



CHAPTER lxxxviii.

An Act to authorise the Nottinghamshire and Derbyshire A.D. 1911.

Tramways Company to acquire additional lands for road widenings and improvements in connection with their authorised tramways to revive the powers and extend the time for the purchase of lands and for the construction and completion of certain tramways and works authorised by the Nottinghamshire and Derbyshire Tramways Act 1903 extension of time for the purchase of lands for the further tramways and works authorised by the Nottinghamshire and Derbyshire Tramways Act 1908 abandonment of certain tramways authorised by the Act of 1903 and for other purposes. [18th August 1911.]

WHEREAS by the Nottinghamshire and Derbyshire Tramways Act 1903 (in this Act called "the Act of 1903") the Nottinghamshire and Derbyshire Tramways Company (in this Act called "the Company") were incorporated and authorised to construct and maintain certain tramways road widenings and works in the counties of Nottingham and Derby and to raise capital for the purpose:

And whereas by the Act of 1903 the period for the compulsory purchase of lands for the purposes of the said tramways widenings and works was limited to three years from the passing of that Act and the period for the construction and completion of the said tramways widenings and works was limited to five years from the passing of that Act:

And whereas by the Nottinghamshire and Derbyshire Tramways Act 1906 (in this Act called "the Act of 1906")

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A.D. 1911. the period limited by the Act of 1903 for the compulsory purchase of lands was extended to the eleventh day of August one thousand nine hundred and eight and the period limited by the same Act for the construction and completion of the authorised tramways widenings and works was extended to the eleventh day of August one thousand nine hundred and ten except as regards certain tramways authorised to be constructed in the city of Nottingham :

And whereas by the Nottinghamshire and Derbyshire Tramways Act 1908 (in this Act called "the Act of 1908") the period limited by the Act of 1903 as extended by the Act of 1906 for the compulsory purchase of lands for the authorised tramways widenings and works was further extended to the eleventh day of August one thousand nine hundred and ten and the period limited by the Act of 1903 as extended by the Act of 1906 for the construction and completion of the authorised tramways widenings and works was further extended to the eleventh day of August one thousand nine hundred and twelve :

And whereas by the heads of arrangement scheduled to and confirmed by the Act of 1903 between the Company and the county council of Nottinghamshire it was provided that the Company before constructing the tramways authorised by that Act should purchase lands and property for the purposes of the additional road widenings and improvements in the county of Nottingham set out in the said heads of arrangement :

And whereas by sections 48 and 49 of the Act of 1908 it was provided that the Company before constructing the tramways authorised by the Act of 1903 should carry out certain additional road widenings and improvements in the county of Derby :

And whereas it is expedient that the Company should have power to acquire compulsorily the lands necessary to enable them to carry out their obligations under the said heads of arrangement and under sections 48 and 49 of the Act of 1908 and also that the periods limited by the Act of 1903 as extended by the Acts of 1906 and 1908 for the purchase of lands and also for the construction and completion of the authorised tramways widenings and works should be revived and further extended as by this Act provided :

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And whereas by the Act of 1908 the Company were also empowered to acquire compulsorily certain lands within the city of Nottingham for further road widenings and improvements in connection with the further tramways and tramroad by that Act authorised and it is expedient that the powers for the purchase of such lands should be extended as provided by this Act: A.D. 1911.

And whereas it is expedient that provision should be made as hereinafter provided for the abandonment of certain of the tramways authorised by the Act of 1903 and for the release of such part of the Parliamentary deposit applicable thereto as is deposited in the High Court:

And whereas it is expedient that the capital of the Company should be reduced as provided by this Act:

And whereas it is expedient that the Acts of 1903 and 1908 should be further amended and that the other powers contained in this Act should be conferred upon the Company:

And whereas plans of the additional lands to be acquired compulsorily under this Act and also books of reference to such plans 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 compulsorily for the purposes of or under the powers of this Act were duly deposited with the clerks of the peace for the counties of Nottingham and Derby and are in this Act respectively referred to as "the deposited plans and books of reference":

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

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 Nottinghamshire and Derbyshire Tramways Act 1911. Short title.

2. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation.

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Incorporation of
general Acts.

3. The following Acts and part of Act (that is to say):—

The Lands Clauses Acts;

Part II. (relating to extension of time) of the Railways
Clauses Act 1863;

are so far as they are applicable and are not varied by or
inconsistent with this Act incorporated with and form part of
this Act.

ADDITIONAL LANDS.

Power to
acquire ad-
ditional
lands for
widening
and works.

