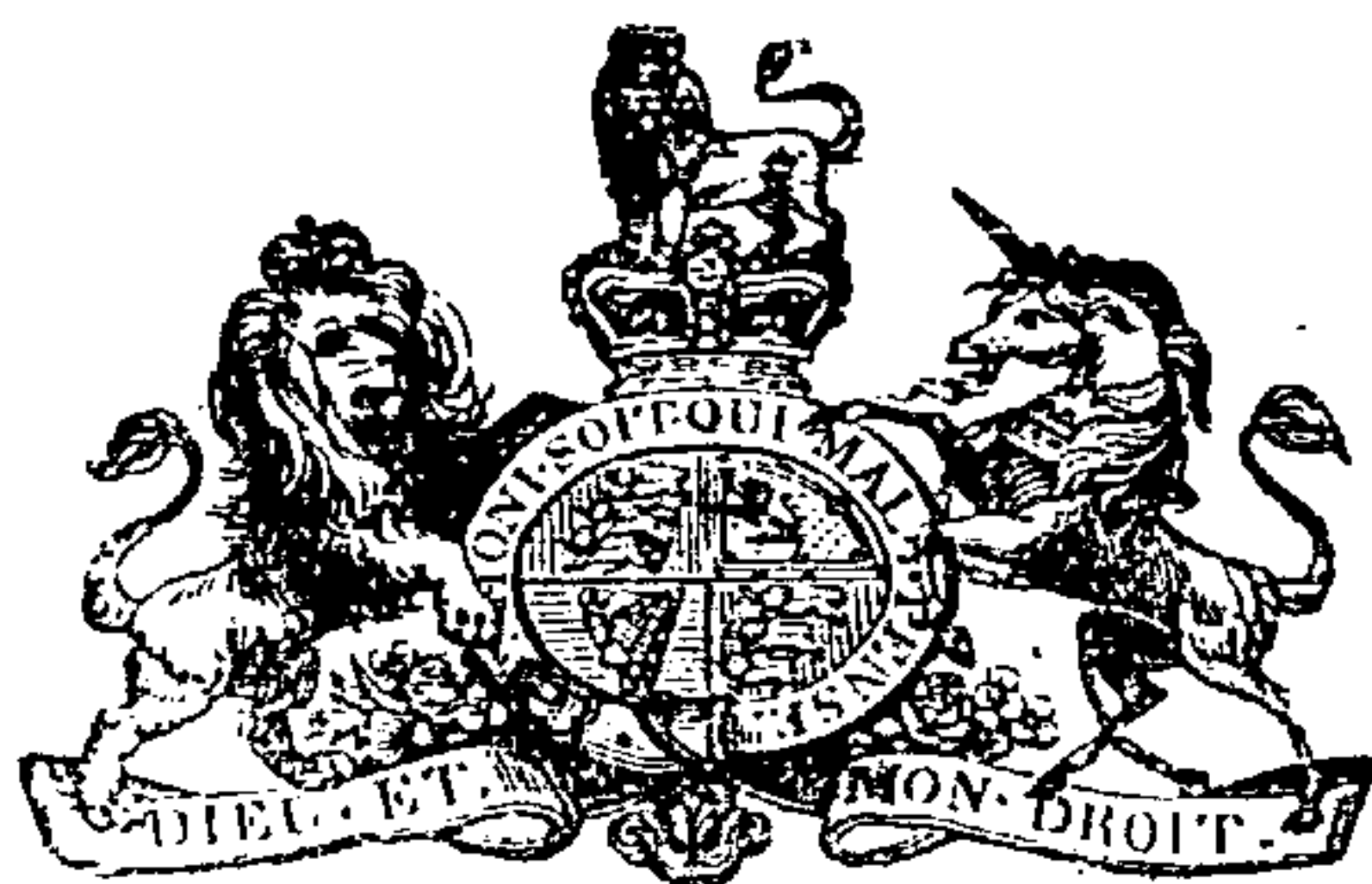


**CHAPTER clxxxiv.**

An Act to enable the Mayor Aldermen and Burgesses of the City of Bristol to make certain Street Improvements and for other purposes connected with their Dock Undertaking. A.D. 1893.
[27th July 1893.]

WHEREAS the Mayor Aldermen and Burgesses of the city of Bristol (in this Act called "the Corporation") are conservators of the port and harbour of Bristol (in this Act called "the port") extending from Hanham Mills on the River Avon to the mouth of that river at Kingroad and thence down the River Severn and the Bristol Channel from Kingroad westward to the islands called respectively "the Stipe Holmes" otherwise "the Steep Holmes" and "the Flat Holmes" and are also conservators of the rivers and creeks within the said port:

And whereas the Corporation became by virtue of the Bristol Dock Act 1848 owners of the docks in the said city in this Act referred to as "the city docks": 11 & 12 Vict.
c. xliii.

And whereas under the powers of the Bristol Port and Channel Dock Act 1864 the Bristol Port and Channel Dock Company who were thereby incorporated constructed at but within the mouth of the River Avon a dock known as "the Avonmouth Dock" with various works and appliances connected therewith: 27 & 28 Vict.
c. cexli.

And whereas under the powers of the Portishead Docks Act 1871 the Bristol and Portishead Pier and Railway Company constructed a dock and pier and works connected therewith at Portishead near the mouth and left bank of the River Avon: 34 & 35 Vict.
c. cxlii.

And whereas under the powers of the Bristol Dock Act 1884 (in this Act called "the Act of 1884") the Corporation acquired the undertakings rights powers and privileges of the said companies and also certain warehouses and conveniences erected at and in connexion with the said docks by the Bristol Port and Channel Dock Warehouse Company (Limited) and the Portishead Warehouse Company (Limited): 47 & 48 Vict.
c. cclv.

