CHAPTER xx.

An Act to extend the boundaries of the borough of Blackburn to confer upon the Corporation further powers with respect to their water gas and electricity undertakings to consolidate the local rates leviable in the borough to make better provision for the health local government and finance of the borough and for other purposes. A.D. 1922.

[31st May 1922.]

WHEREAS the borough of Blackburn (in this Act referred to as "the borough") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and the mayor aldermen and burgesses of the borough (in this Act referred to as "the Corporation") acting by the council are the urban sanitary authority for the borough:

And whereas it is expedient that the boundaries of the borough should be extended so as to include therein portions of the townships of Ramsgreave and Livesey as by this Act provided:

And whereas the unrepealed provisions of the several Acts and Provisional and other Orders specified in the First Schedule to this Act are immediately prior to the passing of this Act in force within the borough and it is expedient that the said Acts and Orders as amended by this Act should apply throughout the borough as extended by this Act:

And whereas it is expedient that further powers should be conferred upon the Corporation with respect to their water gas and electricity undertakings:

[*Price* 5*s. Net.*]

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And whereas it is expedient that further and better provision should be made with reference to sanitary matters and for the local government health and improvement of the borough and that the powers of the Corporation in relation thereto should be enlarged and extended:

And whereas the expenses of the Corporation whether as a municipal or sanitary authority or otherwise are payable out of the borough fund and borough rate or out of the general district fund and general district rate of the borough subject so far as the last-mentioned rate is made for the purposes of the Public Health Acts to provisions for differential rating in certain cases and it is expedient that all the said expenses of the Corporation should be defrayed out of the borough fund and borough rate:

And whereas the township of Blackburn is now and as extended by this Act will be coterminous with the borough and it is expedient that the contributions of such township to the borough rate should be levied as part and be paid out of the poor rate for the said township and that in relation thereto the provisions contained in this Act with respect to differential rating in certain cases should be enacted:

And whereas it is expedient that the moneys borrowed and to be borrowed by the Corporation should be charged indifferently upon all the revenues of the Corporation and that further powers should be conferred upon the Corporation with reference to the finance of the borough as by this Act provided:

And whereas it is expedient that the other powers contained in this Act should be conferred upon the Corporation:

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed:

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):—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Blackburn Corporation Act 1922.

Division of Act into Parts.

2. This Act is divided into Parts as follows :—

Part I.—Preliminary.
Part II.—Extension of borough.
Part III.—Water.
Part IV.—Gas.
Part V.—Electricity.
Part VI.—Infectious disease and sanitary provisions.
Part VII.—Rates.
Part VIII.—Finance.
Part IX.—Miscellaneous.

Interpretation.

3. In this Act unless the subject or context otherwise requires the several words and expressions to which by the Public Health Acts meanings are assigned shall have in relation to the relative subject-matter the same respective meanings And the expressions—

"The existing borough" means the borough of Blackburn as it exists at the passing of this Act :

"The borough" means until the appointed day the existing borough and thereafter the existing borough as extended by this Act :

"The existing township" means the township of Blackburn as it exists at the passing of this Act :

"The township" means until the appointed day the existing township and thereafter the existing township as extended by this Act :

"The Corporation" means the mayor aldermen and burgesses of the borough :

"The council" means the council of the borough :

"The county" and "the county council" mean respectively the administrative county of Lancaster and the county council of that county :

"The borough map" means the map signed in triplicate by Sir William Middlebrook the chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one of which has been deposited in the Parliament Office of the House of Lords one in the Private Bill

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Office of the House of Commons and one with the town clerk at his office :

"The Blackburn Rural District" and "the Blackburn Rural Council" mean respectively the rural district of Blackburn and the rural district council of that district :

"The added part of Ramsgreave" means the part of the township of Ramsgreave by this Act added to the borough and "the excluded part of Ramsgreave" means the remaining part of that township :

"The added part of Livesey" means the part of the township of Livesey by this Act added to the borough and "the excluded part of Livesey" means the remaining part of that township :

"The added areas" means the added part of Ramsgreave and the added part of Livesey :

"The township of Ramsgreave" and "the township of Livesey" mean in each case the existing township as altered by this Act :

"The parish councils" means the parish councils of Ramsgreave and Livesey :

"Existing" in relation to any township or other area altered by this Act means existing immediately before the appointed day :

"The Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894 :

"The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same :

"The Act of 1907" and "the Act of 1918" mean respectively the Public Health Acts Amendment Act 1907 and the Representation of the People Act 1918 :

"The town clerk" "the treasurer" "the medical officer" and "the sanitary inspector" mean respectively the town clerk the treasurer the medical officer of health and the sanitary inspector of the borough and respectively include any person duly appointed by the Corporation to

discharge temporarily the duties of any such officers :

"The borough fund" "the borough rate" "the general district fund" and "the general district rate" mean respectively the borough fund the borough rate the general district fund and the general district rate of the borough :

