounted, at the least, to a sum equal to a rate of 9*d.* in the Pound on the assessed annual value of the property in the District.

12th. That the Company like other Companies entered into a speculation, with all the risks and contingencies of speculative projects, and are not entitled to compensation because the enterprise has not been, as they allege, so successful as they anticipated.

We therefore humbly pray that your Honorable House will be pleased to refuse passing such a measure, and thus ensure the opening of the Bridge to the Public on 5th September, 1872.

And, as in duty bound, your Petitioners will ever pray, &c.

[*Here follow 14 Signatures.*]