



## CHAPTER clxx.

An Act to extend the boundaries of the borough of Walsall to empower the mayor aldermen and burgesses of the borough to purchase and discontinue certain tramways in the borough of Wednesbury and the urban district of Darlaston connected with the tramways of the Walsall Corporation and to run omnibuses in substitution for the tramway services to make other provision with regard to the omnibus undertaking of the Corporation to authorise the purchase of lands for various purposes to make further provision with regard to the health local government and improvement of the borough and for other purposes. A.D. 1930.

[1st August 1930.]

**W**HEREAS the borough of Walsall (hereinafter called "the borough") is a county borough under the government of the mayor aldermen and burgesses of the borough (hereinafter called "the Corporation"):

And whereas the unrepealed provisions of the local Acts specified in Part I of the First Schedule to this Act and of the Orders specified in Part II of that schedule are in force in the borough:

And whereas the borough of Wednesbury and the parishes of Bentley Rushall and Great Barr in the rural district of Walsall in the county of Stafford

A.D. 1930. immediately adjoin the borough and the county borough  
— of West Bromwich immediately adjoins the borough of  
Wednesbury :

And whereas it is expedient to alter and extend the boundaries of the borough so as to include therein parts of the boroughs of Wednesbury and West Bromwich and parts of the said parishes and to alter and extend the boundaries of the parish of Walsall so as to include therein parts of the parishes of Wednesbury and West Bromwich and parts of the said parishes :

And whereas the Corporation are the owners of and work tramways and omnibuses in the borough and the neighbourhood thereof and (inter alia) work the existing tramways in the borough of Wednesbury and the urban district of Darlaston between the borough boundary and the Bull Stake Darlaston and in the borough of Wednesbury between the borough boundary and the White Horse inn jointly with the South Staffordshire Tramways (Lessee) Company Limited :

And whereas it is expedient to empower the Corporation to purchase the said tramways between the borough boundary and the said Bull Stake Darlaston and between the borough boundary and the said White Horse inn and to discontinue those tramways and to run omnibuses along the routes of those tramways in substitution for the existing tramway services :

And whereas it is expedient to make the further provision with regard to tramways and omnibuses contained in this Act :

And whereas it is expedient to confer upon the Corporation power to purchase the lands referred to in this Act for the several purposes mentioned in this Act :

And whereas it is expedient that the powers of the Corporation with regard to traffic and sanitary matters should be extended as by this Act provided :

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

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



And whereas estimates have been prepared for the purposes hereinafter mentioned and such estimates are as follows :— A.D. 1930.

The removal of tramways and the re- construction and reinstatement of roads - - - - -	£ 4,700
The acquisition of lands - - - - -	75,000

And whereas the several works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas plans showing the lands required or which may be taken for the purposes or under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands have been duly deposited with the clerk of the peace for the county of Stafford and are in this Act respectively referred to as the deposited plans and book of reference :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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 (that is to say) :—

PART I.

PRELIMINARY.

1. This Act may be cited as the *Walsall Corporation Act 1930.* Short title.

2. This Act is divided into Parts as follows :— Division of Act into Parts.

- Part I.—Preliminary.
- Part II.—Extension of boundaries.
- Part III.—Tramways omnibuses and traffic provisions.
- Part IV.—Acquisition of lands &c.
- Part V.—Financial and miscellaneous provisions.

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Incorporation of  
Lands  
Clauses  
Acts.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with and form part of this Act with the following exception and modification—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section.

Interpre-  
tation.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Public Health Acts 1875 to 1925 shall have the same respective meanings unless there be something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires—

“The borough” means—

(a) In Parts I III IV and V the borough of Walsall;

(b) In Part II the existing borough of Walsall as extended by this Act;

“The Corporation” means the mayor aldermen and burgesses of the borough;

“The council” means the council of the borough;

“The town clerk” means the town clerk of the borough and includes any person duly authorised to discharge temporarily the duties of that office;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough;

“The local Acts” means the local Acts specified in Part I of the First Schedule to this Act the Orders specified in Part II of that schedule and so much of the confirmation Acts specified in that Part as relates to those Orders;



“ The appointed day ” means except in Part III of this Act the first day of April nineteen hundred and thirty-one; A.D. 1930.

“ The borough map ” means the map marked “ Walsall Extension Borough Map ” and signed in triplicate by the most Honourable the Marquess of Bristol the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk at his office;

“ The ward map ” means the map marked “ Map of the wards of the Borough of Walsall as extended by the Walsall Corporation Act 1930 ” and signed in triplicate by the most Honourable the Marquess of Bristol the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk at his office;

“ Existing ” in relation to any area altered by this Act means existing immediately before the appointed day;

“ The county ” means the administrative county of Stafford and “ the county council ” means the county council of the county;

“ The added part of Wednesbury ” means so much of the borough of Wednesbury as is coloured pink on the borough map;

“ The added part of West Bromwich ” means so much of the borough of West Bromwich as is coloured pink on the borough map;

“ The added part of ” followed by the name of any of the parishes hereinafter mentioned means the part of that parish which is coloured pink on the borough map namely Rushall Great Barr and Bentley;

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- “ The added areas ” means the added part of Wednesbury the added part of West Bromwich and the added parts of Rushall Great Barr and Bentley;
- “ The Wednesbury Corporation ” means the mayor aldermen and burgesses of the borough of Wednesbury;
- “ The West Bromwich Corporation ” means the mayor aldermen and burgesses of the county borough of West Bromwich;
- “ The rural council ” means the rural district council of Walsall;
- “ The Act of 1888 ” “ the Act of 1894 ” and “ the Act of 1929 ” mean respectively the Local Government Act 1888 the Local Government Act 1894 and the Local Government Act 1929;
- “ The Public Health Acts ” means the Public Health Act 1875 and the Acts amending and extending the same;
- “ The Municipal Corporations Acts ” means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the Borough Councillors (Alteration of Number) Act 1925;
- “ Provisional Order ” includes a Special Order;
- “ The Minister ” means the Minister of Health;
- “ Omnibus ” means any stage carriage moved by animal power or by mechanical power (including in that expression steam electrical and every other motive power not being animal power) obtained from some internal source;
- “ Daily penalty ” means a penalty for each day on which an offence is continued after conviction thereof;
- “ The Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Act;
- “ The tribunal ” means the arbitrator or other authority to whom any question of disputed purchase money or compensation under this Act is referred;

“ Revenues of the Corporation ” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation ;

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“ The Act of 1890 ” “ the Act of 1900 ” “ the Act of 1914 ” “ the Act of 1919 ” and “ the Act of 1925 ” mean respectively the Walsall Corporation Act 1890 the Walsall Corporation Act 1900 the Walsall Corporation Act 1914 the Walsall Corporation Act 1919 and the Walsall Corporation Act 1925.

## PART II.

### EXTENSION OF BOUNDARIES.

**5.** Save as otherwise expressly provided this Part of this Act shall come into operation on the appointed day :

Commencement of this Part of Act.

Provided that for the purposes of—

- (a) the compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts ;
- (b) all proceedings preliminary or relating to any election to be held in the year nineteen hundred and thirty-one for any area affected by this Part of this Act ; and
- (c) the preparation of any precept or contribution order to be issued or made on or after the appointed day ;

this Part of this Act shall operate from the date of the passing of this Act.

**6.**—(1) The boundary of the existing borough the area whereof is coloured blue on the borough map shall be altered so as to include in addition to that area—

Extension of borough.

- (a) The added part of Wednesbury ;
- (b) The added part of West Bromwich ;
- (c) The added parts of Rushall Great Barr and Bentley.

(2) The boundary of the borough shall be that shown by the inner edge of the purple line on the borough



A.D. 1930. — map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Walsall for the purposes of the Act of 1888 and for all other purposes.

Borough  
and ward  
maps.

7.—(1) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent by him as soon as may be after the passing of this Act to the clerk of the county council to the town clerk of West Bromwich to the town clerk of Wednesbury to the clerk to the rural council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Minister to the Minister of Transport to the Minister of Agriculture and Fisheries to the Postmaster-General and to the Electricity Commissioners and copies of the ward map so deposited and certified in like manner shall be sent within the said period to the Minister to the Registrar-General and to the Minister of Agriculture and Fisheries.

(2) Copies of or extracts from the borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the map so far as it relates to the boundary of any area altered by this Part of this Act.

(3) The borough map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(4) All fees so received shall be carried to the general rate fund.

Alteration  
of parishes.

8. The added part of West Bromwich the added part of Wednesbury and the added parts of Bentley Rushall and Great Barr shall be added to and form part of the parish of Walsall.

#### PROVISIONS CONSEQUENT ON EXTENSION.

Existing  
mayoralder-  
men and  
councillors.

9. The persons who hold office immediately before the appointed day as mayor aldermen and councillors of the existing borough shall on the appointed day become



the mayor aldermen and councillors of the borough but shall respectively retire from office on the day on which they would have retired from office if this Act had not been passed.

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**10.** Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of the boundaries of wards the following provisions shall have effect :—

Municipal  
wards  
aldermen  
and  
councillors.

- (a) The number of councillors and aldermen of the borough shall be unaltered;
- (b) For the purposes of the election of councillors the borough shall be divided into eight wards;
- (c) The added part of Rushall shall be added to the Hatherton Ward;
- (d) So much of the added part of Great Barr as is coloured orange on the ward map shall be added to the Caldmore Ward;
- (e) So much of the added part of Great Barr as is coloured pink on the ward map shall be added to the Paddock Ward;
- (f) So much of the added part of Bentley as is coloured mauve on the ward map shall be added to the Birchills Ward;
- (g) So much of the added part of Bentley as is coloured yellow on the ward map shall be added to the Leamore Ward;
- (h) The added part of Wednesbury and the added part of West Bromwich shall be added to the Caldmore Ward;

and the councillors representing the said wards respectively immediately before the appointed day shall be deemed on and after that day to represent the said wards respectively as altered by this section.

**11.** For the purposes of the application to the borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the borough.

County and  
Borough  
Councils  
(Qualifica-  
tion) Act  
1914.

**12.** Subject to the provisions of the Act of 1888 the Act of 1929 and the Municipal Corporations Acts the added part of Wednesbury shall be separated from the Wood Green Ward of the borough of Wednesbury the

County  
electoral  
divisions &c.

A.D. 1930. — added parts of Bentley Rushall and Great Barr shall be separated from the county electoral divisions of which they respectively form part and the added part of West Bromwich shall be separated from the Lyndon Ward of the borough of West Bromwich and the persons who immediately before the appointed day are the county councillors representing the Lichfield and Cannock divisions of the county of Stafford and the person who is the county councillor representing the Wednesbury No. 2 electoral division and the persons who are the councillors representing the Wood Green Ward of the borough of Wednesbury and the Lyndon Ward of the borough of West Bromwich respectively shall be deemed to have been elected to represent those divisions and those wards as altered respectively by this Part of this Act and shall retire on the dates on which they would have retired respectively if this Act had not been passed.

Jurisdiction  
powers and  
duties of  
quarter  
sessions &c.  
extended.

**13.**—(1) The powers and duties of the quarter sessions recorder and clerk of the peace of the existing borough and of the justices of the peace appointed for the existing borough and of the clerk to those justices shall extend to and apply throughout the borough:

Provided that—

- (a) every person committing an offence in any of the added areas prior to the appointed day shall be tried and dealt with as if this Act had not been passed;
- (b) every proceeding which prior to the appointed day has been begun by or is pending before any recorder or justice in relation to any matter arising in or concerning any of the added areas may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

(2) Save as aforesaid the powers and duties of the quarter sessions recorder and clerk of the peace of the existing borough of West Bromwich and of the justices of the peace appointed for the said existing borough and of the clerk to those justices shall cease and determine in the part of the borough comprising the added part of West Bromwich and the powers and duties of the justices appointed for the existing borough of Wednesbury and of the clerk to those justices shall cease and determine



in the part of the borough comprising the added part of Wednesbury and the added part of Wednesbury and the added parts of Bentley Rushall and Great Barr shall cease respectively to form part of any petty sessional division of the county. A.D. 1930.