4. Subject to the provisions of this Act the Company may
enter upon take hold and use the additional lands and property
shown upon the deposited plans and described in the deposited
books of reference and hereinafter described and may thereon
make and maintain widenings and works in the counties of
Nottingham and Derby in connection with the tramways autho-
rised by the Act of 1903 The lands hereinbefore referred to
and proposed to be acquired for the aforesaid purposes are the
following:—

IN THE COUNTY OF DERBY.

Tramway No. 4—Parish of Ripley—

- (A) Portion of footpaths on either side of Butterley Hill
for a distance of 8·4 chains measured in a southerly
direction from a point eighteen feet south of west
corner of Butterley Works and containing ninety-
two square yards:
- (B) Portion of footpath on west side of Butterley Hill for
a distance of 9·3 chains measured in a southerly
direction from a point four chains north of centre
line of Bridle Lane and containing ninety-three
square yards:
- (C) Portion of footpath on west side of Butterley Hill for
a distance of two chains in a southerly direction
from a point ten feet south of centre of Argyle
Street and containing fifteen square yards:
- (D) Portion of footpath on east side of Chapel Street for
a distance of two chains in a southerly direction
from a point thirty feet measured from centre
of Outram Street in a southerly direction and
containing fifteen square yards:

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- (E) Portion of footpath on west side of Chapel Street for a distance of four chains measured in a southerly direction from south corner of Havelock Street and containing twenty-two square yards: A.D. 1911.
- (F) Portion of footpaths on either side of Chapel Street for a distance of 2·8 chains measured in a southerly direction from a point three chains south-west of centre of Greaves Street and containing twenty-five square yards:
- (G) Strip of land on south side of Nottingham Road for a distance of forty feet measured in a westerly direction from a point seventy-seven feet west of centre line of Alfred Street and containing fifteen square yards:
- (H) A widening of south side of bridge carrying Nottingham Road over Midland Railway:
- (I) Portion of footpaths on either side of Nottingham Road for a distance of 5·5 chains in a westerly direction from west corner of bridge over Midland Railway and containing one hundred and twenty-one square yards:
- (J) Strips of land on south side of Nottingham Road for a distance of 5·5 chains measured in a north-easterly direction from south-east corner of bridge over Midland Railway and containing one hundred and twenty-one square yards for a distance of two chains measured in a north-easterly direction from a point seven chains north-east of hereinbefore described corner of the bridge and containing forty-four square yards:
- (K) Portion of footpaths on either side of Nottingham Road for a distance of one furlong measured in a north-easterly direction from south-east corner of bridge over Midland Railway and containing fifty-five square yards:
- (L) Strip of land and forecourt on south side of Nottingham Road for a distance of forty feet measured in a north-easterly direction from east corner of Victoria Street and containing nine square yards:

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- (M) Strip of land on north side of Nottingham Road for a distance of two chains measured in a westerly direction from west corner of Victoria Street and containing twenty-two square yards:
- (N) Portion of footpaths on either side of Nottingham Road for a distance of 4·5 chains measured in a westerly direction from a point 2·2 chains north-east of centre of Victoria Street and containing fifty square yards:
- (O) Strips of land on north side of Nottingham Road in front of the property known as the Cricket Ground for a distance of 4·5 chains measured in a south-easterly direction from western corner of the Cricket Ground and containing sixty-six square yards for a distance of 4·8 chains measured in a south-easterly direction from a point one furlong south-east of southern corner of the Cricket Ground and containing one hundred and twenty-two square yards:
- (P) Strip of land on north side of Nottingham Road for a distance of three chains measured in an easterly direction from a point 1·2 chains east of centre of bridge carrying mineral railway over Nottingham Road and containing forty-four square yards.

Tramway No. 3—Parish of Codnor and Loscoe—

- (A) Strip of land on west side of High Street for a distance of 1·5 chains measured in a south-easterly direction from a point sixteen yards north-west of centre of stream under High Street and containing twenty-seven square yards:
- (B) A widening of west side of bridge over stream in High Street:
- (C) Portion of footpath on east side of High Street for a distance of two chains in a southerly direction from a point seven chains south of centre of bridge over stream:
- (D) Strip of land on east side of Loscoe Road for a distance of 3·2 chains measured in a northerly direction from a point thirty-two feet south of south boundary wall of St. James's Church and containing eighty-eight square yards:

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- (E) Portion of footpaths on either side of Loscoe Road for a distance of 3·2 chains measured in a northerly direction from a point thirty-two feet south of south boundary wall of St. James's Church and containing eighty-eight square yards: A.D. 1911.
- (F) Strip of land and forecourt on west side of Loscoe Road for a distance of thirty feet in front of the property belonging to or reputed to belong to Henry William Percival Pine and occupied by Ernest Hogg and containing ten square yards:
- (G) Portion of footpaths on either side of Loscoe Road for a distance of 4·5 chains in a southerly direction from a point three chains north of north wall of property occupied by Ernest Hogg and containing thirty-three square yards:
- (H) Strips of land on south side of Loscoe Road for a distance of seventy-five feet measured in a south-easterly direction from a point twenty-five feet north-west of centre of Furnace Lane containing nine square yards for a distance of fifty feet measured in a south-easterly direction from a point five chains south-east of centre of Furnace Lane and containing sixteen square yards for a distance of one hundred feet measured in a south-easterly direction from a point 6·3 chains south-east of centre of Furnace Lane and containing twenty-two square yards for a distance of thirty feet measured in a north-westerly direction from a point forty feet north-west of centre of mineral railway level crossing of Butterley Company and containing six square yards.

