CHAPTER ci.

An Act to empower the Corporation of Nottingham to construct additional tramways to make new waterworks and a street improvement and for other purposes. A.D. 1899.

[13th July 1899.]

WHEREAS the mayor aldermen and citizens of the city of Nottingham and county of the same city (in this Act referred to as the Corporation and the city respectively) have acquired and are working the tramways within the city and it is expedient that the Corporation should be empowered to construct and maintain the additional tramways in this Act described and that they should be empowered to work the same:

And whereas the Corporation are the owners of waterworks and supply water within the city and neighbourhood under and subject to various Acts of Parliament including the Acts and Provisional Orders confirmed by Act of Parliament set forth in the First Schedule to this Act and such Acts and Orders are referred to in this Act as the recited Water Acts:

And whereas it is expedient that the Corporation should be empowered to make the new waterworks in this Act mentioned such new works being in part in substitution for certain works authorised by the Nottingham Corporation Water Act 1897:

And whereas it is expedient that the Corporation should be empowered to make the street widening in this Act mentioned:

And whereas it is expedient that the further powers in this Act contained should be conferred upon the Corporation:

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

And whereas estimates have been prepared by the Corporation for the purposes herein-after mentioned and such estimates are as follows:—

For the construction of the tramways by this Act authorised and for other tramway purposes -	£585,000

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For the purchase of land for and the construction of the waterworks by this Act authorised and for other waterworks purposes (after deducting £35,000 in respect of works authorised by the Nottingham Corporation Act 1897 and rendered unnecessary by works authorised by this Act) - £144,000

For the purchase of land for and the construction of the street widening by this Act authorised - £54,000

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 at a meeting held on the second day of January one thousand eight hundred and ninety-nine after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Nottingham Daily Guardian a local newspaper published and 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 district fund and general district rate:

And whereas such resolution was published twice in the said Nottingham Daily Guardian and has received the approval of the Local Government Board:

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 sixteenth day of January one thousand eight hundred and ninety-nine 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 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 the city of Nottingham and with the clerk of the peace for the county of Nottingham and are in this Act respectively referred to as the deposited plans sections and book 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) :— A.D. 1899.

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited as the Nottingham Corporation Act 1899.

Incorporation of Acts.

2. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) and Parts II. and III. and section 19 of the Tramways Act 1870 are (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) hereby incorporated with this Act :

Provided that the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any alteration of or interference with any telegraphic line belonging to or used by the Postmaster-General The expression "telegraphic line" in this Act has the same meaning as in the Telegraph Act 1878.

Interpretation.

3. In this Act words and expressions to which meanings are assigned by the Acts and parts of Acts incorporated with this Act shall have the same respective meanings unless there is something in the subject or context repugnant to such construction And in this Act unless the context otherwise requires—

"The Corporation" means the mayor aldermen and citizens of the city of Nottingham and county of the same city ;

"The city" means the city of Nottingham and county of the same city ;

"The council" means the council of the city ;

"The town clerk" means the town clerk of the city ;

"The district fund" and "general district rate" mean respectively the district fund and general district rate of the city ;

"Statutory securities" has the same meaning as that assigned to it by the Nottingham Improvement Act 1897 ;

"Recited Water Acts" means the Acts and Provisional Orders confirmed by Act of Parliament specified in the First Schedule to this Act.

Execution of Act.

4. This Act shall be carried into execution by the Corporation acting by the council.

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PART II.—TRAMWAYS.

Power to make tramways.

5. Subject to the provisions of this Act the Corporation may make form lay down use and maintain the tramways herein-after described (all within the city) in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates sleepers channels junctions turntables turnouts crossings passing-places triangles posts poles brackets wires waiting-rooms stables carriage-houses engine-houses stations sheds buildings works and conveniences connected therewith or with the existing tramways of the Corporation (that is to say) :—

Tramway No. 1 a double line (1 furlong 4·25 chains in length) commencing in Albert Street thence proceeding in a north-westerly direction along Wheeler Gate the Market Place and Long Row West and terminating in the last-mentioned road by a junction with the existing tramway of the Corporation :

Tramway No. 2 a single line (2·92 chains in length) commencing in the Market Place by a junction with Tramway No. 1 thence proceeding in a north-westerly direction in and terminating in the Market Place :

Tramway No. 3 a double line (7·63 chains in length) commencing in the Market Place by a junction with Tramway No. 1 thence proceeding in an easterly direction along Long Row East and King Street and terminating in the last-mentioned street :

