



CHAPTER xci.

An Act for enabling the Mayor, Aldermen, and Burgesses of the borough of Nottingham to construct additional Gasworks; to make a New Road; and for other purposes.

A.D. 1878.

[17th June 1878.]

WHEREAS the demand for gas for public and private purposes is increasing in the district supplied by the mayor, aldermen, and burgesses of the borough of Nottingham (in this Act called the Corporation), and it is expedient that the Corporation be empowered to construct additional gasworks:

And whereas the construction by the Corporation of the new road authorised by this Act will be of local advantage:

And whereas it is expedient that the additional powers in this Act contained with reference to buildings, streets, and sanitary matters be conferred upon the Corporation:

And whereas it is expedient that the Corporation be authorised to establish a superannuation fund for their officers and servants:

And whereas the Corporation are now erecting a college to be called University College, Nottingham, and Richard Enfield, of Nottingham, on behalf of an anonymous donor, has offered to give the Corporation the sum of ten thousand pounds for the purposes and in aid of the said college, upon terms agreed or to be agreed between him and the Corporation, and it is expedient that the Corporation be authorised to accept such endowment:

And whereas it is expedient that the Corporation be empowered to raise money for the purposes of this Act:

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

And whereas plans and sections describing the situation and levels of the new road and works authorised by this Act, and a book of reference to those plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of the lands shown on those plans, have been deposited with the clerk of the peace for the county of Nottingham, and with the clerk of the peace for the county of the town of Nottingham, and are in

A.D. 1878. this Act referred to as the deposited plans, sections, and book of reference :

And whereas an absolute majority of the whole number of the council, at a meeting held on the thirteenth day of December 1877, after ten clear days notice by public advertisement of such meeting, and of the purpose thereof, in the Nottingham and Midland Counties Daily Express, a local newspaper published or circulating in the borough, such notice being in addition to the ordinary notices required for summoning such meeting, resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund :

And whereas such resolution was published twice in the said Nottingham and Midland Counties Daily Express, and in respect of matters under the control of the Local Government Board has received the approval of that Board, and in respect of other matters has received the approval of one of Her Majesty's Principal Secretaries of State :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held on the twenty-first day of January 1878 in pursuance of a similar notice, being not less than fourteen days after the deposit of the Bill in Parliament :

38 & 39 Vict. c. 55. And whereas the owners and ratepayers of the borough, by resolution in the manner provided by Schedule III. annexed to the Public Health Act, 1875, consented to the promotion of the Bill for this Act :

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,)

I.—*Preliminary.*

Short title. 1. This Act may be cited as the Nottingham Improvement Act, 1878.

Incorporation of general Acts. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 32 & 33 Vict. c. 18. 10 & 11 Vict. c. 15. 2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, (except section 127 of the first-mentioned Act,) and the Gasworks Clauses Act, 1847, (except the provisions of that Act with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit,) as far as they are applicable for the purposes of and not varied by or inconsistent with this Act, are incorporated with this Act. And in the construction of those Acts for the purposes of this Act the terms the promoters of the undertaking and the undertakers respectively mean the Corporation.

3. In this Act, unless the context otherwise requires,—

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“The borough” means the borough of Nottingham :

Interpreta-
tion of
terms.

“The Corporation” and “the council” means the mayor, aldermen, and burgesses, and the council of the borough :

“The borough fund,” “the district fund,” and “the general district rate” respectively mean the borough fund, the district fund, and the general district rate of the borough :

“The Municipal Corporations Acts” means the Act of the session of the 5th and 6th years of King William IV. (chapter 76.), “to provide for the regulation of Municipal Corporations in England and Wales,” and all Acts amending the same, or otherwise relating to municipal corporations in England :

“The Public Health Acts” means the Public Health Act, 1875, and all Acts for the time being in force amending or extending the same :

38 & 39 Vict.
c. 55.