14. The South Staffordshire Stipendiary Justices Act 1899 shall be altered so that section 6 (Limits of Act) of the said Act as modified by an Order in Council dated the thirtieth day of May nineteen hundred and twenty-four by section 19 of the Wolverhampton Corporation Act 1926 and by section 18 of the West Bromwich Corporation Act 1927 shall have effect as if the parts of the borough comprising the added part of West Bromwich and the added part of Wednesbury were excluded from the area within which the powers authorities and jurisdiction of the commissioners appointed by or in pursuance of that Act and the stipendiary justice acting under that Act may be exercised. Amendment of South Staffordshire Stipendiary Justices Act 1899.

15.—(1) The powers and duties of the coroner of the existing borough shall extend and apply throughout the borough. Jurisdiction of coroner.

(2) Until the death resignation or removal from office of Frank Cooper the present coroner for the south-east coroners' district of the county and Joseph Thomas Higgs the present coroner for the south-west coroners' district of the county and Lyon Clark the present coroner for the borough of West Bromwich (each of whom is in this section called "the present coroner") the provisions contained in this subsection shall have effect—

(a) Nothing in this Part of this Act shall restrict or affect the powers duties jurisdiction or emoluments of the present coroner in the district or borough for which he is coroner and so much of the added areas as is within that district or borough shall for all purposes of inquests continue to be within the county or the borough of West Bromwich as the case may be;

(b) The salary of the present coroner in respect of the whole area within his jurisdiction shall continue to be payable as regards the said Frank Cooper and Joseph Thomas Higgs by the county council and as regards the said Lyon Clark by the West Bromwich Corporation;

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- (c) After the appointed day the Corporation shall pay to the county council and the West Bromwich Corporation such contribution towards the salary and superannuation (if any) of the present coroner in respect of his services in the added areas as may from time to time be determined by agreement between the Corporation and the county council or the West Bromwich Corporation as the case may require (or failing such agreement by the Secretary of State);
- (d) All fees allowances and disbursements lawfully paid or made by the present coroner in respect of matters arising in the added areas within his jurisdiction shall be repaid to him by the Corporation;
- (e) Upon the death resignation or removal from office of any of the said persons the powers and duties of the coroner for the district of the county or the borough for which he has been coroner shall cease.

Borough  
auditors.

**16.** The auditors of the existing borough who are in office on the appointed day shall continue in office and shall be the borough auditors until the next ordinary day of election of borough auditors.

Corporation  
property  
liabilities  
&c.

**17.** Subject to the provisions of this Part of this Act all property immediately before the appointed day vested in the Corporation for the benefit of the existing borough (not being property held on any charitable trust) shall by virtue of this Part of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which immediately before that day are exerciseable by or vested in the Corporation for the benefit of the existing borough and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing borough shall on that day attach to them in respect of the borough.

Mortgage  
debts of  
Corpora-  
tion.

**18.—(1)** So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing



borough or the revenues of the existing borough shall be charged upon the corresponding fund or rate of the borough or the revenues of the borough.

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(2) All borrowed moneys to which this section applies with the interest thereon shall be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

19.—(1) For the purposes and subject to the provisions of the Education Act 1921—

Transfer of  
public  
elementary  
schools.

(a) any public elementary school provided by the county council as local education authority and situate within any of the added areas and the furniture fittings books and apparatus belonging to the county council of any public elementary school within any such area shall by virtue of this Part of this Act be transferred to and vest in the Corporation as the local education authority for all the estate and interest therein of the county council as the local education authority;

(b) all contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the county council in respect exclusively of any public elementary school within the added areas or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school within the added areas shall by virtue of this Part of this Act enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority;

(c) section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this section;

(d) subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school or of the furniture fittings books or apparatus transferred to and vested in the Corporation by virtue of this

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Part of this Act as will be owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this Part of this Act be transferred and attach to the Corporation as the local education authority and so much of any such loan as will then be owing shall be charged on the general rate fund and general rate and shall be repaid by the Corporation within the period if any for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

(2) In this section "public elementary school" includes the site and schoolhouse and also any land acquired and held by the county council as the local education authority for purposes of elementary education.

School  
managers.

**20.** Any manager of any public elementary school within the added areas who was appointed by the county council the rural council or a parish council shall vacate office on the appointed day.

County  
police.

**21.—(1)** On the appointed day such members (if any) of the police force of the county as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the Corporation or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the borough :

Provided that no member of the police force of the county shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the borough upon the same tenure and subject to the same terms and conditions as the other serving members of the police force of the borough of the same rank as that member and any period of service which the transferred member was entitled to reckon before the transfer for purposes of pay promotion or pension in the police force of the county shall be reckoned for the same purpose in the police force of the borough :



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Provided that where the scale of ordinary pensions applicable to a member of the police force of the county who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of the police force of the county transferred under this section as if that member had removed with the written sanction of the chief constable of the county and notwithstanding that at the date of the transfer that member may not have completed one year's approved service in the police force of the county.

**22.** Any county police station situate within the added areas and any residence for a constable or cell so situate and the fittings and furniture of any such police station residence or cell shall by virtue of this Part of this Act be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the county council and section 68 (Adjustment of property and liabilities) of the Act of 1894 shall apply with respect to any adjustment for the purposes of this section.

County  
police  
stations &c.

**23.** The councils of the boroughs of Wednesbury and West Bromwich and the rural council shall continue and shall be deemed to have been elected for and shall be the councils of the said boroughs and the district council for the said rural district as diminished respectively by this Part of this Act.

Continuing  
councils of  
Wednes-  
bury and  
West  
Bromwich  
and rural  
council.

**24.** The county council the Wednesbury Corporation the West Bromwich Corporation and the rural council shall cease to exercise any powers or discharge any duties within any part of the added areas.

Powers of  
county and  
district  
councils.

**25.** Subject to the provisions of this Part of this Act and to any necessary adjustments—

Property  
&c. of  
Corpora-  
tions and  
rural dis-  
trict council.

- (1) any property or liabilities which immediately before the appointed day are vested in or attach to the Wednesbury Corporation the

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West Bromwich Corporation and the rural council respectively in relation exclusively to any portion of the added areas shall by virtue of this Part of this Act be transferred to and vest in or attach to the Corporation and shall as the case requires be held by the Corporation as the municipal authority or urban authority of the borough ;

- (2) any property or liabilities which immediately before the appointed day are vested in or attach to the said corporations and the rural council respectively in relation to any portions of the added areas conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

Parish  
councils.

**26.** Subject to the provisions of this Part of this Act—

- (1) Any powers and duties transferred by or under the Act of 1894 to the parish councils of the existing parishes of Bentley Rushall and Great Barr (except powers or duties as the authority under any of the adoptive Acts as defined in the Act of 1894) shall as regards the added areas be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the added areas had been included in a parish in the existing borough on the appointed day within the meaning of the Act of 1894 and all property and liabilities held or incurred in relation exclusively to the added areas for the purpose or by virtue of the said powers and duties shall by virtue of this Part of this Act be transferred to and vest in the persons and authorities aforesaid ;
- (2) Any property or liabilities of the said parish councils held or incurred so far as regards the added areas otherwise than by virtue or for the purposes of the powers or duties aforesaid shall by virtue of this Part of this Act be transferred to and vest in the Corporation ;
- (3) The powers duties property and liabilities of the said parish councils under any of the adoptive Acts as defined in the Act of 1894



or of any authority under any such adoptive Act shall so far as regards the added areas be transferred to and vest in the Corporation ;

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- (4) Any property or liabilities held or incurred by the said parish councils respectively in relation to the added areas or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 (Adjustment of property and liabilities) of the Act of 1888 ;
- (5) The parish councils of the existing parishes of Bentley Rushall and Great Barr shall be deemed to have been elected as and shall be the parish councils of the respective parishes of Bentley Rushall and Great Barr.

**27.**—(1) Subject to the provisions of this Part of this Act the unrepealed provisions of the local Acts or any other local Act or of any other Provisional Order duly confirmed by Parliament (except the Walsall Electric Lighting Order 1890) and affecting the existing borough or the Corporation as the same respectively are in force within the existing borough on the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall be deemed to refer to the borough and the Corporation thereof.

Local Acts.

(2) The provisions of any protective section for the benefit of the county council the Wednesbury Corporation the West Bromwich Corporation or the rural council (or the predecessors of any such corporation or council) contained in any local Act confirmation Act or Provisional Order (by whomsoever obtained) shall in respect of all matters relating to or affecting any part of the added areas enure to the benefit of the Corporation and shall be construed as if a reference to the Corporation were substituted for any reference to such corporations or council (or their predecessors) as the case may be.

**28.**—(1) The provisions of—

- (a) the Baths and Washhouses Acts 1846 to 1925 ;
- (b) Parts III and V of the Public Health Acts Amendment Act 1890 ;
- (c) the Public Libraries Acts 1892 to 1919 ;

Adoptive  
Acts.

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(d) the Local Government and other Officers' Superannuation Act 1922;

(e) sections 14 15 16 21 22 23 24 25 26 27 28  
29 30 31 32 33 34 35 36 37 38 40 41 42  
43 and 44 and Parts IV and V of the Public Health Act 1925;

shall be in force within and apply to the borough.

(2) The provisions of any adoptive Act shall subject to the provisions of this section cease to be in force within and apply to any part of the added areas :

Provided that all powers duties and liabilities under the Private Street Works Act 1892 with which the rural council may be invested immediately before the appointed day shall vest in and attach to the Corporation so far as regards any works in the added areas executed by the rural council under that Act before the appointed day or in respect of which that council before that day shall have passed a resolution or shall have served notices.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which is in force immediately before the appointed day throughout the existing borough shall extend and apply to the added areas and any such order in force immediately before that day within the added areas or any part thereof shall save as hereinbefore provided cease to be in force in the added areas or such part thereof.

Orders  
under Shop  
Hours Act  
1904 and  
Shops Acts  
1912 to  
1928.

**29.** Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders  
under Wild  
Birds  
Protection  
Acts.

**30.** Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force at the appointed day in the existing borough shall extend to the added areas and any order under those Acts which is then in force in the county or in the borough of West Bromwich shall cease to extend to the added areas.

Orders  
under  
sections 33

**31.—**(1) The powers duties and liabilities of a parish council under section 6 (1) (a) and (b) of the



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Act of 1894 conferred upon the Corporation by the order of the Local Government Board dated the thirteenth day of January eighteen hundred and ninety-eight shall be deemed to have been conferred upon the Corporation in respect of the borough and parish of Walsall.

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and 34 of  
Act of 1894.

(2) The powers duties and liabilities of a parish council under section 14 of the Act of 1894 conferred upon the Corporation by the order of the Local Government Board dated the thirteenth day of January eighteen hundred and ninety-eight shall be deemed to have been conferred upon the Corporation in respect of the area comprising the existing parish of Walsall.

(3) Nothing in this Part of this Act shall affect the power of the Minister to make an order under section 33 of the Act of 1894 with respect to charities as if each of the added areas were a separate parish within the borough.

**32.** Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925:—

Orders  
under Public  
Health Acts  
Amendment  
Act 1907  
or Public  
Health  
Act 1925.

(1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing borough any parts or sections of either of those Acts shall have effect as if any reference in that order to the existing borough extended and applied to the borough and as if such parts or sections were accordingly declared to be in force within the borough:

(2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing borough shall extend and apply to the added areas:

(3) The provisions of any order made before the appointed day and declaring to be in force within any part of the added areas any parts or sections of either of those Acts shall cease to apply to such part of the added areas and the parts or sections declared by any such order to be in force shall save as hereinbefore provided

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cease to be in force within such part of the added areas but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

Byelaws &c.

