



CHAPTER cxiii.

An Act to authorise the mayor aldermen and citizens of the city of Nottingham and county of the same city to construct tramways to provide and work a trolley vehicle system to provide and work motor omnibuses and for other purposes. A.D. 1913.
[15th August 1913.]

WHEREAS the mayor aldermen and citizens of the city of Nottingham and county of the same city (in this Act referred to as "the Corporation") are the owners of and work an extensive system of tramways within the city and it is expedient to empower the Corporation to construct and work the additional tramways described in this Act :

And whereas by the Nottinghamshire and Derbyshire Tramways Act 1903 the Nottinghamshire and Derbyshire Tramways Company were empowered to construct certain tramways within and adjoining the city and to construct certain street improvements in connection therewith and the periods limited by that Act for purchasing the land for the same and for completing the works were extended by the Nottinghamshire and Derbyshire Tramways Act 1906 :

And whereas by the Nottinghamshire and Derbyshire Tramways Act 1908 the said periods were further extended and the powers of the said company with regard to certain of the said tramways were transferred to and vested in the Corporation and the Corporation were also authorised to construct certain further tramways in connection therewith and the said company were authorised to acquire the necessary lands for certain further street widenings and the Corporation were to carry out the said widenings when the land had been so acquired and by the Nottinghamshire and Derbyshire Tramways Act 1911 the periods for purchasing all the said lands and

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A.D. 1913. — completing all the said works except those authorised by the Act of 1908 were extended:

And whereas it is expedient further to extend the periods for the purchase of all the said lands and the completion of all the said works as by this Act provided:

And whereas it is expedient to authorise the Corporation within the city to provide and run motor omnibuses and to provide and work within the city vehicles moved by electrical power transmitted thereto from some external source and to confer upon the Corporation all necessary powers with regard thereto:

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 by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

- | | |
|---|--------|
| (a) For and in connection with the construction | £ |
| of the tramways authorised by this Act - | 19,250 |
| (b) For the provision of rolling stock for such | |
| tramways and for the existing tramways | |
| of the Corporation - - - - - | 14,600 |
| (c) For the provision of the motor omnibuses | |
| and trolley vehicles authorised by this | |
| Act - - - - - | 17,500 |
| (d) For electrical equipment and the construction | |
| of other works necessary for the existing | |
| tramways of the Corporation and the | |
| tramways and trolley vehicles authorised by | |
| this Act - - - - - | 10,000 |
| (e) For the purchase of lands for the purposes of | |
| the motor omnibuses and trolley vehicles | |
| authorised by this Act - - - - - | 900 |
| (f) For the construction of buildings for the | |
| purposes of the motor omnibuses and | |
| trolley vehicles authorised by this Act - | 3,000: |

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

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 and the approval of the Local Government Board has been obtained: A.D. 1913.

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the peace for the county of Nottingham and for the city and county of the city of Nottingham respectively and are in this Act respectively referred to as the deposited plans sections and books of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 Nottingham Corporation Act 1913. Short title.

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

Part I.—Preliminary.

Part II.—Tramways.

Part III.—Motor Omnibuses and Trolley Vehicles.

Part IV.—Financial and Miscellaneous.

Division of
Act into
Parts.

3. The following Acts and parts of Acts so far as they 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 namely:— Incorporation of Acts.

The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845):

Section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 Provided that section 19 shall in regard to its incorporation with this Act be read and have effect as if the words “but

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“ nothing in this Act contained shall authorise any local
“ authority to place or run carriages upon such tramway
“ and to demand and take tolls and charges in respect of
“ the use of such carriages ” were omitted from that
section.

Interpreta-
tion.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts shall have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act unless the context otherwise requires—

The expressions “ the Corporation ” “ the city ” “ the council ” “ the town clerk ” “ the district fund ” and “ the general district rate ” have the meanings assigned to them respectively by section 3 (Interpretation) of the Act of 1905 ;

“ The Order of 1877 ” “ the Act of 1897 ” “ the Act of 1899 ” “ the Act of 1900 ” “ the Act of 1902 ” “ the Act of 1905 ” and “ the Act of 1910 ” mean respectively the Nottingham and District Tramways Order 1877 the Nottingham Improvement Act 1897 the Nottingham Corporation Act 1899 the Nottingham Corporation Act 1900 the Nottingham Corporation Act 1902 the Nottingham Corporation Act 1905 and the Nottingham Corporation Act 1910 ;

“ The Act of 1903 ” means the Nottinghamshire and Derbyshire Tramways Act 1903 “ the Act of 1906 ” means the Nottinghamshire and Derbyshire Tramways Act 1906 “ the Act of 1908 ” means the Nottinghamshire and Derbyshire Tramways Act 1908 and “ the Act of 1911 ” means the Nottinghamshire and Derbyshire Tramways Act 1911.