“Owner” means the person for the time being receiving the rackrent of the lands or premises in connexion with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such lands or premises were let at a rackrent :

“Rackrent” means rent which is not less than two thirds of the full net annual value of the property out of which the rent arises, and the full net annual value shall be taken to be the rent at which the property might reasonably be expected to let from year to year free from all usual tenants rates and taxes, and tithe commutation rentcharge (if any), and deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses (if any) necessary to maintain the same in a state to command such rent :

“Street” includes any highway, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not :

“Person” includes a corporation.

The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned have in this Act the same respective meanings, unless there be something in the subject or context repugnant to such construction ; provided that in this Act, or any Act wholly or partially incorporated with this Act, the expression “superior court” or “court of competent jurisdiction,” or any other like expression, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

4. This Act shall be carried into execution by the Corporation acting by the council, and according to the Municipal Corporation

Corporation
to carry
into effect

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 —
 purposes of
 Act.

Acts, Public Health Acts, and the Acts for the time being affecting the Corporation as a municipal body and a sanitary authority respectively, and with all the rights, powers, privileges, and authorities conferred by those Acts respectively on the Corporation, and on the council and committees of the council, and the officers, agents, and servants of the Corporation, with respect to matters provided for by or comprised in the Municipal Corporation Acts and Public Health Acts respectively, and (subject to the provisions of this Act) as nearly as may be in all respects as if the powers, duties, and property vested in, imposed on, or enjoyed by the Corporation by or under this Act were vested in, imposed on, or enjoyed by them by or under the Municipal Corporations Acts and Public Health Acts respectively.

Errors and
 omissions in
 plans to be
 corrected.

5. If any omission, mis-statement, or erroneous description shall have been made of any lands required for the purposes of this Act, or of the owners, lessees, or occupiers of any such lands, in the deposited plans or books of reference, the Corporation may, after giving ten days notice to the owners, lessees, and occupiers of the lands affected by such proposed correction, apply to two justices for the correction thereof, and if it shall appear to such justices that such omission, mis-statement, or erroneous description arose from mistake they shall certify the same accordingly, and they shall in such certificate state the particulars of any such omission, and in what respect any such matter shall have been mis-stated or erroneously described, and such certificate shall be deposited with the clerk of the peace for the county in which such lands shall be situated, and such certificate shall be kept by such clerk of the peace along with the other documents to which it relates, and thereupon the deposited plans or books of reference shall be deemed to be corrected according to such certificate, and the Corporation may take any lands or property required by them in accordance with such certificate.

II.—*Gas.*

Power to
 construct
 gasworks.

6. The Corporation may, upon the several pieces of land described in the First Schedule to this Act, construct and maintain, and from time to time alter, enlarge, and remove, retorts, gasholders, receivers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas and matters producible therefrom, and may make and maintain all requisite and proper approaches and conveniences for the purposes of such works.

Purchase of
 lands for
 gas under-
 taking.

7. The Corporation may, by agreement or compulsorily, purchase or acquire all such property, rights, and interests in the said pieces

of land as are not at the time of the passing of this Act vested in or belonging to the Corporation, and may also from time to time purchase by agreement such further lands, not exceeding in the whole thirty acres, as they may require for the purposes of their gas undertaking, and the lands purchased under the authority of this section shall be used only for the purposes of that undertaking. A.D. 1878.

8. It shall not be lawful for the Corporation to manufacture or store gas except upon the lands described in the First Schedule to this Act, and the lands on which they are authorised to manufacture or store gas by the Nottingham Corporation Gas Act, 1874.

Restriction on manufacture and storing of gas.
37 & 38 Vict. c. cxxxvi.
Period for compulsory purchase of gas lands.

9. The powers of the Corporation for compulsory purchase over the lands described in the First Schedule to this Act shall not be exercised after the expiration of three years from the passing of this Act.

10. Where any owner or occupier is required by the Corporation to give them security for the payment of the price or rent of a meter, the Corporation shall pay interest at the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Interest on security for meters.