Tramway No. 4 a single line (7·27 chains in length) commencing in King Street by a junction with and at the termination of Tramway No. 3 thence proceeding in a north-westerly direction along Queen Street to and terminating in Upper Parliament Street by a junction with the existing tramway of the Corporation :

Tramway No. 5 a single line (6·67 chains in length) commencing in King Street by a junction with and at the termination of Tramway No. 3 thence proceeding in a northerly direction along King Street to and terminating in Upper Parliament Street by a junction with the existing tramway of the Corporation :

Tramway No. 6 a single line (1·58 chains in length) commencing in the Market Place by a junction with Tramway No. 1 thence proceeding in a northerly direction along the Market Place to and terminating in Market Street by a junction with the existing tramway of the Corporation :

Tramway No. 7 a single line (2·69 chains in length) commencing in Upper Parliament Street by a junction with the existing

tramway of the Corporation thence proceeding in a westerly direction along and terminating in Upper Parliament Street by a junction with Tramway No. 8:

Tramway No. 7A a single line (0·99 chain in length) commencing in Upper Parliament Street by a junction with Tramway No. 7 thence proceeding in an easterly direction along and terminating in Upper Parliament Street by a junction with the existing tramway of the Corporation:

Tramway No. 8 (1 furlong 3·83 chains in length whereof 3·27 chains are single line and 1 furlong 0·56 chain are double line) commencing in Market Street by a junction with the existing tramway of the Corporation thence proceeding in a westerly direction along Upper Parliament Street to and terminating in Derby Road by a junction with the existing tramway of the Corporation Provided that until the completion of the widening of Upper Parliament Street by this Act authorised no tramway shall be laid in that part of the street so proposed to be widened:

Tramway No. 9 a double line (1·51 chains in length) commencing in Upper Parliament Street by a junction with the existing tramway of the Corporation thence proceeding in a north-easterly direction along Upper Parliament Street to and terminating in Milton Street by a junction with the existing tramway of the Corporation:

Tramway No. 10 a double line (4·19 chains in length) commencing in Milton Street by a junction with the existing tramway of the Corporation thence proceeding in a northerly direction along Milton Street to and terminating in Mansfield Road by a junction with the existing tramway of the Corporation:

Tramway No. 11 a double line (1 mile 2 furlongs 2·35 chains in length) commencing in Mansfield Road by a junction with the existing tramway of the Corporation thence proceeding in a northerly direction along and terminating in Mansfield Road:

Tramway No. 12 a double line (1 mile 7 furlongs 3·11 chains in length) commencing in Mansfield Road by a junction with the existing tramway of the Corporation thence proceeding in a north-easterly direction along and terminating in Woodborough Road:

Tramway No. 13 a double line (4·33 chains in length) commencing in Station Street by a junction with the existing tramway of the Corporation thence proceeding in a westerly direction along Station Street to and terminating in Carrington Street:

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Tramway No. 14 (1 furlong 4·49 chains in length whereof 4·68 chains are single line and 9·81 chains are double line) commencing in Lister Gate by a junction with the existing tramway of the Corporation thence proceeding in a south-westerly direction along Greyfriar Gate to and terminating in Lenton Boulevard:

Tramway No. 15 a single line (1 furlong 0·12 chain in length) commencing in Lenton Boulevard by a junction with and at the termination of Tramway No. 14 thence proceeding in an easterly direction along Canal Street to and terminating in Carrington Street by a junction with the existing tramway of the Corporation:

Tramway No. 16 a double line (1 mile 7 furlongs 1·51 chains in length) commencing in Lenton Boulevard by a junction with and at the termination of Tramway No. 14 thence proceeding in a westerly direction along Lenton Boulevard and Radford Boulevard and terminating in the last-mentioned boulevard:

Tramway No. 17 (2 miles 2 furlongs 4·95 chains in length whereof 1 mile 1 furlong 6·85 chains are single line and 1 mile 8·10 chains are double line) commencing in Upper Parliament Street by a junction with the existing tramway of the Corporation thence proceeding in an easterly direction along Lower Parliament Street thence along an intended new street between Lower Parliament Street and Saint Ann's Well Road thence along Saint Ann's Well Road and the Wells Road to and terminating in Woodborough Road by a junction with Tramway No. 12 Provided that until the completion of the said intended new street no tramway shall be laid on the site thereof:

