



ANNO TRICESIMO

# VICTORIÆ REGINÆ.

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## Cap. x.

An Act for the Improvement of Roads, Sewers,  
and other Works in the Parish of *Saint Mary*  
in the Borough of *Nottingham*; and for other  
Purposes. [12th April 1867.]

**W**HEREAS in the Year One thousand eight hundred and  
forty-five an Act (in this Act called "the Local Act  
of 1845") was passed, intituled *An Act for inclosing* 8 & 9 Vict.  
*Lands in the Parish of Saint Mary in the Town and County of the* c. vii.  
*Town of Nottingham*, which Act conferred on a Body of Commis-  
sioners thereby constituted (in this Act called "the Commissioners")  
divers Powers for carrying the Act into execution: And whereas the  
Commissioners proceeded in the Execution of "the Local Act of 1845,"  
and in pursuance thereof made their Award, dated the Twenty-ninth  
Day of *June* One thousand eight hundred and sixty-five (in this  
Act called "the Award"), and delivered the same to the Clerk of  
the Peace of the Town and County of the Town of *Nottingham*:  
And whereas (among other things) in pursuance of "the Local  
Act of 1845" and by the Award the Commissioners made and set  
out on the Lands comprised in "the Local Act of 1845" (in this  
Act referred to as "the inclosed Lands") divers Roads of Two  
Classes, namely, I. Public Roads, and II. Private Roads, all which  
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public Roads and private Roads are specified in the Award: And whereas the Award contained divers Provisions respecting the Formation, Metalling, Completion, Maintenance, Repair, and Cleansing of the public Roads and private Roads: And whereas some only of the public Roads specified in the Award have been completed, and such of them as are uncompleted remain in an inconvenient State, unfit for Traffic, and it would be of great local and public Advantage if all such public Roads were forthwith completed, and if Provision were made for the Completion of the private Roads specified in the Award: And whereas since the passing of "the Local Act of 1845" "the Local Government Act, 1858," having come into operation, was in the Year One thousand eight hundred and fifty-nine adopted in and for the Borough of *Nottingham* (in this Act referred to as "the Borough") by the Mayor, Aldermen, and Burgesses of the Borough (in this Act referred to as "the Corporation"), and the same and "The Public Health Act, 1848," are now in operation within and for the District of the Borough, the Corporation, by the Council of the Borough, being the Local Board of Health for the District of the Borough (which Local Board is in this Act referred to as the Local Board): And whereas by "the Local Act of 1845" divers Powers in relation to Roads were conferred on the Highway Board of the Parish of *Saint Mary*, the Exercise whereof is essential to the efficient working of "the Local Act of 1845," but in consequence of the Adoption of "The Local Government Act, 1858," in and for the Borough, that Highway Board has ceased to exist, and the Local Board has the Control of the Highways throughout the Borough, and no Provision has been made for the Transfer of the Powers of the Highway Board under "the Local Act of 1845" to the Local Board or to any other Body: And whereas (among other things) in pursuance of "the Local Act of 1845" and by the Award the Commissioners made and set out Sewers in some of the public Roads and Ditches, Drains, Watercourses, and Waterways in the inclosed Lands: And whereas in pursuance of "the Local Act of 1845" the Commissioners borrowed Money at Interest, and the Amount remaining due by them in respect thereof is the Sum of Six thousand five hundred Pounds, which Amount is secured by Mortgage of Rates leviable by the Commissioners under "the Local Act of 1845" on Persons interested in the inclosed Lands, and is in this Act referred to as "the Commissioners Mortgage Debt:" And whereas by reason of the Extent to which Subdivision of Allotments made under "the Local Act of 1845" has proceeded, and from other Causes, great Difficulty attends the making and levying of Rates under "the Local Act of 1845," and frequent Questions arise respecting the Liability to Rates and to the Payment of the Costs incurred in the Formation and Completion of Roads and Sewers in the inclosed Lands, and there is consequently a considerable Arrear of



