



CHAPTER lxvi.

An Act to transfer to the mayor aldermen and citizens of the city of Nottingham part of the undertaking of the Trent Navigation Company and for other purposes. A.D. 1915.
[29th July 1915.]

WHEREAS by the Trent (Burton-upon-Trent and Humber) Navigation Act 1887 (in this Act called "the Act of 1887") the Trent Navigation Company (in this Act called "the company") were incorporated by the name of the Trent (Burton-upon-Trent and Humber) Navigation Company for the purpose of carrying into execution that Act and the Trent Navigation Acts 1858 and 1884 for improving the navigation of the river Trent between the place called Wilden Ferry and Gainsborough and for carrying on the business of carriers thereon and on any canals rivers or navigations communicating therewith either directly or by means of any intermediate canal river or navigation and by such Act it was provided that the Trent Navigation undertaking of the then existing Trent Navigation Company should be transferred to the company and that after such transfer all the rights powers and privileges of the said existing company by virtue of any of the Acts relating to them should be exercised and enjoyed by the company:

And whereas the Trent Navigation undertaking of the former Trent Navigation Company was duly transferred to the company in accordance with the provisions of the Act of 1887:

And whereas by the Trent Navigation Act 1892 it was enacted that the name of the company should be the Trent Navigation Company:

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And whereas by the Trent Navigation Act 1906 (in this Act called "the Act of 1906") the company were authorised to make and maintain the locks cuts and weirs therein described as Stoke Bardolph Lock Gunthorpe Lock Hazleford Lock Cromwell Lock Holme Pierrepont Lock and Newark Nether Lock and the other works described in that Act for the improvement of the navigation of the river Trent:

And whereas the company have duly constructed the Cromwell Lock authorised by the Act of 1906 but have not for financial and other reasons been able to proceed with the construction of any of the other locks and works authorised by that Act:

And whereas the Trent Navigation provides an important means of communication between the city of Nottingham and the ports of Hull Grimsby and Goole and the river Humber and it would be greatly to the advantage and improvement of the city of Nottingham and the public benefit of the inhabitants thereof that all the locks and works authorised by the Act of 1906 should be constructed and the Trent Navigation improved and it is expedient that the portion of the Trent Navigation lying between Trent Bridge in the city of Nottingham and Averham Weir in the parish of Averham in the county of Nottingham should be transferred to and vested in the mayor aldermen and citizens of the said city (herein-after called "the Corporation") and that they should be authorised to construct the locks and works authorised by the Act of 1906 to be constructed on or in connexion with the said portion of the Trent Navigation and to exercise such of the powers conferred upon the company in relation to such portion of the Trent Navigation by the several Acts relating to that navigation as are transferred by this Act:

And whereas the Bill for this Act has been submitted to the proprietors of the company at a meeting held specially for that purpose and has been approved by them:

And whereas it is expedient to make such other provisions as this Act contains:

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 herein-after mentioned and such estimates are as follows:—

For the purchase of lands and the construction of the locks and works to be constructed by the Corporation one hundred thousand pounds;

For the deepening and improvement of the portion of the navigation to be vested in the Corporation by this Act sixty thousand pounds:

And whereas the several works included in such estimates are permanent works and it is expedient that the Corporation should be empowered to borrow money for the purpose of such works and for other purposes as provided by this Act:

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:

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):—

1. This Act may be cited as the Nottingham Corporation Short title.
(Trent Navigation Transfer) Act 1915.

2. In this Act unless the context otherwise requires—

The expressions "the Corporation" "the city" "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 expression "the company" means the Trent Navigation Company;

The expression "the navigation" means the portion of the Trent Navigation lying between Trent Bridge in the city and Averham Weir in the parish of Averham in the county of Nottingham and all cuts canals weirs locks river-works towing paths lockhouses ferries easements watercourses and water rights now vested in or possessed or exerciseable by the company

Interpreta-
tion.