Tramway No. 3—Parish of Heanor—

- (A) Strip of land and forecourts thereon on east side of Loscoe Road for a distance of one furlong one chain measured in a southerly direction from a point sixty feet south of point at which Heanor parish boundary crosses Loscoe Road and containing two hundred and sixty square yards:
- (B) Portion of footpath on east side of Loscoe Road for a distance of one furlong 3·6 chains measured in a southerly direction from a point twenty feet south

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of point at which Heanor parish boundary crosses Loscoe Road and containing two hundred and sixty-three square yards :

- (c) Strip of land on east side of Loscoe Road for a distance of twelve feet in a southerly direction from a point fifteen feet south of Heanor parish boundary and containing twenty-three square yards :
- (d) Portion of footpaths on either side of Market Street for a distance of nine chains measured in a westerly direction from west side of Godfrey Street and containing sixty-six square yards :
- (e) Strip of land and buildings thereon on south side of Market Street for a distance of 1·6 chains measured in a north-westerly direction from a point 1·1 chains north-west of west side of Godfrey Street and containing fifty square yards.

Tramway No. 30—Parish of Heanor—

- (f) Strip of land and buildings thereon on the south side of Station Road for a distance of fifty yards measured in a north-easterly direction from a point twenty feet south-west of termination of Tramway No. 30A and containing one hundred and sixty square yards :
- (g) Strip of land and buildings thereon on north side of Station Road for a distance of 5·4 chains in a north-easterly direction from a point thirty feet north-east of centre line of Hands Road and containing two hundred and eighty square yards :
- (h) Portion of footpath on south side of Station Road for a distance of fifty yards measured in a north-easterly direction from a point twenty feet south-west of the termination of Tramway No. 30A and containing sixty-six square yards :
- (i) Portion of footpath on north side of Station Road for a distance of 5·4 chains in a north-easterly direction from a point thirty feet north-east of centre line of Hands Road and containing two hundred square yards :
- (j) Portions of footpaths on north side of Station Road for a distance of five chains measured in an easterly

direction from east corner of Dunstead Road and containing seventy-three square yards for a distance of 2·5 chains measured in an easterly direction from a point 4·5 chains west of centre of North Street and containing fifty square yards from a point 1·5 chains east of centre of North Street for a distance of three chains in an easterly direction and containing twenty square yards : A.D. 1911.

- (K) Strip of land on north side of Station Road for a distance of two chains in an easterly direction from a point 1·5 chains east of centre of North Street and containing twenty square yards :
- (L) Strip of land and forecourts thereon on south side of Station Road for a distance of 6·7 chains measured in a north-easterly direction from eastern corner of Milnhay Road and containing one hundred square yards :
- (M) Strip of land and forecourts thereon on north side of Station Road for a distance of one chain measured in a north-easterly direction from a point thirty feet north-east of eastern corner of Elnor Street and containing fifteen square yards :
- (N) Portions of footpaths in Station Road on either side for a distance of seven chains measured in a north-easterly direction from east corner of Milnhay Road and containing seventy-seven square yards on north side for a distance of 1·5 chains measured in a north-easterly direction from east corner of Elnor Street and containing twenty-two square yards.

IN THE COUNTY OF NOTTINGHAM.

Tramway No. 31--Parish of Eastwood--

- (A) Strips of land in Langley Mill Lane on north side for a distance of four hundred and ninety feet in an easterly direction from a point 2·5 chains east of Heanor parish boundary where such boundary crosses Langley Mill Lane containing two hundred and thirty-two square yards on south side for a distance of two hundred and seventy yards in an easterly direction from a point 0·8 chain east of

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hereinbefore described boundary and containing five hundred square yards on north side for a distance of eighty feet in a north-westerly direction from west corner of Eastwood Station and containing fifteen square yards:

- (B) Portions of footpath on north side of Langley Mill Lane for a distance of seven chains in an easterly direction from a point 2·5 chains east of Heanor parish boundary where such boundary crosses Langley Mill Lane and containing one hundred and sixty square yards for a distance of eighty feet in a north-westerly direction from west corner of Eastwood Station and containing fifteen square yards:
- (c) Strips of land in Langley Mill Lane on north side for a distance of two hundred and twenty feet in an easterly direction from a point 8·5 chains north-west of main entrance to the Rectory and containing seventy-five square yards on south side for a distance of one hundred and seventy feet measured in a westerly direction from main entrance to Rectory and containing forty square yards on north side for a distance of four hundred and seventy feet in a south-westerly direction from east side of the yard of Sun Inn and containing two hundred square yards on south side for a distance of one hundred and thirty feet measured in a south-westerly direction from a point 4·6 chains south-west of east corner of hereinbefore described yard and containing twenty square yards:
- (D) Portions of footpaths on north side of Langley Mill Lane for a distance of four hundred and seventy feet in a south-westerly direction from east side of yard of Sun Inn and containing two hundred square yards for a distance of two hundred and twenty feet in an easterly direction from a point 8·5 chains north-west of main entrance to Rectory and containing seventy-five square yards for a distance of eighteen chains in a north-easterly direction from hereinbefore described corner of Sun Inn and containing one hundred and twenty square yards:

- (E) Strip of land on south side of Langley Mill Lane for a distance of four hundred feet measured in a south-westerly direction from a point sixty-five feet south-west of east side of yard of Sun Inn and containing one hundred and fifty square yards. A.D. 1911.

Tramway No. 32—Parish of Greasley—

- (A) Strips of land on south side of Nottingham Road for a distance of 7·5 chains measured in a south-easterly direction from a point 2·9 chains north-west of centre of Chewton Street and containing three hundred and four square yards:
- (B) Strips of land in Nottingham Road on north side for a distance of one hundred and ninety feet measured in a south-easterly direction from a point two hundred and sixty feet north-west of centre line of Penfold Lane and containing twenty-eight square yards on south side for a distance of one hundred and forty feet measured in a south-easterly direction from centre line of Penfold Lane and containing sixty-two square yards on south side for a distance of two hundred and seventy feet measured in a north-westerly direction from a point 3·3 chains north-west of centre line of Baker Lane and containing one hundred and eighty square yards on north side for a distance of one hundred and ninety-two feet measured in a south-easterly direction from a point one furlong 0·6 chain south-east of centre of Baker Lane and containing eighty square yards on north side for a distance of five hundred and thirty feet measured in a southerly direction from a point 3·5 chains north of centre of Gilt Brook and containing one hundred and eighty square yards:
- (c) Portions of footpaths in Nottingham Road on north side for a distance of one hundred and ninety feet measured in a south-easterly direction from a point two hundred and sixty feet north-west of centre line of Penfold Lane and containing twenty-eight square yards on south side for a distance of one hundred and forty feet measured in a south easterly direction from centre of Penfold Lane and

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containing fifty square yards on north side for a distance of three hundred and twenty feet in a south-easterly direction from a point one furlong 0·6 chain south-east of centre of Baker Lane and containing two hundred square yards on north side for a distance of five hundred and thirty feet measured in a southerly direction from a point 3·5 chains north of centre of Gilt Brook and containing one hundred and seventy square yards:

- (D) Strips of land on north side of Nottingham Road for a distance of one hundred and eighty feet measured in a westerly direction from west boundary of Greasley Board Schools and containing one hundred square yards for a distance of forty feet measured in an easterly direction from eastern boundary of Greasley Board Schools and containing eighteen square yards:
- (E) Portion of footpath on north side of Nottingham Road for a distance of four hundred feet measured in an easterly direction from a point one hundred and eighty feet west of western boundary of Greasley Board Schools and containing one hundred and eighty square yards.

Tramway No. 32—Parish of Kimberley—

- (A) Strip of land on south side of Eastwood Road for a distance of five hundred and four feet measured in a south-easterly direction from a point one hundred and twenty-five feet north-west of centre line of Truman Street and containing five hundred and three square yards:
- (B) Strip of land and buildings thereon on south side of Eastwood Road for a distance of seventy-seven feet measured in a south-easterly direction from a point twenty-five feet north-west of centre of Maws Lane and containing seventy-seven square yards:
- (C) Strips of land on south side of Eastwood Road for a distance of two hundred and ninety-eight feet measured in an easterly direction from a point 9·4 chains east of centre of Maws Lane and containing one hundred and ten square yards for a distance of

one hundred and forty feet measured in a north-westerly direction from a point two hundred and forty feet north-west of centre of bridge carrying Midland Railway over road and containing fifteen square yards for a distance of seventy-two feet measured in an easterly direction from south-eastern abutment of hereinbefore described bridge and containing thirty square yards on north side for a distance of one hundred and sixty-eight feet measured in an easterly direction from a point 2·6 chains east of centre line of hereinbefore described bridge and containing ten square yards :