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of Rates uncollected: And whereas in order to put an End to the Embarrassment and Interference with public Accommodation arising from the defective Nature of the Provisions of "the Local Act of 1845," and the Conflict of the Powers of the Commissioners under that Act with those of the Local Board, it is expedient that the Powers of the Commissioners be discontinued, and that so much of "the Local Act of 1845" as interferes with the Exercise of the Powers of the Local Board be repealed: And whereas it is expedient that "the Local Act of 1845" be in divers other respects amended: And whereas it is expedient that the Award be in some respects revoked or altered as in this Act provided: And whereas in the Thirty-sixth Year of the Reign of King George the Third an Act was passed intituled *An Act for raising, maintaining, and keeping in repair the Road from the North End of the Bridge commonly called the Old Trent Bridge to the West End of Saint Mary's Churchyard, by way of Hollow Stone, in the Parish of Saint Mary in the Town of Nottingham, and for erecting and maintaining such and so many Flood Bridges upon the said Road as may be necessary to carry off the Flood Water, and for widening and improving the Entrance into the Town of Nottingham by way of Hollow Stone* (in this Act referred to as "the Flood Road Act"), and the Trustees thereby appointed were empowered to levy Tolls, and therewith and with the yearly Payment of One hundred Pounds thereby directed to be made by the said Mayor, Aldermen, and Burgesses, by their then corporate Title of the Mayor and Burgesses, out of their Bridge Estate, to construct and maintain the said Road and the Bridges thereon: And whereas it is expedient that the Tolls leviabie under "the Flood Road Act" be abolished, and that such other Arrangements as are embodied in this Act be made respecting the Matters in that Act comprised: And whereas the Objects aforesaid cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

36 G. 3.  
c. ciii.

1. This Act may be cited as "The Nottingham Improvement Act, 1867." Short Title.

2. In this Act the Term "the Local Government Act" means "the Local Government Act, 1858," "the Public Health Act, 1848," and all Acts supplemental to or amending those Acts or either of them; the Term "the Borough Fund" means the Borough Fund of the Borough of *Nottingham*; the Term "the General District Rate" means the General District Rates leviabie by the Local Board; the Word "Lands" includes and means Lands, Interpre-  
tation of  
Terms.  
Messuages,

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Messuages, Buildings, and other Erections, as the Case may be; and Words and Expressions used in this Act shall have the Meanings assigned to them by "The Public Health Act, 1848," unless such Meanings be repugnant to or inconsistent with the Context or Subject Matter in which such Words or Expressions occur.

Extent of Provisions as to inclosed Lands.

3. The Provisions of this Act relative to the inclosed Lands shall extend to all Messuages, Buildings, and other Erections for the Time being erected thereon.

Repeal of Parts of recited Act.

4. The Sections of "the Local Act of 1845" described in the Schedule to this Act are hereby repealed to the Extent in that Schedule mentioned, but this Repeal shall not affect the past Operation of any of those Sections, or the Force or Operation of any Order or Direction made or given, or the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability accrued under "the Local Act of 1845" or the Award, before the passing of this Act.

Revocation of Award as far as inconsistent.

5. So much of the Award as is inconsistent with any Provision of this Act shall from the passing of this Act cease to operate, but nothing in this Act shall affect the past Operation of any Part of the Award revoked by this Act, or the Force or Operation of any Order or Direction made or given, or the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability accrued under the Award, before the passing of this Act.

Cesser of Powers of Commissioners.

6. Within Four Months after the passing of this Act the Local Board shall pay off the Commissioners Mortgage Debt, and all other Debts, if any, owing by them, and all Interest accrued due thereon up to the Time of such Payment, or shall effectually release the Commissioners to their Satisfaction from all Liability in respect of such Debts and Interest; and on such Payment being made, or such Release given, all Powers vested in the Commissioners by "the Local Act of 1845" shall cease to be exercised, and no new Commissioner shall be appointed under that Act, but the Commissioners shall nevertheless continue to act as far as may be requisite for the Purpose of doing anything which they are by this Act expressly required to do.

Money of Commissioners to be paid to Local Board.

7. All Money in the Hands of the Commissioners at the passing of this Act shall, at the Time of such Payment or Release as mentioned in the last preceding Section, being made or given, be paid by them to the Local Board.

Actions not to abate.