III.—*New Road.*

11. Subject to the provisions of this Act, the Corporation may, in the lines shown on the deposited plans and upon the levels shown on the deposited sections, make and maintain the new road herein-after mentioned, together with all necessary and convenient approaches, bridges, drains, sewers, works, and conveniences connected therewith, and for those purposes may enter upon, purchase, take, and use such of the lands delineated on the deposited plans and described in the deposited book of reference, and any right or easement in, over, or under the same, as shall be necessary for such new road and works. The new road herein-before referred to and authorised by this Act is :—

Power for Corporation to make new road.

A road commencing in the parish of St. Mary, in the borough of Nottingham, by a junction with the Mansfield Road, near the sub-police station late the toll-house there, and terminating in the parish of Radford, in the said borough, near the junction of the boundaries of the said parish of Radford and of the parish of Lenton, in the said borough.

12. In the construction of the said new road the Corporation may deviate vertically from the levels thereof shown on the deposited sections to any extent not exceeding three feet upwards or three feet downwards.

Limit of vertical deviation.

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Period for compulsory purchase of lands.

Period for completion of new road.

13. The powers of the Corporation for the compulsory purchase of lands for the purposes of the new road authorised by this Act shall not be exercised after the expiration of three years from the passing of this Act.

14. If the new road by this Act authorised shall not be completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Corporation for making the said new road, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

IV.—*Buildings and Sanitary.*

Amendment of 37 & 38 Vict. c. exciv.

15. The Nottingham Improvement Act, 1874, is hereby amended in the following particulars, and shall be read and construed accordingly :

(A) The word dwelling-house, when used in section 30 of that Act, shall mean every building which contains a habitable room :

(B) When any house, building, yard, garden, or pleasure ground mentioned in section 42 of the same Act shall be unoccupied, the owner thereof shall keep clean and free from filth, snow, and ice, and, if necessary, sweep the footway or foot pavement along the whole length thereof, in manner provided by that section, and in every case of default shall be liable to a penalty not exceeding ten shillings.

Houses not to be occupied until street is formed, &c.

16. When in the case of any street or part of a street not being a highway repairable by the inhabitants at large the Corporation shall have given public notice, by putting up the same in such street or part of a street, that such street or part of a street is not sewered, levelled, metalled, and channelled according to plans and sections approved of by the Corporation, every person who shall occupy or allow to be occupied as a dwelling-house any new building in such street or part of a street at the expiration of fourteen days after the giving of such notice, except with the consent of the Corporation, shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding forty shillings for each day that the occupation continues without such consent; provided that nothing herein contained shall be deemed to affect the owner, lessee, or occupier of any house which shall have been erected or occupied prior to the giving of such public notice as aforesaid. When any such street or part of a street has been sewered, levelled, paved, flagged, or otherwise metalled, channelled, and made good to the satisfaction of the Corporation as aforesaid, such street or part of a street shall thereupon become a public highway repairable by the inhabitants at large.

17. Every owner of a new building shall, before the same shall be inhabited, give to the Corporation or the borough surveyor a notice in writing that the said building and its appurtenances, and the paving of the yard, and the drainage and the ventilation thereof, are completed, and that the drains thereof are sufficiently trapped according to the provisions of the several Acts of Parliament and the byelaws for the time being in force in the borough, and a demand that the same may be inspected within fourteen days from the service of such notice; and no owner of a new building shall occupy or allow the same to be occupied if he shall have received from the borough surveyor, within fourteen days after the service of such notice, a notice in writing that such new building is not complete or sufficiently ventilated and fit for habitation, or that the drainage thereof is not completed, and the drains not sufficiently trapped (the notice to state in what particulars the building or the drainage is defective); and any owner who shall occupy or allow such new building to be occupied after such last-mentioned notice has been given shall be liable to a penalty not exceeding five pounds, and a further penalty not exceeding forty shillings for every day during which such building shall be inhabited until the borough surveyor shall have certified that the defects specified in his notice have been remedied.

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Houses not to be inhabited until certificate of completion given by Corporation.