A.D. 1915.

as part of the said portion of the Trent Navigation or any improvement thereof and the land purchased by the company at Hazleford for or in connexion with the construction of the lock there authorised by the Act of 1906 but shall not include the land of the company at Meadow Lane in the city of Nottingham or any warehouse building wharf shed land easement or other property belonging to the company exclusively for the purposes of their business as common carriers;

The expression "the Act of 1887" means the Trent (Burton-upon-Trent and Humber) Navigation Act 1887;

The expression "the Act of 1897" means the Nottingham Improvement Act 1897;

The expression "the Act of 1905" means the Nottingham Corporation Act 1905;

The expression "the Act of 1906" means the Trent Navigation Act 1906;

The expression "the Act of 1910" means the Nottingham Corporation Act 1910;

The expression "statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

The expression "the appointed day" means the first day of January one thousand nine hundred and seventeen or such earlier or later day as the Corporation and the company with the approval of the Board of Trade may agree in writing under their common seals.

Incorporation of certain provisions of

3. The provisions of sections 14 15 24 28 99 and 100 of the Harbours Docks and Piers Clauses Act 1847 are incorporated in this Act Provided that the following expressions used in the

said sections shall have the following respective meanings (that is to say):—

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The expression "the special Act" shall mean this Act and the expression "the harbour dock or pier" shall mean the navigation as defined by this Act;

Harbours
Docks and
Piers Clauses
Act 1847.

The expressions "packet boat" and "post office packet" mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and the expression "post office bag of letters" means a mail bag as defined by the same Act:

Provided further that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Act shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

4. Subject to the provisions of this Act as from the appointed day the navigation shall by virtue of this Act and without any deed of conveyance or other instrument be transferred to and vested in the Corporation for all the estate and interest therein of the company but freed and discharged from all debts and debenture stock of the company and from all mortgage debentures and mortgages charged upon the undertaking and property of the company or any part thereof.

Transfer of
navigation
to Corpora-
tion.

5. Subject to the provisions of this Act the Corporation as from the appointed day shall have and may exercise all the rights powers authorities and privileges (including the power to construct works to make byelaws and to levy tolls rates and charges) and shall to the exclusion of the company be subject to all the duties obligations and liabilities of the company in respect of the navigation (other than those in relation to the debts or debenture stock of the company or any mortgage debentures or mortgages charged upon the undertaking and property of the company or any part thereof) in like manner as if the Corporation were the company.

Effect of
transfer.

6.—(1) The powers conferred upon the company by the Act of 1906 for the compulsory purchase of lands for the purposes of the works by that Act authorised to be executed upon or in connexion with the navigation are hereby revived and extended and shall continue in force and may be exercised

Extension
of time for
purchase of
lands.

A.D. 1915. by the Corporation until the expiration of a period of five years from the passing of this Act and after the expiration of that period the said powers shall cease.

(2) The powers conferred upon the company by the Act of 1906 for the compulsory purchase of lands for the purposes of the works by that Act authorised to be executed upon or in connexion with any part of the Trent Navigation which is not hereby transferred to and vested in the Corporation are hereby revived and extended and shall continue in force and may be exercised by the company until the expiration of a period of five years from the passing of this Act and after the expiration of that period the said powers shall cease.

Extension of time for completion of works authorised by Act of 1906.

• 7.—(1) The time limited by the Act of 1906 for the completion of the works described in section 4 of that Act as “(A) Stoke Bardolph Lock” “(B) Gunthorpe Lock” “(C) Hazleford Lock” and “(E) Holme Pierrepont Lock” is hereby extended until the expiration of ten years from the passing of this Act and the Corporation may construct such works within the time limited by this subsection.

(2) The time limited by the Act of 1906 for the completion of the works described in section 4 of that Act as “(F) Newark Nether Lock” is hereby extended until the expiration of ten years from the passing of this Act and the Company may construct such works within the time limited by this subsection.

(3) If the said works are not completed within the time limited by this section for the completion thereof respectively then on the expiration of that time the powers of making and completing the same shall cease except as to so much thereof as shall be then completed.

Power to make subsidiary works.