8. Nothing in this Act shall cause the Abatement of or in anywise prejudicially affect any Action, Suit, or other Proceeding at Law or in



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in Equity commenced by or against the Commissioners solely or otherwise before the passing of this Act and then pending, but the same may be continued, prosecuted, or enforced by or against the Local Board solely or otherwise, as the Case requires, and the Commissioners and their Clerk shall afford all reasonable Facilities and Information to the Local Board for prosecuting and defending any such Action, Suit, or other Proceeding, or any Proceeding under this Act.

9. All Books, Papers, and Documents which would have been Evidence in respect of any Matter for or against the Commissioners or other Persons or any Body shall be admitted as Evidence in respect of the same or the like Matter for or against the Local Board, or any Person or Body. Books, &c. to be Evidence.

10. All public Carriage Roads, public Bridleways, and public Footpaths specified in the Award are hereby declared to be Highways within the Meaning of Section Sixty-eight of "The Public Health Act, 1848," and the Local Board shall, as soon as may be after the passing of this Act, cause the same to be levelled, and such of them as are public Carriage Roads to be either paved or macadamized, and to be channelled, sewerred, and completed, and such of them as are public Bridleways or public Footpaths to be completed in such Manner as the Local Board deem fit, but nothing in this Section shall apply to the *Nottingham* and *Mansfield* Turnpike Road during the Subsistence of the Turnpike Trusts relating thereto. Completion of public Carriage Roads, Bridleways, and Footpaths.

11. All private Roads specified in the Award, and all other Roads, Streets, and Ways made or to be made on the inclosed Lands (not being public Carriage Roads, public Bridleways, or public Footpaths specified in the Award), shall be deemed and are hereby declared to be Streets (not being Highways) within the Meaning of Sections Sixty-nine and Seventy of "The Public Health Act, 1848," and Section Thirty-eight of "The Local Government Act, 1858," and any Expense incurred by the Local Board in pursuance of the said Section Sixty-nine, or of the said Section Thirty-eight, as respectively applied by the present Section, may be recovered from the Owners in the said Section Sixty-nine mentioned, or, at the Option of the Local Board, from the Owners in Section Sixty-two of "The Local Government Act, 1858," mentioned, either in one or other of the Modes mentioned in the said Section Sixty-nine, or in the Mode mentioned in Section Twenty-three of "The Local Government Act (1858) Amendment Act, 1861," or by Proceedings in the County Court of *Nottinghamshire* at *Nottingham*, and until paid shall be a Charge on the said Premises in respect of which they were incurred, in pursuance of Section Sixty-two of "The Local Government Act, 1858," and Completion of private Roads, &c.

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such Expenses shall be Expenses in respect of which, if the Local Board think fit to declare the same to be Private Improvement Expenses, the Local Board may exercise the Borrowing Powers contained in or given by the Local Government Act.

Repair of  
Drains, &c.

**12.** If Default be made by any Person or Body in repairing, cleansing, or maintaining any Ditch, Drain, Watercourse, or Waterway specified in the Award in manner directed by the Award, the Local Board, in lieu of the Mayor, Aldermen, and Burgesses of the Borough, shall and may have and exercise all the Powers and do all the Acts which the Mayor, Aldermen, and Burgesses are in the Award empowered or directed to exercise and do in case of any such Default; and if for the Space of Three Months after Notice in Writing requiring such Person or Body to repair, cleanse, or maintain any such Ditch, Drain, Watercourse, or Waterway has been given by the Local Board to such Person or Body, or to any Person in receipt on behalf of such Person or Body of the Rents of the Lands in respect whereof the Liability so to do arises, then and in every such Case the Local Board may, if they think fit, enter and execute the Works in respect whereof Default has been made, and the Expenses incurred by the Local Board in so doing shall be paid by the Person or Body in default, and may be recovered from such Person or Body in a summary Manner as defined in "The Public Health Act, 1848," or by Proceedings in the County Court of *Nottinghamshire* at *Nottingham*, or the same may be declared by Order of the Local Board to be Private Improvement Expenses, and be recoverable as such in manner in "The Public Health Act, 1848," provided.

Conversion  
of Water-  
courses, &c.  
into Sewers.