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49 & 50 Vict.
c. xcvi.

And whereas by the Bristol Dock Act 1886 (in this Act called "the Act of 1886") the Corporation were authorised to make a new entrance lock to the Avonmouth Dock and a new dock and graving dock communicating therewith and also a wharf wall and embanking of a portion of that part of the city docks known as "the Floating Harbour" and also to make in connexion with the city docks a new street from College Green to the east end of Trinity Street and an alteration and diversion of the street or road known as "the Butts":

And whereas in order to facilitate the traffic to and from the city docks through the city it is expedient that the Corporation be authorised to abandon the said new street from College Green to the east end of Trinity Street and to make the new street and widenings of streets herein-after described being works (l) to (o) (both inclusive) and in this Act referred to as "the street works":

And whereas it is expedient that further powers should be conferred upon the Corporation for the borrowing of money:

44 & 45 Vict.
c. clxviii.

And whereas in the Bristol Dock Act 1881 (in this Act called "the Act of 1881") provisions are contained enabling the Corporation to issue Bristol Corporation Dock debenture stock and those provisions were amended and extended by the Act of 1884 and the Act of 1886 and the Corporation have issued stock thereunder:

And whereas it is expedient that the other provisions contained in this Act be sanctioned:

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

And whereas the Corporation have caused estimates to be prepared for the purchase of land for and for the execution of the works authorised by this Act and such estimates are as follows:—

For the street works seventy-nine thousand one hundred and sixty-five pounds;

For dredging river and harbour improvements cranes coal tips and additional lands one hundred and thirty thousand pounds:

And whereas the works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875:

And whereas an absolute majority of the whole number of the council of the city at a meeting held on the eleventh day of October one thousand eight hundred and ninety-two after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the "Western Daily Press" a newspaper published or circulating in the city (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in

relation to promoting the Bill for this Act should be charged on the revenue arising from the dock estate and the borough fund of the city: A.D. 1893.

And whereas such resolution was published twice in the said newspaper and has received the approval of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the thirty-first day of January one thousand eight hundred and ninety-three being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the city by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

And whereas plans and sections showing the lines and levels of the new streets and other works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Gloucester and are herein-after respectively referred to as the deposited plans sections and books of reference:

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):—

PART I.

PRELIMINARY.

1. This Act may be cited as the Bristol Dock Act 1893 and this Act and the Bristol Dock Acts 1848 to 1886 may be cited together as the Bristol Dock Acts 1848 to 1893. Short title.

2. This Act is divided into Parts as follows (that is to say):—

Act divided
into parts.

Part I. Preliminary:

Part II. Works &c.:

Part III. Lands:

Part IV. Rates and Charges:

Part V. Transit Sheds and Warehouses:

Part VI. Barges and Tugboats:

Part VII. Byelaws:

Part VIII. Finance:

Part IX. Miscellaneous.

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Incorporation of Acts.

3. The following Acts and parts of Acts (that is to say) :—

The Lands Clauses Acts ;

The Harbours Docks and Piers Clauses Act 1847 ; and

The provisions of the Commissioners Clauses Act 1847 relating to mortgages (except section 84) ;

so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are incorporated with and form part of this Act Provided that sections 16 to 19 of the Harbours Docks and Piers Clauses Act 1847 shall not be in force unless the Board of Trade so require.

Interpretation.

4. In this Act unless the subject or context otherwise requires—

“ The city ” means the city and county of Bristol ;

“ The Corporation ” means the Mayor Aldermen and Burgesses of the city whether acting under the provisions of the Municipal Corporations Acts or in the execution of the Acts relating to the port and harbour of Bristol ;

“ The council ” means the council of the city ;

“ The dock estate ” means and includes the docks for the time being of the Corporation and the real and personal property works and appliances acquired appropriated or provided by them for the purposes thereof ;

“ The recited Acts ” means the Acts recited in the preamble to this Act ;

“ The port ” means the port of Bristol ;

“ Dock revenue ” includes all dues and rents payable to the Corporation on account of the dock estate ;

“ Vessels ” includes ships trows barges and craft of every class and description however propelled ;

“ Borough fund ” and “ district fund ” respectively mean the borough fund and district fund of the city ;

“ Borough rate ” and “ general district rate ” respectively mean the borough rate and general district rate of the city ;

“ Stock ” and “ debenture stock ” respectively mean Bristol Corporation Dock debenture stock created and issued under the powers of this Act :

Terms to which meanings are assigned in the recited Acts or in enactments incorporated with this Act or which have therein special meanings have in this Act the same respective meanings unless otherwise interpreted in this Act or there be something in the subject or context repugnant to such construction :

In this Act and (for the purposes of this Act) in enactments incorporated with this Act—

“ The company ” or “ the undertakers ” means the Corporation ;

“ Court of competent jurisdiction ” and “ superior courts ” or any other like expression shall have effect as if the debt or

demand with respect to which the expression is used was a common simple contract debt and not a debt or demand created by statute and shall include any court of competent jurisdiction : A.D. 1893.

In the Commissioners Clauses Act 1847 for the purposes of this Act—

“The commissioners ” means the Corporation ;

“The clerk to the commissioners ” means the town clerk.

5. This Act shall be carried into execution by the Corporation acting by the council. Execution of Act by Corporation.

PART II.

WORKS &c.

6. Under the powers and subject to the provisions of this Act the Corporation may construct and maintain in the lines and according to the levels shown on the deposited plans and sections the following works wholly in the parish of Saint Augustine-the-Less in the city of Bristol (that is to say) :— Powers for and in relation to the construction of works.