8.—(1) The Corporation in addition to the works authorised by the Act of 1906 may upon the Corporation lands as defined in this section make and maintain all such bridges arches culverts drains aqueducts sewers basins sluices gates banks weirs dams retaining or other walls dolphins fenders jetties and landing-places roads hauling-paths passages fences lock-keepers' bridge-keepers' and collectors' houses and other buildings and other works and conveniences as may be necessary or convenient in connexion with and subsidiary to the works authorised by the Act of 1906 and described in section 4 of that Act as

“(A) Stoke Bardolph Lock” “(B) Gunthorpe Lock” “(C) Hazleford Lock” and “(E) Holme Pierrepont Lock” or any of such works and may do all other acts necessary for making maintaining altering or repairing such works. A.D. 1915.

(2) In this section the expression “the Corporation lands” means (a) the lands of the company which will be transferred to the Corporation under the powers of this Act (b) the lands which the Corporation may purchase under the section of this Act the marginal note whereof is “Extension of time for purchase of lands” and (c) any lands which the Corporation may acquire under the section of this Act the marginal note whereof is “Power to acquire lands by agreement.” Sec. 6. Sec. 11.

9. No bridge shall be constructed under the powers of this Act across the navigation by the Corporation between the Radcliffe Bridge of the Great Northern Railway and the west side of Farndon Ferry. For protection of Gunthorpe Bridge Company.

10. For the protection of the Newark Navigation Commissioners (in this section called “the Commissioners”) the following provisions shall unless otherwise agreed in writing between the Commissioners the Corporation and the company have effect (that is to say) :— For protection of Newark Navigation Commissioners.

(1) The Corporation shall complete the construction of the works authorised by the Act of 1906 and described in section 4 thereof as “(A) Stoke Bardolph Lock” “(B) Gunthorpe Lock” “(C) Hazleford Lock” and “(E) Holme Pierrepont Lock” within the time limited for the completion thereof by the section of this Act the marginal note of which is “Extension of time for completion of works authorised by Act of 1906” : Sec. 7.

(2) The company shall simultaneously with the commencement by the Corporation of the works mentioned in the preceding subsection of this section commence the construction of the works authorised by the Act of 1906 and described in section 4 thereof as “(F) Newark Nether Lock” and shall complete the same within the time limited for the completion thereof by the section of this Act the marginal note of which is “Extension of time for completion of works authorised by Act of 1906” : Sec. 7.

A.D. 1915.

- (3) Nothing in this Act shall or shall be deemed to authorise the Corporation to acquire or interfere with any part of the Newark Navigation or to exercise any powers in respect of such navigation :
- (4) The construction and all structural repairs of the said works described as “(F) Newark Nether Lock” shall be carried out under the superintendence and to the reasonable satisfaction of and according to plans sections and specifications to be previously submitted to and reasonably approved by the Commissioners Provided that if the Commissioners do not signify their approval or disapproval of any such plans sections and specifications within twenty-one days after the submission thereof they shall be deemed to have approved the same If any difference shall arise between the Commissioners and the company with reference to such plans sections and specifications or otherwise under this subsection such difference shall be referred to and determined by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party.

Power to
acquire lands
by agree-
ment.

11. In addition to any lands vested in them by this Act the Corporation may for the purposes of their undertaking under this Act purchase take on lease or otherwise acquire and hold any lands not exceeding in the whole twenty-five acres but nothing in this Act shall exempt the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any lands acquired by them under the powers of this section.

Power to
construct
warehouses
&c.

12. The Corporation may with the consent of the Board of Trade upon any lands adjacent to the navigation and for the time being belonging to them construct and maintain and insure such warehouses storehouses sheds and other buildings as they may deem necessary for the accommodation of goods carried upon the navigation or shipped or unshipped in or from any vessel using the navigation and with such consent may adapt use and manage such warehouses storehouses sheds and other buildings for the reception and deposit of goods and may erect or provide manage work and use such cranes weighing and other machines weights and measures and other conveniences as they think necessary for

loading unloading transshipping measuring and weighing such goods but the Corporation shall not under the powers of this section expend in constructing or adapting any such buildings and in erecting or providing any such conveniences any sum or sums exceeding in the aggregate thirty thousand pounds. A.D. 1915.

13.—(1) If the Treasury or the Commissioners of His Majesty's Customs and Excise be pleased to approve as bonding warehouses any of the warehouses of the Corporation provided under this Act the Corporation may hold use and manage the same as bonding warehouses. Power to provide bonding warehouses.