**33.**—(1) All byelaws made under the Public Health Acts and in force within the existing borough or within any part of the added areas immediately before the appointed day shall—

(a) If made before the first day of January nineteen hundred and nineteen continue to apply to the existing borough or to such part of the added areas as the case may be for one year after the appointed day (unless previously repealed or altered by the Corporation) but shall on the expiry of one year cease to be in force within the borough;

(b) If made on or after the first day of January nineteen hundred and nineteen continue to apply to the existing borough or to such part of the added areas as the case may be until repealed or altered by the Corporation.

(2) Notwithstanding the foregoing provisions of this section any such byelaw in force in the existing borough may by a byelaw made in accordance with sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority be continued and be extended with or without modification to the added areas.

(3) All other byelaws made by the Corporation or by the watch committee of the existing borough and in force immediately before the appointed day shall apply to the borough until repealed or altered and any such byelaws made by the county council or the standing joint committee of the county or the Wednesbury Corporation or the West Bromwich Corporation or watch committee shall on that day cease to apply within the added areas.

(4) In their application to the added areas any byelaws continued in force by this section shall have effect as if they had been made by the Corporation or watch committee of the borough and as if the added areas or the part thereof to which such byelaws apply were referred to therein instead of the area to which they now apply.



(5) Any proceedings which if this Act had not been passed might have been taken for any offence against any byelaw committed before the appointed day within the added areas may be taken by the Corporation.

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(6) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and the phrase "byelaws made under the Public Health Acts" means byelaws which under the Ministry of Health Act 1919 are subject to confirmation by the Minister whether made before or after the passing of that Act.

**34.**—(1) The clerk of the county council and the town clerk of the borough of West Bromwich respectively shall before the appointed day send to the town clerk a copy of every entry in the respective registers of the county council and the West Bromwich Corporation under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within the part of the added areas situate within the county and the added part of West Bromwich and the town clerk shall include in the register of the Corporation under that Act the particulars furnished by the clerk of the county council and the town clerk of the borough of West Bromwich.

Register of  
nursing  
homes.

(2) Any exemption in force immediately before the appointed day from the operation of the Nursing Homes Registration Act 1927 which may have been granted by the county council in respect of premises within the borough shall continue in force until the exemption shall expire.

**35.**—(1) The Minister may by order at any time after the passing of this Act make such provisions as appear to him to be necessary for transferring to the insurance committee for the borough such of the property rights and liabilities of the insurance committees for the county and the borough of West Bromwich as relate to persons resident in the added areas.

Insurance  
committees.

(2) An order made under this section may authorise the insurance committees for the county and the borough of West Bromwich to continue to act as insurance committees for the parts of the added areas in the county and the borough of West Bromwich respectively until such date not being later than the thirty-first day of December nineteen hundred and thirty-one as may be specified in

A.D. 1930. — the order and may for that purpose postpone the operation of this Part of this Act so far as it relates to the rights and duties of the respective insurance committees for the county and the borough of West Bromwich until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the borough of West Bromwich and the existing borough shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county and the borough of West Bromwich as altered by this Part of this Act and the borough.

Burial Acts. **36.**—(1) The Corporation shall be the burial board for the borough and shall have within the borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906 :

Provided that no approval sanction or authorisation of the vestry of a parish shall be required in respect of any act of the Corporation as the burial board.

(2) Nothing in this Part of this Act shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day or prejudicially affect any right privilege or authority which immediately prior thereto is exerciseable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906.

#### OFFICERS.

Meaning of "local authority" and "officer"  
**37.** In the sections of this Part of this Act relating to compensation to officers unless the context otherwise requires—

"local authority" means a local authority as defined in section 3 of the Local Government and



other Officers' Superannuation Act 1922 and includes the standing joint committee of a county;

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—  
in certain sections of this Act.

“ officer ” includes a servant and any person whose salary or wages is paid by a local authority.

**38.** The town clerk and all other officers of the Corporation of the existing borough who hold office immediately before the appointed day shall continue to be the town clerk and officers of the Corporation of the borough and shall hold their offices by the same tenure as before that day.

Officers of Corporation continued.

**39.**—(1) Every officer in office on the date of the passing of this Act who by virtue of this Part of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office by determination of his appointment or by diminution or loss of fees salary or emoluments (and for whose compensation for that loss no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

Compensation to existing officers.

(2) Any officer whose services are dispensed with or whose fees salary or emoluments are reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this Part of this Act and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Part of this Act.

**40.**—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Part of this Act regard shall be had to the conditions and circumstances mentioned in the Eighth Schedule to the Act of 1929 and the compensation shall not exceed the limit therein mentioned.

Determination of compensation.

(2) Any compensation payable under this Part of this Act to any officer shall be paid out of the general rate fund and the provisions of the said schedule shall apply subject to the following and any necessary modifications :—

(a) Any reference in that schedule to the council shall be construed as a reference to the Corporation ;

[Ch. clxx.] *Walsall Corporation* [20 & 21 GEO. 5.]  
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(b) Any reference in that schedule to the appointed day shall be construed as a reference to the appointed day as defined by this Act.

(3) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors' book or the register of electors under the Representation of the People Acts shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purposes of compensation.

As to  
teachers in  
public  
elementary  
schools.

41. The provisions of this Part of this Act shall apply to a teacher employed in a public elementary school maintained by the local education authority at the passing of this Act as if he were an officer employed by the authority :

Provided that in the case of a teacher employed in a public elementary school maintained but not provided by the authority the provisions with respect to an officer whose services are dispensed with shall only apply if such teacher be discharged by the authority or by the direction or with the consent of the authority (otherwise than for misconduct) within five years after the appointed day.

SUPPLEMENTARY PROVISIONS.

Differential  
rating.

42.—(1) The Minister may if he thinks fit on the application of the rural council the Rushall Parish Council the Bentley Parish Council or the Great Barr Parish Council or of any railway canal or water company owning property in any of the said parishes and after considering any representations that may be made to him by the Corporation order that for the period or periods stated in the order the total amount in the pound of the general rate to be made and levied upon rateable hereditaments situate in the parish in respect of which such application may be made shall be less than the total amount in the pound of the general rate to be made and levied upon hereditaments within the area of the existing borough by such sum or sums as may seem equitable to him.

(2) Any application under this section shall be made in writing before the expiration of two months from the passing of this Act.



**43.** For the purposes of all valuation lists of the borough under the Rating and Valuation Act 1925 the amount of the deduction to be made under paragraph (c) of subsection (1) of section 22 of that Act from net annual value in the ascertainment of the rateable value of such rateable hereditaments within the added part of Wednesbury the added part of West Bromwich and the added parts of Bentley Rushall and Great Barr as are included in class (3) of the hereditaments specified in column (1) of Part II of the Second Schedule to that Act shall be the same as the amount of the deduction made from the net annual value of similar hereditaments in the existing borough and such adjustments of the value of those hereditaments in the added areas shall be made by the Corporation as may be necessary to give effect to the provisions of this section.

A.D. 1930.  
—  
Deduction  
in ascer-  
taining  
rateable  
value of  
tithes  
railways &c.

**44.—**(1) The valuation list of the existing borough and the portions of the valuation lists of the borough of Wednesbury the borough of West Bromwich and the rural district of Walsall which relate to hereditaments within the added areas shall together form the valuation list of the borough as from the appointed day.

Valuation  
lists.

(2) The remaining portions of the valuation lists of the said boroughs and rural district shall be the valuation lists of those boroughs and that district as from the appointed day.

**45.** As from the appointed day—

Application  
of Rating  
and  
Valuation  
Act 1925.

(a) the added areas shall be deemed to form part of the rating area and of the assessment area of the borough and shall for such purposes be deemed to be within the jurisdiction of the court of quarter sessions of the borough;

(b) any scheme made under the Rating and Valuation Act 1925 for the constitution of an assessment area which includes any part of the added areas shall be varied by excluding such part from such assessment area and any person who immediately before that day is the representative of any part of the added areas on any assessment committee shall cease to represent the same.

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—  
Adjustment  
of financial  
relations  
between  
borough  
county  
and county  
borough.

**46.**—(1) In any case in which the extension of the existing borough by this Part of this Act affects the distribution of any moneys between the borough and the county or between the borough and the county borough of West Bromwich or between the borough the county and county borough of West Bromwich on the one hand and any other county borough on the other hand or any financial relations or questions between those areas or any adjustment which has been made in regard to the said distribution or financial relations or questions and with regard to the adjustment of which provision is not made in any other Act equitable adjustments may be made between the areas interested.

(2) Any adjustment authorised by subsection (1) of this section may be made by agreement between the Corporation the county council and the West Bromwich Corporation or by an arbitrator appointed by the parties interested and if such adjustment shall not have been made or an arbitrator has not been appointed before the thirty-first day of December nineteen hundred and thirty-one or such later date as may be allowed by the Minister then on the application of the Corporation the county council or the West Bromwich Corporation the Minister may if he thinks fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid shall not have been made or so far as any such agreement shall not extend the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed by him as the case may be shall be substituted in those provisions for the commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Part of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :



Provided that—

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- (a) in lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of that Act shall apply to any inquiries which may be directed by the Minister under this section and to the costs of those inquiries; and
- (b) subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

47.—(1) Agreements may be made by any corporations councils or other authorities affected by the alteration of any area or authorities made by this Part of this Act for the adjustment of any property income debts liabilities and expenses so far as they are affected by the alteration and section 62 of the Act of 1888 shall apply to any such adjustment with the following modifications :—

Adaptation  
of pro-  
visions as  
to adjust-  
ments.

- (a) As if in subsections (5) (6) and (7) of that section the expression “ council ” included any authority affected by this Part of this Act or by anything done in pursuance of this Part of this Act;
- (b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in subsection (6) of the said section that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all moneys so borrowed shall be repaid within such period as the Minister may sanction;
- (c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the said section; and
- (d) As if the following subsection were added to the said section :—

“ (8) If it is necessary for the purpose of giving effect to any agreement or award for

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an adjustment that a separate rate shall be levied in part only of the borough or parish the agreement or award may authorise such sum to be levied in that part as an additional item of the general rate."

(2) This section shall not extend to any matter for the adjustment of which provision is made in any other Act or in the sections of this Act whereof the marginal notes are "Transfer of public elementary schools" "County police stations &c." "Adjustment of financial relations between borough county and county borough" and "Adjustment for purposes of licensing."

Adjust-  
ment as to  
properties.

**48.** In any adjustment between the Corporation and any council or other authority which may be made in consequence of this Part of this Act regard shall be had to the interest or share (if any) of the added areas or any part thereof in any property—

- (a) which is retained by or transferred to such council or other authority after or as from the appointed day who will thereby be relieved from providing accommodation; or
- (b) which was prior to the appointed day subject to beneficial user by the inhabitants of the added areas or any part thereof; or
- (c) which or some part of which is realisable;

and due credit shall be given in such adjustment to the Corporation in respect of such interest or share (if any) except to the extent to which the property will remain or become a burden on the council or other authority by whom it is retained or to whom it is transferred.

Adjust-  
ment for  
purposes  
of licensing.

**49.—(1)** An equitable adjustment shall be made between the county the borough of West Bromwich and the borough respectively respecting the interest of the added areas in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county the borough of West Bromwich and for the borough within twelve months from the appointed day or such extended



period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

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(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

**50.**—(1) The registration officers of the parliamentary county of Stafford and the parliamentary borough of West Bromwich and of Wednesbury shall supply the registration officer of the parliamentary borough of Walsall on publication with a sufficient number of copies of the electors' lists the lists of objections to the electors' lists the lists of claimants and the lists of objections to claimants for each registration unit comprising any part of the added areas and shall forthwith notify the registration officer of the parliamentary borough of Walsall of their decisions on any objections or claims in respect of any such registration unit.

Duplicate entries in electors' lists.

(2) It shall be the duty of the registration officer of the parliamentary borough of Walsall to issue such notices and otherwise to take such steps as are required by rule 23 in the First Schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the borough for the purpose of borough council elections.