PART II.

TRAMWAYS.

Power to
make tram-
ways.

5. Subject to the provisions of this Act the Corporation may make form lay down work use and maintain the tramways (all within the city) hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans

and sections with all proper rails plates sleepers electric lines junctions turntables turnouts crossings passing-places posts conduits boxes manholes sheds buildings works and conveniences connected therewith respectively. A.D. 1913.

The tramways referred to in this section and authorised by this Act are—

Tramway No. 1 (double line 1 mile 1 furlong and 2·30 chains in length) wholly in Derby Road commencing by a junction with an existing tramway of the Corporation in that road opposite a point on the south wall of the premises of Boots Cash Chemists (Eastern) Limited 112 feet or thereabouts measured in an easterly direction from the intersection of the lines if produced of the south side of Wollaton Street and the north side of Derby Road thence proceeding in a south-westerly direction to and terminating at the eastern end of the bridge carrying Derby Road over the River Leen :

Tramway No. 2 (double line 2·32 chains in length) commencing in Derby Road by a junction with Tramway No. 1 opposite a point on the north side of that road 66 feet or thereabouts measured in a north-easterly direction from the intersection of the lines if produced of the north side of Derby Road and the east side of Lenton Boulevard thence proceeding in a north-westerly direction to and terminating in Lenton Boulevard by a junction with an existing tramway of the Corporation in that road opposite a point on the east side of that road 53 feet or thereabouts measured in a northerly direction from the intersection of the lines if produced of the north side of Derby Road and the east side of Lenton Boulevard :

Tramway No. 3 (double line 1·56 chains in length) commencing in Derby Road by a junction with Tramway No. 1 opposite a point on the south side of Derby Road 45 feet or thereabouts measured in a north-easterly direction from the intersection of the lines if produced of the south side of Derby Road and the east side of Lenton Boulevard thence proceeding in a south-westerly direction to and terminating in Lenton Boulevard by a junction with an existing tramway of the Corporation in that road opposite a point on the east side of Lenton Boulevard 28 feet or thereabouts measured in a southerly direction from the intersection of the lines if produced

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of the south side of Derby Road and the east side of Lenton Boulevard :

Tramway No. 4 (double line 1·97 chains in length) commencing in Lenton Boulevard by a junction with an existing tramway of the Corporation in that road opposite a point on the west side of that road 49 feet or thereabouts measured in a southerly direction from the intersection of the lines if produced of the west side of Lenton Boulevard and the south side of Derby Road thence proceeding in a north-westerly direction to and terminating in Derby Road by a junction with Tramway No. 1 opposite a point on the south side of that road 54 feet or thereabouts measured in a south-westerly direction from the intersection of the lines if produced of the west side of Lenton Boulevard and the south side of Derby Road.

Period for completion of works.

6. The tramways authorised by this Act shall be completed within seven years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Works to form part of tramway undertaking of Corporation.

7.—(1) The tramways authorised by this Act and the works connected therewith shall for all purposes form part of the tramway undertaking of the Corporation and the provisions of the Order and Acts hereinafter mentioned and of the enactments incorporated therewith respectively and any byelaws and regulations made in pursuance thereof respectively so far as such provisions byelaws and regulations are not inconsistent with the provisions of this Act shall extend and apply to the said tramways and works as if they had formed part of the tramways and works authorised by the said Acts Provided that nothing contained in this section shall prevent any rescission revocation amendment or variation of the said byelaws and regulations.

(2) The Order and Acts hereinbefore referred to are—

The Nottingham and District Tramways Order 1877;
The Nottingham Improvement Act 1897;
The Nottingham Corporation Act 1899;
The Nottingham Corporation Act 1900;

The Nottingham Corporation Act 1902;

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The Nottingham Corporation Act 1905; and

The Nottingham Corporation Act 1910:

Provided that in the exercise of the powers conferred on the Corporation by the said Order and Acts with reference to the tramways authorised by this Act no post or other apparatus shall be erected on the carriageway except with the consent of the Board of Trade.