- (D) Portions of footpaths on south side of Eastwood Road for a distance of two hundred and ninety-eight feet measured in an easterly direction from a point 9·4 chains east of centre of Maws Lane and containing one hundred and ten square yards on north side for a distance of one hundred and sixty-eight feet measured in an easterly direction from a point 2·6 chains east of centre line of bridge carrying Midland Railway over road and containing ten square yards :
- (E) Strips of land and buildings thereon in Main Street on north side for a distance of two hundred and eighty-seven feet measured in a westerly direction from west boundary of Noel Street and containing one hundred and twenty-eight square yards on south side for a distance of sixty feet measured in a westerly direction from a point two hundred and twenty feet west of west boundary of Noel Street and containing twenty square yards :
- (F) Portion of footpath on north side of Main Street for a distance of two hundred and eighty-seven feet measured in a westerly direction from west boundary of Noel Street and containing one hundred and twenty-eight square yards :
- (G) Strip of land on south side of Main Street for a distance of two hundred and eighty feet measured in a westerly direction from west boundary of Noel Street and containing one hundred and eight square yards :

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- (H) Strip of land and buildings thereon on south side of Nottingham Road for a distance of three hundred and fifty-five feet measured in an easterly direction from a point fifteen feet west of west side of yard of Stag Inn and containing four hundred and seventy square yards.

Tramway No. 32—Parish of Nuthall—

- (A) Strip of land on south side of Nottingham Road for a distance of five hundred and fifty feet measured in a westerly direction from a point one hundred feet south-west of centre of Alfreton Road and containing three hundred and seventy square yards:
- (B) Strip of land and buildings thereon on south side of Main Street for a distance of five hundred and thirty feet measured in an easterly and south-easterly direction from a point one hundred and fifty feet east of centre line of Alfreton Road and containing four hundred and seventy square yards:
- (C) Strips of land in Nuthall Road on north side for a distance of one hundred and ten feet and measured in a westerly direction from a point four hundred feet west of mineral railway level crossing and containing thirty square yards for a distance of twenty-two feet measured in a westerly direction from a point three hundred and thirty feet west of hereinbefore described level crossing and containing four square yards on south side for a distance of one hundred and fifty feet measured in a westerly direction from a point two hundred and thirty feet west of hereinbefore described level crossing and containing ninety-two square yards for a distance of one hundred and fifty feet measured in an easterly direction from a point one hundred and eight feet west of hereinbefore described level crossing and containing eighty-four square yards:
- (D) Portion of footpath on north side of Nuthall Road for a distance of two hundred feet in a westerly direction from a point three hundred and thirty feet west of mineral railway level crossing and containing one hundred and thirty square yards.

Tramway No. 32—Parish of Bilborough—

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(A) Strip of land on south side of Nuthall Road for a distance of ninety feet measured in a westerly direction from Nottingham city boundary and containing thirty square yards.

All distances lengths and areas specified in the before-mentioned descriptions shall be taken and read as if the words "or thereabouts" had been inserted after each such distance length or area.

5. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited books of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county in which such lands are situate and a duplicate thereof shall also be deposited with the clerk of the urban district council for the urban district in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerk of the peace and clerk of the council respectively with the other documents to which the same relate and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

Correction
of errors &c.
in deposited
plans and
books of
reference.

6. The widenings and alterations of streets and roads by this Act authorised shall (subject to the provisions contained in the heads of agreement set forth in the schedule to the Act of 1903) when completed be vested in and maintained as public highways by and at the expense of the local authority or persons by whom or at whose expense the roads or streets or portions of roads or streets are repairable.

Maintenance
and vesting
of widenings
and altera-
tions of
streets and
roads.

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For protection of corporation of Nottingham.

7. Section 88 (For protection of gas water and electric mains of Nottingham Corporation) of the Act of 1903 shall so far as the same is applicable extend and apply to any road widenings or improvements authorised by or constructed on lands acquired under this Act and to any improvements or alterations in the authorised tramways of the Company provided for by this Act or consequent upon such road widenings or improvements as if the same were authorised by the Act of 1903.

For protection of representatives of Mrs. B. Skelton deceased and J. H. Skelton Limited.

8. Notwithstanding anything to the contrary in this Act contained the Company shall not take or use the property situate on the south side of Langley Mill Lane which is numbered 20 on the deposited plans for the parish of Eastwood in the county of Nottingham and which at present belongs to the executors and trustees of the will of the late Mrs. Bessie Skelton and is in lease to Messrs. J. H. Skelton Limited without the consent in writing of the said executors and trustees and J. H. Skelton Limited or other the owners and lessees for the time being of such property.