Tramway No. 18 (1 mile 3 furlongs 3·89 chains in length whereof 7 furlongs 7·09 chains are single line and 3 furlongs 6·80 chains are double line) commencing in Mansfield Road by a junction with Tramway No. 11 thence proceeding in a westerly direction along Gregory Boulevard thence along Sherwood Rise and Nottingham Road to and terminating in Vernon Road by a junction with Tramway No. 20:

Tramway No. 19 a double line (1 furlong 6·91 chains in length) commencing in Alfreton Road by a junction with the existing tramway of the Corporation thence proceeding in a north-westerly direction along Alfreton Road to and terminating in Bentinck Road by a junction with the existing tramway of the Corporation:

Tramway No. 20 a double line (3 miles 2·04 chains in length) commencing in Bentinck Road by a junction with the

existing tramway of the Corporation thence proceeding in a north-westerly direction along Radford Road Vernon Road and Highbury Road to and terminating in the Market Place Bulwell:

Tramway No. 21 a single line (1 furlong 3·17 chains in length) commencing in Radford Road by a junction with Tramway No. 20 thence proceeding in a north-easterly direction along Isandula Road to and terminating in Nottingham Road by a junction with Tramway No. 18:

Tramway No. 21A a single line (1·32 chains in length) commencing in Radford Road by a junction with Tramway No. 20 thence proceeding in an easterly direction to and terminating in Isandula Road by a junction with Tramway No. 21:

Tramway No. 22 (5 furlongs 5·96 chains in length whereof 3 furlongs 7·83 chains are single line and 1 furlong 8·13 chains are double line) commencing in Lenton Boulevard by a junction with Tramway No. 16 thence proceeding in a southerly direction along Wilford Street and Wilford Road and terminating in the last-mentioned road:

Provided that where a proposed widening of the carriageway of any street is shown upon the deposited plans in respect of any tramway no tramway shall be laid in that part of the street where such proposed widening is shown until the kerb has been set back to the line shown on the said plans and the carriageway widened to that extent.

Period for completion of tramways.

6. If the tramways authorised by this Act (except Tramways No. 8 and No. 17) be not completed within seven years from the passing of this Act and as regards Tramway No. 8 within three years from the completion of the street improvement by this Act authorised and as regards Tramway No. 17 within three years from the completion of the new road in course of construction from Lower Parliament Street to Saint Ann's Well Road then on the expiration of those respective periods the powers by this Act granted to the Corporation for executing the same respectively or otherwise in relation thereto shall cease except as to so much of the tramways respectively as shall then be completed.

Railway carriages not to be used on tramways.

7. No carriages or trucks adapted for use upon railways shall be used upon the tramways by this Act authorised.

Adaptation of tramways to mechanical power.

8. The Corporation may construct erect lay down place and maintain in over or under the surface of any street or place all such works as may be necessary or expedient for the purpose of adapting the existing tramways of the Corporation and the

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tramways by this Act authorised to the use of mechanical power and the Corporation may make and maintain such openings in on or under the surface of any street or place and may attach with the consent of any owner and occupier to any house or building such conductors wires tubes pipes mains cables posts ropes and apparatus as may be necessary or convenient for working any such tramway by mechanical power.

Mechanical power works to be subject to section 30 of Tramways Act 187 .

9. All works to be executed by the Corporation in any road for working the tramways by mechanical power in pursuance of the powers of this Act shall be deemed to be works of a tramway subject in all respects to the provisions of section 30 of the Tramways Act 1870 as if they had been therein expressly mentioned.

Lands for generating station.

10. The Corporation may appropriate and use as stations for generating electrical energy and for providing and working thereon engines dynamos and other electrical plant and works the lands described in the Second Schedule to this Act but nothing in this Act shall authorise the Corporation to generate electrical energy elsewhere than on the lands so described.

Tramways to form part of tramway undertaking.

11. The tramways authorised by this Act and the powers relating to tramways conferred by this Act shall form part of the tramway undertaking of the Corporation.

Provisions as to construction of tramways.

12. In addition to the requirements of section 26 of the Tramways Act 1870 the Corporation shall before they proceed to open or break up any road for the purpose of constructing laying down maintaining or renewing the tramways or any part thereof lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining or renewing such tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down maintenance or renewal of any part of the tramways except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement.

Rails of tramways.