**13.** All Ditches, Drains, Watercourses, and Waterways set out in the Award shall be under the Management and Control of the Local Board, and the Local Board may at any Time, if they think fit, cover over any such Ditch, Drain, Watercourse, or Waterway, or any Part thereof being open, and thereupon the same shall be deemed to be a Sewer, and shall be subject to all the Provisions of "The Public Health Act, 1848," relative to Sewers in like Manner as Sewers vested in the Local Board by that Act, except that no such Sewer shall vest in the Local Board unless the same shall be under any Road, Street, or Way.

Extension of  
Sect. 118. of  
first-recited  
Act to other  
Roads,

**14.** The Provisions relative to Streets or Ways communicating between any Roads or Ways marked out by the Commissioners contained in Section One hundred and eighteen of "the Local Act of 1845," shall extend and apply to all Streets or Ways made after the passing of this Act on the inclosed Lands, and communicating between any Roads or Ways for the Time being set out by the Local Board, or by any Authority, Body, or Person other than the Commissioners.

**15.** Not-



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15. Notwithstanding anything in this Act or in "The Public Health Act, 1848," contained, Section Sixty-nine of the last-mentioned Act shall, as far as regards Causeways, extend and apply to all public Carriage Roads specified in the Award, and after any such Causeway or any Part thereof shall have been flagged, asphalted, or otherwise completed to the Satisfaction of the Local Board, such Causeway, or the Part thereof so flagged, asphalted, or otherwise completed, shall thenceforth be maintained and repaired by and at the Cost of the Local Board.

Causeways  
of public  
Roads.

16. Where by virtue of this Act or otherwise the Local Board require that the Causeway of any public Road or private Road respectively specified in the Award, or of any other Road, Street, or Way, be flagged (instead of being merely asphalted or otherwise completed), then and in every such Case One Third of the Cost of such Flagging shall be borne and paid by the Local Board out of the General District Rate or any other Fund applicable to the Purpose, and the remaining Two Thirds only of such Cost shall be recoverable from Owners, and the same shall be recoverable from Owners in manner provided by Section Sixty-nine of "The Public Health Act, 1848," or, at the Option of the Local Board, in manner provided by Section Sixty-two of "The Local Government Act, 1858," and shall be a Charge on the Premises of such Owners respectively pursuant to the last-mentioned Section.

Contribution  
by Board for  
flagging of  
Causeways.

17. As soon as may be after the passing of this Act the Commissioners shall deliver to the Local Board a List signed by the Commissioners showing, with respect to Two Rates made by the Commissioners under "the Local Act of 1845," dated respectively the Tenth Day of *September* One thousand eight hundred and fifty-seven and the Fourth Day of *May* One thousand eight hundred and sixty, what Portions of those Rates respectively remain at the passing of this Act due and unpaid in respect of the several Allotments set out in the Award (which unpaid Portions of Rates are herein-after referred to as "Arrears of Rates"), and the said List shall, as far as practicable, distinguish and show what Arrears of Rates are owing in respect of every Part of an Allotment, wherever an Allotment has been subdivided. On receiving such List as aforesaid Notice shall be given by the Clerk to the Local Board, by Advertisement in some Two Newspapers published and circulated in the Borough, that the said List has been deposited in the Office of the Local Board, and may there be inspected by any Owner interested in the Lands inclosed by "the Local Act of 1845," and the Local Board shall correct any Errors found by them to exist in the said List as to the Amounts of the "Arrears of Rates" remaining due and unpaid at the passing of this Act, and the said List shall (subject to and with such Corrections in case any be made therein) be conclusive as to the Amount  
of

Collection of  
Arrears of  
Rates under  
Local Act.



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of Arrears of Rates due in respect of each such Allotment, and in respect of every Part of each such Allotment which has been subdivided; and the Owner for the Time being of every such Allotment, or of every Part of every such Allotment which has been subdivided, shall be liable to the Arrears of Rates and Interest thereon due thereon respectively, according to the said List (subject as aforesaid); and where any Allotment has become further subdivided than is stated in the said List, the Owner for the Time being of each respective Part of such Allotment shall be liable to the Arrears of Rates and Interest thereon due in respect of such Allotment, or such Part of such Allotment, in such Proportion only as the superficial Extent of his Part of such Allotment bears to the whole thereof, or, as the Case may be, to the total superficial Extent of the Parts thereof for which such Arrears of Rates and Interest thereon are due; and all the "Arrears of Rates," with the Interest thereon, shall be paid to and collected by the Local Board, subject and according to the following Provisions; namely,