(l.) A widening of College Green on the southern side thereof for the whole length of the churchyard of the church of Saint Augustine-the-Less from the western to the eastern end of the said churchyard and in connexion with such widening the constructing of steps to connect the southern side of the said widening with the road known as “ the Butts ” ;

(m.) The widening of so much of the Butts as lies between the eastern end of Anchor Lane and the southern side of the said churchyard ;

(n.) A new street commencing out of the Butts at a point about 76 yards north of the eastern end of Anchor Lane and terminating by a junction with the Hotwell Road at a point about 16 yards west of “ the Old Ship ” public-house ;

(o.) A new street in continuation of Anchor Lane as widened by the Corporation commencing at the termination of the said widened portion thereof and terminating by a junction with the last described new street near to the southern end of Lamb Street.

7. The Corporation may from time to time subject to the provisions of this Act make erect place and maintain all culverts arches sewers drains embankments walls buildings roads approaches works and appliances which may be necessary or convenient for or incidental to the before-mentioned works or any of them. Power to make subsidiary works.

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For the protection of the vicar and churchwardens of the parish of Saint Augustine-the-Less.

8. For the protection of the vicar and churchwardens for the time being of the said parish of Saint Augustine-the-Less (hereinafter called "the vicar and churchwardens") the Corporation in executing any works affecting the churchyard of Saint Augustine-the-Less shall be bound by the following provisions unless otherwise agreed between the Corporation and the vicar and churchwardens (that is to say) :—

- (1.) All works affecting the said churchyard including the works herein-after in this section mentioned shall be carried out with due despatch and completed within eight weeks from the commencement of any operations in connexion with such works on the lands forming part of the said churchyard ;
- (2.) All such works shall be constructed under the superintendence and to the reasonable satisfaction in all respects of the surveyor for the time being to the vestry of the said parish ;
- (3.) Before commencing the construction of any such works the Corporation shall erect proper hoardings or screens round the site of such works of such height and in such position as the said surveyor may require in order to conceal all operations taken by them in the construction of such works and no advertisements shall be exhibited on any such hoardings or screens ;
- (4.) The Corporation shall in lieu of the present wall forming the boundary of the said churchyard construct a new boundary wall along the entire length of the northern side and along part of the north-eastern side of the said churchyard on the line shown on a plan signed by the said surveyor and by the engineer for the Corporation and shall complete the same to the level of the churchyard and such new wall shall be uniform in every respect with the existing wall on the eastern side including the pointing coping and iron railings and shall be constructed of such thickness and with such foundation and counterports as may be necessary to ensure its perfect stability and shall immediately abut on the northern side on College Green as altered under the powers of this Act and the new iron railings shall be painted with four coats of paint and all old iron railings gates and lamps shall be repainted with two coats of paint to match such new work ;
- (5.) The Corporation shall construct—
 - (a.) A flight of stone steps on the northern side of the churchyard at the place shown on the said plan and in such manner as the said surveyor shall direct for the purpose of affording access to the said church from College Green as altered under the powers of this Act and such new steps shall be of the same width as the present steps leading from College Green

to the said church with similar retaining walls gates and railings ;

- (b.) A flight of stone steps at the south-eastern corner of the churchyard as shown on the plan and in such manner as the said surveyor shall direct for the purpose of affording access to the said church by means of the steps now there ;
- (c.) A footpath in the churchyard from the north-eastern corner to the north-western corner following the line of the churchyard wall as altered under the powers of this Act as shown on the plan such footpath to be properly curbed channelled and drained and to be connected with the head of the steps to be constructed in the churchyard as aforesaid as the said surveyor shall direct ;
- (d.) Four gas lamps at such points in the churchyard as may be indicated by the surveyor with proper pipes leading thereto from the mains and all proper fittings complete including re-construction of the meter house and gas and water mains ;
- (6.) The present gravestones shall be taken up and carefully replaced in such parts of the churchyard or affixed to the southern boundary or other wall thereof as the said vicar and churchwardens may direct ;
- (7.) All human remains or coffins or parts of the same necessarily disturbed during the alterations shall be carefully removed and protected and (new coffins being provided if necessary) shall be either reinterred in such other parts of the churchyard or in such consecrated ground as may be approved by the vicar and churchwardens and the representatives of any of the deceased persons And such removal protection and reinterment shall be carried out under the supervision and to the satisfaction of the medical officer of health for the city and of the said surveyor but nothing in this section shall authorise interment or reinterment taking place in the said churchyard at variance from the terms of any Order in Council for the time being affecting the same ;
- (8.) All bricks stones or materials of all the graves or vaults required to be removed shall be deposited in such place or places as the said surveyor may approve ;
- (9.) The Corporation shall during the time that any of the works to be executed by them shall be in execution provide and maintain proper means of access to the said church ;
- (10.) On the completion of the works the whole of the churchyard affected by the alterations shall be levelled re-turfed and otherwise reinstated to the satisfaction of the said surveyor ;

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- (11.) Any damage to the church or churchyard by the works or workmen of the Corporation shall be made good to the satisfaction of the said surveyor ;
- (12.) All works matters and things executed and done by the Corporation under this section shall be so executed and done at the expense in all respects of the Corporation ;
- (13.) The Corporation shall before entering into possession of the churchyard required for the widening of College Green issue to any four of the trustees for the time being of the church lands of the said parish two hundred pounds Bristol Corporation three and a half per centum debenture stock bearing interest from the date of such issue and the said trustees may either sell the said stock or any part thereof and pay the proceeds of the same to the vicar and churchwardens to be expended by them in the improvement of or additions to the fabric of the parish church and of providing a suitable monument in the consecrated ground where the removed human remains are reinterred and of providing a suitable brass monument in the church recording the removal of the dead or in either or all of such works as the vestry may determine or may hold and from time to time sell and dispose of such stock as part of the trust property of the said parish and upon the issue of the said stock the portion of the churchyard by this Act authorised to be taken shall absolutely vest in the Corporation and shall only be used for the purpose of the widening of College Green and the construction of steps in connexion therewith (work (1)) except with the consent of the said vestry The said works so to be executed by the Corporation and the issue of the said stock shall be in lieu of all purchase money and compensation payable for or in relation to the acquisition of or interference with the said churchyard ;
- (14.) The Corporation shall pay the reasonable expenses chargeable to the vestry for surveyors fees or otherwise in relation to the carrying this section into execution.