8. The period limited by section 16 (Period for compulsory purchase of lands) of the Act of 1903 as extended by the Act of 1906 the Act of 1908 and the Act of 1911 for the purchase of lands for street improvements in connection with the tramways authorised by the Act of 1903 the power to construct which is transferred to the Corporation by the Act of 1908 and the period limited by section 18 (Period for compulsory purchase of lands) of the Act of 1908 as extended by the Act of 1911 for the purchase of lands for the tramroad and for street improvements in connection with the tramways authorised by the Act of 1908 are hereby extended until the expiration of three years from the passing of this Act.

Extension of
time for pur-
chase of
lands.

9.—(1) The period limited by section 21 (Period for completion of tramways) of the Act of 1903 as extended by the Act of 1906 the Act of 1908 and the Act of 1911 for the construction of the tramways authorised by the Act of 1903 the power to construct which is transferred to the Corporation by the Act of 1908 is hereby extended until the expiration of five years from the passing of this Act except that the period limited for the completion of so much of Tramway No. 33A as has not been constructed and Tramway No. 34 both authorised by the Act of 1903 is hereby extended until the expiration of three years only from the passing of this Act.

Extension of
time for con-
struction of
tramways
and street
works.

(2) The period limited by section 9 (Period for completion of street widenings and works) of the Act of 1903 as extended by the Act of 1906 the Act of 1908 and the Act of 1911 for the construction of the street works authorised by the Act of 1903 the power to construct which is transferred to the Corporation by the Act of 1908 is hereby also extended until the expiration of five years from the passing of this Act.

(3) The power to construct the tramways and tramroad and street works authorised by the Act of 1908 is hereby revived

A.D. 1913. — and the said works shall be completed within five years from the passing of this Act and on the expiration of that period the said power shall cease except as to so much of the said works as shall then be completed.

PART III.

MOTOR OMNIBUSES AND TROLLEY VEHICLES.

Power to
provide and
run motor
omnibuses.

10.—(1) The Corporation may provide (but shall not manufacture) and may run motor omnibuses within the city and may demand and take such reasonable fares and charges for the conveyance of passengers therein as may be approved by the Board of Trade and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such motor omnibuses.

(2) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisance in or upon their motor omnibuses. Provided that any such byelaw shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(3) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

(4) The Corporation shall perform in respect of the motor omnibuses provided under this section all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

(5) In this section the expression "motor omnibus" means any carriage moved by mechanical power including in that expression steam electrical and every other motive power not being animal power.

(6) The undertaking authorised by this section shall be deemed to form part of the tramway undertaking of the Corporation. Provided that in the accounts of the Corporation relative to their tramway undertaking the receipts and expenditure upon and in connection with motor omnibuses shall (as far as may be reasonably practicable) be distinguished from the receipts and expenditure in connection with the remainder of such undertaking.

11. The Corporation may provide maintain and equip but shall not manufacture mechanically propelled vehicles adapted for use upon roads and moved by electrical power transmitted thereto from some external source (in this Act called "trolley vehicles") and may use the same upon the route hereinafter mentioned and may place erect and maintain in under and along the streets and roads forming such route cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working trolley vehicles and may supply electrical energy by means of such apparatus and equipment for that purpose.

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Power to provide and work vehicles moved by electricity.

The route hereinbefore referred to is as follows:—

From a point in the Market Place on Beastmarket Hill one hundred and thirty feet or thereabouts north-west of the north-west side of Friar Lane along Beastmarket Hill the Market Place Wheeler Gate St. Peter's Square Albert Street Lister Gate Carrington Street and Arkwright Street to its junction with London Road.

12. Trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any provisions of the Motor Car Act 1903 (except subsection (1) of section 1 of that Act and the provisions necessary for enforcing that subsection) and subject to that exception neither that Act nor the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to trolley vehicles.

Vehicles not to be deemed light locomotives or motor cars.

13. Trolley vehicles and the electrical equipment thereof shall be of such form construction and dimensions as the Board of Trade may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Board of Trade and no such vehicle (including the weight of its load) shall exceed a weight of five tons.

Approval of vehicles by Board of Trade.

14.—(1) Trolley vehicles may be used for the carriage of passengers and of parcels not exceeding twenty-eight pounds in weight.

Fares rates and charges.