13. The rails of the tramways shall be such as the Board of Trade may approve.

Penalty for not maintaining rails and road in good condition.

14. The Corporation shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways and the substructure upon which the same rest and if the Corporation at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be subject to a penalty not

exceeding five pounds for every day on which such non-compliance continues.

In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the city that the Corporation have made default in complying with the provisions in this section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Corporation to such penalty or penalties in respect thereof as is or are by this section imposed.

Tramways to be kept on level of surface of road.

15. If the Corporation or any other road authority hereafter alter the level of any road along or across which any part of the tramways is laid or authorised to be laid the Corporation shall alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the roads as altered.

Alteration of tramways.

16. The Corporation may lay down double lines in lieu of single or single lines in lieu of double or interlacing lines in lieu of double or single lines in regard to any of the tramways authorised by or constructed under this Act or in regard to any of the existing tramways of the Corporation and may (subject in places where the Corporation may not be the road authority to the approval of that authority) alter the position in the road of any of such tramways or any part thereof respectively Provided that in the exercise of the powers of this section no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one-third of the owners or one-third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Corporation within three weeks after receiving from the Corporation notice of their intention express their objection thereto.

Additional crossings &c. may be made where necessary.

17. The Corporation may subject to the provisions of this Act make maintain alter and remove such crossings passing-places sidings loops triangles junctions and other works in addition to those particularly specified in and authorised by this Act or in regard to any of the existing tramways of the Corporation as they find necessary or convenient for the efficient working of the tramways or any of them or for providing access to any stables carriage-houses sheds or works of the Corporation but in places

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where the Corporation may not be the road authority the same shall only be made subject to the approval of the road authority:

Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one-third of the owners or one-third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Corporation within three weeks after receiving from the Corporation notice of their intention express their objection thereto.

Temporary tramways.

18. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid it is in the opinion of the Corporation necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Corporation may construct in the same or any adjacent road and maintain so long as occasion may require a temporary tramway in lieu of the tramway or part of a tramway so removed or discontinued.

Application of road materials excavated in construction of works.

19. Any paving metalling or material excavated by the Corporation in the construction of any works under the authority of this Act from any road under their jurisdiction or control shall absolutely vest in and belong to the Corporation and may be dealt with removed and disposed of by them in such manner as they may think fit.

Tramways not to be opened until certified by Board of Trade.

20. The tramways shall not be open for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

Traffic upon tramways.

21. The tramways may be used for the purpose of conveying passengers animals goods minerals and parcels Provided that the Corporation shall not be bound to carry unless they think fit any animals goods minerals or parcels other than passengers' luggage not exceeding twenty-eight pounds in weight.

Rates for passengers.

22. The Corporation may demand and take for every passenger travelling upon the existing tramways of the Corporation and the tramways by this Act authorised or any of them or any part or parts thereof respectively including every expense incidental to such conveyance any rates or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile) but the Corporation may charge for any less distance than two miles any sum not exceeding twopence Section 19 of the Nottingham and District Order 1877 and Table A therein referred to (relating to tolls and charges in respect of passengers) are hereby repealed.

Passengers' luggage.

23. Every passenger travelling upon the tramways may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for carriage thereof Provided that all such personal luggage be carried by hand and at the responsibility of the passenger and do not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

Form and delivery of notices.

24. With respect to notices and to the delivery thereof by or to the Corporation the following provisions shall have effect (that is to say):—

(1) Every notice shall be in writing and if given by the Corporation shall be signed by or on behalf of the town clerk and if given by any company local or road authority by their secretary or clerk:

(2) Any notice to be delivered by or to the Corporation to or by any body or company may be delivered by being left at the principal office of such body or company or at the office of the town clerk as the case may be or by being served by post addressed to their respective clerk or secretary at their principal office or to the said town clerk at his office.

Conveyance of Mails Act 1893 to extend to existing tramways.

25. Notwithstanding any provision in any Act or Provisional Order relating to any existing tramways belonging to or which may be acquired by the Corporation the Conveyance of Mails Act 1893 shall extend and apply to all the tramways of the Corporation as if the same had been authorised by an Act of Parliament passed after the 1st day of January 1893 and to the Corporation as the body or person owning or working such tramways.

Incorporation of certain provisions of Tramways Order of 1877 and Improvement Act of 1897.