For the protection of the Ecclesiastical Commissioners for England and the dean and chapter of Bristol.

9. For the protection of the Ecclesiastical Commissioners for England and Wales (in this section called "the Commissioners") and of the dean and chapter of Bristol (in this section called "the chapter") the following provisions shall have effect (that is to say) :—

- (a.) Nothing in this Act shall empower the Corporation to take otherwise than by agreement such part of the lands numbered on the deposited plans 14 in the parish of Saint Augustine as will be situate on the north side of the intended new street described as work (n) in section 6 of this Act ;

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—

(b.) The Corporation shall sell and convey to the Commissioners all the land lying between the said intended new street and the land belonging to the Commissioners on which the ruins of the old Bishop's Palace stand and the price to be paid by the Commissioners for such land shall (in default of settlement by agreement) be ascertained and settled by arbitration in accordance with the provisions of the Lands Clauses Acts;

(c.) The Corporation shall sell and convey to the chapter all the land lying between the said intended new street and the land belonging to the chapter forming the site of the little cloister and the price to be paid by the chapter for such land shall (in default of settlement by agreement) be ascertained and settled by arbitration in accordance with the provisions of the Lands Clauses Acts;

(d.) The Corporation shall purchase from the Commissioners the whole of the premises numbered 9 on the deposited plans subject to any existing lease thereof and when or before such lease expires the Corporation shall pull down and remove all existing buildings or erections then standing upon the said premises numbered 9 and shall sell and convey to the Commissioners or the chapter all such part of the land comprised in the said premises numbered 9 as will be situate on the west side of a straight line drawn in continuation of the existing boundary fence of the cathedral graveyard in Trinity Street to the northern side of the said intended new street and the price to be paid by the Commissioners or chapter for such land shall (in default of settlement by agreement) be ascertained and settled by arbitration in accordance with the provisions of the Lands Clauses Acts.

10. Nothing in this Act shall empower the Corporation to take otherwise than by agreement any lands in the parish of Saint Augustine-the-Less belonging to William George Tanner other than the lands actually required for the purpose of constructing the intended new street work (n).

For the protection of W. G. Tanner.

The Corporation shall sell and convey to the said William George Tanner all the lands acquired by them for the purpose of constructing the said intended new street and not actually required therefor lying between the said intended new street and other lands of the said William George Tanner on the north side of the intended new street so that the estate of the said William George Tanner from end to end may have a frontage to the said intended new street and the price to be paid by the said William George Tanner for the lands to be so sold and conveyed to him shall in default of settle-

A.D. 1893. — ment by agreement be ascertained and settled by arbitration in accordance with the provisions of the Lands Clauses Acts.

As between the Corporation and the said William George Tanner any purchase money or compensation for any lands whether payable by the Corporation or the said William George Tanner shall be ascertained and settled as though such lands were sold under the Lands Clauses Acts but without any addition for compulsory sale.

In consideration of the foregoing provisions and of the improvement to the estate of the said William George Tanner which the formation of the said intended new street will effect he shall allow to the Corporation the sum of five hundred pounds in reduction of the amount which may be found due to him for purchase money or compensation in respect of any lands actually required for the purpose of constructing the said intended new street.

Power to
stop up
streets &c.

11. The Corporation may stop up and discontinue for public traffic and extinguish all rights of way over so much of Trinity Street in the said parish of Saint Augustine-the-Less as lies between the eastern termination of such street and the south-eastern corner of the Royal Hotel and the site and soil of the said portion of street so stopped up shall be wholly and absolutely vested in the Corporation and they may appropriate the same to their own purposes.

Power to
alter levels
of roads &c.
communicating
with
new street
&c.

12. The Corporation may alter the level of any road or street communicating with any new street or widening by this Act authorised for the purpose of causing such new street or widening to communicate more conveniently therewith.

In cases where the Corporation put in force this enactment they shall be liable to pay to any person injuriously affected thereby compensation which shall be recoverable in manner provided by the Public Health Act 1875.

Temporary
stoppage of
streets &c.

13. The Corporation may stop up any street road or court and prevent all persons from passing along or using the same for any reasonable time during the construction of any work by this Act authorised but the Corporation shall make provision for access for foot passengers to houses having an entrance to such street road or court.

New streets
&c. vested
in urban
sanitary
authority.

14. The said new streets and widenings (l) (m) (n) and (o) by this Act authorised and the subsidiary works connected therewith and all lands acquired or appropriated by the Corporation for the purposes thereof shall vest in the urban sanitary authority for the district of the city as part of the highways of that district and shall be maintained and repaired by them accordingly.

15. The Corporation may abandon the construction of the said new street from College Green to the east end of Trinity Street authorised by the Act of 1886.

Corporation may abandon construction of a new street authorised by Act of 1886.

16. The abandonment by the Corporation under the authority of this Act of the said new street shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Corporation on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of the said new street and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Corporation to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Act of 1886.

Compensation for damage to land by entry &c. for purposes of new street abandoned.

17. When before the passing of this Act any contract has been entered into or notice given by the Corporation for the purchasing of any land for the purposes of or in relation to the said new street authorised to be abandoned by this Act the Corporation shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Corporation to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Compensation to be made in respect of new street abandoned.

18. For the protection of the Bristol Gas Company (in this section called "the gas company") the following provisions shall have effect (that is to say):—

For the protection of the Bristol Gas Company.