(3) Where the registration officer of the parliamentary borough of Walsall considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors' lists of any registration unit comprising any part of the added areas he shall forthwith notify the registration officer of the parliamentary county or borough concerned and that officer shall make such correction accordingly.

(4) This section shall apply to the preparation of the register in the year nineteen hundred and thirty-one and of later registers.

**51.**—(1) For the purposes of the register of local government electors of the borough prepared in the year nineteen hundred and thirty-one and of all matters

Provisions as to register of electors.

A.D. 1930. — connected with incidental to or consequent upon those purposes the added areas shall be deemed to have formed part of the borough as from the twenty-eighth day of February nineteen hundred and thirty-one.

(2) If the register of local government electors for any local government electoral area affected by this Part of this Act is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for a borough district parish or ward or other voting area—

(a) the town clerk in the case of an election for any voting area within the borough; and

(b) the registration officer of the parliamentary county of Stafford or the parliamentary borough of West Bromwich or Wednesbury as the case may require in the case of an election or parish meeting for any voting area outside the borough;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election.

(3) The additional expenses (if any) solely occasioned by any alteration or re-arrangement of the register authorised by subsection (2) of this section shall be borne by the Corporation.

(4) It shall be the duty of the town clerk and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation the Wednesbury Corporation the West Bromwich Corporation or the rural council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by any registration officer for the purpose of any alteration or re-arrangement authorised by subsection (2) of this section.

(5) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this Part of this Act and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Jury  
service.

52. For the purpose of summoning jurors and of jury service any borough or parish affected by this



Part of this Act shall be deemed to continue unaltered until a new jurors' book comes into force. A.D. 1930.

**53.**—(1) The local registrars for the county for the boroughs of Wednesbury and West Bromwich and for the rural district of Walsall under the Land Charges Act 1925 and the rules made thereunder shall within fourteen days after the appointed day supply to the local registrar for the borough an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules. Local land charges registers.

(2) The local registrar for the borough shall within fourteen days after the receipt of the office copy mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate part of the local land charges register of the borough.

(3) Until the entries are made as aforesaid or until the expiration of one month from the appointed day whichever be the earlier day the following provisions shall have effect in respect of all land within the added areas :—

- (a) The local registrar for the borough shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the borough or rural district concerned and (except in respect of land in the borough of West Bromwich) in the register for the county;
- (b) Where application is made for an official search the local registrar for the borough shall issue free of charge a certificate of official search in the register of the borough and shall forward to the local registrar for the borough or rural district concerned the application received by him together with the fees paid in respect thereof and (except in respect of land in the borough of West Bromwich) shall also forward to the local registrar for the county a copy of the application;
- (c) The local registrar for the borough or rural district concerned and the local registrar for the county shall permit and make such searches and furnish such office copies and certificates as they

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would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed;

- (d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;
- (e) Where a local land charge duly registered in the local land charges register of the county or of either of the said boroughs or of the rural district is in pursuance of this Part of this Act transferred from the register of such county borough or rural district to the register of the borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the borough.

Town  
planning.

**54.** Any proceeding taken by the Wednesbury Corporation the West Bromwich Corporation or the rural council under the Town Planning Act 1925 or any enactment thereby repealed (including any agreement order approval consent or notice under that Act or repealed enactment) shall in so far as it relates to land within the added areas have effect as if it had been taken by the Corporation in respect of that land.

Settlement  
and irre-  
movability.

**55.**—(1) Every person resident in any part of the added areas at the appointed day who has acquired or is in the course of acquiring—

- (a) a settlement in the county or the borough of West Bromwich as the case may be by reason of residence birth or other qualification therein; or
- (b) a status of irremovability from the county or the said borough of West Bromwich by reason of residence therein;

shall be deemed to have acquired or to be in the course of acquiring thereby as the case may require a settlement in or a status of irremovability from the borough.

(2) For the purposes of this section consecutive periods of residence between the thirty-first day of March



nineteen hundred and thirty and the appointed day in any portions of the county or of the borough of West Bromwich respectively shall be aggregated and reckoned as continuous residence in that part of the county or of the said borough of West Bromwich as the case may be in which the person was residing at the appointed day.

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—

**56.**—(1) As soon as practicable after the appointed day the county council the Wednesbury Corporation the West Bromwich Corporation and the rural council shall as regards any cash balances in their hands at the appointed day estimate the proportion thereof derived from contributions paid by any part of the added areas and subject to a deduction on account of undischarged liabilities in respect of such part of the added areas accruing up to the appointed day shall transfer such amount to the Corporation.

Apportionment of balances and sums received under precepts.

(2) Any sum received after the appointed day by the county council the said corporations or the rural council under a precept issued or rate made before that day in respect of any part of the added areas shall be dealt with in the manner prescribed by subsection (1) of this section.

(3) The apportionment under this section of any balance or sum received shall be subject to review on an adjustment under this Part of this Act.

**57.**—(1) Notwithstanding the alteration of area effected by this Part of this Act all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Act had not been passed.

Contribution orders precepts and arrears of rates.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within the added areas shall be collected and recovered by the Corporation.

(3) Any rates so collected and recovered shall be a matter for adjustment under section 62 of the Act of 1888.

**58.** Any ratepayer of any existing borough or parish which is altered by this Part of this Act shall at all times have the same right of inspection and of making extracts from the books and documents of that existing borough or parish which he would have had if this Act had not been passed.

Borough and parish books and documents.

A.D. 1930.

References  
to Educa-  
tion Act  
1921.

Saving for  
qualifica-  
tion of  
aldermen  
and coun-  
cillors.

Savings  
for actions  
contracts  
&c.

**59.** Any references in this Part of this Act to the provisions of the Education Act 1921 shall as respects any provision of that Act which may not be in operation at the appointed day be construed as a reference to the corresponding provision of the Education Acts 1870 to 1919 until such corresponding provision is repealed by the Education Act 1921.

**60.** Any alderman or councillor who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification for being an alderman or councillor by reason of the alterations of area made by this Part of this Act.

**61.**—(1) No alteration effected by this Part of this Act shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Wednesbury Corporation the West Bromwich Corporation or the rural council or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by either of those corporations or the said council or their predecessors :

Provided that—

- (a) any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against either of those corporations or the said council in relation exclusively to any part of the added areas may be continued prosecuted and enforced by or against the Corporation; and
- (b) all contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by either of those corporations or the said council (or their predecessors) in relation exclusively to any part of the added areas may be continued and enforced as fully and effectually as if instead of that corporation or council (or their predecessors) the Corporation had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Part of this Act.



**62.** Nothing in this Part of this Act shall—

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- (1) restrict the power of the Secretary of State the Minister or the county council under the Act of 1888 the Act of 1894 the Act of 1929 or the Poor Law Act 1927;
- (2) affect the limits of the parliamentary boroughs of Walsall West Bromwich or Wednesbury or the parliamentary county of Stafford or the powers of the Corporation the West Bromwich Corporation the Wednesbury Corporation or the county council for the division of their respective parliamentary boroughs and county into polling districts for parliamentary elections or for the division of the county into polling districts for the election of county councillors or any existing order or scheme for any of those purposes or for naming the polling places at any election;
- (3) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or
- (4) affect land tax and for the purposes of imperial taxes or duties other than land tax the provisions of the section of this Act whereof the marginal note is "Alteration of parishes" shall not come into operation during any year in which under any enactment the annual value of any property adopted for the purpose of income tax under Schedules A and B for the preceding year is taken as the annual value of that property for the same purpose for that year.

Other  
savings.

**63.** Nothing in this Part of this Act shall prejudice or affect the limits for the supply of water by the South Staffordshire Waterworks Company or the powers duties or privileges of that company.

Saving for  
South Staf-  
fordshire  
Waterworks  
Company.

**64.** Nothing in this Act shall prejudice or affect the existing rights powers duties and privileges of the lord mayor aldermen and citizens of the city of Birmingham with regard to the supply of gas in the added part of Wednesbury or authorise the Corporation to supply gas therein.

Saving for  
Birming-  
ham Cor-  
poration.

A.D. 1930.

PART III.

TRAMWAYS OMNIBUSES AND TRAFFIC PROVISIONS.

Purchase of tramways in the borough of Wednesbury and the urban district of Darlaston.

**65.**—(1) As soon as the West Bromwich Corporation shall have acquired pursuant to the agreement scheduled to the Bill being promoted by the West Bromwich Corporation in the present session of Parliament the tramway apparatus and works of the South Staffordshire Tramways Company in Walsall Road and Pinfold Street in the borough of Wednesbury and the urban district of Darlaston between the boundary of the borough and the Bull Stake Darlaston the West Bromwich Corporation shall sell to the Corporation and the Corporation shall purchase the said tramway apparatus and works with all rights powers and interests of the West Bromwich Corporation attaching thereto and the Wednesbury Corporation and the Darlaston Urban District Council shall sell to the Corporation and the Corporation shall purchase all rights and interests of the Wednesbury Corporation and the Darlaston Urban District Council in the said tramway apparatus and works.

(2) As soon as the West Bromwich Corporation shall have acquired pursuant to the above-mentioned agreement the leasehold interest of the South Staffordshire Tramways (Lessee) Company Limited in the tramway apparatus and works of the Wednesbury Corporation in Wood Green Road Walsall Street Market Place and Lower High Street in the borough of Wednesbury between the boundary of the borough and the White Horse inn Wednesbury the Wednesbury Corporation shall sell and the Corporation shall purchase the said tramway apparatus and works with all rights powers and interests of the Wednesbury Corporation attaching thereto and the West Bromwich Corporation shall sell and the Corporation shall purchase all the rights and interests of the West Bromwich Corporation in the said tramway apparatus and works.

Power to purchase tramway between the Bull Stake and the White Horse inn.

**66.** The Corporation may purchase by agreement and the Wednesbury Corporation and the South Staffordshire Tramways (Lessee) Company Limited and any company or local authority having any present or contingent interest in or right over the tramway apparatus and works in the urban district of Darlaston and the borough



of Wednesbury between the Bull Stake Darlaston and the White Horse inn Wednesbury may sell the said tramway apparatus and works with all the rights powers and interests of such companies and local authorities attaching thereto and upon the completion of the said purchase the said tramway apparatus works rights powers and interests shall be transferred to and vested in the Corporation.

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**67.** The sales and purchases referred to in the sections of this Act of which the marginal notes are "Purchase of tramways in the borough of Wednesbury and the urban district of Darlaston" and "Power to purchase tramway between the Bull Stake and the White Horse inn" shall be upon the terms and conditions contained in the heads of agreement set forth in the Second Schedule to this Act which are hereby confirmed and made binding upon the Corporation the West Bromwich Corporation and the Wednesbury Corporation but such alterations may be made therein as may be agreed between the three Corporations.

Terms of purchase of tramways and confirmation of scheduled agreement.

**68.** From and after the date of the purchase of the respective interests of the South Staffordshire Tramways Company and the South Staffordshire Tramways (Lessee) Company Limited in the tramways referred to in this Part of this Act none of the provisions of the Black Country Tramways and Light Railways Act 1922 shall apply to any of such tramways or to any agreement relating to any of such tramways or to the Corporation in respect of any such tramways or any such agreement.

Black Country Tramways and Light Railways Act 1922 not to apply to tramways referred to in this Part of Act.

**69.**—(1) After the Corporation shall have acquired the parts of the tramway undertakings referred to in the sections of this Act of which the marginal notes are "Purchase of tramways in the borough of Wednesbury and the urban district of Darlaston" and "Power to purchase tramway between the Bull Stake and the White Horse inn" the Corporation shall discontinue the whole of such tramways after giving to the road authority not less than one month's previous notice of their intention so to do and shall in any case discontinue the tramways referred to in the former of the said sections within eighteen months from the passing of this Act and the tramway referred to in the latter of such sections within two years from the passing of this Act.

Discontinuance of tramways.

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A.D. 1930.