26. The following sections and table of the Nottingham and District Tramways Order 1877 and of the Nottingham Improvement Act 1897 shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the tramways by this Act authorised and in construing the said sections in the said Order for the purposes of this Act the expression "promoters" shall mean the Corporation and section 25 of the said Order shall for the purposes of this Act and that Order be read and have effect as if the Arbitration Act 1889 were referred to therein instead of the Common Law Procedure Act 1854 The incorporated provisions herein-before referred to are—

Nottingham and District Tramways Order 1877.

Section 21 Cheap fares for labouring classes.
Section 22 Tolls for animals goods &c.

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Section 23 Promoters not bound to carry goods.
Section 24 Payment of tolls.
Section 25 Provisions as to arbitration.
Table B contained in the schedule to the said Order.

Nottingham Improvement Act 1897.

Section 42 Provisions as to motive power.
Section 44 Restrictions on use of electric power.
Section 45 For protection of Postmaster-General.
Section 46 Byelaws.
Section 47 Amendment of the Tramways Act 1870 as to byelaws by local authority.
Section 48 Orders &c. of the Board of Trade.
Section 49 Recovery of penalties.
Section 50 Prohibiting the raising of fares on Sundays and holidays.

Provision as to general Tramway Acts.

27. Nothing in this Act contained shall exempt the Corporation or the tramway undertaking from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by this Act.

PART III.—WATER.

Works to form part of undertaking and recited Acts to apply.

28. All of the waterworks by this Act authorised shall for all purposes be deemed part of the water undertaking of the Corporation and the provisions of the recited Water Acts so far as the same are applicable and are not varied by this Act shall extend to and form part of this Part of this Act.

Power to make waterworks.

29. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the several works herein-after described and shown on the deposited plans together with all necessary or proper retaining walls embankments ways wells settling and other tanks basins gauges filters dams sluices outfalls syphons pipes adits shafts aqueducts culverts cuts trenches channels conduits drains mains junctions valves engines pumps works apparatus and conveniences connected with the said works or any of them or necessary or proper for constructing inspecting maintaining repairing cleansing or managing the same :—

(1) A covered reservoir (being an extension of the existing Red Hill Reservoir of the Corporation) to be called the New Red Hill Reservoir situate in the parish of Bestwood Park and to be constructed on the east side of the said existing reservoir:

(2) A covered reservoir (to be called the Greasley Reservoir) situate in the parish of Greasley in the field numbered 684 on the $\frac{1}{2500}$ Ordnance map of the said parish of Greasley (published in the year 1880):

(3) An aqueduct conduit or line of pipes (to be called Aqueduct No. 1) commencing in the parish of Farnsfield in the Old Rufford Road at its junction with the road leading to Oxton and terminating in the parish of Bestwood Park at or near the north-east corner of the New Red Hill Reservoir:

(4) An aqueduct conduit or line of pipes (to be called Aqueduct No. 2) commencing in the parish of Bestwood Park at or near the north-east corner of the New Red Hill Reservoir and terminating in the parish of Nottingham at the north-west side of the existing Bellevue Reservoir of the Corporation:

(5) An aqueduct conduit or line of pipes (to be called Aqueduct No. 3) commencing in Mansfield Road and terminating at the junction of Lime Lane and Calverton Road at Dorket Head:

(6) An aqueduct conduit or line of pipes (to be called Aqueduct No. 4) commencing by a junction with an existing conduit of the Corporation in the road leading from Beggarlee to Moor Green and terminating at the south-west corner of the Greasley Reservoir:

(7) An aqueduct conduit or line of pipes (to be called Aqueduct No. 5) commencing at the north-west side of the existing Bellevue Reservoir of the Corporation and terminating in Saint Ann's Well Road:

(8) An aqueduct conduit or line of pipes (to be called Aqueduct No. 6) commencing in the parish of Basford at the south-east side of the existing Mapperley Reservoir of the Corporation and terminating in the parish of Burton Joyce in Shaftesbury Avenue:

(9) An aqueduct conduit or line of pipes (to be called Aqueduct No. 7) commencing in the parish of Basford by a junction with an existing conduit of the Corporation at the junction of the Gregory Boulevard with the Nottingham and Mansfield Road and terminating in the parish of Nottingham at the intersection of Canal Street and Carrington Street.

Repeal of powers to make certain aqueducts

30. The power conferred upon the Corporation by the Nottingham Corporation Water Act 1897 to make and maintain the Aqueduct No. 1 therein described and so much of the Aqueduct

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authorised by Water Act of 1897.