(1.) Nothing in this Act contained shall deprive the gas company of the powers and privileges conferred upon them by any Act or Acts of Parliament of laying down and maintaining as occasion may require and repairing renewing and altering any mains or pipes in and under any part of the streets or roads upon over or under which the railways authorised by this Act will be made or under any street road or court which may be temporarily stopped up during the construction of the works by this Act authorised;

(2.) Every work which may in any way interfere with or affect or be situate over any main or pipe of the gas company or any

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private service pipe of any person supplied with gas by the gas company shall be executed in accordance with a plan and section (showing the nature of the work proposed) to be submitted to the gas company for their approval not less than ten days previous to the commencement of such work and if the gas company do not within ten days after such submission signify their approval or disapproval thereof or their requirements in relation thereto they shall be deemed to have approved thereof and every such work shall be executed under the superintendence and to the reasonable satisfaction (so far as it may interfere with or affect or be situate over such main pipe or private service pipe) of the engineer of the gas company ;

- (3.) The engineer to the gas company shall if the gas company so think fit have the exclusive direction and management of and may at the reasonable cost in all things of the Corporation execute all such works as may be reasonably necessary for the diversion removing raising refixing sinking or otherwise altering the position of and restoring any mains or pipes valves or other machinery of the gas company or any private service pipe of any person supplied with gas by the gas company which it may be necessary to divert remove raise refix sink alter or restore by reason of the execution by the Corporation of any of the powers of this Act and for preventing any interruption to the supply of gas by the gas company or any obstruction or increased expense to the gas company in the repair or renewal of such mains or pipes ;
- (4.) All costs charges and expenses reasonably incurred by the gas company or their engineer under the provisions of this section including the reasonable costs charges and expenses of and in relation to any superintendence which may be necessarily required of any works of the Corporation under the provisions of this section in that behalf shall be paid by the Corporation to the gas company on demand and in case of default may be recovered by the gas company in any court of competent jurisdiction ;
- (5.) If by reason of the exercise of the powers of this Act any increased length of gas mains or pipes be rendered necessary the same shall be provided and laid by the gas company at the reasonable cost of the Corporation and if the gas company at any time by like reason incur any additional cost in repairing or altering any gas main or pipe such additional cost shall be repaid to the gas company by the Corporation ;
- (6.) Whenever by the appropriation or destruction of property by this Act authorised to be acquired by the Corporation or by

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the stopping up of any street or road authorised by this Act to be stopped up any gas mains or pipes of the gas company (except pipes inside such property) shall be rendered unnecessary the Corporation shall pay to the Company the cost of an equivalent length of gas main or pipe and of laying the same down and of the works required for the discontinuance of the gas mains or pipes rendered unnecessary and the gas mains or pipes so rendered unnecessary shall become the property of the Corporation ;

(7.) In case the gas company at any future time require to lay any main or pipe in any road or street crossed by or crossing any work constructed under the powers of this Act the Corporation shall free of charge give to the gas company all reasonable facilities for carrying out the work subject to the gas company making reasonable compensation to the Corporation for any damage they may sustain by the execution of such work such compensation in case of difference to be determined by arbitration in manner herein-after provided ;

(8.) The Corporation shall not without the consent of the gas company under their common seal acquire any part of the lands numbered on the deposited plans 109 in the parish of Saint Augustine-the-Less ;

(9.) If any difference arise between the Corporation and the gas company touching this section or anything to be done or not to be done or any moneys to be paid thereunder such difference shall be determined by an engineer to be appointed (unless otherwise agreed on between the parties) on the application of either party by the President for the time being of the Institution of Civil Engineers and subject as aforesaid the provisions of the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration shall extend and apply to the determination of such difference.

PART III.

LANDS.

19. Subject and according to the provisions of this Act the Corporation may enter upon take and use such of the lands shown on the deposited plans and described in the deposited books of reference as they may require for the construction and maintenance of the works by this Act authorised to be constructed by them.

Power to
take lands
for works.

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Owners may
be required
to sell parts
only of cer-
tain lands
and build-
ings.

20. And whereas in the construction of the works by this Act authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the lands houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the lands houses or other buildings or manufactories described or referred to in the schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise If for twenty-one days after the service of notice to sell and convey any portion or portions of the said property any owner or other person shall fail to notify to the Corporation that he alleges such portion or portions cannot be severed from the remainder of the property without causing the material detriment mentioned then the Corporation may proceed to take such portion or portions only but if within such twenty-one days he shall by notice to the Corporation allege that such portion or portions cannot be severed from the remainder without causing such material detriment as aforesaid then the tribunal to whom the question of disputed compensation shall be submitted shall determine the matter of the said allegation in addition to the other questions required to be determined by them :

Provided always that if in the opinion of such tribunal any such portion or portions cannot be severed from the remainder of such property without material detriment thereto the Corporation may withdraw their notice to treat for the portion of the property required by them and thereupon they shall pay to the owner of and other persons interested in the property in respect of which they have given notice to treat all costs charges and expenses reasonably and properly incurred by them in consequence of such notice :

Provided also that if in the opinion of such tribunal any such portion or portions can notwithstanding the allegation of such owner or other person be severed from the remainder without such material

detriment then such tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by such owner or person incident to the arbitration or inquiry shall be borne and paid by such owner or person :

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The provisions of this section shall be stated in every notice given thereunder by the Corporation to sell and convey any premises.

21. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to the houses and buildings within one hundred feet of any of the works by this Act authorised it may be necessary to underpin or otherwise strengthen such houses and buildings Therefore the Corporation at their own costs and charges may and if required by the owners and lessees of any such house or building shall subject as herein-after provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say) :—

Corporation empowered or may be required to underpin or otherwise strengthen houses.