"The Act of 1882" means the Blackburn Improvement Act 1882 :

"The Order of 1890" means the Blackburn Electric Lighting Order 1890 confirmed by the Electric Lighting Orders Confirmation (No. 7) Act 1890 :

"The Act of 1892" means the Blackburn Corporation Act 1892 :

"The Act of 1898" means the Blackburn Corporation (Tramways &c.) Act 1898 :

"The Act of 1901" means the Blackburn Corporation Act 1901 :

"The Act of 1908" means the Blackburn Corporation Act 1908 :

"The Act of 1911" means the Blackburn Corporation Water Act 1911 :

"The Order of 1922" means the Blackburn Corporation Electricity Special Order 1922 if and when approved :

"The tramway undertaking" means the tramway undertaking of the Corporation as from time to time authorised :

"The water undertaking" means the water undertaking of the Corporation as from time to time authorised :

"The gas undertaking" means the gas undertaking of the Corporation as from time to time authorised :

"The electricity undertaking" means the electricity undertaking of the Corporation as from time to time authorised :

"Daily penalty" means a penalty for every day on which any offence is continued after conviction :

"The overseers" means the overseers of the township :

"The poor rate" means the poor rate of the township :

"The consolidated rate" means the poor rate as by this Act authorised to be levied and collected :

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

"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed:

"Principal moneys" means any moneys borrowed or to be borrowed by the Corporation under any statutory borrowing power (including borrowing powers under this Act) and not raised by the issue of stock:

"Revenues of the Corporation" includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation.

PART II.

EXTENSION OF BOROUGH.

Commencement of Part II of this Act.

4. This Part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the first day of

October one thousand nine hundred and twenty-two which date is in this Part of this Act referred to as "the appointed day":

Provided that for any purpose connected with the distribution and application of the moneys payable out of the local taxation account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) the existing borough shall be deemed not to have been altered and the added areas shall be deemed to continue part of the county until the first day of April one thousand nine hundred and twenty-three.

Extension of borough.

5.—(1) The boundary of the existing borough shall be altered so as to include the following portions of townships (that is to say):—

(A) So much of the existing township of Ramsgreave in the rural district of Blackburn as lies to the east of the Bolton Blackburn and Hellifield line of the Lancashire and Yorkshire Railway and extends from the centre of the road leading from the Whalley New Road over that railway to Ramsgreave to the existing borough boundary at a point twenty yards south of the south side of the road leading from Brown Hill over that railway to Wilworth:

(B) So much of the existing township of Livesey in the rural district of Blackburn as is bounded on the north and east by the existing borough boundary on the south by the southern boundary of Broken Stone Road and Peak Brow and on the west by a line drawn from a point eighty-two yards west of the south-west corner of Gib Lane to the existing borough boundary eighty yards north of Livesey Branch Road.

(2) The boundary of the borough shall be that shown by the red line on the borough map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Blackburn for the purposes of the Act of 1888.

Deposit of maps.

6.—(1) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent

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within one month of the passing of this Act to the clerk of the county council to the clerk to the Blackburn Rural Council to the Commissioners of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister of Health to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

(2) Copies of or extracts from the borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of the said map so far as it relates to the boundaries of the borough and the said map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the said map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(3) All fees so received shall be carried to the credit of the borough fund.

Parochial alterations.

7. The added part of Ramsgreave and the added part of Livesey shall be separated from the existing townships of Ramsgreave and Livesey respectively and shall be amalgamated with the existing township so as to form the township in the Blackburn Poor Law Union.

Alteration of municipal wards.

8. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect :—

(1) For the purposes of the election of councillors of the borough the existing St. Stephen's Ward of the borough shall be extended so as to include the added part of Ramsgreave and the existing St. Andrew's Ward of the borough shall be extended so as to include the added part of Livesey :

(2) Such of the councillors representing the existing St. Stephen's and St. Andrew's Wards respectively as would have retired from office on the ordinary day of election in the years one thousand nine hundred and twenty-two one thousand nine hundred and twenty-three and one thousand

nine hundred and twenty-four shall in each case be deemed from and after the appointed day to represent those wards as altered by this Act and shall remain in office until the day on which they would have retired if this Act had not been passed.

County and Borough Councils (Qualification) Act 1914.

9. For the purposes of the application to the borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the borough.

Authority of Corporation and officers extended.

10. Subject to the provisions of this Part of this Act the powers rights privileges authorities and duties of the Corporation as a municipal body and of the Corporation acting as the sanitary authority or the burial board for the district of the existing borough and of the Corporation acting in the execution of the local Acts and Orders specified in the First Schedule to this Act and of all officers and servants of the Corporation in their respective official capacities shall extend to and apply throughout the borough.

Powers and duties of justices &c. extended.