For protection of National Telephone Company.

9. Section 50 (For protection of National Telephone Company Limited) of the Act of 1908 shall extend and apply mutatis mutandis to any lands which the Company are authorised to acquire under the powers of this Act.

For protection of Great Northern Railway Company.

10. Section 101 of the Act of 1903 shall be incorporated with this Act and shall extend and apply to the works by this Act authorised.

Period for compulsory purchase of lands.

11. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of two years from the passing of this Act.

Power to grant easements &c.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

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REVIVAL AND EXTENSION OF TIME.

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13. The powers granted to the Company by the Act of 1903 as extended by the Acts of 1906 and 1908 for the compulsory purchase and taking of lands for the tramways street widenings and works authorised by the Act of 1903 (other than the tramways by this Act abandoned) are hereby revived and extended and shall continue in force and may be exercised for and during a period of two years from the passing of this Act.

Revival and extension of time for purchase of lands under Act of 1903.

14. The powers granted by the Act of 1903 as extended by the Acts of 1906 and 1908 for the construction and completion of the tramways street widenings and works authorised by the Act of 1903 are hereby extended and shall continue in force and may be exercised for and during a period of two years from the passing of this Act and if such tramways street widenings and works shall not be completed within such period then on the expiration of that period the said powers shall cease except as to so much of the said tramways street widenings and works as shall then be completed. Such extended period shall with reference to the deposit fund mentioned in sections 85 and 86 of the Act of 1903 and for the purposes of such sections be substituted for the period limited by that Act for the completion of the tramways.

Extension of time for construction of tramways authorised by Act of 1903.

15. The powers of the Company under the Act of 1908 for the compulsory purchase and taking of lands for the purposes of the further tramways and works authorised by that Act are hereby extended and shall continue in force and may be exercised for and during a period of two years from the passing of this Act.

Extension of time for lands for further works under Act of 1908.

16.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Company in connection with the tramways authorised by the Act of 1903 and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

Use of tramway posts by Postmaster-General.

- (a) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:

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- (b) The Postmaster-General shall give to the Company not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided :
- (c) Unless otherwise agreed between the Postmaster-General and the Company the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expense of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Company or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :
- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided :
- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said

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attachments are in a proper condition and state of repair : A.D. 1911.

- (g) The Postmaster-General shall make good to the Company and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Company their officers or servants :
- (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Company and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Company or failing agreement determined as hereinafter provided :
- (i) The Company shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Company of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Company their officers or servants :
- (j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Company the value of the same Provided that if the Company or the body having the control of the street or public road object to the retention of

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the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Company from using their posts standards or brackets for the support of any of their electric wires and apparatus in connection with their tramways or shall take away any existing right of the local authority of using the posts standards or brackets of the Company in connection with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and the local authority in relation to the use of the posts standards or brackets by the Postmaster-General and the local authority respectively shall be determined as hereinafter provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression “the Company” includes their lessees;

The expression “telegraph” has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

ABANDONMENT OF CERTAIN AUTHORISED TRAMWAYS.

17. The Company shall abandon the construction of Tramways Nos. 5 6 7 8 9 10 11 12 39 and 40 and the works connected therewith authorised by the Act of 1903.

18. The abandonment by the Company under the authority of this Act of the said tramways shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of tramways and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or

Abandonment of certain authorised tramways.

Compensation for damage to land by entry &c. for purposes of tramways abandoned.

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injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Acts or the Act of 1903. A.D. 1911.

19. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchase of any land for the purposes of or in relation to the abandoned tramways or any portion thereof the Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in the manner provided by the Lands Clauses Acts for determining the amount and application of compensation to be paid for lands taken under the provisions thereof. Compensation to be made in respect of tramways abandoned.

20. The High Court may and shall at any time after the passing of this Act on application by or on behalf of the depositors referred to in section 85 of the Act of 1903 order the sum of three thousand eight hundred and twenty-seven pounds ten shillings part of the deposit fund mentioned in the said section 85 (being five per cent. on the amount of the estimate for the said abandoned tramways) and the interest or dividends thereon to be paid or transferred to the depositors or as they may appoint and upon such order being made the said sum of three thousand eight hundred and twenty-seven pounds ten shillings and the interest or dividends thereon shall be transferred and paid accordingly. Release of portion of deposit under Act of 1903.

REDUCTION OF CAPITAL AND APPLICATION OF FUNDS.

21. The Company may apply to all or any of the purposes of this Act to which capital is properly applicable any moneys which they are authorised by the Acts of 1903 and 1908 as amended by this Act to raise by shares stock or borrowing. Power to apply funds.

22. The capital of the Company shall be reduced to three hundred and fifty thousand pounds in thirty-five thousand shares of ten pounds each. Reduction of capital.