- (1.) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners and lessees of the house or building so intended or so required to be underpinned or otherwise strengthened ;
- (2.) Every such notice if given by the Corporation shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners and lessees of the premises to be underpinned or strengthened shall be sent to the council house of the city ;
- (3.) If any owner lessee or occupier of any house or building or the Corporation as the case may require shall within seven days after the giving of such notice give a counter notice in writing that he or they as the case may be disputes the necessity of such underpinning or strengthening the question of the necessity shall be referred to an engineer to be agreed upon or in case of difference to an engineer to be appointed at the instance of either party by the Board of Trade ;
- (4.) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building ;
- (5.) The cost of the reference shall be in the discretion of the referee ;

A.D. 1893.

- (6.) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment ;
- (7.) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof ;
- (8.) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Corporation from the liability to compensate under the 68th section of the Lands Clauses Consolidation Act 1845 or under any other Act ;
- (9.) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts ;
- (10.) Nothing in this section shall repeal or affect the application of the 92nd section of the Lands Clauses Consolidation Act 1845.

Period for
compulsory
purchase of
lands.

22. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the passing of this Act.

Power to
acquire addi-
tional lands
by agree-
ment.

23. The Corporation may (in addition to the lands they are authorised to acquire and hold under the other powers of this Act) from time to time by agreement acquire in fee either by purchase or by way of exchange or otherwise any lands not exceeding in the whole two acres or any easement right or privilege therein thereunder thereover or thereupon which shall be deemed necessary by the Corporation but nothing in this Act shall exempt the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land or in exercise of any easement so taken.

Considera-
tion for such
acquisition.

24. The consideration for any such acquisition may be either money land or works or a mixed consideration of money land and

works and on any exchange the Corporation may give or take any money for equality of exchange. A.D. 1893.

25. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to
take ease-
ments &c. by
agreement.

26.—(1.) The Corporation shall not under the powers of this Act purchase or acquire in any city borough or other urban sanitary district or in any parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

Restrictions
on displac-
ing persons
of labouring
class.

(a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

A.D. 1893.

(4.) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire :

Provided that nothing in this section shall relieve the Corporation from the necessity of obtaining the approval of the Local Government Board for such appropriation or use of their corporate land as would require such approval under the Municipal Corporations Act 1882 (as amended by section 72 of the Local Government Act 1888) or any other general Act.

(7.) Subject to the provisions of this section the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act 1875 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit.

(8.) The Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any

expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector. A.D. 1893.

(9.) For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

27. The Corporation may from time to time appropriate and use for any of the purposes of this Act any lands for the time being vested in them but before so appropriating or using the same they shall cause the same lands to be valued by some independent and competent surveyor and the amount of such valuation shall be applied in the same manner as the proceeds of the sale of such lands would have been applied had the same been sold by the Corporation Provided that nothing in this Act shall relieve the Corporation from the necessity of obtaining the approval of the Local Government Board for any such appropriation or use as would require such approval under the Municipal Corporations Act 1882 or any other general Act. Corporation may use their own lands for purposes of this Act.

28. Notwithstanding anything in the Lands Clauses Acts the Corporation may retain hold and use any lands or any interest in any lands acquired by them under the powers of this Act and adjacent to their docks. Power to retain lands.

PART IV.

RATES AND CHARGES.

29. The Corporation may demand and take from the owner or master of each vessel using any graving dock pontoon or floating dock constructed by them or any buildings machinery or premises connected therewith respectively such reasonable rates and charges in respect of such user as the Corporation from time to time determine and the following sections of the Act of 1886 (that is to say) :— Graving dock rates.

Section 31 (Deposit for rates);

Section 32 (Master of vessel may be questioned as to draught of water of his vessel);

A.D. 1893.

Section 33 (Corporation may let the graving dock);

Section 34 (Graving dock not to be used for building &c. vessels);

Section 35 (Occupation of graving dock improperly); and

Section 36 (Removal of vessels from graving dock);

shall extend and apply mutatis mutandis to and in relation to any such graving dock pontoon or floating dock and the user thereof respectively.

Charges on
shipment
and weighing
of coals &c.

30. Section 29 (Charges on shipment and weighing of coals &c.) of the Act of 1886 is hereby repealed and in lieu thereof the following provision shall have effect (that is to say):—

The Corporation may (in addition to any other sums which they are by this or any other Act authorised to demand) charge—

For the shipment by the Corporation of coal coke or culm by means of drops tips or staiths shipping machines or appliances or other machinery works or conveniences any sum not exceeding threepence per ton;

For the weighing by the Corporation of coals coke or culm including the use of the weighing machines any sum not exceeding one halfpenny per ton;

For the use in other cases of staiths drops tips shipping machines or appliances or other like machinery works or conveniences such reasonable rates as the Corporation from time to time determine.

Power to set
apart and
appropriate
berths &c.

31. The Corporation may from time to time as they think fit set apart and appropriate to the exclusive use of any particular trade or vessels any berths at or adjoining any land belonging to the Corporation and in their occupation and in addition to the other rates they are authorised to demand and take may for such exclusive appropriation or use demand and take such reasonable charges and make such regulations as they from time to time think fit No person or vessel shall make use of any berth so set apart or appropriated without the consent of the Corporation under the hand of their harbour master and any person knowingly offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding ten pounds for every day during any part of which such offence shall continue after notice not to use such berth and the harbour master may order such person and any such vessel to be removed and the provisions of section 58 of the Harbours Docks and Piers Clauses Act 1847 shall extend and apply mutatis mutandis to and in relation to any such vessel.

PART V.

A.D. 1893.

TRANSIT SHEDS AND WAREHOUSES.