11. The powers rights privileges authorities and duties of the quarter sessions recorder clerk of the peace coroner and justices of the peace for the existing borough and of the clerk to those justices and of the police constables and other peace officers of the existing borough shall extend to and apply throughout the borough:

Provided that every person committing an offence in any part of the added areas prior to the appointed day shall be tried and dealt with as if this Act had not been passed:

Provided also that every proceeding which prior to the appointed day has been begun by or before any justice or justices or any coroner in relation to any matter arising in or concerning any part of the added areas may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

Corporation property.

12. Subject to the provisions of this Act all property vested in the Corporation at the appointed day for the benefit of the existing borough shall by virtue of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for

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the benefit of the borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing borough shall from and after that date attach to them in respect of the borough.

Mortgage debt of Corporation.

13.—(1) So much of any sums borrowed by the Corporation as shall at the appointed day be owing and charged upon the borough fund and borough rate of the existing borough shall by virtue of this Act be charged upon the borough fund and borough rate of the borough and so much of any sums borrowed by the Corporation as shall at the appointed day be owing and charged upon any other fund or rate levied within the existing borough shall be charged upon the corresponding fund or rate to be levied in the borough.

(2) All borrowed moneys to which this section applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Local Acts and Orders.

14. Subject to the provisions of this Act the unrepealed provisions of the local Acts and Orders specified in the First Schedule to this Act and of any other local Act (including any local Act passed or to be passed during the present session of Parliament) or of any Provisional Order duly confirmed by Parliament or of any other Order and affecting the existing borough or the Corporation as the same respectively are in force within the existing borough at the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall be deemed to refer to the borough and the Corporation thereof Provided that the charges for electricity authorised by the Blackburn Electric Lighting Order 1890 as amended by subsequent enactments shall apply throughout the borough.

Extension of electricity limits.

15. The added part of Livesey shall for all purposes be included within the limits for the supply of electricity by the Corporation and the added areas shall for the

purposes of section 5 (Extension of powers) of the Lancashire Electric Power Act 1906 be deemed to have been part of the limits for the supply of electricity by the Corporation before and at the passing of the said Act of 1906.

Adoptive Acts.

16.—(1) The provisions of—

The Baths and Washhouses Acts 1846 to 1899;
The Infectious Disease (Prevention) Act 1890 (except sections 14 and 19);
Parts II. and III. of the Public Health Acts Amendment Act 1890;
The Museums and Gymnasiums Act 1891 ; and
The Public Libraries Acts 1892 to 1919;

in force in the existing borough shall be in force and apply to the borough as if the same had been adopted for the borough.

(2) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which may be in force at the appointed day throughout the existing borough shall extend and apply to the added areas.

Powers under Act of 1907.

17. Subject to the provisions of any order which the Minister of Health or the Secretary of State may make after the appointed day—

(1) The provisions of any order made before the appointed day whereby any parts or sections of the Act of 1907 are in force immediately before the appointed day in the existing borough shall have effect as if any reference in those provisions to the existing borough extended and applied to the borough and as if the said parts or sections were accordingly in force in the borough :

(2) Any other order under the Act of 1907 which is in force at the appointed day throughout the existing borough shall extend and apply to the added areas.

Orders under sections 33 and 34 of Act of 1894.

18. The provisions of any order under section 33 or section 34 of the Act of 1894 in force at the appointed day in the existing borough shall have effect as if any reference in that order to the borough as it existed at the date of the order extended and applied

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to the borough and as if any reference in that order to the township of Blackburn at the date of the order as the case may be extended and applied to the township.

Orders under Shop Hours Act 1904 or Shops Acts 1912 to 1920.

19. Any order in force under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applied immediately before the appointed day as if it had been made by the Corporation as the local authority and as if the Corporation were referred to therein instead of the local authority making the order and as if the area to which the order applies were in relation to the borough a specified part of the area of the borough.

Orders under Wild Birds Protection Acts.

20. Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force at the appointed day in the existing borough shall extend to the added areas and any order under those Acts which is then in force in the county shall cease to extend to the added areas.

Byelaws.

21. Subject to the provisions of this Act—

(1) In this section "byelaws" includes any regulation or order and "scale of charges" includes any list of tolls or table of fees or payments:

(2) All byelaws and every scale of charges made by the Corporation or the watch committee of the Corporation which at the appointed day are in force throughout the existing borough shall thenceforth apply to the borough until such byelaws or scale of charges may be altered or repealed:

(3) All byelaws made by the county council the standing joint committee of the county or the Blackburn Rural Council (or their predecessors) and in force immediately before the appointed day in any part of the added areas shall on that date cease to be in force therein except as regards any work which has been begun before that date or as regards

any work which has not been so begun but for which plans have been approved before that date by the council of the district in which the part is situated or have been sent to their surveyor or clerk one month at least before that date and have not been disapproved by such council:

(4) As regards any work within the exception in paragraph (3) of this section the byelaws in force immediately before the appointed day shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation or the watch committee of the Corporation and as if the Corporation or the said watch committee and the borough were referred to therein instead of the council of the district in which the part is situated (or their predecessors) and that district:

(5) Any proceedings which if this Act had not been passed might have been taken for any offence committed before the appointed day against any byelaws which by virtue of this section cease to be in force may be taken by the Corporation as if those byelaws had remained in force and the Corporation had been substituted for the authority by whom such byelaws were made (or their predecessors).