(2) When the Corporation have in pursuance of the foregoing provisions of this section discontinued the whole or any part of the said tramways they may and if required by the road authority shall forthwith take up and remove the rails paving and paving setts of the tramway or part thereof so discontinued and the apparatus and equipment provided or used for the purposes thereof or in connection therewith. Provided that the removal of any such rails paving paving setts and apparatus and equipment shall unless the road authority otherwise consent in writing be carried out in sections each having a maximum length of one-half of a mile (the Corporation being at liberty to proceed simultaneously with any two or more sections not being contiguous sections) and that until the road included within any such section shall have been restored under the provisions of subsection (3) of this section the removal of any such rails paving paving setts and apparatus and equipment on any other section within one-half of a mile shall not be commenced.

(3) On the taking up and removal of any such rails paving paving setts apparatus or equipment the Corporation shall with all convenient speed and in all cases within six weeks (unless the road authority otherwise consent in writing) fill in the ground and make good the surface and restore the portion of road upon which such rails paving paving setts and tramway apparatus were laid or placed so that the method of construction and state of repair shall be uniform throughout the whole width of the road and shall clear away all surplus paving or metalling material or rubbish occasioned by such work and they shall cause the place where the road is opened or broken up to be fenced and watched and to be properly lighted at night until such filling in making good restoration and clearing away as aforesaid has been completed or (in cases where the works necessary for the restoration are done by the road authority under the proviso to this subsection) until the removal of such rails paving paving setts apparatus and equipment has been completed:

Provided that the road authority if they think fit may within one month after the service upon them of the notice referred to in subsection (1) of this section give notice to the Corporation that they desire themselves to do the works necessary for the restoration of the road and the Corporation shall in lieu of carrying out the said



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works pay to the road authority in respect of the tramway or part thereof to be discontinued by the Corporation a sum equal to the cost which the Corporation would have incurred in restoring the portion of road so to be restored which the Corporation are immediately before the discontinuance of the tramways liable to maintain if the road authority had not exercised the option given to them by this proviso such sum to be paid in respect of any portion of road as and when the restoration thereof is completed.

(4) If any difference arises under the proviso to subsection (3) of this section between the Corporation and a road authority as to the amount of the payment to be made by the Corporation to the road authority the same shall be settled by an engineer to be appointed at the request of either party by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

(5) As from the date on which the Corporation discontinue the whole or any part of the said tramways in pursuance of the foregoing provisions of this section they shall cease to be under any obligation to use the same or to run carriages thereon or to maintain or repair any part of the roadway in which the same is situate.

(6) Nothing in this section shall relieve the Corporation of any liability imposed upon them by section 41 (Tramways to be removed in certain cases) of the Tramways Act 1870 or section 69 (Railways to be removed in certain cases) of the South Staffordshire Light Railway Order 1900 in relation to any tramway or light railway in the event of the Corporation discontinuing the working of such tramway or light railway.

**70.** The Corporation on the one hand and any road authority on the other hand may enter into and carry into effect agreements for and with respect to the removal or non-removal of the existing tramways authorised by this Part of this Act to be discontinued and the rails paving paving setts and equipment forming part thereof or connected therewith and the reinstatement of the roadway in which any such tramway rails paving paving setts or equipment is or are situate and for and with respect to any other of the purposes or provisions of the section of this Act of which the marginal note is "Discontinuance of tramways."

Agreements  
with road  
authorities.

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—  
For pro-  
tection of  
South  
Stafford-  
shire  
Water-  
works  
Company.

**71.** For the protection of the South Staffordshire Waterworks Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the company and the Corporation apply and have effect (that is to say):—

If any injury shall be caused to any mains pipes or apparatus of the company during and by reason of the removal under the powers of this Part of this Act of any tramways and the rails and paving setts thereof and the equipment in connection therewith and the restoration of the roads the Corporation shall bear and on demand repay to the company the amount of the expense reasonably incurred by the company in making good such injury and shall indemnify the company against all claims demands costs charges and expenses arising out of such injury.

Power to  
run omni-  
buses in  
borough of  
Wednes-  
bury and  
urban  
district of  
Darlaston.

**72.**—(1) So soon as the Corporation shall have acquired the parts of the tramway undertakings referred to in subsections (1) and (2) of the section of this Act of which the marginal note is "Purchase of tramways in the borough of Wednesbury and the urban district of Darlaston" the Corporation may notwithstanding anything in any other Act to the contrary provide maintain and run omnibuses along Walsall Road and Pinfold Street in the borough of Wednesbury and the urban district of Darlaston between the boundary of the borough and the Bull Stake Darlaston and along Wood Green Road Walsall Street Market Place and Lower High Street in the borough of Wednesbury between the boundary of the borough and the White Horse inn Wednesbury.

(2) If and when the Corporation shall have purchased the part of the tramway undertaking referred to in the section of this Act of which the marginal note is "Power to purchase tramway between the Bull Stake and the White Horse inn" they may provide maintain and run omnibuses along the route of the tramway forming part of the said undertaking in the urban district of Darlaston and the borough of Wednesbury between the Bull Stake Darlaston and the White Horse inn Wednesbury.



(3) In connection with the exercise of the powers of this section the Corporation may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such omnibuses.

(4) The following provisions of the Act of 1914 shall extend and apply to the provision maintenance and running of omnibuses under the powers of this section :—

Subsections (2) (3) (4) and (5) of section 42 (Power to provide and run omnibuses);

Section 44 (Purchase of lands by agreement for trolley vehicle and omnibus undertaking);

Section 45 (Payment of fares rates and charges);

Section 46 (Trees overhanging highways);

Section 47 (Shelters or waiting rooms);

Section 49 (Lost property);

Section 50 (Conveyance of mails);

Section 51 (Through trolley vehicles and omnibuses);

Section 52 (Trolley vehicles and omnibuses to form part of tramway undertaking).

(5) Nothing which may be contained in any general Act passed in the present or the next session of Parliament relating to road traffic shall prevent the exercise by the Corporation of the powers of section 51 of the Act of 1914 Provided that nothing in the said section 51 shall prejudice the powers which may be conferred upon any person or body of persons empowered under any such general Act to issue licences under the conditions authorised by that Act.

(6) In the application of the provisions of the Act of 1914 referred to in subsection (4) of this section to the provision maintenance and running of omnibuses under the powers of this section—

(a) Nothing in that subsection shall be deemed in any way to restrict the powers if any conferred on any person or body of persons having the power to issue licences under the provisions of

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any general Act passed in the present or the next session of Parliament relating to road traffic to impose conditions on the granting of such licences as to the fares to be charged in respect of the omnibuses of the Corporation;

(b) Upon the coming into force of any regulations as to the conduct of passengers in vehicles made by the Minister of Transport under any power conferred upon him by any general Act relating to road traffic passed during the present or the next session of Parliament so far as the omnibuses of the Corporation are vehicles to which such regulations apply subsection (3) of section 42 of the Act of 1914 shall cease to apply to such omnibuses;

(c) Subsection (5) of section 42 of the Act of 1914 shall cease to have effect on the coming into force of the appropriate provisions of any general Act passed during the present or the next session of Parliament relating to road traffic and containing provisions as to the licensing of drivers and conductors of vehicles so far as the omnibuses of the Corporation are vehicles to which such provisions apply.

(7) The provisions of section 32 (Cheap fares for labouring classes) and section 33 (Periodical revision of rates and charges) of the Act of 1900 shall apply to any service of omnibuses provided under the powers of this Act in substitution for a service of tramcars to the same extent as the said provisions applied to the tramways replaced by such service.

**73.**—(1) No omnibus shall be used by the Corporation which does not comply with the requirements of the Minister of Transport.

(2) Before using any omnibus upon any road which crosses a bridge belonging to and repairable by a canal company the Corporation shall give to such canal company notice of the weight dimensions and construction of the omnibuses proposed to be used by them and the Minister of Transport shall consider and determine after such inquiry as he may think fit any objections which may be submitted by the canal company to him on the ground that the strength of such bridge is insufficient to carry

Approval  
of vehicles  
by Minister  
of Trans-  
port.



omnibuses of such weight Provided that notice of such objections shall be forwarded by the canal company to the Corporation at the same time as the same are submitted to the Minister of Transport.

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(3) Nothing in this Act shall impose or enlarge any obligation on any canal company to strengthen adapt alter or reconstruct any bridge maintainable by them.

(4) The provisions of this section shall extend and apply to omnibuses provided maintained and run in pursuance of section 42 (Power to provide and run omnibuses) of the Act of 1914 other than omnibuses run by the Corporation under that section at the passing of this Act.

**74.** Section 42 (Power to provide and run omnibuses) of the Act of 1914 shall be read and have effect as if—

Amend-  
ment of  
section 42  
of Walsall  
Corpora-  
tion Act  
1914.

- (a) the words "and road authority" were omitted from subsection (1) of that section;
- (b) after the word "omnibuses" at the end of subsection (1) of that section the following proviso and subsection were inserted:—

"Provided that the consent of a local authority shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport.

(1A) In the case of any application under the provisions of this section for the consent of the Minister of Transport the Corporation shall give notice in writing of their proposals to the road authority (where it is not also the local authority) and shall publish notice of such proposals in the London Gazette and in such other manner as the Minister of Transport shall direct stating the manner in which and the time within which any persons affected by such proposals may object thereto."

**75.** In the application of section 18 (Power to reserve cars for special purposes) of the Act of 1925 to the running and reserving of omnibuses for any special purpose nothing in that section shall be deemed to limit the power of such running and reserving of omnibuses

As to  
omnibuses  
reserved  
for special  
purposes.

A.D. 1930. — to the authorised omnibus routes of the Corporation but such running and reserving of omnibuses shall be limited to any place or places within two miles from any point on an authorised omnibus route of the Corporation.

For protection of urban district council of Cannock.

**76.** For the protection of the urban district council of Cannock (hereinafter referred to as "the council") the following provisions shall unless otherwise agreed in writing between the council and the Corporation apply and have effect (namely):—

Notwithstanding anything contained in the section of this Act of which the marginal note is "Amendment of section 42 of Walsall Corporation Act 1914" or in the section of this Act of which the marginal note is "As to omnibuses reserved for special purposes" the Corporation shall not without the consent in writing of the council run any omnibus within the urban district of Cannock otherwise than on a route described in and on which the Corporation are authorised to run omnibuses by section 42 of the Act of 1914 or section 6 of the Act of 1919.

Lending of omnibuses.

**77.** In cases of emergency the Corporation may lend omnibuses belonging to them and temporarily not required for their omnibus services to any other local authority company or person empowered to run omnibuses and any such local authority company or person may lend their omnibuses to the Corporation and any such lending may be on such terms and conditions as may in every case be agreed between the Corporation and such local authority company or person.

Working agreements.

**78.**—(1) The Corporation and any other local authority company body or person providing or running omnibuses in any other district adjoining or adjacent to the borough may enter into and carry into effect agreements for all or any of the following purposes (that is to say):—

(a) The working management and maintenance of any omnibus service over any route along which the Corporation are at the date of the passing of this Act authorised to work and run omnibuses and of any land and property used by them in connection with such services;



- (b) The supply by any of the contracting parties under and during the continuance of any such agreement of omnibuses and conveniences in connection therewith necessary for the purpose of such agreement and the employment of officers and servants; A.D. 1930.  
—
- (c) The interchange accommodation conveyance transmission and delivery of traffic conveyed or to be conveyed over any route upon which the Corporation are at the date of the passing of this Act authorised to work and run omnibuses arising on or coming from or destined for any omnibus service of the contracting parties;
- (d) The payment collection and apportionment of the fares rates charges and other receipts arising from any such omnibus service of the contracting parties.

(2) The Corporation shall not enter into or carry into effect any agreement relating to any omnibus service in the borough of Wednesbury otherwise than with the consent of the Wednesbury Corporation but such consent shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport.

**79.**—(1) The Corporation may from time to time make regulations prescribing within the area referred to in subsection (9) of this section— Regulations for controlling traffic.

