

his name had been originally inserted therein, and no party having made such transfer shall have power to make void, release, or discharge the same, or any money thereby secured; and for every such entry or memorial the Commissioners shall be entitled to demand and receive any sum not exceeding one dollar nor less than half a dollar.

23. From and after the fixed day for the payment of any principal or instalment of any principal, interest shall cease to accrue thereon, unless the Commissioners shall refuse or neglect to pay, on demand, the principal money secured thereby, or the instalment thereof then due and payable, and the interest or arrears of interest or part thereof, in which case interest shall accrue from the time of such demand until payment of the whole of the principal or instalment of principal and arrears of interest due thereon.

24. If the Commissioners shall neglect or refuse to pay any principal or interest on the day fixed in any such mortgage, it shall be lawful for them at any time thereafter to give notice to the party entitled thereto, that they are willing to pay him, on a day therein named, the amount of principal and interest which will then be due and payable, together with a further reasonable sum therein mentioned, not exceeding the amount payable for six months' interest as compensation for their default, and thereupon further interest shall cease to accrue in such principal unless the Commissioners shall neglect or refuse, upon the expiration of such notice, to pay when demanded the principal, interest, and compensation mentioned therein; provided always, that if the party thereto shall be dissatisfied with the amount of such compensation, it shall be lawful for the Supreme Court, upon petition in a summary way, to make a decretal order for the payment by the Commissioners of such further sum not exceeding, together with that mentioned in the notice, and whether the same shall have been paid and received or not, six months' interest, as to the Chief Justice may seem reasonable and just, together with the costs of, and occasioned by, the application.

25. If the principal, instalment of principal, or interest due and payable in any mortgage or mortgages, the aggregate amount of principal secured whereby shall not be less than five thousand dollars shall be due and unpaid for a period of six months after demand, in writing, under the hand of the party or parties entitled thereto, made at the principal office of the Commissioners, between the hours of eleven o'clock in the forenoon and three in the afternoon, it shall be lawful for them, by themselves or conjointly with any others, or for any persons whatever entitled to any such mortgage or mortgages, the aggregate amount of principal secured whereby shall not be less than five thousand dollars, without prejudice to any remedy either by writ of mandamus in cases wherein such writ is issuable or otherwise, to enforce payment of the principal and interest then and thereafter payable, by applying for the appointment of a receiver in manner hereinafter mentioned.

26. Every application for a Receiver shall be made to the Supreme Court, by petition to the Chief Justice, whereupon process shall be issued by and under the seal of the said Court, requiring the Commissioners to be and appear before the said Court on a certain day therein mentioned. The Chief Justice, after hearing all that may be alleged by and on behalf of the petitioner or petitioners, and the Commissioners respectively, shall, if he be satisfied with the truth of the

allegations in such petition, by Decretal Order to be entered and enrolled in the records of the Court, appoint some fit and proper person to receive the whole or a competent part of the rates, assessments and other moneys liable to or charged with the payment of such principal and interest, until the whole amount of principal and interest due and payable on the mortgages, and the costs of petitioner or petitioners, including the charges of receiving the said rates, assessments, and other moneys be fully paid.

27. The Chief Justice may, from time to time, if he shall think fit, remove the receiver and appoint any other fit and proper person in the room of the person so removed.

28. It shall be in the discretion of the Chief Justice, if he shall be satisfied that the non-payment of such principal and interest was caused by the wilful default or neglect or other improper conduct of the Commissioners, or any of them, by his said Decretal Order, to order that all the costs, charges, and expenses of the Commissioners occasioned by any such application, and also the costs of the petitioner or petitioners, including the charges of receiving the said rates, assessments, and other moneys, be paid by the Commissioners, personally or by one or more of them, named on such order, and in such proportion as he may think fit, and to issue process accordingly; but unless he shall be so satisfied, then the whole of the said costs, charges, and expenses of the Commissioners, and of the petitioner or petitioners, shall, being first duly taxed and ascertained, be included in the charges of receiving the said rates, assessments, and other moneys, and be, and by Decretal Order of the Court adjudged to be, part of the costs, charges, and expenses of the Commissioners in carrying this Order in Council into execution, and paid and defrayed accordingly.

29. The schedule to this Order in Council annexed is, and is to be deemed and taken to be, part of this same Order.

30. The Commissioners shall keep a separate and distinct account to be called the "Capital Account" of all receipts and disbursements of the capital which they may raise or be authorised to raise in such manner and form as the Governor shall from time to time by warrant under his hand and seal direct; and so far as such warrant and the directions therein contained shall not extend, they shall keep such capital account according to the most approved system of book keeping, and the capital account shall be subject to all the provisions of the Sanitary Order in Council, Gibraltar, 1865, relating to accounts, and to the collection, receipt, expenditure, or payment of money by the said Order in Council payable to or receivable by the Commissioners and to the examination, audit, allowance, or disallowance, of their accounts.

31. And the said Sanitary Order in Council, Gibraltar, 1865, is hereby ordered to be and to be deemed and taken to be, to all intents and purposes incorporated with, and to be construed and read together with the provisions herein contained as one Order in Council.

And the Most Noble the Duke of Buckingham and Chandos, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions accordingly.

*Arthur Helps.*