(2) The Corporation may demand and take in respect of the carriage of passengers upon the trolley vehicles fares rates and charges not exceeding the fares rates and charges which the Corporation could have charged under section 22 of the Act of

A.D. 1913. 1899 if the trolley vehicles had been carriages upon the tramways referred to in that section.

(3) The Corporation may demand and take in respect of the carriage of parcels upon the trolley vehicles rates or charges not exceeding the rates and charges which the Corporation could have charged for the carriage of parcels under section 22 of the Order of 1877 if the trolley vehicles had been carriages upon the tramways referred to in that section.

Board of
Trade may
authorise
trolley vehi-
cles.

15.—(1) If at any time hereafter the Corporation desire to provide maintain equip and use within the city trolley vehicles upon any road as defined by the Tramways Act 1870 they may make application to the Board of Trade and the Board of Trade shall be and they are hereby empowered to make a Provisional Order authorising the use of trolley vehicles upon any road or roads to which such application relates and also empowering the Corporation to place erect and maintain in under and along such road cables wires posts poles and any other necessary or convenient apparatus or equipment for the purpose of working the trolley vehicles and to supply electrical energy by means of such apparatus for that purpose And any such Provisional Order may vary or modify or render inapplicable provisions of the Locomotives on Highways Act 1896 the Locomotives Act 1898 and the Motor Car Act 1903 or any enactments incorporated therein or byelaws or regulations made thereunder respectively.

(2) No such application shall be entertained by the Board of Trade unless the Corporation shall—

(a) Have published once in each of two successive weeks in the months of October or November in some newspaper or newspapers circulating in the city notice of their intention to make such application and have published once in one or other of the same months the like notice in the London Gazette;

(b) Have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the several streets or roads to which such application relates a notice of their intention to make such application:

And each such notice shall state the time and method for bringing before the Board of Trade any objections to the grant of such application.

(3) The Board of Trade may and they are hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section. A.D. 1913.

(4) The Board of Trade shall consider any such application and may if they think fit direct an inquiry to be held in the city in relation thereto or may otherwise enquire as to the propriety of proceeding upon such application and they shall consider any objection to such application that may be lodged with them in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) In any case where it shall appear to the Board of Trade expedient and proper that the application be granted they may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this Part of this Act shall not have any operation.

(6) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a select committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act:

The Act of Parliament confirming a Provisional Order under this Act shall be deemed a public general Act.

(7) The making of a Provisional Order under this section shall be *prima facie* evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(8) Any expenses incurred by the Board of Trade in connection with the preparation and making of any such Provisional Order and any expenses incurred by the Board of Trade in connection with any inquiry under this section shall be paid by the Corporation.

16.—(1) The following provisions of the enactments relating to the tramway undertaking of the Corporation shall so far as

Application
of provisions
of enact-

A.D. 1913. applicable extend and apply to and for the purposes of the working of trolley vehicles as if those provisions were with all necessary modifications re-enacted in this Part of this Act. Provided that in the application of such provisions the same shall be read and have effect as if trolley vehicles were carriages used on the tramways of the Corporation.

ments relat-
ing to tram-
way under-
taking of
Corporation.

The provisions hereinbefore referred to are—

THE ORDER OF 1877.

Section 23 (Promoters not bound to carry goods);

Section 24 (Payment of tolls);

Section 25 (Provisions as to arbitration);

So much of Table B contained in the schedule to the said Order as relates to tolls for small parcels.

THE ACT OF 1897.

Section 42 (Provisions as to motive power);

Section 43 (Construction of electric works);

Section 44 (Restriction on use of electric power);

Section 46 (Byelaws);

Section 47 (Amendment of the Tramways Act 1870 as to byelaws of local authority);

Section 48 (Orders &c. of Board of Trade);

Section 50 (Prohibiting the raising of fares on Sundays and holidays).

THE ACT OF 1899.

Section 20 (Tramways not to be opened until certified by Board of Trade);

Section 23 (Passengers' luggage);

Section 24 (Form and delivery of notices);

Section 48 (Application of revenue).

THE ACT OF 1900.

Section 16 (Attachment of brackets to buildings).

THE ACT OF 1902.

Section 11 (Corporation may appoint stopping and starting places);

Section 12 (Power to fix stages);

Section 13 (Cheap fares for labouring classes);

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Section 16 (For protection of Postmaster-General).

THE ACT OF 1905.