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As to borrowing power of Company.

23. Section 74 of the Act of 1903 shall be amended by inserting instead of the words "the amount of the capital by this Act authorised" the words "the Company's capital of three hundred and fifty thousand pounds."

MISCELLANEOUS.

For protection of Nottinghamshire County Council.

24. For the protection of the county council of Nottinghamshire (in this section referred to as "the Nottingham Council") the following provisions shall unless otherwise agreed between the Company and the Nottingham Council apply and have effect (that is to say):—

In this section the expression "the tramways" means the tramways authorised by the Act of 1903 and includes posts cables and other electrical appliances connected with or used with the tramways.

- (1) Before opening for public traffic any portion of the tramways in the county of Nottingham the Company shall at their own expense and to the reasonable satisfaction of the Nottingham Council strengthen all drains bridges and culverts over along and underneath any main road within the said county over which the tramways pass which shall require so to be strengthened by reason of the making of the tramways:
- (2) The Company shall so construct maintain and use the tramways over any bridge or culvert belonging to the Nottingham Council as not injuriously to affect the same and in the event of any injury or damage being caused to any such bridge or culvert by the construction maintenance or user of the tramways the Company shall make good at their own expense and restore the same to the reasonable satisfaction of the Nottingham Council:
- (3) The Company shall give fourteen days' notice in writing to the Nottingham Council of the intention to commence any works which affect or interfere with the structural work of any such bridge or culvert and shall at the same time send sufficient specifications or other information to show the nature of such works and such works shall be constructed under the

superintendence and to the reasonable satisfaction of the Nottingham Council the reasonable costs of such superintendence to be borne by the Company : A.D. 1911.

- (4) If any such bridge or culvert as aforesaid upon or along which any of the tramways are laid be altered widened or rebuilt by the Nottingham Council the Nottingham Council may require the Company to alter any such tramway in such manner as the circumstances of the case may reasonably require :
- (5) Any works under this section in so far as they affect or interfere with the structural work of any such bridge or culvert shall if the Nottingham Council so require be executed by the Nottingham Council at the expense of the Company and in that case the Nottingham Council shall give notice to the Company of their intention so to execute such work and shall commence execute and complete the same with all reasonable despatch Provided that unless the Nottingham Council shall give the said notice to the Company within fourteen days after receiving any such notice from the Company as is hereinbefore prescribed the Company may themselves proceed to execute the work :
- (6) The Company shall not without the consent in writing of the Nottingham Council place erect or attach any post or other support for any wire on or to the structure of any such bridge or culvert as aforesaid and shall on receiving three months' notice in writing remove any post or support which shall be so placed erected or attached as aforesaid :
- (7) The Company shall not without the previous consent of the Nottingham Council at any time break up any main road in the county of Nottingham including the roadway over any such bridge or culvert as aforesaid and approaches thereto unless a clear and unobstructed width of at least eight feet is left for public traffic on one side of such road :
- (8) The Company shall on demand pay to the Nottingham Council the reasonable costs which may be incurred in the repair and reinstatement of so much of any such main road as aforesaid along which the tram-

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ways will be laid as may be injured or damaged by reason of the traffic being concentrated thereon during the construction alteration or repair of the tramways :

- (9) In addition to the portion of any such main road which the Company are by section 28 of the Tramways Act 1870 required to maintain and keep in good condition and repair they shall in like manner as is provided by that section keep in good condition and repair at their own expense the whole portion of the road between the outside of the footpath or edge of the road and the nearest rail of the tramway in all cases where a space of not more than four feet shall intervene between the outside of the footpath or edge of the road on either side of the tramway and such nearest rail :
- (10) Notwithstanding anything contained in the section of this Act the marginal note whereof is "Power to acquire additional lands for widenings and works" or shown on the deposited plans the Company shall not without the previous consent in writing of the Nottingham Council enter upon take hold or use any footpath or portion of a footpath for widening the carriageway of any road in the county of Nottingham and where for the purpose of widening such carriageway the Company propose with such consent to reduce the width of the footway the Nottingham Council may if they think fit and they are hereby empowered to consent to such reduction :
- (11) Any dispute or difference which may arise between the Company and the Nottingham Council 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 to be appointed failing agreement by the Board of Trade on the application of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For pro-
tection of
Derbyshire

25. For the protection of the Derbyshire County Council (in this section referred to as "the county council") the

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following provisions shall unless otherwise agreed between the Company and the county council apply and have effect (that is to say):—

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County
Council.