18. Any pilaster, plinth, cornice, or other part of a new building, or of a new front or addition to an existing building, shall not project or encroach over a footway or highway unless allowed by the Corporation, or beyond the distance (if any) allowed by the Corporation; and any owner of any such building who shall cause or allow any such projection or encroachment in contravention of this section shall be liable to a penalty not exceeding twenty shillings, and if such projection or encroachment be not removed within twenty-one days after receipt by such owner of a notice in writing under the hand of the borough surveyor requiring the removal of the same, such owner shall, at the expiration of that time, be liable to a further penalty of ten shillings for every day during which the projection or encroachment shall continue.

As to projections over footways or highways.

19. The Corporation may serve notice on the occupier of any building to remove or alter any porch, shed, projecting window, step or steps, cellar door or window, teagle, crane, windlass, sign, sign-post, sign-iron, show-board, window shutter, wall, gate, fence, flag, or pole, or any other obstruction or projection erected or placed before or after the commencement of this Act against or in front of any building, and which may be considered by the Corporation or

Existing and future projections of houses, &c. to be removed on notice.

A.D. 1878. — the watch committee to be dangerous or inconvenient to the public, and such occupier shall, within fourteen days after the service of such notice on him, remove or alter the same in the manner required by the notice, and in default thereof he shall be liable to a penalty not exceeding forty shillings, and the Corporation may remove or alter the same, and the expense of such removal or alteration shall be paid by him, and shall be recoverable as damages, but, except where the thing required by such notice to be removed or altered was made or put up by the occupier, the occupier shall be entitled to deduct the expense of his removing or altering the same, as required by the notice, from the rent payable by him to the owner of the building; provided that if any such porch, shed, projecting window, step or steps, cellar door or window, window shutter, wall, fence, or pole, or any other obstruction or projection, of a similar character, was lawfully erected or placed or continuing against or in front of any building in any street or court before the commencement of this Act, the Corporation shall make reasonable compensation to every person who suffers damage by such removal or alteration, such compensation in case of difference to be assessed and determined by a person to be appointed on the application of either party by the justices of the peace for the borough in petty sessions.

Penalty for nuisance in unoccupied houses.

20. If after the passing of this Act any unoccupied house or building in any street or public place in the borough is or becomes a nuisance or cause of injury or danger to the occupier of any adjoining building, or persons using such street or public place, the borough surveyor may, by notice in writing under his hand, require the owner of such unoccupied house or building, or his agent, within twenty-one days from receipt of such notice, to abate or remove such nuisance or cause of injury or danger, and in case of his failure so to do such owner or his agent shall be liable to a penalty of forty shillings for every day in which such nuisance or cause of injury or danger shall continue.

Right of appeal in certain cases.

21. Any person deeming himself aggrieved by any notice given by the Corporation or the borough surveyor, as the case may be, under sections 16, 17, 18, 19, or 20 of this Act, or by the withholding of the consent of the Corporation, under section 16, or by the withholding of the certificate of the borough surveyor, under section 17, or by any such removal or alteration by the Corporation as is provided for by section 19, or by any order or conviction of a court of summary jurisdiction in respect of any matter mentioned in any of those sections, may appeal to the next court of quarter sessions in the same manner and subject to the same provisions as in the case of an appeal from the decision of a court of summary jurisdiction under section 269 of the Public Health Act, 1875, and

for the purposes of such appeal any decision of the borough surveyor shall be deemed to be the decision of the Corporation. A.D. 1878.

22. In order to secure that due notice be given to the Corporation of any inmate of any building used for human habitation in the borough who is suffering from small-pox, cholera, typhus, typhoid, scarlet fever, diphtheria, or relapsing fever, the following provisions shall have effect; (that is to say,)

Notice to be given of person suffering from certain diseases.