32. The Corporation may on any quays or wharves or on any part of the banks of the River Avon belonging to them and in their occupation provide transit sheds for the reception of goods on such plan and of such dimensions as they think fit subject nevertheless as to plans and dimensions and in all other respects to the approval of the Commissioners of Customs and may from time to time subject to such approval repair alter renew discontinue or remove the same and the same shall be part of their dock estate and they may keep the said transit sheds provided with all requisite appliances and conveniences for weighing and measuring goods and may demand and take for the use of such sheds apparatus and appliances such rents and charges as they from time to time fix.

Power to Corporation to provide and declare transit sheds.

33. The provisions of Part III. (Transit sheds and warehouses) of the Act of 1881 applicable to transit sheds and warehouses respectively shall extend and apply mutatis mutandis to transit sheds and warehouses respectively erected or provided under the provisions of this Act.

Part III.—
(Transit sheds and warehouses) of the Act of 1881 incorporated.

PART VI.

BARGES AND TUG-BOATS.

34.—(1.) The Corporation may from time to time license barges for the carrying of cargo in or between any of the docks of the Corporation and may charge for the license on every such barge not having a carrying capacity exceeding forty tons two guineas per annum and a further sum of one guinea per annum for each additional ten tons of carrying capacity provided that any lesser number of tons than ten tons shall for this purpose be deemed to be ten tons.

Corporation may license barges.

(2.) Every person who without the license of the Corporation first applied for and obtained shall use or employ any barge for so carrying cargo shall for every such offence be liable to a penalty not exceeding ten pounds.

35. The Corporation may hire and let tug-boats for the towing of vessels to from or in any part of the port and the provisions of section 45 (Corporation to fix rates for steam tugs) of the Act of 1881 shall extend and apply to and in relation to such tug-boats.

Corporation may provide tug-boats.

36. The provisions of section 44 (Corporation may license steam tugs) and section 45 (Corporation to fix rates for steam tugs) of the Act of 1881 shall extend and apply to and in relation to all steam

Extending certain provisions of the Act of 1881

A.D. 1893.

as to steam
tugs.

tugs or other power employed in towing vessels to from in or between any docks of the Corporation Provided that if the Corporation exercise the powers of this section they shall not refuse to license any steam tug or other power which shall be efficient for the purpose of such towing and the master of which shall be competent.

PART VII.

BYELAWS.

Power to
Corporation
to make bye-
laws.

37. In addition to the powers of making byelaws contained in the Harbours Docks and Piers Clauses Act 1847 or in any other enactment enabling the Corporation to make byelaws they may from time to time make alter and repeal such byelaws as they think fit for all any or either of the following purposes (that is to say) :—

For prohibiting or regulating the use of steam whistles horns sirens and such like instruments in or on any vessel in the River Avon or any of the docks of the Corporation ;

For compelling the consumption of smoke by steam vessels within that part of the port which is eastward of the ferry across the River Avon from Shirehampton to Pill :

The provisions of the Harbours Docks and Piers Clauses Act 1847 shall extend and apply to all byelaws which do not solely relate to the Corporation or their officers or servants but no such byelaws nor any byelaws made by the Corporation under that Act shall have any force or effect unless and until the same be confirmed by the Board of Trade :

The penalties imposed by any such byelaw for any breach thereof shall be in addition to any damages recoverable by the Corporation or by any person or company for any loss or injury to them or him or to their or his property consequent on such breach.

PART VIII.

FINANCE.

Power to
create and
issue stock.

38. The Corporation may for such of the following purposes as are properly payable out of capital create and issue stock not exceeding in amount—

For payment of the costs of this Act as herein-after defined such a sum as may be necessary for that purpose ;

For the general purposes of their dock undertaking one hundred and thirty thousand pounds :

The provisions of sections 52 to 78 of the Act of 1881 and sections 44 to 50 of the Act of 1884 shall extend and apply to and in relation to such stock created and issued under the powers of this Act and in construing those sections for the purposes of this section the expression "this Act" whensoever used in any of those sections shall be construed to include this Act: A.D. 1893.

Provided as follows:—

The Corporation shall redeem or make provision for the redemption of so much of the stock as is issued for defraying the costs of this Act within any period not exceeding ten years after the date of the issue of such stock and for the redemption of all other the stock issued under the powers of this Act within any period not exceeding sixty years after the date of such issue:

The first payments to the sinking fund for the redemption of stock shall be as follows (that is to say):—

As to stock issued for defraying the costs of this Act on or before the first day of November one thousand eight hundred and ninety-four;

As to stock issued for the general purposes of the dock undertaking on or before the first day of November next following the issue of such stock:

The accumulation for the sinking fund for the redemption of stock shall be by way of compound interest at the rate of three pounds per centum per annum:

The Corporation shall not invest any sinking fund established for the redemption of stock created and issued under the powers of this Act in or upon any security granted created or issued by the Corporation.

39. All stock authorised to be created and issued by the Corporation by any Act passed after the present session of Parliament shall be redeemable at the option of the Corporation at par after the expiration of a period to be fixed by the resolution creating the stock not exceeding sixty years from the first creation thereof and section 52 (As to debenture stock) of the Act of 1881 shall be read and construed accordingly. Amending
s. 52 of the
Act of 1881.

40. Section 65 (Corporation may redeem debenture stock) of the Act of 1881 and section 50 (Power to redeem Corporation stock) of the Act of 1884 are hereby repealed and the Corporation may by agreement with the holder of any Corporation stock redeem or purchase the same or any portion thereof at any time and any stock so redeemed or purchased shall be ipso facto cancelled and all dividends thereon not already accrued shall be and the same are by virtue of this Act extinguished. As to re-
demption of
debenture
stock.

A.D. 1893.

Power to
borrow on
general dis-
trict rate for
street works.

41. The Corporation may also from time to time in addition to any moneys they are authorised to borrow by this or any other Act borrow at interest on the security of the district fund and general district rate the sum of seventy-nine thousand one hundred and sixty-five pounds for carrying into execution such of the purposes of this Act relating to street works as are properly payable out of capital And in calculating the sum the Corporation may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing shall not be restricted by any of the provisions of the Public Health Act 1875.