Section 5 (Supply of energy from electricity works);

Section 6 (As to electrical works &c.);

Section 7 (Apparatus used for mechanical power to be deemed part of tramway);

Section 14 (Regulations by Corporation);

Section 17 (Periodical revision of rates and charges);

Section 18 (As to running through cars and charges for the same);

Section 20 (Penalty for malicious damage).

(2) The trolley vehicle undertaking authorised by this Part of this Act shall be deemed to form part of the tramways undertaking of the Corporation. Provided that in the accounts of the Corporation relative to their tramway undertaking the receipts and expenditure upon and in connection with trolley vehicles shall (as far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connection with the remainder of such undertaking.

17.—(1) The powers and provisions contained in section 11 (Use of tramway posts by Postmaster-General) of the Act of 1910 shall apply to any posts standards or brackets erected in connection with the trolley vehicles provided under this Act.

For protection of Postmaster-General.

(2) The Corporation shall perform in respect of the trolley vehicles provided under this Act all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

18. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles as carriages or light locomotives or hackney carriages.

Duties on licences for trolley vehicles.

19.—(1) Where any tree overhangs any highway along which trolley vehicle or motor omnibus routes which may in any way interfere with the construction or working of the trolley wires or with the clear and safe passage of the trolley vehicles or motor omnibuses and the passengers thereon the Corporation

Trees overhanging highways.

A.D. 1913. — may serve a notice on the owner of the tree or on the occupier of the premises on which such tree is growing requiring him to lop the tree within seven days so as to prevent such obstruction or interference and in default of compliance the Corporation may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

(3) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this section.

Shelters or
waiting-
rooms.

20. The Corporation may erect and maintain within the city sheds or shelters or waiting-rooms for the accommodation of passengers and of the Corporation's servants on the motor omnibus and trolley vehicle routes and may use for that purpose portions of the public streets or roads:

Provided always that the Corporation shall not erect or maintain any sheds shelters or waiting-rooms so as to interfere with or render less convenient the access to or exit from any station belonging or leased to or under the management of any railway company except with the consent in writing of such company.

Penalty for
malicious
damage.

21. If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of any of the trolley vehicles anything which is calculated to obstruct or interfere with the working of such trolley vehicles or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence shall be liable to a penalty not exceeding twenty pounds.

For protec-
tion of Great
Northern
Railway
Company.

22. For the protection of the Great Northern Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company be observed and have effect (that is to say):—

- (1) The motor omnibuses by this Act authorised shall not be used for the carriage of animals minerals or goods other than parcels not exceeding twenty-eight pounds in weight and other than personal luggage carried by passengers : A.D. 1913.
- (2) The Corporation shall not in any manner in the execution maintenance failure or user of any of the works authorised by this Part of this Act obstruct or interfere with the free uninterrupted and safe user of any canal or other work of the company or any traffic thereon :
- (3) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company by reason of the execution maintenance failure or user of any of the works authorised by this Part of this Act or by or by reason of any act default or omission of the Corporation or their contractors (or any person in the employment of the Corporation or their contractors) with reference thereto or otherwise and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission.

23. The following provisions for the protection of the Great Central Railway Company (in this section referred to as “the Great Central Company”) shall unless otherwise agreed between the Corporation and the Great Central Company in writing apply and have effect (that is to say) :—

For protec-
tion of Great
Central
Railway
Company.

- (1) In this section the word “apparatus” includes posts brackets electric wires conductors apparatus and any similar appliances to be used as or for the purposes of a motive power for the trolley vehicles and includes also any subways tunnels tubes openings excavations channels and pipes for the purposes of such apparatus :
- (2) All works by this Part of this Act authorised where the same shall be made across or under any bridge or other work belonging to or maintainable by the Great Central Company or will otherwise affect the same shall be executed so as not to interfere with the

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structure of any such bridge or other work and according to plans and specifications to be previously submitted to and approved by the Great Central Company or in case of difference between them and the Corporation by an arbitrator to be appointed as hereinafter provided All such work shall be executed and thereafter maintained according to the plans and specifications so approved and under the superintendence and to the satisfaction of the Great Central Company The Corporation shall so construct maintain and use the said apparatus as not to injuriously affect any such bridge or other work and in the event of any injury being occasioned to such bridge or work by the construction maintenance user or removal of the said apparatus across or under the same the Great Central Company may make good the injury and may recover from the Corporation the reasonable expenses of so doing :