- (1.) If any such inmate be suffering from any such disease as aforesaid, and no medical practitioner is attending on or has been called in to visit such inmate, the occupier or person having the management or control of such building, or, if such occupier or person is prevented by reason of such disease, the person in charge of such inmate, shall, so soon as he shall become aware of the existence in any such inmate of any such disease, forthwith give notice to the Corporation at the Town Hall of the existence in such inmate of such disease :
- (2.) If such inmate be not a member of the family of such occupier or person, the head of the family (resident in such building) to which such inmate belongs, or if there be no such head, then such inmate (unless prevented by reason of such disease or of youth) shall, on becoming aware of the existence in such inmate or in his own person, as the case may be, of such disease, forthwith give notice thereof to such occupier or person :
- (3.) The Corporation shall provide and supply gratuitously to every registered medical practitioner resident or practising in the borough forms for the certificate by such medical practitioner of the particulars herein-after mentioned in relation to such cases, according to the form set forth in the Second Schedule to this Act :
- (4.) Every medical practitioner attending on or called in to visit such inmate shall, on becoming aware that such inmate is suffering from any such disease as aforesaid, forthwith fill up, sign, and deliver to the occupier or person having the management or control of the building; or, in case such person is suffering from such disease, to the person in charge of such inmate, a certificate stating, according to the forms prescribed and supplied to him by the Corporation, the name of such inmate, the situation of such building, and the name of such occupier or person, and the nature of the disease from which such inmate is suffering :

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(5.) The person to whom such certificate shall be given by the medical practitioner shall forthwith deliver the same or cause the same to be delivered at the Town Hall to a clerk or servant of the Corporation in attendance there :

(6.) The Corporation shall pay to every medical practitioner who shall in pursuance of this section duly give any such certificate as aforesaid a fee of two shillings and sixpence in respect of the same ; provided that more than one fee shall not become payable under this section within an interval of thirty days to the same medical practitioner for certificates given by him in respect of the same disease occurring in the same building.

And any person who shall offend against this enactment (unless ignorant thereof, the burden of the proof of which shall be on him,) shall for every such offence be liable to a penalty not exceeding five pounds.

Agreements with owners of works as to sewage.

23. The Corporation may make and carry into effect agreements with the owners of any manufactories or works within the borough for or with reference to the purification and disposal of sewage matter produced on or arising from such manufactories or works.

V.—Financial.

Power to borrow for other purposes.

24. The Corporation may from time to time, with the previous approval of the Local Government Board, borrow such sums of money as they require for the execution of all or any of the purposes of this Act.

Mode of borrowing.

38 & 39 Vict. c. 83.

25. The Corporation may raise all moneys which they are by this Act authorised to borrow or raise by mortgage or by debentures, debenture stock, or annuity certificates, under and subject to the provisions of the Local Loans Act, 1875, and the Corporation may charge the district fund and general district rate, or either of them, as security for repayment of the moneys so borrowed, with interest.

Form of mortgage.

26. Every mortgage made by the Corporation shall be by deed under their common seal, duly stamped, and truly stating the consideration.

Repayment of borrowed money.
38 & 39 Vict. c. 83.

27. The Corporation shall pay off any money borrowed by them under this Act by such one or more of the methods (including a sinking fund) prescribed by the Local Loans Act, 1875, as the Corporation shall see fit, and within seventy-five years after the same is borrowed.

Power to re-borrow.

28. The Corporation, for the purpose of paying off any moneys borrowed by them by way of mortgage under this Act or raised by

them by the issue of debentures or debenture stock under and subject to the provisions of the Local Loans Act, 1875, may from time to time, during the period prescribed by this Act for the repayment of the moneys so borrowed, re-borrow such amounts as they may require, either by way of mortgage or by the issue of debentures or debenture stock under and subject to the provisions of the Local Loans Act, 1875, or by any two or more of such methods; provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing has been made, and that the moneys originally borrowed, and any amounts from time to time re-borrowed under the foregoing provisions for the repayment of such moneys, shall, for the purposes of sections 14 and 15 of the Local Loans Act, 1875, be deemed to form the same loan, and the obligations of the Corporation with respect to the sinking fund to be set aside in respect of such moneys, and, save as herein-after provided, with respect to the appropriation and application of a fixed annual sum for the repayment of such moneys, shall not be in any way affected by reason of such re-borrowing. If the Corporation elect to pay off any moneys borrowed by them under this Act by the appropriation of an annual sum, as provided by section 14 of the Local Loans Act, 1875, and any moneys in respect of which the annual sum is appropriated are paid off by means of moneys re-borrowed at a different rate of interest than that payable on the moneys paid off by means of such re-borrowing, the annual sum shall be reduced, or, as the case may be, increased by the subtraction therefrom or addition thereto of a sum equivalent to the decrease or increase of the interest payable by the Corporation in consequence of such repayment and re-borrowing.