Jurisdiction of existing authorities to cease.

22. Subject to the provisions of this Act the powers rights privileges authorities and duties of the county council the standing joint committee of the county the Blackburn Rural Council the Ramsgreave Parish Council and the Livesey Parish Council respectively shall as from the appointed day cease to be exerciseable by or attach to those councils and that committee so far as regards the added areas Provided that any provisions in any local Act or Order confirmed by Parliament for the benefit or protection of any of those councils or the said committee so far as they relate to or affect the added areas shall from and after the appointed day enure for the benefit and protection of the Corporation.

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County Councillors and electoral divisions.

23. Subject to the provisions of section 54 of the Act of 1888—

(1) The persons who at the appointed day are the county councillors representing the electoral divisions of the county in which the added areas respectively are situate shall continue to represent those divisions as diminished by the inclusion in the borough of the added areas and shall retire on the date on which they would have retired if this Act had not been passed:

(2) A county alderman or county councillor in office immediately before the appointed day shall not be deemed to lose his qualification by reason of the inclusion of the added areas in the borough by this Act.

Guardians and district councillors.

24. Subject to the provisions of section 60 of the Act of 1894 the following provisions shall have effect:—

(1) For the purposes of the election of guardians of the poor the existing St. Stephen's Ward of the township shall be extended so as to include the added part of Ramsgreave and the existing St. Andrew's Ward of the township shall be extended so as to include the added part of Livesey:

(2) The guardians of the poor representing the existing St. Stephen's and St. Andrew's Wards respectively shall in each case be deemed from and after the appointed day to represent those wards as altered by this Act:

(3) The persons who at the appointed day are holding the office of guardians of the poor for the existing township and the existing townships of Ramsgreave and Livesey respectively shall be deemed to have been elected to that office for the township and the townships of Ramsgreave and Livesey respectively:

(4) The persons who at the appointed day are holding the office of rural district councillor for the existing townships of Ramsgreave and Livesey respectively shall be deemed to have been elected to that office for the townships of Ramsgreave and Livesey respectively and shall not become disqualified for that office by reason

of the alteration of those townships by this Act:

(5) All the persons mentioned in this section shall continue in office until the date upon which they would have retired if this Act had not been passed.

Parish Councils.

25. The parish council of the existing township of Ramsgreave shall be deemed to have been elected and shall be the parish council of the township of Ramsgreave and the parish council of the existing township of Livesey shall be deemed to have been elected and shall be the parish council of the township of Livesey.

Adjustment of financial relations.

26.—(1) In any case where the extension of the existing borough by this Act affects the distribution between the county and the borough or between the county and the borough on the one hand and any other county borough on the other hand of the moneys payable out of the local taxation account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) or any financial relations or questions between the areas aforesaid or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested.

(2) Any such adjustment as is authorised by sub-section (1) of this section may be made by agreement between the councils of the borough the county and any other county borough affected and if such adjustment has not been made before the thirty-first day of March one thousand nine hundred and twenty-three then on the application of the councils interested the Minister of Health may if he thinks fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister of Health or an arbitrator appointed by him as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Act or of the

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Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the said Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided—

(A) That in lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the said Minister under this section and to the costs of those inquiries; and

(B) That subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

Adjustment for purposes of licensing.

27.—(1) An equitable adjustment shall be made between the county and the borough respecting the interest of any of the added areas in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough respectively within twelve months from the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

Insurance committees.

28.—(1) The Minister of Health may at any time after the passing of this Act by order make such provisions as appear to him to be necessary for transferring to the insurance committee for the borough such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added areas.

(2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added areas for which it now acts until such date not being later than the thirty-first day of December one thousand nine hundred and twenty-two as may be specified in the order and may for that purpose postpone the operation of this Part of this Act so far as relates to the rights and duties of the respective insurance committees for the county and the borough until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister of Health necessary or expedient.

(3) An order under this section shall have effect as if enacted in the National Insurance Act 1911 and may be revoked revised or amended by an order made in like manner as the original order.

(4) The persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing borough shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county and the borough as altered by this Act.

Balances in accounts of various authorities.

29. Any cash balances and other assets and any liabilities of the county council the Blackburn Rural Council the board of guardians of the Blackburn Poor Law Union the parish council of Ramsgreave the parish council of Livesey and the overseers of the townships of Ramsgreave and Livesey respectively at the appointed day and any sums received by them respectively after the appointed day in respect of the added areas or either of them shall be matters for adjustment under section 62 of the Act of 1888.