- (1.) The Local Board shall at One Time or several Times, at their Discretion, add such Arrears of Rates due from any Owner of any Allotment or Part of an Allotment, and Interest due thereon, to the General District Rate payable by an Occupier or Owner for the Time being in respect of such Allotment or Part of such Allotment, and receive and recover from such Occupier or Owner such Arrears and Interest as if the same had been Part of the General District Rate, together with all Expenses attending the Recovery thereof:
- (2.) The Receipt given to such Occupier or Owner shall distinguish such Arrears and Interest by the Words "Arrears of Allotment Rates:"
- (3.) Any Occupier paying the same shall be entitled to deduct the Amount thereof from the next or some subsequent Payment of Rent in respect of his Occupation:
- (4.) Such Arrears of Rates and Interest may be recovered without being included in the Estimate for any General District Rate, and without any other of the Proceedings by Law required with respect to the making and publishing of General District Rates being taken by the Local Board.

Local Board  
to levy  
Inclosure  
Owners  
Rates on in-  
closed Lands.

**18.** For the Purpose of recouping to the Local Board the Money which they shall borrow under the Powers of this Act for discharging the Commissioners Mortgage Debt of Six thousand five hundred Pounds, and other the Commissioners Debts (if any) and Interest thereon, the Local Board shall, in addition to the General District Rate to be from Time to Time assessed on Occupiers or Owners of the inclosed Lands yearly and every Year until the said borrowed Money be recouped, charge and impose upon every Occupier or  
Owner



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Owner for the Time being (as the Case may be) of the inclosed Lands the Payment of a yearly Sum not exceeding Twopence in the Pound, calculated upon the net rateable Value of the Hereditaments in respect of which such Occupier or Owner (as the Case may be) is assessed to the General District Rate, and such yearly Payment shall be called "the Inclosure Owners Rate," and shall from Time to Time be added to the Amount payable by each such Occupier or Owner to the General District Rate from Time to Time made after the passing of this Act, and such yearly Payment shall from Time to Time be collected, levied, and recovered from such Occupiers or Owners as if the same were Part of the General District Rate, together with all Expenses attending the Recovery thereof, subject nevertheless to the following Provisions; *videlicet*,

1. Such yearly Payments shall be added to the General District Rate without being included in the Estimate for the General District Rate, and without any other of the Proceedings by Law required with respect to the making and publishing of General District Rates being taken :
2. Such yearly Payments shall not be subject to Appeal, except so far as the rateable Value of the Premises assessed to the General District Rate is subject to Appeal :
3. The Vicar of *Saint Mary* and all other Person and Persons exempted from Payment of Rates by Section Eighty-nine of "the Local Act of 1845," and their respective Tenants and Occupiers, shall be exempted from the Inclosure Owners Rate made under this Act, and where Lands have been sold by the Commissioners free from Rates under "the Local Act of 1845" the same shall continue free from the Inclosure Owners Rate under this Act :
4. The Inclosure Owners Rate shall be distinguished in the Receipt given on Collection of the General District Rate, or a separate Receipt shall be given for the same :
5. An Occupier of Lands paying the Inclosure Owners Rate shall be entitled to deduct the Amount thereof from his next or some subsequent Payment of Rent in respect of those Lands.

19. All Money paid by the Commissioners to the Local Board, all Arrears of Rates made by the Commissioners and recovered by the Local Board under this Act, and all Money received by the Local Board in respect of the Inclosure Owners Rate, shall be carried by the Local Board to the Credit of an Account to be called "the Improvement Act of 1867 Account," and shall be applied by the Local Board in or towards Payment of the Commissioners Mortgage Debt, and Money borrowed by the Local Board to pay off the Com-

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Inclosure  
Owners  
Rate.

