CHAPTER xxviii.

An Act to provide for the vesting in the Mayor, Aldermen, and Burgesses of the city of Bristol Saint Philip's Bridge in that city; and for other purposes. [13th May 1875.]

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WHEREAS by an Act passed in the second year of the reign of Her present Majesty, intituled "An Act for building a bridge "from the parish of Saint Philip and Jacob over the floating har- "bour to the parish of Temple, in the city and county of Bristol," the Saint Philip's Bridge Company (in that Act and this Act called "the Company") were incorporated and authorised (section 3) to construct a bridge (in this Act called "the bridge") across the floating harbour from the parish of Saint Philip and Jacob to the parish of Temple, otherwise Holy Cross, in the said city, with all proper approaches, works, and conveniences; and it is by that Act (section 91) recited to the following effect:

1 & 2 Vict. c. lxvi.

That the site of the bridge was in a part of the floating harbour adapted for vessels with fixed masts, which were only prevented entering by the existence of a close bridge, called Bristol Bridge (which is situate below the said site):

That the depôts of the Great Western, Bristol and Exeter, and Bristol and Gloucestershire Railway Companies were situate above the said site, and that it would be a convenience if such vessels could load and unload at those depôts in case Bristol Bridge should at any future time be made an opening bridge:

That to prevent the construction of another close bridge the said railway companies were willing to contribute four thousand pounds towards the cost of the bridge, on condition that the centre arch thereof be made as a draw or swivel bridge:

And it is by that section enacted, that the bridge should be constructed with a centre arch to open, and that the said companies should contribute the sum of four thousand pounds towards such cost. And (by section ninety-two) the Company are required to appoint and pay persons to open the bridge at the time fixed for

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that purpose, and are authorised to levy tolls for the passage of vessels through the same. And the Company are authorised by that Act, and for the purposes thereof, to raise a share capital of twenty-five thousand pounds, and to borrow five thousand pounds on the security of their undertaking, and to levy tolls for the use thereof:

And whereas the railway companies contributed the said sum of four thousand pounds, and the Company constructed the bridge in accordance with the provisions of the said Act:

5 & 6 Vict. c. xliii.

And whereas by an Act passed in the fifth year of the reign of Her present Majesty, intituled "An Act to amend the Act relating "to the Saint Philip's Bridge, in the city and county of Bristol, and "for widening and improving the approaches to the said Bridge," the Company were authorised to raise an additional share capital of five thousand pounds, and to borrow an additional sum of three thousand pounds:

And whereas the share capital of the Company is twenty-five thousand pounds, raised in fifty-pound shares, and the Company owe on mortgage five thousand pounds, and pay annual quitrents to the amount of twenty-nine pounds in respect of property purchased by them for the purposes and under the powers of the Act of 1838:

And whereas the mayor, aldermen, and burgesses of the said city and county of Bristol (in this Act called "the Corporation"), to whom the Bristol Bridge belongs, do not intend to make any portion of that bridge to open, and it is expedient that the obligation to maintain the bridge as an opening bridge be repealed:

And whereas since the construction of the said bridge the trade of the said city and the population and manufactories in the said parishes and adjacent thereto have greatly increased and extended, and the bridge forms an important communication between them and other parts of the said city, and the Corporation are desirous to have the bridge transferred to them with a view to the ultimately freeing it from toll:

And whereas the Company and the Corporation have arranged the terms of such transfer, and it is expedient that they be carried into effect, and that power be conferred upon the Corporation to maintain, and if need be to alter or to convert the bridge into a close bridge, and to ultimately free the same from toll:

And whereas estimates have been prepared by the Corporation for the execution of the following works by this Act authorised, and such estimates are as follows; namely,

For converting the bridge into a close bridge, two thousand five hundred pounds:

For altering the bridge, five thousand pounds:

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And whereas the several works included in such estimates are permanent works within the meaning of the fifty-seventh section of "The Local Government Act, 1858:"

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited as "The Saint Philip's Bridge (Bristol) "Transfer Act, 1875."

Provisions of certain general Acts incorporated.

2. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," (except the provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking,) are, so far as applicable for the purposes and not inconsistent with the provisions of this Act, incorporated with this Act.