Property of urban and rural councils.

30. Subject to the provisions of this Act—

(1) All property or liabilities which immediately before the appointed day are vested in or attach to the Blackburn Rural Council in relation exclusively to any part of the added areas shall by virtue of this Act be transferred to and vest in the Corporation as urban sanitary authority:

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(2) Any property or liabilities vested in or attaching to the Blackburn Rural Council in relation to any part of the added areas conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

Property of parish councils.

31. Subject to the provisions of this Act—

(1) Any powers or duties transferred by or under the Act of 1894 to the parish councils respectively (except powers or duties as the authority under any of the adoptive Acts as defined in the Act of 1894) shall so far as regards the added parts of Ramsgreave and Livesey be vested in and imposed on the persons and authorities in whom they would be vested or on whom they would be imposed if the said added parts had been included in a parish in the existing borough on the appointed day within the meaning of the Act of 1894 and all property and liabilities held or incurred so far as regards the said added parts for the purpose or by virtue of the said powers and duties shall by virtue of this Act be transferred to and vest in the persons and authorities aforesaid:

(2) Any property or liabilities of the parish councils held or incurred so far as regards the added parts of Ramsgreave and Livesey respectively otherwise than by virtue or for the purposes of the powers or duties aforesaid shall by virtue of this Act be transferred to and vest in the Corporation.

Settlement of the poor.

32. Every person who at the appointed day has acquired or is in the course of acquiring a settlement in the existing township or in either of the added areas by reason of any residence completed or in the course of completion or of any act or thing done or in the course of being done or of any status condition right or privilege acquired or created or in the course of acquisition or creation in the said township or in any such area shall be deemed to have acquired or to be in the course of acquiring a settlement in the township in each case as if the existing township or the added areas were and had always been part of the township.

Valuation lists.

33. Until new valuation lists are in force—

(1) The portions of the valuation lists of the existing townships of Ramsgreave and Livesey which respectively relate to hereditaments in the added parts of Ramsgreave and Livesey shall respectively be deemed to form part of the valuation list of the township:

(2) The remaining portions of the valuation lists of the existing townships of Ramsgreave and Livesey shall respectively be deemed to be the valuation list of the townships of Ramsgreave and Livesey.

County rate basis.

34.—(1) Subject to any future revision the basis or standard of the county rate of the county shall be altered as follows:—

From the amounts respectively appearing therein as the net annual value of the agricultural land and of other hereditaments in the existing townships of Ramsgreave and Livesey there shall be deducted such sums in each case as will represent the net annual value of the agricultural land and of other hereditaments in the added parts of Ramsgreave and Livesey respectively.

(2) For the purposes of this section the net annual value of the agricultural land in the added parts of Ramsgreave and Livesey respectively shall in each case be the amount which bears the same relation to the net annual value of agricultural land in the existing township of Ramsgreave or Livesey as the total rateable value of the agricultural land in such added part bears to the total rateable value of the agricultural land in the existing township of Ramsgreave or Livesey.

(3) For the purpose of ascertaining the net annual value of hereditaments (not being agricultural land) in the added parts of Ramsgreave and Livesey respectively subsection (2) of this section shall apply with the substitution for "agricultural land" of "hereditaments other than agricultural land."

(4) The amounts shown in the basis or standard of the county rate of the county of the net annual value and the assessable value of the property in the existing townships of Ramsgreave and Livesey respectively shall be reduced so as to correspond with the reductions in

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the net annual value of agricultural land and of hereditaments not being agricultural land made under this section.

(5) In this section "net annual value" and "assessable value" mean the net annual value and assessable value according to the basis or standard of the county rate of the county and "total rateable value" means the total rateable value according to the valuation list of the existing townships of Ramsgreave and Livesey respectively last in force before the basis or standard is altered in pursuance of this section.

(6) For the purpose of the preparation of any order for county contributions to be issued by the county council after the appointed day this section shall operate from the passing of this Act.

Saving for existing jury lists.

35. For the purposes of the jury lists the townships affected by this Act shall be deemed to continue unaltered until the next lists after the appointed day come into force.

Arrears of rates.

36. Subject to the provisions of this Act all arrears of rates made by the overseers of any township affected by this Part of this Act and due at the appointed day shall be collected and recovered by the same persons or authority and in like manner as if this Act had not been passed.

Liquidation of current debts and liabilities.

37.—(1) The county council the Corporation the Blackburn Rural Council and the parish councils shall prior to the appointed day make and levy such rates or issue such precepts or contribution orders as may be necessary to raise funds sufficient to defray all current debts and liabilities and the expenditure to be incurred before the first day of October one thousand nine hundred and twenty-two in respect of the areas affected by this Act.