(2) The Corporation may enter into or give such bond or security under their common seal as the Treasury or the Commissioners of His Majesty's Customs and Excise may approve and as may at any time be required by the laws which for the time being shall relate to bonding warehouses and every such bond or security so to be given as aforesaid shall be binding upon the Corporation.

14. The Corporation may lease or grant the use or occupation of or appropriate any warehouses storehouses sheds buildings wharves quays yards cranes machines conveniences and appliances provided by them under or for the purposes of this Act to any person or to any particular trade or business at such rents or for such consideration (pecuniary or otherwise) and upon such terms and conditions and for such period as shall be agreed upon between the Corporation and the persons taking or using the same. Power to lease warehouses &c.

15. The Corporation may notwithstanding anything in the Lands Clauses Acts retain hold and use for such time as they may think fit and may sell exchange or demise for such consideration or rent and on such terms and for such periods as they may think proper any lands for the time being belonging to them and which may have been acquired or appropriated for the purposes of their undertaking under this Act and may grant any easements or rights over or affecting any such lands. Corporation may retain sell &c. lands.

16.—(1) The Corporation from time to time at the request of any person warehousing or depositing any goods in any warehouse or upon or in any of the quays wharves or yards of the Corporation provided under this Act and specially appropriated for the purpose or entitled to any goods so warehoused or deposited may if the Corporation may issue certificates of goods and delivery warrants.

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Corporation think fit issue and deliver to him a certificate in a form approved by the Corporation of the goods so warehoused or deposited or a warrant in a form approved by the Corporation for the delivery of goods so warehoused or deposited or any part thereof to be respectively specified in the warrant.

(2) No such warrant for delivery shall be given unless and until all liens and claims for freight and all other liens and claims whatsoever to which the goods were liable while on board any vessel and before the warehousing or depositing of the same and of which the Corporation have notice in writing and all rates charges and expenses payable to the Corporation with respect to the warehousing or depositing of the goods or for services performed by the Corporation in respect thereof shall have been paid or discharged.

(3) Every such warrant for delivery shall be transferable by endorsement and shall entitle the person named therein or the last endorsee thereof named in the endorsement to the goods specified therein and the goods so specified shall for all purposes be deemed his property.

(4) No notice to retain any goods for payment of freight due for goods landed from any vessel in or upon any dock wharf quay yard or premises of the Corporation shall be available unless the notice be in writing and be given to the Corporation before the issue by them of the warrant for the delivery of the goods.

Authentica-
tion of
delivery
warrants.

17. All warrants for delivery certificates transfer certificates and other documents relating to goods in the custody of the Corporation or to the management of the business of the navigation being signed and issued by any officer duly authorised in that behalf shall be effectual in law and binding on the Corporation and all other parties interested without any other signature and without any seal.

Power for
Corporation
and company
to make
agreements.

18. The Corporation on the one hand and the company on the other hand may enter into and carry into effect contracts and arrangements for all or any of the following purposes (namely) :—

(a) The execution by the company of such of the works authorised to be constructed by the Act of 1906 as are authorised by this Act to be constructed by the

Corporation or any of such works or the exercise by the company of any of the powers of this Act; A.D. 1915.

- (b) The maintenance improvement management and conservation by the company of the navigation or any part thereof and the performance by the company of any of the duties and obligations of the Corporation in relation thereto;
- (c) The contribution by the company of any annual or other sum towards the payment of interest on any moneys borrowed provided or contributed by the Corporation for the purposes of this Act; and
- (d) The fixing subject to the authorised maxima and the collecting of the tolls rates dues and charges to be taken by the Corporation and the company respectively in respect of the navigation and any navigation canal or waterway for the time being belonging or leased to or managed by the company and the pooling and division and apportionment between the Corporation and the company of such tolls rates dues and charges or any of them.