Interpretation of terms.

3. In this Act—

"The city" means the city and county of Bristol:

"The clerk" means the clerk of the Corporation acting as the local board or sanitary authority of the city:

"The bridge" means the said Saint Philip's Bridge, with the approaches thereto, and the lands, toll-houses, toll-gates, and works belonging thereto or connected therewith:

"The bridge undertaking" means the bridge, toll-houses, lands, buildings, approaches, works, tolls, property, and effects vested in or belonging to the Company, or any person for or on their behalf:

"Annuity" or "annuities" means any annuity or annuities created by the Corporation under the powers of this Act:

"Annuitant" means any person, company, or corporation for the time being entitled to such an annuity.

Same meanings to words in incorporated Acts as in this Act.

4. Terms to which meanings are assigned in enactments incorporated with this Act, or which have therein special meanings, have in this Act the same respective meanings, unless there be something in the subject or context repugnant to such construction; and in this Act, and (for the purposes of this Act) in enactments incorporated with this Act,—

"Court of competent jurisdiction."

"Court of competent jurisdiction" shall have effect as if the debt or demand with respect to which it is used was a common

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simple contract debt, and not a debt or demand created by statute; and the term "superior courts" shall include any court of competent jurisdiction.

Provisions requiring bridge to be opened repealed.

5. The following sections of the recited Act of 1838; namely,

Section 91 (the centre arch of the bridge to be made to open, &c.);

Section 92 (a person to be appointed by the Company to open the bridge);

Section 93 (when the passage over the bridge shall be free the council to appoint the person to open it),

are hereby repealed.

Transfer of shares to be delivered to secretary of Company.

6. So much of section 47 of the recited Act of 1838 (shares may be transferred) as requires the deed or conveyance on sale of any share to be kept by the purchaser is hereby repealed, and from and after the passing of this Act such deed or conveyance shall be delivered to and kept by the secretary of the Company.

Transfer of bridge undertaking to Corporation.

7. Subject to the provisions of this Act the bridge undertaking, rights, powers (except the power of raising money), authorities, privileges, easements, and other property and effects of the Company, subject to and charged with all the debts, quitrents, and liabilities of the Company, shall, as from the thirty-first day of July one thousand eight hundred and seventy-five, absolutely vest in the Corporation as the sanitary authority of the city, and be enjoyed, exercised, used, and disposed of by them accordingly, and that day is in this Act referred to as the vesting period: Provided always, that within three months from the vesting period the Corporation shall produce to the Commissioners of Inland Revenue a copy of this Act printed by Her Majesty's printer, and duly stamped with the ad valorem stamp duty of the same amount as would have been payable if the transfer of the undertaking had been by a deed of conveyance; and if the Corporation shall not within the said period of three months produce to the said commissioners such copy of this Act, duly stamped as aforesaid, the ad valorem stamp duty shall be recoverable from the Corporation with full costs of suit, and all costs and charges attending the same.

Eventual dissolution of the Company.

8. As soon as conveniently may be after the vesting period, the Company shall proceed to wind up their affairs, and the directors of the Company then in office, and the survivors and survivor of them, shall continue in office without re-election until the affairs of the Company shall be wound up, and so soon as the Company shall have wound up their affairs they shall cease to exist.

Provision as to revenue of Bridge Company up to vesting period.

9. The Company up to the vesting period shall be entitled to all tolls and arrears of tolls and other revenue, and to exercise all their rights and remedies for enforcing payment thereof, and shall bear and pay all expenses chargeable to revenue.

Saving for contracts under proceedings pending, &c

10. Nothing in this Act shall prejudicially affect—

(1.) Any purchase, sale, conveyance, covenant, contract, deed, act, or thing made, entered into, executed, or done by the Company in relation to the bridge undertaking before the vesting period, and the same respectively shall continue in as full force and be as valid and effectual as if this Act had not been passed, the Corporation only being substituted for the Company:

(2.) Any debt or money demand, or any right or cause of action or suit, or other remedy of, for, or against the Company accrued before the vesting period, and the same shall and may be paid, discharged, enjoyed, used, and exercised as if this Act had not been passed, the Corporation only being substituted for the Company:

(3.) Any action, suit, prosecution, proceeding, or thing commenced before the vesting period may be carried on and completed as if this Act had not been passed, the Corporation only being substituted for the Company.