- (3) The Corporation shall not in any manner in the execution maintenance user or repair of any of their said apparatus obstruct or interfere with the free uninterrupted and safe user of any railway or other work belonging to the Great Central Company or any traffic thereon :
- (4) The Corporation shall be responsible for and make good to the Great Central Company all losses damages and expenses which may be occasioned to the Great Central Company or any of their works or property or to the traffic on their railways or to any company or person using the same by or by reason of the execution or failure of any of the said apparatus or by or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractors for the intended works or any part thereof and the Corporation shall effectually indemnify and hold harmless the Great Central Company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission :
- (5) The Corporation shall from time to time pay to the Great Central Company any additional expense which the Great Central Company may incur in effecting

any widening lengthening strengthening reconstructing altering repairing lifting or supporting or in maintaining any bridge or other work of the Great Central Company by reason of the existence or user of the trolley vehicles or any of the works or apparatus connected therewith :

- (6) No apparatus shall be affixed to any bridge or other property of the Great Central Company without their consent in writing which consent shall not be unreasonably withheld :
- (7) If and when the Great Central Company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be reasonably required by the engineer of the Great Central Company unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer :
- (8) If having regard to the proposed position of any works of the Corporation by this Part of this Act authorised when considered in relation to the position of the works of the Great Central Company at any point where the said apparatus will be constructed under the railway or other works of the Great Central Company it is advisable that the electric telegraphic telephonic or signal wires or apparatus of the Great Central Company shall be altered the Great Central Company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be borne by the Corporation :
- (9) If any difference arises under this section between the Corporation and the Great Central Company the same shall unless otherwise agreed be settled by an arbitrator to be appointed by the Board of Trade on the application of either party and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

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PART IV.

FINANCIAL AND MISCELLANEOUS.

Power to
borrow.

24.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all money so borrowed within the respective periods (each of which shall be “the prescribed period” for the purposes of the enactments incorporated herewith) mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period for repayment.
(a) For and in connection with the construction of the tramways authorised by this Act.	£ 19,250	Thirty years from the date or dates of borrowing.
(b) For the provision of rolling stock for such tramways and for the existing tramways of the Corporation.	14,600	Fifteen years from the date or dates of borrowing.
(c) For the provision of the motor omnibuses and trolley vehicles authorised by this Act.	17,500	Five years from the date or dates of borrowing.
(d) For electrical equipment and the construction of other works necessary for the existing tramways of the Corporation and the tramways and trolley vehicles authorised by this Act.	10,000	Twenty years from the date or dates of borrowing.
(e) For the purchase of lands for the purposes of the motor omnibuses and trolley vehicles authorised by this Act.	900	Sixty years from the date or dates of borrowing.
(f) For the construction of buildings for the purposes of the motor omnibuses and trolley vehicles authorised by this Act.	3,000	Thirty years from the date or dates of borrowing.
(g) For paying the costs charges and expenses of this Act as hereinafter provided.	The sum requisite.	Five years from the passing of this Act.

(2) The Corporation may also with the consent of the Board of Trade borrow such further money as may be necessary for any of the purposes of this Act:

Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Board of Trade and that period shall be the prescribed period for the purposes of the enactments incorporated herewith.

(3) In order to secure the repayment of the money borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge— A.D. 1913.

The revenue of the tramway undertaking of the Corporation and the district fund and general district rate or either of those securities :

Provided that the provisions of this subsection shall not limit the powers conferred upon the Corporation by section 25 (Power to use one form of mortgage for all purposes) of the Act of 1910.

25. The following sections of the Act of 1897 the Act of 1905 and the Act of 1910 are incorporated with this Act and shall extend and apply to and for the purposes of this Act as if those sections with the necessary modifications were set out in this Act (namely):—

Incorporation of further provisions from Acts of 1897 1905 and 1910.

ACT OF 1897.

- Section 25 (Certain regulations of Public Health Act as to borrowing not to apply);
- Section 26 (Mode of raising money);
- Section 27 (Provisions of Public Health Act as to mortgages to apply);
- Section 29 (Mode of payment off of money borrowed);
- Section 30 (Sinking fund);
- Section 31 (Protection of lender from inquiry);
- Section 32 (Corporation not to regard trusts);
- Section 33 (Appointment of receiver);
- Section 35 (Annual return to Local Government Board);
- Section 36 (Application of money borrowed); and
- Section 37 (Inquiries by Local Government Board).

ACT OF 1905.