No. 3 (also therein described) as lies south of the junction of the Oxton Road with the Old Rufford Road up to its junction with Aqueduct No. 1 is hereby repealed and annulled.

Power to deviate.

31. In constructing the waterworks by this Act authorised or any of them the Corporation may deviate from the lines thereof to any extent not exceeding the limits of deviation shown on the deposited plans and where the line of any work is shown on those plans as passing along any road and no limits of lateral deviation are marked thereon the Corporation may in making such work deviate laterally to any extent within the boundaries of such road and the Corporation may deviate from the levels shown on the deposited sections to any extent not exceeding three feet upwards and to any extent downwards Provided that such upward deviation do not cause any part of the aqueducts conduits or lines of pipes by this Act authorised to be raised above the surface of the ground.

For protection of Great Northern Railway Company.

32. The following provisions for the protection of the Great Northern Railway Company (herein-after called "the Great Northern Company") shall unless with the previous consent of the Great Northern Company in writing under their common seal apply and have effect:—

(1) All works by this Part of this Act authorised where the same will be made under any bridge conveying over a road any railway belonging or leased to or worked by the Great Northern Company or will otherwise affect such railway or any siding or other work belonging or leased to or worked by the Great Northern Company shall be executed so as not to interfere with the structure of any such bridge and according to plans sections and specifications to be previously submitted to and approved by the engineer of the Great Northern Company (herein-after called "the engineer") or in case of difference between him and the engineer of the Corporation by an arbitrator to be appointed as herein-after provided All such works shall be executed and maintained according to the plans and sections so approved and under the superintendence and to the satisfaction of the engineer:

(2) The Corporation shall be responsible for and make good to the Great Northern Company all losses damages and expenses which may be occasioned to the Great Northern Company or any of their works or property or to the traffic on their railways or to any company or person using the same or otherwise by or by reason of the execution or failure of any of such intended works or by or by reason of any act default or omission of the Corporation or of any person in their

employment or of any contractors for such intended works or any part thereof or otherwise and the Corporation shall effectually indemnify and hold harmless the Great Northern Company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission :

(3) If the Great Northern Company shall at any time hereafter be desirous of widening their Derbyshire and Staffordshire Branch Railway at the points at which the said works by this Part of this Act authorised pass under the said railway the Corporation shall afford the Great Northern Company all reasonable and proper facilities for that purpose :

(4) If any difference shall arise between the Corporation and the Great Northern Company or their respective engineers touching this section or anything to be done or not done thereunder the same shall be determined by an engineer to be appointed by the Board of Trade on the application of either party after notice to the other.

Time for completion of waterworks.

33. If the waterworks by this Act authorised are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as is then completed.

Reservation of water rights &c. on sale.

34. The Corporation on selling any lands acquired for or in connexion with their water undertaking and not required for that purpose may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Power to hold lands for protection of works.

35. The Corporation may hold any lands acquired by them under the powers of this Act which they may deem necessary for the purpose of preventing the fouling of any water which they are authorised to take or for the protection of their waterworks against nuisances encroachment or injury and so long as such lands shall be so held they shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts but the Corporation shall not erect any buildings upon the lands while so held by them except offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their waterworks

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and nothing in this section shall authorise the Corporation to create or permit the creation or continuance of any nuisance on any such lands.

PART IV.—STREET IMPROVEMENT.

Power to make street widening.

36. Subject to the provisions of this Act the Corporation may make and maintain in the line and situation shown on the deposited plans and according to the level shown on the deposited sections the street widening herein-after mentioned together with all necessary junctions approaches sewers drains culverts conveniences and works in connexion therewith (namely) :—

A widening of Upper Parliament Street on the north side commencing at the junction of Poynton Street with Derby Road and terminating at the junction of Parliament Terrace with Upper Parliament Street.

Period for completion of street widening.

37. If the street widening authorised by this Act is not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for executing that work or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Deviation.

38. In the construction of the street widening authorised by this Act the Corporation may deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards or downwards and they may deviate laterally within the limits of deviation shown on the deposited plans.

Certain sections of Improvement Act of 1897 extended to this Act.

39. Section 21 (Power to make subsidiary works) and section 23 (Temporary stoppage of streets) of the Nottingham Improvement Act 1897 shall extend and apply in respect of the work authorised by this Part of this Act.

PART V.—ELECTRICITY.

Power to supply electric fittings.