Moneys due to the Company to be collected in the name of the Corporation.

11. From and after the vesting period all moneys which immediately before that period are due and payable or accruing or becoming due and payable to the Company on any account whatsoever may be collected and recovered by the Company in the name of the Corporation.

Books, &c. to remain evidence.

12. All books and documents of or concerning the Company which, if this Act had not been passed, would have been admitted in evidence, shall be admitted in evidence as if this Act had not been passed.

2,000*l.* to be paid to the Company as part of consideration for transfer.

13. In part consideration for such transfer the Corporation shall pay to the Company the sum of two thousand pounds at the vesting period.

Receipt of three directors of the Company to be valid discharge for said sum of 2,000*l.*

14. The receipt in writing of three of the directors of the Company for the said sum of two thousand pounds to be paid to them by the Corporation shall effectually discharge the Corporation from the sum which in such receipt shall be acknowledged to have been received, and from being concerned to see to the application thereof, and from being answerable or accountable for the loss, misapplication, or non-application thereof.

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Application of said 2,000*l.*

15. The said sum of two thousand pounds shall be applied by the directors of the Company in paying all unpaid debts payable by the Company, and in making compensation to officers, and discharging the costs, charges, and expenses of and incident to the winding up of the affairs of the Company; and the surplus of the said sum (if any) shall be distributed rateably among the holders of shares in the capital of the Company at the vesting period, or their respective executors, administrators, or assigns, and is in this Act referred to as "the bonus."

Receipts of persons not sui juris.

16. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Transfer into court by Company.

17. If the Company are for twelve months after the period for the payment of any money unable after diligent inquiry to ascertain the person to whom any part thereof ought to be paid, or where any part thereof is payable to a person who or the guardian or committee of whose estate cannot give an effectual receipt for the same, the Company may transfer the same into the Court of Chancery under any Act for the time being in force for the relief of trustees.

Further consideration for transfer, annuities to be granted.

18. In further consideration for the said transfer, the Corporation shall pay to the holder of every fifty-pound share in the capital of the Company a perpetual annuity of three pounds in respect of each such share.

When annuities to be computed from.

19. The annuities shall be computed from the thirty-first day of July one thousand eight hundred and seventy-five, and shall be paid by half-yearly payments on the first day of August and the first day of February in every year, and the first of such payments shall be made on the first day of February one thousand eight hundred and seventy-six, and the Corporation shall, previous to every half-yearly day of payment, transmit to every annuitant through the post, in a prepaid letter addressed to him at his registered address, a warrant for payment at the bank therein named of the annuities payable to him.

Annuities charged on general district fund, &c.

20. The annuities shall be charged upon the general district fund and rates, and all rates and tolls leviable by the Corporation as a local board of health or sanitary authority.

Proofs of partnership in the Company.

21. The several persons whose names appear as shareholders in the books of the Company at the vesting period shall, until due proof to the contrary, be deemed for all intents and purposes to be the persons at that date entitled to the annuities.

Notice of Act.

22. Upon the passing of this Act the Company shall give notice to the several shareholders or reputed shareholders of the Company, stating in such notice the provisions of this Act affecting the shareholders.

Register of bridge annuitants.

23. The Corporation shall, from and after the vesting period, keep a book, to be called the Register of St. Philip's Bridge Annuitants, and in such book shall be fairly and distinctly entered from time to time the names and additions and addresses of the annuitants, together with the number and amount of the annuities to which they shall be severally entitled, and the surnames or corporate names of the annuitants shall be placed in alphabetical order; and every annuitant (and if such annuitant be a corporation, the clerk or agent of such corporation) may at all convenient times peruse such book gratis, and may require a copy thereof, or of any part thereof, and for every hundred words so required to be copied the Corporation may demand a sum not exceeding sixpence.

Receipts of guardians, &c.

24. If any annuitant be by reason of infancy or lunacy unable to give an effectual receipt, the receipt in writing of the guardian or committee of his or her estate shall be a sufficient and effectual discharge to the Corporation for the annuities due to such annuitant as and when they shall from time to time become payable.

