



## CHAPTER ix.

An Act to alter and amend certain provisions of the Deed of Constitution of the Bristol Clifton and West of England Zoological Society and for other purposes. A.D. 1901.

[2nd July 1901.]

**W**HEREAS by an indenture made the twelfth day of June in the year one thousand eight hundred and thirty-seven (herein-after referred to as "the Deed of Constitution") the parties thereto and the several other persons becoming members as therein mentioned were associated together as a zoological society under the title of the Bristol Clifton and West of England Zoological Society and the objects of the society were declared to be the collection preservation and exhibition in the gardens of the society of living animals and the promotion of the science of zoology and botany and a more extended knowledge and study of the animal kingdom by the introduction of new and curious specimens belonging to it:

And whereas the society thus constituted has since existed and has continued to carry into effect the objects of its constitution:

And whereas under the Deed of Constitution the property real and personal of the society including the zoological gardens situate in the parish of Clifton is vested in and held by trustees on behalf of the society:

And whereas under the Deed of Constitution the general regulation of the society is (subject to the control of the general meetings of the members) vested in a committee consisting of a treasurer and twenty-four other members and of an honorary secretary:

And whereas the Deed of Constitution empowers the trustees if directed so to do by the committee to borrow the sum of four thousand pounds upon mortgage of the gardens and hereditaments of the society (which power has been exercised) and further empowers the trustees under the direction of the committee

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A.D. 1901. sanctioned by a general meeting of the members to borrow any other sum or sums of money upon mortgage as aforesaid but this last-mentioned power cannot be exercised unless two-thirds at least of the entire number of the existing members personally attend the meeting and concur in the expediency of the measure at two successive general meetings held after an interval of at least four weeks :

And whereas a similar majority of two-thirds at least of the entire number of the existing members at two successive general meetings is required before the objects of the society can be extended :

And whereas the above provisions are in practice unworkable and detrimental to the interests of the society and it is expedient to repeal the same and to make other provisions in lieu thereof :

And whereas it is expedient to empower the society to sue and be sued in the name of their treasurer or superintendent :

And whereas a copy of the Bill for this Act has been submitted to and approved by a general meeting of the members of the society :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 :—

Short title.

1. This Act may be cited as the Bristol Clifton and West of England Zoological Society's Act 1901.

New provision as to borrowing powers of society.

2. Clauses 5 and 6 of the Deed of Constitution (which relate to the borrowing of money) are hereby repealed without prejudice nevertheless to anything done thereunder and the following clause is substituted for the same as part of the said deed (namely):—

It shall be lawful for the trustees if directed so to do by the committee at any time or times to borrow at interest any sum or sums of money and to make and execute any mortgage debenture or other instrument charging all or any of the real and personal property of the society with repayment of the sum or sums so borrowed and any such mortgage debenture or other instrument may contain such power of sale and such other covenants conditions and

provisions for securing repayment of any such sum or sums together with interest as the trustees may think proper but so that the amount at any one time owing in respect of moneys so borrowed shall not (together with the said sum of four thousand pounds) exceed the total sum of twenty thousand pounds.

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3. The proviso to clause 31 of the Deed of Constitution is hereby repealed and the following proviso is substituted for the same as part of the said deed (namely):—

New provision as to resolutions for certain purposes.

Provided that a resolution of a general meeting of the members for the making alteration amendment or repeal of any of the byelaws rules and regulations of the society or for the extension of the objects of the society shall not be valid unless intimation of the intention to propose the same and of the general purport thereof shall have been given in the notice of the general meeting nor unless the resolution shall have been passed by two-thirds of the members present at the meeting and confirmed by a like majority of the members present at a subsequent general meeting held after an interval of not less than four nor more than eight weeks after the first meeting :

And no resolution of a general meeting for the dissolution of the society or for the sale purchase exchange or renting of any lands shall be passed unless intimation of the intention to propose the same and of the general purport thereof shall have been given in the notice of the general meeting nor unless two-thirds at least of the entire number of the then existing members shall concur in the vote at two successive general meetings to be held after an interval of at least four nor more than eight weeks after the first meeting.

4. All actions and all proceedings whether civil or criminal of every description by or on behalf of or against the society may be commenced raised and carried on in the name of the treasurer for the time being or of the superintendent of the society as the nominal plaintiff prosecutor or defendant (as the case may be) for and on behalf of the society and in all actions indictments and informations the property of the society may be stated to be the property of the treasurer or superintendent and generally in every such action indictment information or other proceeding as aforesaid it shall be lawful and sufficient to state and to use the name of

Power to sue and be sued in name of treasurer or superintendent.

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A.D. 1901. — such treasurer or superintendent for and on behalf of the society and the death resignation or removal or any act of such treasurer or superintendent shall not abate or affect any action prosecution or other proceeding conducted in accordance with the provisions of this section.

Deed of  
Constitution  
to remain  
binding.

5. Subject to the above alterations the Deed of Constitution shall remain binding on the society.

Costs of Act.

6. The costs charges and expenses preliminary and of and incidental to preparing obtaining and passing this Act shall be paid by the society.

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