- (a) The streets which are not to be used for traffic by vehicles of any specified class or classes either generally or during specified times;
- (b) The streets or parts of streets along which vehicular traffic shall pass in one direction only and the direction in which such traffic shall pass;
- (c) The places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers:

Provided that—

- (i) No regulation made under paragraph (a) of this subsection shall apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the area whilst so engaged;

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(ii) No regulation shall be made under paragraph (b) of this subsection in respect of any street along which tramcars are for the time being operated in both directions.

(2) Before any regulations made under this section shall come into force the Corporation shall submit the same to the Minister of Transport for his approval and shall give notice of the subject-matters of the regulations by advertisement in a local newspaper circulating in the borough and in the London Gazette and in such other manner (if any) as the said Minister may direct. The said notice shall name a place where copies of the regulations can be obtained free of charge and shall state a date not being less than twenty-one days from the date of the notice by which and the manner in which any person aggrieved by the regulations may make representations thereon to the said Minister and that any such person shall at the same time send a copy of his representations to the town clerk.

(3) The said Minister shall consider any regulations submitted to him by the Corporation and any representations thereon which may be duly made and may approve the regulations submitted to him with or without modifications or may disapprove the same.

(4) Before approving any regulations submitted to him under this section the said Minister may and if any representation is duly made and is not withdrawn shall (unless the representation appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation shall pay to the said Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the said Minister for the services of such person.

(5) The Corporation shall give at least fourteen days' notice of the intention to hold such local inquiry with particulars of any proposed regulations by advertisement in a local newspaper circulating in the borough and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.



(6) Any regulations submitted to the said Minister shall take effect as approved by him and shall come into force on a date to be fixed by him.

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a newspaper circulating in the borough and otherwise in such manner as may be prescribed by the said Minister and shall also during the continuance of any regulation approved under paragraph (b) of subsection (1) of this section cause to be erected and maintained in suitable positions a warning notice in a form approved by the said Minister indicating the effect of the regulation and the street or streets to which it relates.

(8) As respects any regulation made and approved under this section (subject to any modification or extension made by the said Minister as hereinafter provided) any person who—

(a) shall contravene any such regulation in regard to any street in the borough after warning given by word or signal by a police constable in uniform; or

(b) shall drive or cause to be driven any vehicle in any street in relation to which a regulation shall be in force under paragraph (b) of the said subsection and a warning notice shall have been erected pursuant to subsection (7) of this section in contravention of such regulation; or

(c) shall contravene any regulation under paragraph (c) of subsection (1) of this section;

shall be liable to a penalty not exceeding forty shillings.

(9) In this section—

(a) “the area” means any part of the borough which is within a radius of one mile from the town hall;

(b) “specified” means specified in any regulations made or approved under this section.

(10) The said Minister on the application of any company body or person appearing to him to be sufficiently interested and alleging that any regulation made under this section is unsuitable for the traffic requirements

A.D. 1930. of the borough may if satisfied as to the correctness of such allegation and after considering any representations made to him by the Corporation modify or extend the regulation to which the application relates.

(11) This section shall cease to have effect on the passing during the present or the next session of Parliament of any general Act relating to road traffic and conferring upon the Minister of Transport power to make regulations as to the restriction of the use of vehicles upon specified roads or conferring upon any licensing authority power to attach conditions to licences as to the taking up or setting down of passengers by vehicles between specified points.

Regulations  
as to stands  
or stopping  
places for  
omnibuses

**80.**—(1) The Corporation may from time to time make regulations prescribing—

(a) the stands to be occupied exclusively by omnibuses of any specified class or description or used on any specified route or running according to a published time-table such stands to be fixed with due regard to the centres of collection and distribution of omnibus and other traffic; and

(b) the time during which any omnibus shall be allowed to remain at any one stand;

and any omnibus standing upon any such stand in accordance with regulations made under this section shall be deemed to be within the exception in the ninth paragraph of section 28 of the Town Police Clauses Act 1847.

(2) Upon the coming into force of the regulations first made under this section the sixth paragraph of section 6 of the Town Police Clauses Act 1889 shall cease to extend to the borough and any byelaws made by the Corporation under that paragraph shall be repealed.

(3) Where the Corporation propose to make regulations under this section they shall cause notice of their proposal and a statement of the effect of the proposed regulations to be published in at least one newspaper circulating within the borough and shall serve a copy of the notice upon the proprietor of every omnibus licensed to ply for hire within the borough.



(4) Every such notice shall indicate the date (which shall not be less than twenty-eight days) within which any objection to the regulations shall be sent in writing to the Corporation and shall contain a notification of the place at which copies of the proposed regulations may be obtained free of charge.

(5) The Corporation shall consider and determine any objection to the proposed regulations which is sent to them in writing within the time fixed in that behalf and shall send notice of their decision to the objector who if he is dissatisfied with their decision may within fourteen days after the receipt of the notice appeal to the Minister of Transport.

(6) A notification of the right of appeal under this section shall be included in any notice sent by the Corporation of their decision on an objection to the regulations and upon any appeal being made to the Minister of Transport notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the Corporation.

(7) The Minister of Transport shall consider any appeal duly made to him and may make such order in the matter as he thinks fit and his decision shall be final.

(8) Before making any order under this section the Minister of Transport may and if an appeal duly made is not withdrawn shall (unless the appeal appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the provisions in subsections (4) and (5) of the section of this Act the marginal note whereof is "Regulations for controlling traffic" as to expenses and notices of local inquiries shall extend to any local inquiry so directed by the said Minister.

(9) Where an objection has been made to regulations proposed by the Corporation under this section the regulations shall not be sealed by the Corporation until after the expiration of the time within which an appeal may be made by the objector to the Minister of Transport or if an appeal to the said Minister has been made by the objector until after the determination or withdrawal of the appeal.

A.D. 1930.

(10) Any company body or person running omnibuses in the borough may at any time apply to the Minister of Transport to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the borough or has been unfairly enforced and upon any such application the said Minister after considering any representations made to him by the Corporation may modify the regulation to which the application relates.

(11) The Corporation shall not make any regulations under the powers of this section prescribing any stand or stopping place for omnibuses so as to cause any interference with or render less convenient the access to or exit from any depot wharf or property of any canal company.

(12) The Corporation shall not make any regulation under the powers of this section prescribing any stand or stopping place for omnibuses so as to cause any interference with or render less convenient the access to or exit from any station depot or property belonging to any railway company.

(13) This section shall cease to have effect on the passing during the present or the next session of Parliament of any general Act relating to road traffic and conferring upon local authorities power to make orders fixing stands and stopping places for vehicles so far as the omnibuses of the Corporation are vehicles to which such provisions apply.

Evidence of regulations made by Corporation.

**81.** Section 24 of the Municipal Corporations Act 1882 which relates to the proof of byelaws shall extend to regulations made by the Corporation under any of the two preceding sections as the said section extends to byelaws so made.

For further protection of South Staffordshire Waterworks Company.

**82.** For the protection of the South Staffordshire Waterworks Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company apply and have effect (that is to say) :—

(1) If any sheds or shelters or waiting-rooms erected by the Corporation under the powers of section 47 of the Act of 1914 as extended and applied



to this Act and all of which are in this section included in the expression "structure" are situate over any mains pipes or apparatus of the company (in this section referred to as "apparatus") and the company at any time give to the Corporation notice in writing of their desire to obtain access to such apparatus the Corporation shall either remove temporarily such structure or so much thereof as shall require to be so removed in order to afford such access or (if the Corporation determine not to remove such structure or part thereof) bear any additional expense to which the company may be put by reason of the existence of such structure in obtaining access to such apparatus :

- (2) Notwithstanding anything in this Act the Corporation shall reimburse and make good to the company any damages which the company may sustain or any costs or expenses which they may reasonably incur by reason or in consequence of any injury caused to their apparatus by the exercise of the powers of the said section.

**83.** For the protection of the lord mayor aldermen and citizens of the city of Birmingham (in this section referred to as "the Birmingham Corporation") the following provisions shall unless otherwise agreed in writing between the Corporation and the Birmingham Corporation apply and have effect (that is to say) :—

For protection of Birmingham Corporation.

- (1) Where in a road in which any gas mains pipes or apparatus of the Birmingham Corporation may be laid any works are carried out by the Corporation in connection with the taking up or removal of tramways and rails paving setts posts wires standards brackets cables works apparatus and equipment laid down or constructed in connection with tramways or the filling in and making good of the surface of the ground or the restoration of carriageways or footpaths disturbed by such taking up or removal under the powers of this Act or otherwise in the exercise of such powers the provisions of section 30 of the Tramways

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Act 1870 shall apply as if the carrying out of such works were the laying down of a tramway under the said section and the Corporation were the promoters referred to therein and the Birmingham Corporation were a company persons or person referred to in the said section :

- (2) Any plans and sections which the Corporation are required by section 30 of the Tramways Act 1870 as applied by this section to submit to the Birmingham Corporation shall be submitted to the Birmingham Corporation at least fourteen days before the commencement of any works to which the said plans and sections relate and shall be accompanied by a description of the proposed works and notice of the date on which the Corporation propose to commence the same and if the Birmingham Corporation give any notice under the said section as so applied in relation to such proposed works the same shall not be commenced except in case of emergency until the requirements of the Birmingham Corporation have been agreed or settled by arbitration as by such section is provided The power of the Birmingham Corporation under the said section 30 as so applied to require the lowering or other alterations of their mains pipes and apparatus (in this section referred to as " apparatus ") shall be deemed to extend so as to authorise the Birmingham Corporation to require the shoring up or supporting and restoring and protecting any such apparatus which it may be reasonably necessary to shore up support restore or protect by reason of the execution of any works of the Corporation or for preventing any interruption to the supply of gas by the Birmingham Corporation All such works as aforesaid shall be done under the superintendence and to the reasonable satisfaction of the Birmingham Corporation or their engineer and the reasonable costs charges and expenses of such superintendence shall be paid to the Birmingham Corporation by the Corporation and if the



Birmingham Corporation before the Corporation are entitled to commence any such work elect by notice in writing to the Corporation so to do the Birmingham Corporation may themselves execute any work relating to any apparatus of the Birmingham Corporation to which any such notice or requirement relates under the superintendence and to the reasonable satisfaction of the surveyor of the Corporation and the amount reasonably expended by the Birmingham Corporation in so doing shall be repaid to them by the Corporation but if for seven days after giving any such notice the Birmingham Corporation do not proceed with due diligence to execute any such work as aforesaid the Corporation may forthwith execute the same :

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- (3) The provisions of section 55 of the Tramways Act 1870 shall apply to the Corporation in respect of any works carried out by them referred to in subsection (1) of this section as if the Corporation were the promoters referred to in that section :
- (4) The foregoing provisions of this section shall be in addition to and not in substitution for or derogation from any other powers rights or privileges whether statutory or otherwise of the Birmingham Corporation.

**84.** For the protection of the London Midland and Scottish Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed in writing between the Corporation and the company apply and have effect (that is to say) :—

For protection of London Midland and Scottish Railway Company.

- (1) On the taking up and removal by the Corporation under the section of this Act of which the marginal note is "Discontinuance of tramways" of any posts poles wires or other apparatus and equipment situate on any bridge and bridge approaches maintainable by the company the Corporation shall restore the surface of the bridge and approaches to the reasonable satisfaction of the company :

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(2) Any dispute which shall arise between the Corporation and the company under the foregoing provisions of this section shall be referred to and determined by an arbitrator who shall be an engineer to be appointed (failing agreement) by the President of the Institution of Civil Engineers on the application of either party:

(3) The Corporation shall not under the powers of section 47 (Shelters or waiting rooms) of the Act of 1914 erect any shelter or waiting room so as to cause interference with or render less convenient the access to or exit from any station depot or property belonging to the Company nor shall any such shelter or waiting-room be erected maintained or provided on any bridge carrying any street or road over the railways of the Company or on the approaches to any such bridge.

As to  
railway  
bridges.

85. Nothing in this Act shall impose any obligation upon or enlarge any obligation of any railway company to strengthen adapt alter or reconstruct any bridge or road maintainable by them.