Annuities to represent shares in the Company.

25. The annuities and bonuses shall in all respects, both at law and in equity, be substituted for and represent the shares in the capital of the Company in exchange for which the same are respectively granted and paid, and the several parties to whom the annuities and bonuses are granted and paid under this Act shall be possessed thereof respectively upon the same trusts and subject to the same powers, provisions, charges, and liabilities as those upon and to which their respective shares in the capital of the Company were immediately before such exchange thereof held and subject, and the annuities and bonuses shall accordingly pass or be affected by any will or other instrument disposing of or affecting such shares.

Corporation to issue certificates for annuities.

26. The Corporation shall at their own expense issue to every annuitant, on delivery by him to the Corporation of the certificate or certificates of the share or shares held by him in the capital of the Company for which such annuity or annuities is or are substituted, or on production of other satisfactory evidence of his title to the annuity or annuities, a separate certificate of annuity for each share in the capital of the Company to which the annuitant is entitled, and such certificate may be in the form in the schedule to this Act annexed, or to the like effect.

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Certificate to be evidence.

27. The certificate of any annuity shall be admitted in all courts as primâ facie evidence of the title of the holder thereof to the annuity therein specified.

Certificates of annuities to be renewed when lost.

28. If the certificate of any annuity be worn out or damaged, then, on its being produced to the Corporation, they may order it to be cancelled, and thereupon they shall issue a similar certificate to the person then entitled to the certificate so worn out or damaged, or if any such certificate be lost or destroyed, then, on proof thereof to the satisfaction of the Corporation, they shall issue a similar certificate to the person then entitled to the certificate so lost or destroyed, and in either case a due entry of the substituted certificate shall be made by the Corporation in the said register of annuitants, and for every such substituted certificate the Corporation may demand any sum not exceeding two shillings and sixpence.

Annuities to be personal estate.

29. The annuities shall be personal estate.

Transfer of annuities to be by deed, duly stamped.

30. Every annuitant may sell and transfer all or any of his annuities, and every such transfer shall be by deed, duly stamped, in which the consideration shall be truly stated, and such deed may be according to the form in the schedule to this Act annexed, or to the like effect.

Transfer of annuities to be registered.

31. Every such deed of transfer, when duly executed, shall be delivered to the Corporation and be kept by them, and they shall keep a book called "The Register of Transfers of Saint Philip's Bridge Annuities," and they shall enter a memorial of every such deed of transfer in that book, and shall endorse such entry on the deed of transfer (such endorsement to be signed by the clerk), and shall either make an endorsement of the transfer to him on the certificate of the annuity transferred, or, at the option of the annuitant, grant a new certificate of annuity, or a certificate of transfer of the annuity or annuities transferred by such deed, and such endorsement, being signed by the clerk, shall be considered in every respect the same as a new certificate, and until such deed of transfer be so delivered to the Corporation the transferee shall not be entitled to receive any part of the annuities transferred, but upon and after such delivery such transferee, and he only, shall be deemed for all purposes the annuitant; and the Corporation may demand for every such endorsement on a certificate, or new certificate of annuity, or certificate of transfer, as the case may be, granted at such option as aforesaid, any sum not exceeding two shillings and sixpence.

Closing of transfer books.

32. The Corporation may close the register of transfers of the annuities for any period not exceeding fourteen days before the first day of August and the first day of February yearly, and any transfer made during the time when that register is closed shall as between the Corporation and the transferee, but not otherwise, be deemed made after that time.

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

33. If the interest in any annuity become transmitted in consequence of the death or bankruptcy of any annuitant, or in consequence of the marriage of a female annuitant, or by any lawful means other than by a transfer according to the provisions of this Act, such transmission shall be authenticated by a declaration in writing as by this Act provided, and until the transmission be so authenticated any person claiming by virtue thereof shall not be entitled to receive any part of the annuity transmitted.

Contents of declaration in all cases.

34. Every such declaration shall state the manner in which and the party to whom the annuity is transmitted, and shall be made and signed by some credible person before a justice or before a commissioner to administer oaths in Chancery in England, and such declaration shall be left with the Corporation, and thereupon they shall enter the name of the person entitled under such transmission in the register of annuitants, and for every such entry the Corporation may demand any sum not exceeding five shillings.