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missioners Mortgage Debt and other Debts, if any, and the Interest thereon, and as soon as thereby an aggregate Amount has been raised equal to the Amount of the Commissioners Mortgage Debt and other Debts, if any, and all Interest thereon, then the Inclosure Owners Rate shall cease to be levied, and on the Commissioners Mortgage Debt and other Debts, if any, and all Interest thereon, being so fully discharged the Local Board shall make a Declaration to that Effect, to be recorded in their Minutes of Proceedings, and unless and until such Declaration has been made and recorded the Commissioners Debts shall, as between the Local Board on the one Side and the Occupiers and Owners of the inclosed Lands on the other Side, be deemed to be not fully discharged.

Audit of  
Accounts.

**20.** "The Improvement Act of 1867 Account" shall be audited in all respects in the same Way as the other Accounts of the Local Board are required to be audited.

Power to  
borrow for  
Purposes of  
Act.

**21.** The Local Board may from Time to Time borrow at Interest, on the Credit of the General District Rate, such Sums of Money not exceeding in the whole Twenty-five thousand Pounds as they may from Time to Time think requisite for the Purposes of this Act, and may mortgage the General District Rate accordingly, and such Sum of Twenty-five thousand Pounds shall, subject as in this Act provided, be in addition to any Money which the Local Board have borrowed or can borrow independently of this Act, and to any Money which may be borrowed by the Local Board for Private Improvement Expenses.

Form, &c. of  
Mortgages.

**22.** The Provisions of "The Public Health Act, 1848," relating to the Form, Register, Transfer, and Register of Transfer of Mortgages, and to a Receiver, shall apply to Mortgages under this Act.

Repayment  
of Money  
borrowed by  
Instalments.

**23.** The Local Board shall, out of the Monies to be received from the Commissioners and from the "Arrears of Rates" aforesaid, and from and out of the Inclosure Owners Rate and the General District Rate, pay off the said Sum of Twenty-five thousand Pounds, or so much thereof as shall be borrowed under this Act, together with all Interest which shall accrue due thereon, by annual or other Instalments within Thirty Years reckoned from the passing of this Act, and the First of such annual Instalments shall be paid off in the Year One thousand eight hundred and sixty-eight, and not less than One Twenty-ninth Part of the Money borrowed shall be paid off in that Year or in any subsequent Year, together with all Interest for the Time being due.

**24.** When



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24. When the Local Board pay off any Money by such Instalments as herein-before directed their Powers of borrowing under this Act shall, to the Extent of the Money so paid off, determine, but they may from Time to Time reborrow any Money becoming due and not paid off by such Instalments.

Power to reborrow subject to Exceptions.

25. In the Exercise by the Local Board of the Powers by or under this Act conferred on or vested in them of borrowing either the said Sum of Twenty-five thousand Pounds, or any Money for the Purpose of defraying Private Improvement Expenses, the Local Board shall not be restricted by any Regulations contained in Section Fifty-seven of "The Local Government Act, 1858," save that the said Sum of Twenty-five thousand Pounds, or any Part thereof, borrowed under this Act, shall be reckoned in the Calculation of the Amount allowed to be borrowed by the Local Board under that Section.

Restrictions as to borrowing not to apply.

26. After the said Sum of Twenty-five thousand Pounds, or any Part thereof, is borrowed under this Act, the Estimate for and the Amount raised by the General District Rates leviable by the Local Board shall comprise the Sums for the Time being required for the Payment of Interest, or Repayment of Principal, on or in respect of the Money so borrowed.

Estimate, &c. for General District Rates.

27. The said Sum of Twenty-five thousand Pounds, or any Part thereof, borrowed by the Local Board under this Act, shall be applied by them for the Purposes and in the Order following, and not otherwise; that is to say,

Application of Money borrowed.

First, in Payment of the Commissioners Mortgage Debt and other Debts, if any:

Secondly, in Repayment to the Borough Fund of Money paid thereout for the Costs, Charges, and Expenses of this Act as in this Act provided:

Thirdly, in carrying into execution the Provisions of this Act respecting public Roads, Sewers, and other public Works, and in paying the Proportion of the Cost of flagging the Causeways of public or private Roads payable by the Local Board under this Act.