#### PART IV.

##### ACQUISITION OF LANDS &c.

Power to  
take lands.

86.—(1) Subject to the provisions of this Act the Corporation may enter on take and use—

(a) For the purposes of section 154 of the Public Health Act 1875 and sections 68 and 83 of the Public Health Act 1925 and for the provision of a terminal station for omnibuses—

The lands in the existing borough numbered 3 6 8 to 66 inclusive 84 to 96 inclusive 98 99 103 to 109 inclusive 111 to 119 inclusive 121 to 133 inclusive 135 to 193 inclusive 195 to 198 inclusive 200 to 209 inclusive 215 216 221 to 225 inclusive 234 to 252 inclusive and 254 to 266 inclusive on the deposited plans and described in the deposited book of reference;



- (b) For the purpose of extending the Arboretum and Arboretum Playing Fields and for the purposes of section 154 of the Public Health Act 1875— A.D. 1930.

The land in the existing borough numbered 253 on the deposited plans and described in the deposited book of reference;

- (c) For the purpose of stopping up the watercourse in the borough known as the "Mill Fleam"—

The land in the existing borough three square yards or thereabouts in extent situate and lying underneath buildings belonging to the Midland Bank Limited The Bridge together with the screen and other intake works erected and built thereon all of which are numbered 194 on the deposited plans and described in the deposited book of reference:

And all the rights and interests of Mary Jane Boys Isabella Mary Boys and Sidney James Boys or other the lessees for the time being (in this section called "the lessees") of in and to the full flow of water along the said Mill Fleam to the Mill Pool situate at New Mills together with the right of access to all portions of the said Mill Fleam which shall not for the time being have been built over as the same have been heretofore enjoyed by the lessees and by their predecessor in title the late Henry Boys.

(2) In the application of the Lands Clauses Acts to the land referred to in paragraph (c) of this section and to the rights interests and claims of the lessees to the full flow of water along the said Mill Fleam the lessees shall be deemed to be parties interested in the right to the said flow of water and the said right of access for the purpose of section 68 of the Lands Clauses Consolidation Act 1845.

**87.** Notwithstanding anything shown on the deposited plans or contained in this Act the Corporation shall not except with the consent in writing of the Postmaster-General enter on take or use the property

For protection of Postmaster-General.

[Ch. clxx.] *Walsall Corporation* [20 & 21 GEO. 5.]  
Act, 1930.

A.D. 1930. numbered 42 or the interest of the Postmaster-General in the property numbered 20 on the said plans or any part thereof respectively.

Application of provisions of Walsall Corporation Act 1925.

**88.** The following provisions of the Act of 1925 shall so far as they are applicable for the purpose extend and apply with the necessary modifications to this Part of this Act:—

Section 31 (Correction of errors in deposited plans and book of reference);

Section 32 (Compensation in case of recently acquired interest) Provided that in the application of the said section it shall be read and have effect as if the words “the sixteenth day of November nineteen hundred and twenty-nine” were inserted therein instead of the words “the fifteenth day of November nineteen hundred and twenty-four”;

Section 35 (Persons under disability may grant easements &c.);

Section 36 (As to private rights of way over lands taken compulsorily).

Owners may be required to sell parts only of certain premises.

**89.**—(1) Whereas in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

(a) The owner of and persons interested in any of the properties whereof the whole or part is described in the Third Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are hereinafter in this section included in the term “the owner” and the said properties are hereinafter referred to as “the scheduled properties”;



A.D. 1930.

- (b) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise;
- (c) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled properties specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed;
- (d) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal;
- (e) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without

A.D. 1930.

material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner;

- (f) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice;
- (g) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and its final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in or endorsed on every notice given thereunder to sell and convey any of the scheduled properties.

Power to  
develop  
lands &c.

90.—(1) The Corporation may lay out and develop any lands acquired by them under the powers of the Act of 1925 or this Act and not required for the purposes



for which they were acquired and (with the consent of the Minister) any other lands at any time belonging to the Corporation and not required for the purposes for which they were acquired and may erect and maintain houses shops offices warehouses and any other buildings and lay out and construct sewer drain pave flag channel and kerb streets roads and ways on any such lands and may sell lease exchange or otherwise dispose of any such houses shops offices warehouses or buildings upon and subject to such terms conditions and restrictions as they may think fit.

(2) The Corporation may also grant building leases of any such lands as aforesaid subject to such restrictions and conditions as the Corporation may see fit to impose and may grant any easements rights or privileges in under or over such lands or any part or parts thereof and may use or dispose of the building or other materials of any houses and premises on any lands acquired or appropriated by them which they may deem it necessary or desirable to pull down.

(3) The Corporation in selling or disposing of such lands may attach to the same and may convey or lease the same subject to any conditions and restrictions upon the use thereof and as to the buildings to be erected thereon and as to the use to which such buildings may be put.

(4) The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired under the provisions of the Act of 1925 or this Act or which may be in the neighbourhood of those lands or buildings or any of them with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

(5) The Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any of the lands to which this section applies except at the best price or on the best terms which can be obtained for the same but a purchaser or lessee shall not be concerned to inquire whether the direction of the Minister is necessary or has been obtained.

A.D. 1930.

(6) Nothing in this section—

(a) shall authorise the Corporation to create or permit any nuisance on any such lands as are referred to therein;

(b) shall be taken to dispense with the consent of any Government department to any sale lease appropriation or other disposition of any lands of the Corporation in any case in which such consent would have been required if this Act had not been passed.

Period for compulsory purchase of lands.

**91.** 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 thirty-first day of December nineteen hundred and thirty.

Power to enter upon property for survey and valuation.

**92.** The Corporation and their surveyors officers and workmen and any person duly authorised in writing under the hand of the town clerk may at all reasonable times upon giving in the first instance twenty-four hours' and subsequently twelve hours' previous notice in writing enter upon and into the lands and buildings by this Act authorised to be taken and used or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Benefits to be set off against compensation.

**93.** In estimating the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under this Part of this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous with such adjoining lands arising out of the construction of any new street or of the widening or improvement of any existing street or arising through such adjoining lands becoming lands fronting on any such new or existing street shall be fairly estimated and shall be set off against the said compensation or purchase money.

Power to reinstate owners of property.

**94.** The Corporation may enter into and carry into effect agreements with the owners of or other persons interested in any land which may be acquired under the



provisions of this Act or which may be in the neighbourhood of any of the street works which may be constructed by the Corporation upon such land under section 154 of the Public Health Act 1875 with respect to the reinstatement of such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

A.D. 1930.

**95.** All lands acquired by the Corporation under this Act and laid into or appropriated as part of any street shall form part of that street and shall be maintained and repaired in all respects as the rest of that street is for the time being by law maintained and repaired.

Land laid into streets to form part thereof.

**96.** Subject to the provisions of this Act the Corporation may in connection with the powers granted to them by the Public Health Acts so far as such last-mentioned powers relate to lands which are referred to in the Act of 1925 or this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands or property abutting on any of the lands referred to in this section with respect to the sale or purchase by the Corporation of any lands or property (including any street or thoroughfare or any part of a street or thoroughfare appropriated by the Corporation under the powers of this Act and not required for the purposes for which they are authorised to be acquired) or any rights or easements in on or affecting the same for such consideration as may be agreed upon between the Corporation and such person and the Corporation may accept as satisfaction of the whole or any part of such consideration the grant by such person of any lands or other property required by them for the purposes for which lands may be acquired under the Act of 1925 or this Act.

Agreements with owners of property &c.

**97.—(1)** The Corporation may advance money to the purchaser or lessee of any lands acquired by them under the provisions of the Act of 1925 or this Act and with the consent of the Minister to the purchaser or lessee of any other lands belonging to the Corporation and not required for the purposes for which they were acquired for the purpose of enabling or assisting him to erect buildings on such land provided that any advance shall not exceed two-thirds of the amount which in the

Power to Corporation to advance money for erection of buildings.

A.D. 1930. — opinion of the Corporation will be the market value of the interest of such purchaser or lessee in the land with the intended building erected thereon.

(2) Every such advance shall be repaid with interest at a rate not less than the rate for the time being prescribed by the Minister for the purposes of loans under the Small Dwellings Acquisition Acts 1899 to 1923 within such period not exceeding thirty years from the date of the advance as may be agreed upon between the Corporation and such purchaser or lessee.

(3) The repayment may be made either by equal instalments of principal or by an annuity of principal and interest combined and all payments on account of principal and interest shall be made at such periods not exceeding half a year as may be agreed between the said purchaser or lessee and the Corporation.

(4) Any such purchaser or lessee to whom an advance has been made may at any of the usual quarter days after one month's written notice and on paying all sums due on account of interest repay to the Corporation the whole of the outstanding principal of the advance or any part thereof being one hundred pounds (or such less sum as may be provided in the instrument hereinafter referred to) or a multiple of one hundred pounds (or of such less sum as aforesaid) and where the repayment is made by an annuity of principal and interest combined the amount so outstanding and the amount by which the annuity will be reduced where a part of the advance shall be paid off shall be determined by a table to be annexed to the instrument securing the repayment of the advance.

(5) Before making any advance under this section the Corporation shall be satisfied that the repayment to them of the advance is secured by a mortgage of the building in respect of the erection of which the advance is made and of the land upon which such building is to be erected or the lessee's interest therein to the Corporation subject to the right of redemption by the said purchaser or lessee and requiring the said purchaser or lessee to keep the building insured against fire to the satisfaction of the Corporation and to produce the receipts for the premium paid in respect of such insurance to the Corporation when required by them and to keep the building in good repair.



(6) The Corporation shall have power to enter the building in respect of the erection of which any advance is made by them by any person authorised by them in writing for the purpose at all reasonable times for the purpose of ascertaining whether the conditions of this section and of the instrument aforesaid are complied with.

A.D. 1930.

(7) The said purchaser or lessee may with the permission of the Corporation (which permission shall not be unreasonably withheld) at any time transfer his interest in the building in respect of which such advance is made and the land upon which the same is erected but any such transfer shall be made subject to the foregoing provisions of this section.

**98.**—(1) So long as any lands remain to be acquired by the Corporation under the authority of this Act they may so far as they consider necessary apply any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this or any other Act and such application shall be in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister.

Proceeds of  
sale of  
surplus  
lands.

(2) Provided that—

- (a) the amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by or under this Act for the purpose of such purchase;
- (b) the borrowing powers conferred by or under this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

**99.**—(1) So soon as the Corporation shall have acquired the lands referred to in paragraph (c) of sub-section (1) of the section of this Act of which the marginal note is "Power to take lands" or the rights attached to the said lands of diverting and using the waters of the

Stopping  
up of  
Mill Fleam.

A.D. 1930. — river Tame or any tributary of the said river the Corporation may stop up and remove the intake and any other works by which water is taken into the Mill Fleam from the said river. The said lands shall include all the rights and interests of the lessees as defined in the said section of in and to the full flow of water along the Mill Fleam.

(2) The Corporation may by agreement purchase any other rights and interests of any person or persons in the course of the Mill Fleam.

Purchase  
and  
stopping up  
of canal  
basins &c.

**100.** The Corporation may by agreement with the Company of Proprietors of the Birmingham Canal Navigations (in this section referred to as "the canal company") acquire and the canal company may sell to the Corporation the Newtown Bridge Stafford Road and the Hay Head Bridge Longwood Lane of the canal company in the borough. When the Corporation shall have acquired those bridges in pursuance of any such agreement they may stop up the canal arms of the canal company under the said bridges and upon such stopping up taking place the canal company may abandon or discontinue the canal arms and sell the sites thereof and all statutory rights of navigation upon and user of the canal arms shall thereupon cease and be extinguished and the canal company shall by virtue of this Act be released from all duties and obligations to maintain the canal arms as part of their undertaking.

Sanction  
of Anson  
pumping  
station  
and water  
pipes con-  
nected  
therewith.