Contents of declaration in case of transmission by marriage, will, &c.

35. If the transmission be by virtue of the marriage of a female annuitant the 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 the annuity; and if the transmission be 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, with the declaration, be produced to the Corporation, who shall upon such production in either of those cases make an entry of the declaration in the register of transfers of annuities, and for every such entry the Corporation may demand any sum not exceeding five shillings.

Corporation not to regard trusts.

36. The Corporation shall not be bound to see to the execution of any trust, whether express or implied or constructive, to which any annuity may be subject, and the receipt of the party in whose name any annuity stands in the register of annuities shall from time to time be a sufficient discharge to the Corporation for any money payable in respect of such annuity, notwithstanding any trusts to which such annuity may then be subject, and whether or not the Corporation have had notice of such trusts and the Cor-

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poration shall not be bound to see to the application of the money paid upon such receipt.

Annuities recovered by suit.

37. If any annuity or any part thereof respectively being payable be not paid, upon demand thereof in writing made to the Corporation by the person entitled thereto respectively, such person may sue for and recover the same, with full costs of suit, in any court of competent jurisdiction.

Receiver may be appointed if arrears remain unpaid for the time prescribed.

38. If within one month after any annuity has become payable, and after demand thereof in writing, it be not paid, the annuitant, without prejudice to his right to sue for the amount in arrear in any court of competent jurisdiction, may, if his debt alone amount to the sum of fifty pounds, or if his debt does not amount to that sum he may, in conjunction with other annuitants whose debts being so in arrear, after demand as aforesaid, shall, together with his debt, amount to the said sum, require the appointment of a receiver, by an application to be made as in this Act provided.

Mode of appointment of receiver.

39. Every application for a receiver shall be made to two justices, and on such application such justices, by order in writing, after hearing the parties, may appoint some person to receive the whole or a competent part of the rates and tolls liable to the payment of such annuities until the annuities in arrear and in respect whereof the receiver is appointed, and all costs, including the costs of receiving such rates and tolls, be fully paid; and upon such appointment being made all such rates and tolls as aforesaid shall be paid to and received by the person so appointed, who is hereby empowered to give good and sufficient discharges for the same; and the money so to be received shall be so much money received by or to the use of the several annuitants, and shall be distributed by the receiver accordingly; and after all annuities in arrear and costs shall have been paid the power of the receiver shall cease.

Corporation may redeem annuities.

40. The Corporation may from time to time by agreement with any annuitant redeem or purchase any annuity; and when any annuity is so redeemed or purchased, an entry of the redemption or purchase thereof shall be made in the register of annuitants, and thereupon such redeemed or purchased annuity shall be wholly extinguished: Provided always, that the Corporation shall not redeem or purchase any annuity at a higher rate than twenty-five pounds for every one pound of annuity.

Sinking fund for redemption of annuities.

41. In order to create a sinking fund for the redemption of the annuities the Corporation shall, after the expiration of two years from the passing of this Act, every year set apart and appropriate

out of the general district fund and rates, and all tolls leviable by the Corporation as a local board of health or sanitary authority, a sum equal to one-thirtieth part of the capitalised value at twenty-five years purchase of such of the annuities granted by the Corporation under the powers of this Act as shall not from time to time have been paid off by borrowed money, and shall apply the same from time to time as opportunity shall occur in the redemption of such annuities as they may then be able to purchase by agreement.

Powers of Corporation after vesting of bridge in them.

42. After the vesting period the Corporation shall have the following powers:

They may maintain the bridge:

They may discontinue the opening of the bridge:

They may convert the bridge into a close bridge:

They may alter the bridge by converting it into a close bridge and widening it:

They may during any such conversion or alteration erect a temporary bridge for foot passengers:

They shall at the vesting period free foot passengers using the bridge from toll, and when and as soon as the bridge shall be so converted or altered they shall wholly free the converted or altered bridge from tolls:

They may by agreement purchase the said quitrents or any of them, and for this purpose the word lands in the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, shall include quitrents.