- Section 46 (Expenses of execution of Act);
- Section 62 (Recovery of penalties); and
- Section 64 (Audit of accounts).

ACT OF 1910.

- Section 26 (Application of section 265 of Public Health Act 1875).

A.D. 1913.
For protec-
tion of Mid-
land Rail-
way Com-
pany.

26. For the protection of the Midland Railway Company (in this section called "the Midland Company") the following provisions shall unless otherwise agreed apply and have effect:—

- (1) All works to be done by the Corporation in the exercise of the powers conferred by this Act in any way affecting the bridge or the approaches thereto carrying Derby Road over the Midland Railway at or near Lenton Station and the bridge carrying Carrington Street over the Midland Railway shall be done under the superintendence and to the reasonable satisfaction of the principal engineer for the time being of the Midland Company and according to plans (and if necessary sections) to be previously submitted to and reasonably approved by him:
- (2) The Corporation shall construct such works so as to cause no injury to the railway of the Midland Company or the said bridges or the approaches thereto or interruption to the passage or conduct of traffic over such railway and if in consequence of the execution of any such works any such injury or interruption be caused the Corporation shall make full compensation to the Midland Company:
- (3) If having regard to the proposed position of the works of the Corporation when considered in relation to the position of the works of the Midland Company at any point where the wires of the Midland Company pass over or under the tramway or the trolley vehicle route it is advisable that the electric telegraphic telephonic or signal wires or apparatus belonging to and maintainable by the Midland Company should be cabled or otherwise altered the Midland Company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be repaid to them by the Corporation:
- (4) The Corporation shall bear and on demand pay to the Midland Company the expense of the employment by that company during the execution of any of the said works affecting the said railway and bridges and approaches of a sufficient number of inspectors

watchmen and signalmen to be appointed by that company for watching and signalling the same with reference to and during the execution of any such work of the Corporation and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors: A.D. 1913.

- (5) In the event of any injury being caused to the said bridges and approaches or the said railway of the Midland Company by the construction maintenance and user or removal of such tramway or trolley vehicle system and works connected therewith the Midland Company may at the expense of the Corporation restore the same to as good a state and condition as they were in before such injury was occasioned and the Corporation shall indemnify the Midland Company against all sums costs and expenses which they may reasonably pay or be put to in repairing and maintaining so much of the road over such bridges and approaches as the Corporation are liable to maintain and repair:
- (6) The Corporation shall not for the purpose of electric traction make attachments to any part of the structure of the said bridges without the consent in writing of the principal engineer of the Midland Company such attachments if allowed to be in all respects subject to the approval of the said engineer and to be temporarily removed at any time when required by him in connection with the maintenance and reconstruction or alteration of the said bridges but not so as to interfere unnecessarily with the working of the tramway or trolley vehicle system as the case may be:
- (7) Any dispute or difference which may arise between the Midland Company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the Midland Company and the Corporation or either of them.

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A.D. 1913.
Judges not
disqualified.

27.—(1) A judge of any court or a justice shall not be disqualified for acting in the execution of the Act of 1905 the Act of 1910 or this Act by reason of his being liable to any rate.

(2) Section 63 (Judges not disqualified) of the Act of 1905 and so much of section 22 (Incorporation of further provisions from Acts of 1897 and 1905) of the Act of 1910 as incorporates that section are hereby repealed.

Power to
purchase
additional
lands by
agreement
and to appro-
priate lands.

28.—(1) The Corporation may by agreement purchase take on lease acquire and hold for the purposes of this Act any additional lands not exceeding in the whole ten acres.

(2) The Corporation may with the consent of the Local Government Board appropriate and use for any of the purposes of this Act any lands for the time being vested in them Provided that any lands vested in them for the purposes of the Education Acts 1870 to 1911 shall only be so appropriated and used in accordance with the provisions of the Education (Administrative Provisions) Act 1909.

(3) The Corporation on any lands acquired or appropriated by them under this section may construct roads and erect carriage and motor houses buildings sheds poles wires plant apparatus and conveniences for tramcars trolley vehicles and motor omnibuses.

(4) The Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired or appropriated under this section.

Powers of
Act cumu-
lative.

29. All powers rights or remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Costs of Act.

30. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and

[3 & 4 GEO. 5.] *Nottingham Corporation Act*, 1913. [Ch. cxiii.]

passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the district fund and general district rate or out of moneys to be borrowed under this Act for that purpose. A.D. 1913.

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