**101.** Notwithstanding the covenant contained in a conveyance from the Right Honourable Orlando George Charles Earl of Bradford to the Corporation dated the thirteenth day of February eighteen hundred and eighty-five to the effect that the land on which Reedswood Park is situate should at all times remain unbuilt upon (with the exceptions named in that conveyance) the erection and construction and the permanent retention of the building known as the Anson pumping station in and at or near the south-westerly boundary of Reedswood Park and the lines of water pipes through Reedswood Park aforesaid connecting that pumping station with the Birchills generating station of the West Midlands Joint Electricity Authority and the electric lines placed by the West Midlands Joint Electricity Authority under Reedswood Park aforesaid are hereby sanctioned and confirmed and the West Midlands Joint Electricity Authority are hereby



authorised at any time and from time to time hereafter subject to the consent of the Corporation being first obtained to place under Reedswood Park aforesaid any electric lines they may require so to place. A.D. 1930.

**102.** Notwithstanding anything in this Act contained the Corporation shall not acquire any interest of the London Midland and Scottish Railway Company in any land or property lying to the west of the red line on the plan signed by John Taylor on behalf of the Corporation and Alexander Newlands on behalf of the said company without the consent in writing of that company. For further protection of London Midland and Scottish Railway Company.

PART V.

FINANCIAL AND MISCELLANEOUS PROVISIONS.

**103.**—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment of the said sums and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation and they shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act and of any enactment incorporated therewith or applied thereto shall respectively be “the prescribed period”) mentioned in the third column of the said table (namely):— Power to borrow.

1	2	3
Purpose.	Amount.	Period for repayment.
(a) Acquisition of tramways - - -	£ The sum requisite.	Fifteen years from the date or dates of borrowing.
(b) Removal of tramways and reconstruction and reinstatement of roads.	4,700	Twenty-five years from the date or dates of borrowing.
(c) Acquisition of lands - - -	75,000	Sixty years from the date or dates of borrowing.
(d) Costs of Act - - - - -	The sum requisite.	Five years from the passing of this Act.

[Ch. clxx.] *Walsall Corporation* [20 & 21 GEO. 5.]  
Act, 1930.

A.D. 1930.

(2) (a) The Corporation may also borrow with the consent of the Minister of Transport such further moneys as may be necessary for any of the purposes of Part III (Tramways omnibuses and traffic provisions) of this Act and with the consent of the Minister such further moneys as may be necessary for any of the other purposes of this Act.

(b) Any moneys borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister with whose consent the moneys are borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(c) In order to secure the repayment of any moneys borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

Incorporation of financial provisions of Acts of 1900 and 1919.

**104.** The following provisions of the Act of 1900 and the Act of 1919 are incorporated with this Act and shall extend and apply thereto as if those sections with any necessary modifications were set out in this Act (namely):—

The Act of 1900—

- Section 59 (Mode of raising money);
- Section 62 (Mode of payment off of money borrowed);
- Section 63 (Sinking fund);
- Section 65 (Protection of lender from inquiry);
- Section 66 (Corporation not to regard trusts);
- Section 67 (Appointment of receiver);
- Section 71 (Application of money borrowed);
- Section 72 (Expenses of execution of Act);
- Section 73 (Separate accounts to be kept and audited).

The Act of 1919—

- Section 20 (Provisions of Public Health Act 1875 as to mortgages to apply).

Inquiries by Minister of Transport.

**105.** In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or Order of the Corporation the provisions of Part I



of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board." A.D. 1930.

**106.**—(1) (a) No tent van shed or similar structure used or intended to be used for human habitation shall be placed or kept on any land situate within the borough without the previous approval of the Corporation. Prohibition of tents vans &c.

(b) It shall not be lawful for any person without the previous consent of the Corporation to let or permit to be used any land for occupation by any tent van shed or similar structure used or intended to be used for human habitation unless and until such land is provided with sufficient roads and sewers and furnished with a separate supply of water to the satisfaction of the Corporation.

(2) Any person aggrieved by the withholding by the Corporation of any approval or consent under the provisions of this section may within twenty-one days from the date of the decision of the Corporation appeal to a court of summary jurisdiction and such court may make such order in the premises and on such terms and conditions as to the court may seem just. The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(3) This section shall not apply to (a) a tent van shed or similar structure unless it is used or intended to be used by the occupier as a sole or principal means of habitation for an unbroken period of at least three months or (b) any person dwelling in a tent or van or other similar structure who is a roundabout proprietor travelling showman or stallholder travelling with a travelling show not being a pedlar or hawker.

(4) Any person offending against the provisions of this section shall be liable to a penalty of five pounds and to a daily penalty not exceeding twenty shillings.

**107.** Any ashpits existing at the date of this Act shall if required by the Corporation and to their reasonable approval be converted by the owner of the premises upon which the same exist into a receptacle in which the dustbin or dustbins provided in respect of As to ashpits.

A.D. 1930. such premises shall be placed and one-half of the reasonable cost of such conversion shall be repaid to the owner by the Corporation.

Crown  
rights.

**108.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of  
Act.

**109.** 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 general rate fund and general rate or out of moneys to be borrowed under the authority of this Act for that purpose.



The SCHEDULES referred to in the  
foregoing Act.

A.D. 1930.

**THE FIRST SCHEDULE.**

**PART I.—LOCAL ACTS.**

Session and chapter.	Short title.
39 & 40 Vict. c. cxix.	- The Walsall Gas Purchase and Borough Extension Act 1876.
53 & 54 Vict. c. cxxx.	- The Walsall Corporation Act 1890.
63 & 64 Vict. c. cclxxxvii.	The Walsall Corporation Act 1900.
4 & 5 Geo. 5. c. clx.	- The Walsall Corporation Act 1914.
9 & 10 Geo. 5. c. cxviii.	- The Walsall Corporation Act 1919.
15 & 16 Geo. 5. c. cxxii.	- The Walsall Corporation Act 1925.

**PART II.—CONFIRMATION ACTS.**

Session and chapter.	Short title.	Order thereby confirmed.
43 & 44 Vict. c. clxxiii.	Tramways Orders Confirmation (No. 2) Act 1880.	The Walsall and District Tramways Order 1880.
45 & 46 Vict. c. ci.	Tramways Orders Confirmation (No. 3) Act 1882.	The Walsall and District Tramways Order 1882.
45 & 46 Vict. c. lxii.	Local Government Board's Provisional Orders Confirmation (No. 4) Act 1882.	The Walsall Corporation (Loans) Order 1882.
47 & 48 Vict. c. lxxx.	The Tramways Orders Confirmation (No. 2) Act 1884.	The Walsall and District Tramways Order 1884.
58 & 59 Vict. c. lxxxviii.	Local Government Board's Provisional Orders Confirmation (No. 8) Act 1895.	The Walsall Order 1895.
9 Edw. 7. c. cxviii.	Local Government Board's Provisional Orders Confirmation (No. 2) Act 1909.	The Walsall Order 1909.
19 & 20 Geo. 5. c. xxi.	Ministry of Health Provisional Order Confirmation (No. 5) Act 1929.	The Walsall Order 1929.

A.D. 1930.

THE SECOND SCHEDULE.

HEADS OF AGREEMENT BETWEEN WALSALL  
WEST BROMWICH AND WEDNESBURY CORPORATIONS.

1. In these heads—

“The West Bromwich agreement” means the agreement set forth in the Third Schedule to the West Bromwich Corporation Act 1930;

“Tramway A” means the tramway referred to in subsection (1) of the section of this Act of which the marginal note is “Purchase of tramways in the borough of Wednesbury and the urban district of Darlaston;”

“Tramway B” means the tramway referred to in subsection (2) of the said section;

“Tramway C” means the tramway described in the section of this Act of which the marginal note is “Power to purchase tramway between the Bull Stake and the White Horse inn;”

“Tramway D” means the tramway commencing at the Dartmouth Arms inn and terminating at the boundary of the parish of Tipton on Lea Brook Road adjacent to Wednesbury;

“Tramway E” means the tramway commencing at the White Horse inn and terminating at the boundary of the borough of West Bromwich adjacent to Wednesbury at Bridge Street;

“The tramways” means tramways A B C D and E;

“The lessee company” means the South Staffordshire Tramways (Lessee) Company Limited;

“The lease” means the lease of the tramways B C D and E and another tramway granted on the third day of May 1906 by the Wednesbury Corporation to the lessee company.

2. The purchase money of £15,000 under the West Bromwich agreement shall be apportioned as follows:—

	£
As to tramways A B and C - - - -	14,023
As to tramways D and E - - - -	977

3. The consideration for the conveyance of the tramways from the Wednesbury Corporation to the Corporation and the West Bromwich Corporation and for their consent to the assignment of the lease shall be an annual payment of £1,091 per



annum which shall be made to the Wednesbury Corporation (in lieu of the present rental paid by the lessee company) until all the tramways are discontinued and after such discontinuance until the 31st December 1958 the amount of such annual payment shall be £1,000 per annum.

A.D. 1930.

Such annual payments shall be made by the Corporation and the West Bromwich Corporation in the proportions of 14023 to 977.

4. The Corporation shall run omnibuses along the routes of tramways A B and C as soon as practicable and in any case not later than the date of the discontinuance of such tramways.

5. If and when the West Bromwich Corporation abandon and remove their tramway from Carters Green or from the boundary between Birmingham and West Bromwich to the White Horse they shall have power to run omnibuses from the point of discontinuance to the Bull Stake. If and when the West Bromwich Corporation exercise such power then the Corporation shall have a corresponding power to run omnibuses from the Bull Stake to the point of discontinuance.

6. As from the time when the joint service mentioned in paragraph 5 hereof is instituted the Corporation shall take all the receipts in respect of tramway C and the West Bromwich Corporation shall take all the receipts in respect of the route between the White Horse and such point of discontinuance.

7. No less frequent service shall be given on the routes of tramways A B and C than at present exists subject to strike accidents or other circumstances beyond the control of the Corporation.

8. Workmen's fares in respect of the tramcars and omnibuses on the routes of tramways A B and C shall be one halfpenny per mile or fraction of a mile subject to revision by the Minister of Transport. Other fares on the said routes to be subject to the reasonable approval of the Wednesbury Corporation with an appeal to the Minister of Transport.

9. Clause 33 of the lease (purchase by Corporation of equipment on expiration of the lease) shall be cancelled and determined.

10. Subject to paragraph 5 hereof running powers for omnibuses on the routes of tramways A B and C shall not be granted by the Corporation except with the consent of the Wednesbury Corporation such consent not to be unreasonably withheld.

11. The Corporation shall erect three passengers' shelters in Wednesbury one at or near the White Horse one at or near High Bullen and a third in a situation to be approved by the

[Ch. clxx.] *Walsall Corporation* [20 & 21 GEO. 5.]  
*Act, 1930.*

A.D. 1930. — Wednesbury Corporation the cost of first-named shelter to be equally divided between the Corporation and the West Bromwich Corporation.

12. The Corporation shall hand over to the Wednesbury Corporation without payment any tramway standards in situ which the latter may require for street lighting purposes.

13. Stopping places in the routes in the borough of Wednesbury operated by the Corporation shall be subject to the reasonable approval of the Wednesbury Corporation.

14. These heads of agreement are made subject to such alterations as Parliament may think fit to make therein but if the Committee of either House of Parliament on the Bill make any material alteration herein it shall be competent to any party to withdraw these heads of agreement.

HERBERT LEE

Town Clerk Walsall for and on behalf of the  
Walsall Corporation.

ALFRED WICKHAM

Town Clerk West Bromwich for and on behalf of  
the West Bromwich Corporation.

N. P. LESTER

Town Clerk Wednesbury for and on behalf of the  
Wednesbury Corporation.

11th April 1930.

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THE THIRD SCHEDULE.

LIST OF PROPERTIES OF WHICH PART ONLY MAY  
BE TAKEN.

Borough.	Number on deposited plans.
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Printed by EYRE and SPOTTISWOODE, LTD.,

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