(2) The overseers of the poor of any existing township affected by this Part of this Act shall before the appointed day make and levy such rate or rates as may be necessary to satisfy the requirements of any such precept or contribution order and also to raise funds sufficient to defray all current debts and liabilities incurred or to be incurred by such overseers before the first day of October one thousand nine hundred and twenty-two.

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Adaptation of provisions as to adjustment.

38. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Part of this Act that section shall have effect—

(A) As if in subsections (5) (6) and (7) thereof the expression "council" included any authority affected by this Part of this Act or by anything done in pursuance of this Part of this Act; and

(B) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister of Health may sanction.

Parochial adjustments.

39. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Part of this Act so far as it relates to the alteration of any existing township that section shall have effect—

(1) As if the overseers of any township so altered were within the meaning of the said section as applied by this Part of this Act authorities affected by this Act;

(2) As if the poor rate or any other rate leviable in pursuance of the said section as applied by this Part of this Act were substituted for any fund mentioned in the section; and

(3) As if for subsections (6) and (7) of the said section there were substituted the following subsections (that is to say):—

"(6) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part of a parish only the agreement or award may authorise the making of such a separate rate as if it were a poor rate and

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as if the part of the parish on which it is to be levied were a whole parish :

"(7) Any capital sum paid for the purposes of any adjustment or in pursuance of any order or award of an arbitrator shall be applied by such person in such manner and for such purpose as the Minister of Health may authorise or direct."

Duplicate entries in electors lists.

40.—(1) The registration officer of the parliamentary county of Lancaster shall on publication of the electors lists for each registration unit comprising any part of the added areas within such county supply the registration officer of the parliamentary borough of Blackburn with a sufficient number of copies of those lists.

(2) It shall be the duty of the registration officer of the parliamentary borough of Blackburn to issue such notices and otherwise to take such steps as are required by Rule 23 in the First Schedule to the Act of 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the borough for the purpose of borough council elections or in any ward of the township for the purpose of guardians elections.

(3) Where the registration officer of the parliamentary borough of Blackburn considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors lists of any registration unit comprising any part of the added areas he shall forthwith notify the registration officer of the parliamentary county of Lancaster and that officer shall make such correction accordingly.

Provisions as to register of electors.

41.—(1) For the purposes of the autumn register 1922 and the spring register 1923 so far as relates to the local government electors of the borough and of all matters connected with incidental to or consequent upon those purposes the added areas shall be deemed to have formed part of the borough as from the first day of the qualifying period for the autumn register 1922.

(2) In the preparation of the autumn register for the year 1922 in pursuance of the Act of 1918 so far as it relates to any areas affected by this Act it shall be

competent to the registration officers of the parliamentary county of Lancaster and the parliamentary borough of Blackburn to frame the register in separate parts for each area which will constitute a registration unit from and after the appointed day instead of in separate parts for each area constituting a registration unit before the appointed day.

(3) If the register of local government electors for any area affected by this Act is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for a township or ward or other voting area the town clerk in the case of an election for a voting area within the borough and the registration officer of the parliamentary county of Lancaster in the case of an election or parish meeting for any other voting area shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(4) It shall be the duty of the overseers to render such assistance as may be required by the town clerk or by the registration officer of the parliamentary county of Lancaster for the purpose of such alteration or re-arrangement.

(5) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary to give effect to the provisions of this Part of this Act and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Saving for actions.

42. No alteration effected by this Part of this Act in the area of any local authority shall abate prejudicially affect or prevent any action or proceeding or any cause of action or proceeding which at the appointed day is pending or existing by or against any such authority or any contract deed bond agreement or other instrument (subsisting at the appointed day) entered into or made by any such authority or their predecessors:

Provided that—

(1) Any action or proceeding or any cause of action or proceeding which at the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added areas may be continued

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prosecuted and enforced by or against the Corporation:

(2) All contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by any such authority or their predecessors in relation exclusively to any part of the added areas shall be of as full force and effect against or in favour of the Corporation and may be continued and enforced as fully and effectually as if instead of such authority or their predecessors the Corporation had been a party thereto.

Saving for contribution orders and precepts.

43. Notwithstanding the alteration in the areas of townships or districts effected by this Part of this Act all contribution orders or precepts made or issued before the appointed day shall be as valid in law as if this Act had not been passed.

Saving for powers of certain authorities.

44. Nothing in this Part of this Act shall be construed as restricting the powers of the Minister of Health under the Acts relating to the relief of the poor or the powers of the said Minister or of the county council or of the Corporation under the Act of 1888 or the Act of 1894.

Saving for parliamentary divisions.

45. Nothing in this Act shall alter the area of any parliamentary borough or parliamentary county or any division thereof or shall affect the powers of the county council under section 31 of the Act of 1918 or any order or scheme for the division of a constituency for parliamentary elections into polling districts and the appointment of polling places.