19. The Corporation may advance to the company such moneys not exceeding in all the sum of ten thousand pounds towards the expenditure to be incurred by the company in the construction of the works authorised by section 4 of the Act of 1906 and therein described as "(F) Newark Nether Lock" and any subsidiary works in connexion therewith and such advance may be made upon such terms and upon such security by way of mortgage of the company's undertaking or any part thereof or otherwise as the Corporation and the company may agree and shall not be taken into account in determining the amount which the company may borrow under section 22 (Power to borrow) of the Act of 1906. Power to advance money to company.

20. All the byelaws rules and regulations of the company relating to the management use or control of the navigation in force at the appointed day shall from and after such day continue to be in force and applicable to and in respect of the navigation and shall and may be enforced by and be available to the Corporation in their own name as well for the recovery of penalties as for all other purposes until the same are altered or repealed or other byelaws rules and regulations are duly made in their stead by the Corporation. Byelaws to remain in force.

A.D. 1915.

For mutual
protection of
Corporation
and com-
pany.

21. For the mutual protection of the Corporation and the company the following provisions shall (unless otherwise agreed in writing between the Corporation and the company under their common seals) apply and have effect (that is to say):—

(1) The Corporation shall commence the construction of the works authorised by the Act of 1906 and described in section 4 thereof as “(A) Stoke Bardolph Lock” “(B) Gunthorpe Lock” “(C) Hazleford Lock” and “(E) Holme Pierrepont Lock” at a date not later than that on which the company shall commence the construction of the works described in such section as “(F) Newark Nether Lock” and shall complete such works within the time limited for the completion thereof by the section of this Act the marginal note of which is “Extension of time for completion of works authorised by Act of 1906”:

Sec. 7.

(2) The Corporation shall within the time referred to in the last preceding subsection commence and complete the deepening of the navigation so as to provide a channel or waterway of a minimum width of fifty feet at the bottom with a minimum depth of water of six feet:

(3) Subject to the Corporation advancing to the company as a loan if required by the company so to do the sum of ten thousand pounds towards the costs of the works the company shall commence the construction of the works authorised by the Act of 1906 and described in section 4 thereof as “(F) Newark Nether Lock” at a date not later than that on which the Corporation shall commence the construction of the works to be constructed by them and referred to in subsection (1) of this section and shall complete the same within the time limited for the completion thereof by the section of this Act the marginal note of which is “Extension of time for completion of works authorised by Act of 1906”:

Sec. 7.

(4) The company shall within the time referred to in the last preceding subsection commence and complete the deepening of the Trent Navigation from the said Newark Nether Lock to Averham Weir so as to provide a channel or waterway of a minimum width

of thirty feet at the bottom with a minimum depth of water of six feet: A.D. 1915.

(5) So far as reasonably possible the deepening of the navigation and the Trent Navigation to be carried out under the provisions of this section shall be carried out so as not to interfere with the traffic on those navigations:

(6) Upon the appointed day the Corporation shall pay to the company the sum of seven hundred and fifty pounds in respect of the purchase money paid by the company for the land at Hazleford purchased by the company and forming part of the navigation.

22. The Corporation may by agreement but not otherwise purchase take on lease or otherwise acquire from the owners thereof the Farndon Ferry and any other ferry now existing across the navigation and all franchises rights and privileges belonging thereto or enjoyed in connexion therewith and thereafter the Corporation may carry on such ferry and exercise such franchises rights and privileges and for those purposes may provide and maintain all such ferry boats rafts machinery apparatus and appliances as may be necessary or convenient. Power to acquire ferries across navigation.

23. Notwithstanding anything contained in the Act 8 and 9 Victoria chapter 42 intituled "An Act to enable canal companies to become carriers of goods upon their canals" the Corporation shall not act as carriers upon the navigation or any canal river or navigation communicating therewith but may provide maintain and use tugs for hauling tracking or towing vessels upon the navigation but shall not provide maintain or use boats barges or vessels other than tugs under the powers of the said Act. Corporation not to act as carriers.

24. Nothing in this Act shall take away or diminish the power of the company to carry on the business of carriers upon the navigation or any canal river or navigation communicating therewith but in carrying on such business on the navigation the company shall be liable to pay to the Corporation the same tolls and charges as are payable by other persons using the navigation and be subject to all Acts byelaws rules and regulations relating to the navigation or the vessels using the same. Power of company to act as carriers not to be diminished.