Power to make byelaws.

43. The Corporation may, subject to the provisions with respect to byelaws contained in section one hundred and fifteen (bye laws of local board not to be in force till confirmed by Secretary of State) and section one hundred and sixteen (byelaws to be printed, et cetera) of "The Public Health Act, 1848," as amended by "The Local Government Board Act, 1871," from time to time make byelaws for all or any of the following purposes relating to the bridge; namely,

For regulating the use of the bridge;

For protecting the bridge from injury;

For limiting the weight of carts, carriages, waggons, and other traffic which may pass over or use the bridge.

Funds out of which current expenses of carrying out Act are to be paid.

44. All expenses incurred by the Corporation in carrying into effect the provisions of this Act (except such of them as are to be paid out of borrowed moneys) shall be paid out of the general district rates, and all tolls and moneys received by the Corporation

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under the powers of this Act other than borrowed moneys shall be carried to the credit of the general district rates.

Power to Corporation to borrow.

45. The Corporation, in addition to any existing mortgage, and to any sums they may from time to time borrow under any other powers, may from time to time borrow at interest by virtue of this Act, on the security of the general district fund and rates, and all rates and tolls leviable by the Corporation as a local board of health or sanitary authority, any further sum or sums not exceeding in the whole the sum of fifty thousand pounds; and the money may be borrowed for such term, not exceeding thirty years, as the Corporation shall determine in each case; and the Corporation may either pay off the moneys so borrowed, or any part thereof, with interest, by equal annual instalments, or they may in every year set apart and accumulate a sinking fund in manner herein-after provided; and in calculating the amount which the Corporation may borrow under the Sanitary Acts, or any or either of them, any sums which they may borrow under this Act shall not be reckoned.

Application of borrowed moneys.

46. The moneys to be borrowed by the Corporation under the powers of this Act shall be applied only for the purposes and in the manner by this Act expressly declared.

Limitation of capital expenditure.

47. The sums to be expended by the Corporation on capital account shall not, in connexion with the following purposes, exceed the following sums; that is to say,

In connexion with the paying off the mortgages of the Company, the sum of five thousand pounds;

In connexion with the payment of the bonus, the sum of two thousand pounds;

In connexion with the purchase of the said quit rents and the redemption of the annuities, the sum of thirty-eight thousand pounds;

In connexion with the conversion of the bridge into a close bridge, the sum of two thousand five hundred pounds;

In connexion with the altering of the said bridge in manner aforesaid, the sum of five thousand pounds.

Separate accounts.

48. The Corporation shall keep a separate account of all moneys received and expended in respect of the bridge, to be called "The Saint Philip's Bridge Account."

Apportionment between accounts of expenditure for common purposes.

49. When any expenditure under this Act is incurred for purposes common to the bridge and any other account kept by the Corporation, they may, as they may think fit, apportion the same between such accounts.

Sinking fund.

50. The Corporation shall, after the expiration of two years from the passing of this Act, and thenceforth annually, set apart out of the general district rates, as a sinking fund for the payment of the money borrowed under this Act on the security of the general district fund and rates, and all rates and tolls leviable by them from time to time as a local board of health or as a sanitary authority, one-thirtieth part of the said mortgage debt of five thousand pounds (until the same shall have been repaid by money to be borrowed by the Corporation for that purpose), and also one-thirtieth part of so much of the principal moneys borrowed on such security as shall not be repayable by equal annual instalments, to be accumulated in the way of compound interest by investing in Exchequer bills or Government securities, and the Corporation shall from time to time apply the sinking fund in repayment of such mortgage debt and principal moneys until thereby or otherwise the whole of such mortgage debt and principal moneys have been fully paid, and the sinking fund shall be set apart out of the Saint Philip's Bridge account.

Annual return to Local Government Board with respect to sinking fund.

51. The clerk shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund, or to be paid as an instalment under this Act, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration if so required by them, showing the amount which has been invested for the purpose of such sinking fund or paid as an instalment during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for any sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act, the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the Court of Queen's Bench.

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Protection of lenders from inquiry.

52. A person lending money to the Corporation shall not be bound or entitled to inquire as to the observance by them of any provision of this Act, or be bound to see to the application, or be answerable for any loss, misapplication, or non-application of such money, or of any part thereof.