- (1) Notwithstanding anything contained in this Act or shown on the deposited plans all widenings of roads and all works in connection with the widening of roads in the county of Derby which the Company may have power to make and construct shall be subject to the consent and approval of the county council and prior to the commencement of any such road widenings and works the Company shall if the county council so require submit plans sections and specifications thereof to them and no work shall be commenced until the consent of the county council be given to such plans sections and specifications All such road widenings and works shall be constructed under the superintendence and to the reasonable satisfaction of the county council the reasonable costs of such superintendence to be borne by the Company :
- (2) Notwithstanding anything contained in the section of this Act the marginal note whereof is "Power to acquire additional lands for widenings and works" or shown on the deposited plans the Company shall not without the previous consent in writing of the county council enter upon take hold or use any footpath or portion of a footpath for widening the carriageway of any road in the county of Derby and where for the purpose of widening such carriageway the Company propose with such consent to reduce the width of the footway the county council may if they think fit and they are hereby empowered to consent to such reduction :
- (3) The provisions of subsections (3) and (5) of section 46 of the Act of 1903 shall apply to any bridge widening or any works in connection therewith in the said county by this Act authorised :
- (4) The Company and the county council shall have power to agree to any variation or modification of section 48 of the Act of 1908 :

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- (5) The Company shall not without the consent in writing of the county council place erect or attach any post or other support for any wire on or to the structure of any bridge or culvert over along or underneath any road in the county of Derby and shall on receiving three months' notice in writing remove any post or support which shall be so placed erected or attached as aforesaid :
- (6) The Company shall not without the previous consent of the county council at any time break up any road in the county of Derby including the roadway over any such bridge or culvert as aforesaid and approaches thereto unless a clear and unobstructed width of at least eight feet is left for public traffic on one side of such road :
- (7) The Company shall on demand pay to the county council the reasonable costs which may be incurred in the repair and reinstatement of so much of any such road as aforesaid along which the tramways will be laid as may be injured or damaged by reason of the traffic being concentrated thereon during the construction alteration or repair of the tramways :
- (8) In addition to the portion of any such road which the Company are by section 28 of the Tramways Act 1870 required to maintain and keep in good condition and repair they shall in like manner as is provided by that section keep in good condition and repair at their own expense the whole portion of the road between the outside of the footpath or edge of the road and the nearest rail of the tramway in all cases where a space of not more than four feet shall intervene between the outside of the footpath or edge of the road on either side of the tramway and such nearest rail.

For protection of
Midland
Railway
Company.

26. For the protection of the Midland Railway Company (hereinafter referred to as "the Midland Company") the following provisions shall apply and have effect:—

- (1) Section 104 of the Act of 1903 (For protection of Midland Railway Company) shall so far as it is applicable apply to the acquisition of the lands and

the execution of the works of the widenings and works by this Act authorised: A.D. 1911.

- (2) The bridge widening to carry Tramway No. 31 over the Cromford Canal shall be constructed of a span sufficient to clear the existing waterway and towing path with a minimum clear headway above the level of the existing towing path of 7 feet:
- (3) The bridge and roadway widening to carry Tramway No. 4 over the Midland Railway near Ripley Station and the alteration of the roadway carrying Butterley Hill over the Midland Railway together with the bridge widening to carry Tramway No. 31 over the Cromford Canal shall be constructed and maintained in all things at the expense of the Company.

27. At the expiration of a period of thirty-five years from the passing of this Act the Basford Rural District Council (in this section referred to as "the council") shall have the option of purchasing such part of the undertaking of the Company as is situate within their district upon the terms of paying the fair market value thereof as a going concern but without any allowance for compulsory purchase and such right shall not be conditional on the other local authorities in whose districts the tramways by the Act of 1903 authorised are situate purchasing the lines within their respective districts but the council shall grant to the Company running powers over the tramways within the district of the council upon such terms and subject to such conditions as shall be agreed between the Company and the council or as in default of agreement shall be fixed by the Board of Trade or some person whom they shall appoint.

For protec-
tion of Bas-
ford Rural
District
Council.

28. For the protection of the Ripley Urban District Council (in this section referred to as "the council") the section of this Act the marginal note whereof is "For protection of Derbyshire County Council" shall unless otherwise agreed between the Company and the council apply and have effect in respect of all roads in the urban district of Ripley of which the council is the road authority and the council may in respect of such roads enforce the provisions of the said section as if they had been specifically named therein Provided nevertheless that any consent in carrying out the provisions of that section shall not be unreasonably withheld by the council and in the event of any

For protec-
tion of Rip-
ley Urban
District
Council.

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A.D. 1911. difference arising between the Company and the council touching any of the provisions of the said section the matter in difference shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

Provision as
to general
Tramway
Acts.

29. Nothing in this Act contained shall exempt the Company or the tramway from the provisions of any general Act relating to tramways passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum fares rates and charges authorised in respect of the tramway.

Costs of Act.

30. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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