AD. 1878.
38 & 39 Vict.
c. 83.

38 & 39 Vict.
c. 83.

38 & 39 Vict.
c. 83.

29. All mortgages granted by the Corporation, subsisting at the passing of this Act, shall during their continuance have priority of charge on the security therein comprised over all mortgages, debentures, debenture stock, and annuities granted or issued under this Act.

Existing mortgages to have priority.

30. The money borrowed under this Act shall be applied for the purposes for which it was borrowed, and for alteration, improvement, extension, and enlargement of works, and generally for objects to which capital money is properly applicable, and for no other purposes.

Application of money borrowed.

31. The town clerk shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act, transmit to the Local Government Board a return, in such form as may be prescribed by

Annual return to Local Government Board with

A.D. 1878.
 respect to
 sinking fund.

that Board, and verified by statutory declaration if so required by them, showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund, and all interest thereon, have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return the town clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to set apart the sum required by this Act for the sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act, the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court of Justice, and the provisions of this section shall, *mutatis mutandis*, apply to annual instalments and appropriations.

VI.—*Miscellaneous.*

Power for
 recorder and
 justices of
 the borough
 to sit in the
 Shire Hall.
 40 & 41 Vict.
 c. xxxi.

32. Whereas doubts have arisen whether under the provisions of the Nottingham Borough Extension Act, 1877, the general or quarter sessions for the borough and county of the town of Nottingham can be legally holden at the County Hall in Nottingham and offices connected therewith, and it is expedient to remove such doubts: Therefore the recorder and justices of the peace for the borough are by this Act empowered to sit and hold the general or quarter sessions for the borough of Nottingham, and the town and county of the town of Nottingham, at the Shire Hall, Nottingham, (in the said Borough Extension Act called the County Hall,) and all judgments, decisions, and acts of the said recorder and justices given, made, or done at such sessions in the said hall shall be legal and valid to all intents and purposes.

As to en-
 dowment in
 aid of Uni-
 versity Col-
 lege, Not-
 tingham.

33. The Corporation are hereby authorised to accept the before-mentioned endowment or sum of ten thousand pounds for the purposes and in aid of University College, Nottingham, now in course of construction by the Corporation, upon such terms as have been or shall be agreed upon between the Corporation and the said Richard Enfield with respect to the mode of employment by the Corporation of the annual income of such ten thousand pounds, or of a sum equivalent to such annual income, and with respect to the

manner of construction of and the accommodation to be afforded by the buildings of the said college. A.D. 1878.

34. And whereas it is expedient to provide a fund for the benefit of officers, servants, and workmen who may be employed by the Corporation in any of their undertakings or works, or in the business of any department of the Corporation, and who may be incapacitated for further service by accidental injury, sickness, old age, or other disability: Therefore the Corporation may establish a fund for the purposes aforesaid, to be called the Corporation of Nottingham Superannuation Fund, and may frame and from time to time alter rules and regulations for raising and managing the said fund, and may deduct from the salaries or wages of their officers, servants, and workmen sums or contributions towards the said fund in conformity with the said rules and regulations, and may from time to time invest such fund in or upon any securities that may appear to them desirable or expedient; but nothing in this section shall empower the Corporation to apply any part of the borough fund, or district fund, or general district rate in aid of the said superannuation fund. Super-annuation fund for officers and servants of the Corporation.

35. The Corporation may from time to time sell or lease and dispose of any part of the buildings, works, lands, and property transferred to or purchased by them by or under this Act, and they shall apply the proceeds of any sale in paying off money borrowed by the Corporation, and until such application such proceeds shall form part of the borough fund. Power to sell surplus lands and property.