Power to re-borrow.

53. If the Corporation pay off any part of the money borrowed by them under the powers of this Act otherwise than by annual instalments or by means of a sinking fund, they may re-borrow the same, and so from time to time.

Regulations as to mortgages.

54. Subject to the provisions of this Act, section 111 (form of mortgage), section 112 (transfer of mortgages), and section 114 (receiver may be appointed in certain cases) of "The Public Health Act, 1848," shall be applicable to mortgages and to the transfers of mortgages made under the provisions of this Act, and to the appointment of a receiver by the mortgagees.

Forms in schedule authorised.

55. The forms given in the schedule to this Act may be used for or in respect of the purposes therein indicated, with such variations and additions as circumstances may require, and shall be deemed part of this Act.

Expenses of Act.

56. All the costs, charges, and expenses of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Company.

SCHEDULE referred to in the foregoing Act.

Form of Mortgage.

"The Saint Philip's Bridge (Bristol) Transfer Act, 1875."

Mortgage No. .

By virtue of the above-mentioned Act the mayor, aldermen, and burgesses of the city of Bristol, in consideration of pounds paid to them by do assign unto the said executors, administrators, and assigns, the general district fund and rates, and all rates and tolls leviable by the Corporation as a local board of health or sanitary authority, to hold until the said sum of , together with interest at the rate of for every one hundred pounds by the year, be satisfied; and it is hereby stipulated that the sum of shall be repaid on the day of 18 , and also that the payment of principal secured by the mortgage shall be made on presentation of this mortgage at the Bank of or at such other place in the city of Bristol as the said mayor, aldermen, and burgesses shall by at least one calendar month's further notice by advertisement in any of the newspapers published in the said city from time to time appoint. And also that on the day of 18 , all liability of the said mayor, aldermen, and burgesses for payment of interest shall cease, no default herein having been previously made by them.

Given under the corporate seal of the said mayor, aldermen, and burgesses, this day of one thousand eight hundred .

Form of Transfer of Mortgage.

"The Saint Philip's Bridge (Bristol) Transfer Act, 1875."

I, *A.B.*, of , in consideration of pounds paid to me by *C.D.*, of , transfer to him, his executors, administrators, and assigns, the mortgage numbered under the above-mentioned Act, for pounds, and interest at the yearly rate of in the hundred, granted on the day of by the mayor, aldermen, and burgesses of the city of Bristol [*or if the transfer be by indorsement,* the within written security], and all my right and interest in and under the same.

As witness my hand and seal this day of one thousand eight hundred and .

A.D. 1875.

Form of Certificate of Annuity.

"The Saint Philip's Bridge (Bristol) Transfer Act, 1875."

Certificate of Annuity No. £

By virtue of "The Saint Philip's Bridge (Bristol) Transfer Act, 1875," the mayor, aldermen, and burgesses of the city of Bristol certify that *A.B.*, of , is under that Act entitled to perpetual annuity of pounds charged on the general district fund and rates, and all rates and tolls leviable by the Corporation as a local board of health or sanitary authority, and such annuity (*or* annuities) is (*or* are) payable to him, his executors, administrators, or assigns in perpetuity, at the Bank of , or such other bank as the said mayor, aldermen, and burgesses shall from time to time state in the warrant for the payment thereof, by equal half-yearly payments on the day of and the day of yearly, the first payment to be made on the day of one thousand eight hundred and seventy- .

Given under the seal of the said mayor, aldermen, and burgesses, this day of , in the year of our Lord

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Form of Transfer of Annuity.

"The Saint Philip's Bridge (Bristol) Transfer Act, 1875."

I, *A.B.*, of , in consideration of pounds paid to me by *C.D.*, of , transfer to him, his executors, administrators, and assigns, the annuity (*or* annuities) number of pounds, charged by "The Saint Philip's Bridge (Bristol) Transfer Act, 1875," on the general district fund and rates, and all rates and tolls leviable by the Corporation as a local board of health or sanitary authority, and all my rights and interests therein and thereto.

As witness my hand and seal this day of in the year

LONDON: Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1875.