A.D. 1915.

Amendment
of s. 19 of
Notting-
ham Cor-
poration
Act 1900.Power to
borrow.

25. The provisions of section 19 (Amendment of Act of 1874 as to committees) of the Nottingham Corporation Act 1900 shall be read and have effect as if the undertaking of the Corporation under this Act were included among the undertakings to which that section relates.

26.—(1) The Corporation may (in addition to the other sums which they are authorised to raise) borrow or raise at interest the sums following (that is to say):—

(a) For paying the costs charges and expenses of and incidental to this Act as herein-after defined such sums as may be necessary;

(b) For and in connexion with the purchase of lands (including the sum to be paid to the company for the land at Hazleford) for and the construction of the works authorised by the Act of 1906 upon or in connexion with the navigation the sum of one hundred thousand pounds;

(c) For and in connexion with the deepening and improvement of the navigation the sum of sixty thousand pounds;

(d) For the advance to the company of moneys towards the expenditure to be incurred by them in the construction of the works authorised by section 4 of the Act of 1906 and therein described as “(F) Newark Nether Lock” the sum of ten thousand pounds; and

(e) With the consent of the Board of Trade such other sum or sums of money as may be necessary for the purposes of the navigation in addition to the other purposes mentioned in this subsection.

(2) The Corporation shall repay—

(a) All moneys borrowed for the purpose (a) in this section mentioned within five years from the date of the passing of this Act;

(b) All moneys borrowed for the purposes (b) and (d) in this section mentioned within fifty years from the date or dates of borrowing;

(c) All moneys borrowed for the purposes (c) in this section mentioned within sixty years from the date or dates of borrowing;

(d) All moneys borrowed with the consent of the Board of Trade for the purpose (e) in this section mentioned within such period or periods as that Board may prescribe; A.D. 1915.

(e) Each of the periods mentioned in paragraphs (a) (b) (c) and (d) of this subsection shall be "the prescribed period" for the purposes of the provisions of the Act of 1897 incorporated herewith.

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

The revenue of the Corporation from their undertaking under this Act and the district fund and general district rate or either of them:

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.

27. Notwithstanding anything in this Act the Corporation shall not under the powers of this Act borrow any money other than money required for paying the costs charges and expenses of this Act as herein-after defined during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

As to borrowing powers.

28. The following sections of the Act of 1897 the Act of 1905 the Act of 1906 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 1906 and 1910.

ACT OF 1897.

Section 13 (Proceeds of sale of surplus lands);

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);

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- 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);
- Section 64 (Audit of accounts).

ACT OF 1906.

- Section 50 (Company to construct fish passes);
- Section 53 (Works not to be used for fishing).

ACT OF 1910.

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

Judges not
disqualified.

29. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Separate
accounts to
be kept.

30. The Corporation shall keep separate accounts of their receipts and expenditure in respect of their undertaking under this Act and shall distinguish in such accounts capital from income.

Application
of revenue.

31.—(1) All moneys from time to time received by the Corporation by way of revenue in respect of their undertaking under this Act shall be applied as follows:—

- (a) In payment of the expenses properly chargeable to revenue of maintaining managing and conserving the navigation and carrying on the undertaking of the Corporation under this Act:
- (b) In payment of the interest on any moneys borrowed by the Corporation under or for the purposes of this Act and for the time being outstanding and for providing

the requisite instalments appropriations or sinking fund payments in respect of such moneys: A.D. 1915

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

(2) The Corporation may apply any balance thereafter remaining in any year in reduction of the principal moneys borrowed by the Corporation under or for the purposes of this Act and for the time being outstanding or in improving the navigation or their undertaking under this Act or in such other manner as they think best for the improvement of the city and the public benefit of the inhabitants.

(3) Any deficiency in the revenue of the Corporation from the navigation or the undertaking of the Corporation under this Act shall unless otherwise provided for be from time to time made good out of the district fund and the general district rate made next or next but one after each such deficiency is ascertained.

32. 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. Powers of Act cumulative.

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

A.D. 1915.

Costs of
Act.

34. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the district fund and general district rate or out of moneys to be borrowed under this Act for the said purpose.

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