28. Subject to the express Provisions of this Act, the foregoing Provisions of this Act shall be executed by the Local Board, with the Powers and Indemnities and according to the Provisions of "the Local Government Act," and the Provisions of "the Local Government Act" shall, in relation to the Local Board and the Purposes of this Act, be read and have Effect as if the Purposes and Provisions of this Act were Purposes and Provisions of "the Local Government Act."

Application of 21 & 22 Vict. c. 98. to this Act.

29. Nothing



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Saving for  
general  
Powers of  
Board.

**29.** Nothing in this Act shall prejudicially affect any of the Powers, Rights, Privileges, or Authorities vested in the Local Board by "the Local Government Act."

Saving  
Liabilities  
under  
Leases, &c.

**30.** Nothing in this Act contained relative to the Payment or Recovery of Rates or other Charges by or from Owners or Occupiers, nor any other Matter whatever in this Act contained, shall alter, vary, interfere with, or affect any Lease, Covenant, Contract, or Agreement which shall have been made or entered into between Landlord and Tenants before the passing of this Act.

Transfer of  
Property  
under Flood  
Road Act to  
Corporation.

**31.** On the passing of this Act the Toll House, Lands, and Property belonging to the Trustees under "the Flood Road Act" (subject to all Agreements and Rights affecting the same) shall be transferred to and the same are hereby vested in the Corporation, and immediately after the passing of this Act the Trustees shall transfer to the Corporation, or as they direct, the Sum of Four thousand Pounds Bank Annuities belonging to the Trustees (being the clear agreed Balance of the accumulated Fund), and pay to the Treasurer of the Corporation any Cash Balance then remaining in the Hands of the Trustees after answering all Expenses of and incidental to the Discharge of their Trust, and to the Execution of the Directions of this Act, and the Receipt of the Corporation under the Corporate Seal of the Borough for such Bank Annuities and Cash shall be a sufficient Discharge for the same, and shall operate as a Release in precluding all retrospective Accounts in relation thereto; and such Toll House, Lands, and Property (subject to the Agreements and Rights affecting the same), and Bank Annuities and Cash, shall be held by and belong to the Corporation (as Part of their Bridge Estate), and thenceforth the Trustees shall be absolutely exonerated from the said Funds and from all Responsibility under "the Flood Road Act," and shall be indemnified by the Corporation against all pending Contracts, Engagements, Debts, and Liabilities connected with the Execution of their Trust (all of which shall be assumed by and may be enforced against the Corporation), and the Payment to the Trustees by the Corporation of the yearly Sum of One hundred Pounds under "the Flood Road Act" shall cease.

Maintenance  
of Road by  
Corporation  
free of Toll.

**32.** From and after the passing of this Act the Local Board shall maintain and keep in repair such Road and other Works as the Trustees under "the Flood Road Act" are now liable to maintain and repair; and the said Road shall henceforth be free of Toll, and the Expense of so maintaining and repairing the same Road and other Works shall be borne and paid by the Corporation out of the Rents, Dividends, and Income of their Bridge Estate.

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**33.** The Costs, Charges, and Expenses preliminary to and of and incidental to the applying for, obtaining, and passing of this Act shall be paid in the first instance by the Corporation out of the Borough Fund, and shall be repaid to that Fund by the Local Board out of the said Sum of Twenty-five thousand Pounds, or any Part thereof borrowed under this Act. Expenses of Act.



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The SCHEDULE to which the foregoing Act refers.

Sections of "The Local Act of 1845" repealed by this Act.

Number of Section.	Marginal Note of Section.	Extent of Repeal.
1	Recited Inclosure Acts to form Part of this Act.	The whole Section.
31	Justices may declare any of the Carriage Roads completed.	The whole Section.
32	Commissioners to appoint private Roads.	So much of the Section as provides for the Maintenance and keeping in repair of Roads, Bridleways, and Footpaths by and at the Expense of Owners and Proprietors of Lands.
111	Primary Formation of future Roads.	So much of the Section as relates to the Completion of the Roads therein mentioned.
113	Formation of future Sewers.	The whole Section.
116	When Roads to be increased to full Width, and Sewers made.	The whole Section.
117	Recovery of Expenses.	The whole Section.
120	Principal Sewers and Paving.	The Section, except so far as it relates to Sewers and Drains.
122	Causeways to be paved and flagged.	The whole Section.

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