Saving for burial rights.

46.—(1) Nothing in this Act shall prejudice or affect any right of burial which any parishioner or inhabitant of the added areas may have acquired prior to the appointed day in relation to any burial ground or any right of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day in relation to such burial ground.

(2) Nothing in this Act shall prejudice or affect any right privilege authority or duty which immediately before the appointed day is exerciseable by or attaches

to any incumbent or sexton under the Burial Acts 1852 to 1906.

Ecclesiastical divisions and charities.

47. Nothing in this Act shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

PART III.

WATER.

Extension of time for construction of reservoirs.

48. Section 21 (Extension of time for construction of Brennand and Whitendale Reservoirs) of the Act of 1911 shall be read and have effect as if the words "twenty-five years" were inserted therein instead of the words "twenty years."

As to measuring gauge at Dunsop River.

49.—(1) Subsection (3) of section 6 (Provision as to supply of compensation water) of the Blackburn Water Act 1885 (in this section referred to as "the Act of 1885") shall apply to the measuring gauge and recording apparatus now and from time to time provided and placed at the Dunsop River immediately below the confluence of the rivers Brennand and Whitendale and the Corporation shall renew such measuring gauge and apparatus as often as occasion may require.

(2) Subsection (4) of section 6 (Provision as to supply of compensation water) and sections 7 (Inspection of gauge) and 8 (Penalty in the event of Corporation taking more than authorised quantity of water) of the Act of 1885 shall apply with reference to the measuring gauge and apparatus now and from time to time provided as aforesaid and shall have effect as if the joint committee of the river Ribble had been named in the said provisions in addition to the persons entitled to the flow of the waters of the Dunsop River in respect of premises situate above the junction of the rivers Hodder and Ribble.

(3) Nothing in this section shall alter or affect the provisions of subsections (1) and (2) of the said section 6 of the Act of 1885.

Application of section 35 of Waterworks Clauses Act 1847.

50. Section 35 of the Waterworks Clauses Act 1847 in its application to the Corporation shall be read and construed as if the words "one-sixth part" and "five successive years" were substituted therein for the

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words "one-tenth part" and "three successive years" respectively.

Corporation to connect communication pipes with mains.

51. Notwithstanding anything contained in any Act relating to the Corporation the Corporation shall have the exclusive right of executing any works on any of the water mains of the Corporation for connecting any communication or service pipe therewith and the Corporation shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Corporation execute on any such main subject to the provisions so far as applicable of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes any work which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Powers in relation to water mains.

52. Subject to the provisions of this Act the Corporation shall have and may exercise the powers which a local authority would have under section 54 of the Public Health Act 1875 with respect to the carrying of water mains within and without their district and for the purposes thereof the limits for the supply of water by the Corporation shall be deemed to be the district.

Power to lay pipes in streets not dedicated to public use.

53. The Corporation may on the application of the owner or occupier of any premises within the limits for the supply of water by the Corporation abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Acts 1847 and 1863 shall apply as if the street were a street within the meaning of those Acts and as if section 29 of the former Act were excepted from incorporation in the Acts relating to the water undertaking:

Provided that the Corporation shall not in carrying out any works in pursuance of this section unreasonably obstruct or interfere with the convenient access to any dock basin or depôt of any canal company or any street belonging to and forming the approach to any such dock basin or depôt.

For protection of London and

54. The following provisions for the protection of the London and North Western Railway Company (in

this section referred to as "the railway company") shall unless otherwise agreed be in force and have effect :— A.D. 1922.

North Western Railway Company.

(1) In laying down or executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans to be submitted to and in such manner as shall be previously reasonably approved by him and in all things by and at the expense of the Corporation Provided that if the said principal engineer shall fail to superintend at the time specified in a notice to be given by the Corporation to the railway company of their intention to commence any such mains pipes or works (such time being except in cases of emergency not less than ten days from the giving of the notice) the same may be executed without his superintendence and that unless the said principal engineer shall give notice of his disapproval of such plans and of his grounds thereof within twenty-one days after they shall have been submitted he shall be deemed to have approved thereof :

(2) The Corporation shall restore and make good the roads over any such bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Corporation :

(3) All such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon :

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(4) If any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works the Corporation shall make compensation in respect thereof to the railway company:

(5) Any dispute or difference which may arise between the railway company and the Corporation under or in pursuance of this section shall be settled by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the Arbitration Act 1889 shall apply to any such arbitration.

Maintenance of common pipe.

55. When several houses or parts of houses in the occupation of several persons are supplied by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the water engineer of the Corporation.

As to supply of water for motor vehicles.

56. Where water supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in premises where horses carriages or motor cars are kept for private use the Corporation may if a hose pipe or other similar apparatus is used charge any additional sum not exceeding twenty-five shillings per annum and (where more motor cars than one are ordinarily kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first and any sum chargeable under the provisions of this section shall be recoverable in all respects with and as the water rate.