36. Nothing in this Act shall take away, abridge, or prejudicially affect any right, power, authority, estate, or interest of the Corporation under the Municipal Corporations Acts or the Public Health Acts, or otherwise; and every such right, power, authority, estate, and interest may be had, enjoyed, and exercised by the Corporation as fully and effectually as if this Act had not been passed. Saving rights of Corporation.

37. The costs, charges, and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act, including the costs, charges, and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid, shall be paid by the Corporation out of the borough fund or any other funds under their control, or out of any moneys borrowed on the security thereof. Expenses of Act.

A.D. 1878.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE:

(A.) All that triangular piece of land situate in the parish of Eastwood in the county of Nottingham, containing 1a. 3r. 7p. or thereabouts, forming part of a close known as Cow Pasture, and bounded on or towards the west by the Derbyshire branch of the Great Northern Railway, and on or towards the north-east and south-east by lands belonging or reputed to belong to Mr. Thomas Harrison, which piece of land is in the occupation of Isaac Rowe, and has recently been contracted to be sold to the Corporation.

(B.) All that piece of land situate in the parish of Eastwood in the county of Nottingham, containing 9a. 2r. 10p. or thereabouts, forming part of two closes known as Cow Pasture and Deep Cutting, and bounded on or towards the east by the said Derbyshire branch of the Great Northern Railway, on or towards the north-east by other lands belonging or reputed to belong to the said Mr. Thomas Harrison, on or towards the west by a canal the property of the Great Northern Railway Company, and on or towards the south-east and south-west by an occupation or public road leading from Heanor to Eastwood, and by land belonging or reputed to belong to the Great Northern Railway Company, which piece of land is in the occupation of the said Isaac Rowe, and has recently been contracted to be sold to the Corporation.

(C.) All that piece of land situate in the township of Newthorpe in the parish of Greasley in the county of Nottingham, at a place there known as Gilt Brook, containing 3a. 3r. 20p. or thereabouts, and bounded on or towards the north and west by the Nottingham Canal and a branch thereof the property of the Great Northern Railway Company, on or towards the south by other land the property of the Midland Railway Company, on or towards the south or south-east by a tramway leading to and from the Speedwell Collieries, otherwise the Gilt Brook Collieries, otherwise the Digby Collieries, to the Erewash Valley Railway, and on or towards the east by the Derbyshire branch of the Great Northern Railway, which piece of land is in the occupation of John Clarkson Major, and is the property or reputed property of the Corporation, on which they have erected certain buildings and works.

(D.) All that piece or parcel of land situate in the township of Awsworth in the parish of Nuttall, otherwise Nuthall, in the county of Nottingham, containing one acre or thereabouts, formerly part of a close known as Park Hill, and bounded on or towards the north-east and north-west by land belonging or reputed to belong to the devisees in trust of John Moss, deceased, on or towards the south-west by the Nottingham Canal, the property of the Great Northern Railway Company, and on the south and south-east by a road leading from the village of Awsworth to the said canal, which piece of land is in the occupation of the said John Clarkson Major, and is held by the Corporation under a lease for years.

THE SECOND SCHEDULE.

A.D. 1878.

CERTIFICATE OF DISEASE, &c.

The Nottingham Improvement Act, 1878.

To the Corporation of the Borough of Nottingham.

Pursuant to the above-mentioned Act, I hereby certify and declare that in my opinion the under-mentioned person is suffering from a disease within the terms of the said Act.

Dated the day of 18 .

(Signed)

Name of person suffering from the }
disease }
Situation of the building wherein such }
person is }
Name of occupier or other person }
having the management or control }
of the building }

Nature of the disease

NOTE.—This Certificate must (under penalty of five pounds in case of neglect) be forthwith sent or taken to the Corporation at the Town Hall, and delivered to a clerk or servant of the Corporation in attendance there by the person to whom the Certificate is given by the medical practitioner.