



CHAPTER lxxi.

An Act to authorise the Corporation of Nottingham to establish a Fire Insurance Fund to make better provision in regard to the driving of carts in the City and for other purposes. A.D. 1898.
[1st July 1898.]

WHEREAS Her Majesty has by Royal Charter dated the seventh day of August one thousand eight hundred and ninety-seven ordained that the town of Nottingham and county of the same town shall be a city and be called and styled the City of Nottingham and county of the same city (in this Act called "the city") and that the mayor aldermen and burgesses of the said town and county shall be one body politic and corporate by the name and style of the Mayor Aldermen and Citizens of the City of Nottingham and county of the same city (in this Act called "the Corporation"):

And whereas the Corporation are the owners of considerable lands and buildings and of various undertakings including waterworks gasworks markets electric lighting works and tramways and they are also possessed of a town hall and municipal buildings a college libraries museums and technical schools and buildings in connexion therewith respectively and in upon or in connexion with such works and buildings they have machinery plant furniture books pictures works of art (either belonging or on loan to the Corporation) and other property and effects and they annually expend large sums of money in insuring such buildings works and property against loss or damage by fire and it is expedient that the Corporation should be empowered to establish a fire insurance fund for the purpose of themselves insuring all buildings works and property belonging to or under the control of the Corporation against loss or damage by fire:

And whereas it is expedient that the Corporation should be empowered to borrow money if the fire insurance fund should at any time be insufficient to meet the claims thereon:

And whereas it is expedient that provision should be made (as in this Act mentioned) in regard to the driving of carts and carriages in the streets of the city:

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

And whereas an absolute majority of the whole number of the Council at a meeting held on the sixth day of December one thousand eight hundred and ninety-seven after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Nottingham Daily Express a local newspaper published and circulating in the city 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 district fund and general district rate :

And whereas such resolution was published twice in the said Nottingham Daily Express and has received the approval of the Local Government Board :

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 in pursuance of a similar notice on the third day of January one thousand eight hundred and ninety-eight being not less than fourteen days after the deposit of the Bill for this Act in Parliament :

And whereas the owners and ratepayers of the city by resolution in the manner provided in the Third Schedule of 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) :—

Short title.

1. This Act may be cited as the Nottingham Corporation Act 1898.

Interpre-
tation.

2. In this Act unless the subject or context otherwise requires—

“The Corporation” means the mayor aldermen and citizens of the city of Nottingham and county of the same city ;

“The city” means the city of Nottingham and county of the same city ;

“The council” “the town clerk” “the district fund” and “the general district rate” mean respectively the council town clerk district fund and general district rate of the city ;

“Statutory security” has the same meaning as that assigned to it by the Nottingham Improvement Act 1897.

Execution
of Act.

3. This Act shall be carried into execution by the Corporation acting by the council.

Fire
insurance
fund.

4.—(1) The Corporation may if they think fit establish a fund to be called the fire insurance fund with a view of providing a sum of money which in the event of a fire shall be available for the purpose

of reconstructing rebuilding repairing restoring replacing and making good any loss or damage by or in consequence of fire to any buildings works and property belonging or on loan to or under the care custody or control of the Corporation.

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(2) In each year after the establishment of the fire insurance fund the Corporation shall pay into that fund such a sum as would in their opinion be equal to the aggregate amount of the premiums payable in the event of the Corporation insuring their buildings works and property in some public fire insurance office in England but when the fund shall amount to the sum of fifty thousand pounds the Corporation may if they think fit discontinue such yearly payments but so that if the fund is at any time reduced the Corporation shall recommence and continue the yearly payment until the fund be restored to the sum of fifty thousand pounds.

(3) The Corporation shall provide the yearly payments aforesaid by contributions from the rents and revenues of the lands buildings and undertakings which if the buildings works and property were insured in a public insurance office would be properly chargeable with the payment of the premiums of such insurance and if there be no rents or revenue specially chargeable then by contributions from the district fund and general district rate.

(4) Except so far as the fire insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses from or in consequence of fire all moneys for the time being standing to the credit of the fire insurance fund shall be invested in statutory securities and the interest and annual proceeds arising from those securities shall be invested and accumulated until the fund amounts to the sum of fifty thousand pounds and when and so long as the fund amounts to that sum the interest and annual proceeds of the securities shall be carried to the credit of the district fund.

5. If at any time the fire insurance fund shall be insufficient to make good any loss or damage sustained by the Corporation by or in consequence of fire they may with the sanction of the Local Government Board borrow at interest on the security of the district fund and general district rate such sum of money as will be necessary to make up the deficiency.

Power to borrow.

6. The following sections of the Nottingham Improvement Act 1897 are incorporated with this Act and shall extend and apply in regard to moneys borrowed under this Act except that the prescribed period for the payment off of moneys borrowed under the last preceding section of this Act shall be such as the Local Government Board may think fit to sanction not exceeding sixty years:—

Incorporation of sections from the Act of 1897.

Section 25. Certain regulations of Public Health Act as to borrowing not to apply.

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Section 26. Mode of raising money.

Section 27. Provisions of Public Health Act as to mortgages to apply.

Section 29. Mode of payment off of money borrowed.

Section 30. Sinking fund.

Section 31. Protection of lender from inquiry.

Section 32. Corporation not to regard trusts.

Section 33. Appointment of receiver.

Section 34. Power to reborrow.

Section 35. Annual return to Local Government Board.

Section 36. Application of money borrowed.

Saving of power to insure in public offices.

7. Nothing in this Act shall affect the power of the Corporation to insure any of their buildings works and property against loss or damage by fire in any public insurance office in England and if the Corporation so insure any of their buildings works and property the yearly sums payable to the fire insurance fund shall during the continuance of any such insurance be reduced by the amount of the premiums payable in respect of such insurance.

No person to have the care of more than one cart.

8. Notwithstanding anything contained in the Highway Act 1835 or in the Town Police Clauses Act 1847 no person shall act as the driver of or have the care of more than one cart or carriage each drawn by an animal in any street in the city within a radius of two miles of the Carrington Police Station and no person shall fasten or allow to be fastened to the rear of any such cart or carriage any other cart or carriage drawn by an animal or any animal drawing a cart or carriage and any person acting in contravention of this enactment shall be liable on summary conviction to a penalty not exceeding twenty shillings for each offence.

Costs of Act.

9. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation and they are hereby empowered to borrow the amount of such costs charges and expenses and the provisions of this Act relating to the borrowing of money shall apply to such borrowing except that the prescribed period for the payment off of such money shall be one year from the date of borrowing the same.

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