40. The Corporation may provide sell let for hire and fix set up alter repair and remove (but shall not manufacture) lamps meters electric lines fittings apparatus and things for lighting and motive power and for all other purposes for which electric energy can or may be used or otherwise necessary or proper for the supply distribution consumption or use of electric energy and may provide all materials and do all works necessary or proper in that behalf and may require and take such remuneration in money or such rents and charges for and make such terms and conditions with

respect to the sale letting fixing setting up altering repairing or removing of such lamps meters electric lines fittings apparatus and things as aforesaid and for securing (both as regards the consumer and third parties) their safety and return to the Corporation as the Corporation may think fit or as may be agreed upon between them and the person to or for whom the same are sold supplied let fixed set up altered repaired or removed. A.D. 1899.

PART VI.—LANDS.

Power to acquire lands.

41. Subject to the provisions and for the purposes of this Act (including the providing of space for the erection of buildings adjoining or near to the street widening by this Act authorised) the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Period for compulsory purchase of lands.

42. The powers of the Corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of five years from the passing of this Act.

Power to purchase additional lands by agreement.

43. The Corporation in addition to any other lands which they are by this Act authorised to acquire may from time to time by agreement purchase take on lease acquire and hold for the purposes of this Act any lands not exceeding in the whole ten acres Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

Incorporation of certain sections of Improvement Act of 1897.

44. The following sections of the Nottingham Improvement Act 1897 are incorporated with this Act and shall apply with respect to this Act as if the same were with the necessary modifications set out in this Act (namely) :—

Section 6	Correction of errors in deposited plans and book of reference &c.
Section 8	Persons under disability may grant easements &c.
Section 9	Power to appropriate lands for purposes of Act.
Section 11	Restrictions on displacing persons of labouring class.
Section 12	Power to retain sell &c. lands.
Section 13	Proceeds of sale of surplus lands.
Section 37	Enquiries by Local Government Board.

PART VII.—FINANCIAL PROVISIONS.

Power to borrow.

45.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest any sum or sums

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of money for the purposes herein-after mentioned not exceeding the respective amounts following (that is to say) :—

(A) For the construction of the tramways by this Act authorised and for other tramway purposes the sum of five hundred and eighty-five thousand pounds;

(B) For the purchase of lands for and the construction of the waterworks by this Act authorised and for other waterworks purposes the sum of one hundred and forty-four thousand pounds;

(C) For the purchase of lands for and the construction of the street widening by this Act authorised the sum of fifty-four thousand pounds;

(D) For paying the costs and expenses of this Act as herein-after provided the sum requisite for that purpose.

(2) And as regards tramway purposes such further moneys as the Board of Trade may sanction and as regards any of the other purposes of this Act such further moneys as the Local Government Board may sanction.

(3) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Corporation may as regards purpose (A) herein-before mentioned mortgage or charge the revenue of their tramway undertaking and the district fund and general district rate as regards purpose (B) herein-before mentioned they may mortgage or charge the revenue of their water undertaking and the district fund and general district rate and as regards the other purposes herein-before mentioned they may mortgage or charge the district fund and general district rate.

(4) The borrowing powers conferred on the Corporation by the Nottingham Corporation Water Act 1897 shall (so far as the same shall not be required for works authorised by that Act) be available towards the cost of the construction of the waterworks authorised by this Act.

Periods for discharge of loans.

46. The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as "the prescribed period") following (that is to say) :—

As to moneys borrowed for the purpose (A) mentioned in the last preceding section within thirty years from the date or dates of the borrowing of the same;

As to moneys borrowed for the purpose (B) in the last preceding section mentioned within fifty years from the date or dates of the borrowing of the same;

As to moneys borrowed for the purpose (C) in the last preceding section mentioned within sixty years from the date or dates of the borrowing of the same;

As to moneys borrowed for the purpose (D) in the last preceding section mentioned within ten years from the date or dates of the borrowing of the same;

As regards moneys borrowed with the sanction of the Board of Trade or of the Local Government Board within such period as they may respectively think fit to sanction.

Incorporation of sections of Improvement Act of 1897.