Repayment
of borrowed
moneys.

42. The Corporation shall out of the district fund and general district rate pay off all moneys borrowed by them under the next preceding section of this Act within the period of sixty years from the respective dates of the borrowing thereof either by yearly or half-yearly instalments or by a sinking fund or partly by instalments and partly by a sinking fund Provided that when the payments shall not be made by equal instalments the instalment or instalments payable in each year together with the interest payable in such year in respect of the principal moneys of which such instalment or instalments form part shall in every year amount to the same sum.

As to sink
ing fund.

43. In order to discharge such of the moneys borrowed under the powers of this Act for street works as are to be repaid by means of a sinking fund the following provisions shall have effect (that is to say) :—

The Corporation shall on the first day of November next following the borrowing of any moneys so to be repaid and thenceforward on the same day in every year appropriate and set apart out of the district fund and general district rate such equal sums as will with the accumulations thereof by way of compound interest at the rate of three pounds per centum per annum be sufficient to pay off the whole of the said borrowed moneys within a period not exceeding sixty years from the respective dates of the borrowing thereof ;

The yearly sums so to be appropriated and set apart shall be invested from time to time and accumulated in the way of compound interest by investing the same and the resulting income thereof respectively in such securities as trustees are by law for the time being authorised to invest trust moneys in or on security of mortgages debentures debenture stock Corporation stock or annuity certificates of any municipal corpora-

tion (excluding the Corporation) authorised by or under any Act under which such corporation are authorised to borrow money ; A.D. 1893.

The Corporation may at any time apply the whole or part of any sinking fund set apart by them in or towards the repayment of the borrowed moneys for the repayment of which such sinking fund was set apart in such order and manner as they deem proper. Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate per centum on which the equal annual payments to the sinking fund are based. Provided also that whenever and so long as the moneys in the sinking fund would if invested at the same rate of interest as is payable on the borrowed moneys then outstanding be equal to the annual interest of such borrowed moneys then outstanding the Corporation may in lieu of investing the yearly income arising from the sinking fund apply the same in payment of such interest and may during such periods discontinue the payments to such sinking fund of the yearly sums required to be so paid thereto and the investing of the said yearly income.

44. The Corporation may from time to time borrow at interest on mortgage as aforesaid any moneys necessary for repaying any principal moneys borrowed under the powers of this Act on the same becoming repayable or for the paying off of any of such principal moneys as they can re-borrow at a lower rate of interest and so toties quoties. Provided that the time for the repayment of any moneys so re-borrowed shall not be extended beyond the unexpired portion of the term in that behalf by this Act prescribed and that for the purpose of repayment the moneys re-borrowed and the moneys originally borrowed shall be deemed the same loan. Provided also that the Corporation shall not re-borrow any moneys paid off by means of instalments or a sinking fund or out of the proceeds of the sale of land or out of premiums or fines on leases. Power to re-borrow.

45. A person lending money to the Corporation shall not be bound 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. For protection of lenders.

46. Nothing in this Act shall prejudicially affect any charge subsisting at the passing of this Act (by way of mortgage or otherwise) on the corporate estates or on any undertaking or fund of Priority of existing mortgages.

A.D. 1893. — the Corporation or on any tolls rates or revenues receivable or leviable by them and every mortgagee or incumbrancer or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of the property subject to his charge as if this Act had not been passed and all such charges created before the passing of this Act shall during the subsistence of such charges have priority over any mortgage or charge granted or created under this Act on the same security.

For appoint-
ment of
receiver.

47. The mortgagees of the Corporation under this Act may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Corporation
not to regard
trusts.

48. The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register-book of the Corporation shall be a sufficient discharge to the Corporation in respect thereof notwithstanding any trust to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register and the Corporation shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any of such money.

Annual re-
turn to Local
Government
Board with
respect to
sinking
fund.

49. The town clerk of the city 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 any instalment is required to be paid 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 paid as an instalment or invested for the purpose of such sinking fund 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 and the interest thereof 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 the said town clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. 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 the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof 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 High Court.

A.D. 1893.

50. All moneys raised under the powers of this Act shall be applied solely to the purposes of this Act to which capital is properly applicable.

Application of money raised by stock.

51. All expenses incurred by the Corporation in the execution of this Act (except such of them as are properly chargeable to capital and are payable out of borrowed moneys) shall be paid as follows:—

Expenses of execution of Act.

The expenses incurred in and in relation to the maintenance and repair of the street works after their completion out of the district fund and general district rate ;

All other expenses out of the dock revenue and any deficiency therein shall be paid out of the borough fund and borough rate.

PART IX.

MISCELLANEOUS.

52. The officers of the Revenue shall at all times have access to all parts of the works during construction.

Officers of Inland Revenue to have access to works.

53. The provisions of section 105 of the Bristol Waterworks Act 1862 shall extend and apply to the removal or the alteration of the position or level under the powers of this Act of any main or service water pipe of the Bristol Waterworks Company and to the Corporation and the Bristol Waterworks Company in relation to any such removal or alteration.

For the protection of the Bristol Waterworks Company.

A.D. 1893. **54.** All the costs charges and expenses incurred by the Corporation preliminary to and of and incidental to the preparing of applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the dock revenue and the borough fund or out of stock to be created and issued for that purpose by virtue of the powers of this Act.

The SCHEDULE.

LANDS HOUSES or other BUILDINGS or MANUFACTORIES of which portions only may be required by the Corporation.

Parish.	Number on deposited Plans.
St. Augustine-the-Less	14, 80, 81, 82, 83, 91, 92, 93, 94, 95, 96, 97, 111, 115, 118.

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