47. The following sections of the Nottingham Improvement Act 1897 are incorporated with this Act and shall extend and apply in regard to moneys borrowed under this Act except that the prescribed period for the payment off of moneys borrowed under this Act shall be the prescribed period as defined by this Act:—

Section 25 Certain regulations of Public Health Act as to borrowing not to apply.
Section 26 Mode of raising money.
Section 27 Provisions of Public Health Act as to mortgages to apply.
Section 29 Mode of payment off of money borrowed.
Section 30 Sinking fund.
Section 31 Protection of lender from inquiry.
Section 32 Corporation not to regard trusts.
Section 33 Appointment of receiver.
Section 34 Power to reborrow.
Section 35 Annual return to Local Government Board.
Section 36 Application of money borrowed.

Application of revenue.

48.—(1) The Corporation shall apply all moneys received by them on revenue account in respect of their tramway undertaking as follows:—

(1) In payment of the working and establishment expenses and cost of maintenance;

(2) In payment of the interest on moneys borrowed by them for tramway purposes and for providing the requisite instalments or sinking fund payments in respect of the moneys borrowed for those purposes; and

(3) In providing if they think fit a reserve fund by setting aside such money as they from time to time think reasonable and investing the same in statutory securities which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Corporation from their tramway undertaking or to meet any extraordinary claim demand or liability at any time arising against or upon the Corporation in respect of that undertaking.

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(2) The Corporation may apply any balance thereafter remaining in any year in such manner as they think best for the improvement of the city and the public benefit of the inhabitants.

(3) Any deficiency in the revenue of the tramway undertaking of the Corporation shall be from time to time made good out of the district fund and general district rate made next or next but one after each such deficiency is ascertained.

Audit of accounts.

49. The accounts of receipts and expenditure of the Corporation in respect of their tramway undertaking shall be audited examined and published in like manner and with the same consequences as the other accounts of the Corporation are audited examined and published under the Municipal Corporations Act 1882.

Costs of Act.

50. All the costs charges and expenses preliminary to and of and incidental to the preparing 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 district fund and general district rate and ultimately out of moneys to be borrowed under this Act.

The SCHEDULES.

THE FIRST SCHEDULE.

The Recited Water Acts.

Year of Reign and Chapter.	Short or other Title.
8 & 9 Vic. cap. xix. -	The Nottingham Waterworks Act 1845
17 & 18 Vic. cap. x. -	The Nottingham Waterworks Amendment Act 1854
37 & 38 Vic. cap. cxxxvii.	The Nottingham Waterworks Act 1874
41 Vic. cap. xlv. -	Nottingham Waterworks Act 1878
42 Vic. cap. xi. - -	Nottingham Waterworks Act 1879
42 & 43 Vic. cap. cciv. -	The Nottingham Improvement Act 1879
45 & 46 Vic. cap. ccxvii.	Nottingham Corporation Act 1882
46 & 47 Vic. cap. lxxviii.	Nottingham Corporation Act 1883
55 & 56 Vic. cap. ccxxiii.	The Nottingham Order 1892 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 12) Act 1892
59 & 60 Vic. cap. clxxi. -	The Nottingham Order 1896 confirmed by the Local Government Board's Provisional Orders Confirmation (No 22) Act 1896 and
60 & 61 Vic. cap. cc. -	The Nottingham Corporation Water Act 1897.

THE SECOND SCHEDULE.

Lands for the Generation of Electricity.

Certain lands belonging or reputed to belong to the Corporation containing 44,860 square yards or thereabouts and now used as a highway and sanitary depôt and bounded on the north by the sewage pumping station on the west by the River Leen on the south by the cattle market and on the east by the Midland Railway sidings and the cattle market.

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Certain lands belonging or reputed to belong to the Corporation containing 2,470 square yards or thereabouts bounded on the north by Talbot Street on the west by Hanley Street on the south by Wollaton Street and on the east by lands belonging to the Corporation and used for electricity purposes.

Certain lands belonging or reputed to belong to the Corporation containing 42,841 square yards or thereabouts bounded on the north by Ilkeston Road on the west by the board school and the Nottingham Canal on the south by lands belonging or reputed to belong to the Corporation and used as a highway depôt and on the east by the Midland Railway.

Certain lands containing 7,544 square yards or thereabouts bounded on the north-west by Providence Court and the St. Michael's Recreation Ground on the south-west by Millstone Lane Providence Court York Court and lands belonging or reputed to belong to Isaac Smith and Mary Elizabeth Butler on the south-east by an intended new street authorised to be made under the powers of the Nottingham Improvement Act 1897 and on the north-east by lands belonging or reputed to belong to Yetta Willatt and John Crinnage.

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