Corporation not bound to supply several houses by one pipe.

57. The Corporation shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Notice of discontinuance.

58. A notice to the Corporation from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on

behalf of the consumer and be left at or sent by post to the office of the Corporation or be given personally by the consumer at such office.

Notice to Corporation of connecting or disconnecting meters.

59. Before any person connects or disconnects any meter by means of which any of the water of the Corporation is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Corporation of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Corporation and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Power to remove meters and fittings.

60. The Corporation by their agents or workmen after forty-eight hours' notice in writing under the hand of the manager of the water undertaking or some other officer of the Corporation to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which any pipe meter or fitting belonging to the Corporation is laid or fixed and through or in which the supply of water is from any cause other than the default of the Corporation discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Register of meter to be primâ facie evidence.

61. Where the Corporation supply water by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rate or rent is charged and sought to be recovered by the Corporation Provided that if the Corporation and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

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Byelaws for preventing waste of water.

62.—(1) The Corporation may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soil-pans water-closets baths cisterns and other apparatus (in this section referred to as " water fittings ") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

(2) Such byelaws shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Corporation may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Corporation as the water rates in respect of the premises are recoverable.

Repeal of certain water provisions.

63. The following sections of the Act of 1882 are hereby repealed :—

Section 166 (Corporation may require pipes &c. to be repaired);

Section 167 (Regulations for preventing waste of water &c.);

Section 168 (Power to Corporation officer to enter buildings);

Section 169 (Power to Corporation to cut off water or gas supplied in certain cases);

Section 170 (Power for Corporation to remove water pipes or gas pipes from unoccupied premises); and

Section 171 (Recovery of money by distress):

Provided that any regulations made under the said section 167 shall remain in force until superseded by

any byelaws made in pursuance of the section of this Act the marginal note of which is "Byelaws for preventing waste of water." A.D. 1922.

PART IV.

GAS.

Confirmation of agreement as to gas limits.

64.—(1) The agreement made the eighteenth day of October one thousand nine hundred and seventeen between the mayor aldermen and burgesses of the county borough of Blackburn of the one part and the urban district council of Oswaldtwistle of the other part set forth in the Second Schedule to this Act is hereby confirmed and made binding on the parties thereto.

(2) From and after the giving by the said council to the Corporation of the written notice referred to in the said agreement all that part of the township of Oswaldtwistle which lies to the east of a straight line drawn from the Ordnance summit on the Accrington branch of the Bury Haslingden and Whalley turnpike road near the Mother Red Cap public house to a point in the boundary of that township where the same adjoins the township of Yate and Pickup Bank near the place called Windy Bank shall for all purposes be excluded from the limits within which the Corporation are authorised to supply gas.

Power to refuse supply to persons in debt for other premises.

65. If a person requiring a supply of gas from the Corporation has previously quitted premises at which gas was supplied to him by the Corporation without paying to them all gas charges and meter rent due from him to the Corporation they may refuse to furnish to him a supply of gas until he pays the same.

Supply of gas where consumer has separate supply.

66. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand or continue to receive from the Corporation for the purposes of a stand-by only a supply of gas for any premises for which he has at the same time a supply of gas from an installation other than that of the Corporation or a supply of electricity except from the Corporation unless he shall have agreed to pay to the Corporation such minimum annual sum as will give to them a reasonable return on the capital expenditure and will cover charges incurred by them

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in order to meet the possible maximum demand for the premises for which the stand-by supply is demanded or received and the sum so to be paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

Anti-fluctuators to be used with gas engines.

67.—(1) The Corporation may by notice in writing require a consumer of gas supplied by the Corporation and used for the working of an engine to fix and use an efficient anti-fluctuator in a suitable position upon the premises to which the gas is supplied and whereon the engine is in use or to keep an efficient anti-fluctuator so fixed and used in proper order and repair at all times while in use or to repair renew or replace an anti-fluctuator which is not in proper order or repair.

(2) If the consumer after any such notice as aforesaid fails to fix and use an efficient anti-fluctuator or to keep an anti-fluctuator in proper order and repair or to repair renew or replace an anti-fluctuator which is not in proper order and repair the Corporation may cease to supply him with gas.

(3) The Corporation may at all reasonable times demand and shall thereupon have access to any anti-fluctuator fixed upon any premises to which gas is supplied by the Corporation and for the purpose of ascertaining whether the anti-fluctuator is efficient and in proper order and repair may take off remove test and inspect the anti-fluctuator such taking off removing testing and inspecting to be done at the expense of the Corporation if the anti-fluctuator be found efficient and in proper order but otherwise at the expense of the consumer.

(4) For the purposes of this section an anti-fluctuator means any apparatus article or thing for the purpose of controlling and regulating the supply of gas to any engine and preventing any inconvenience or danger from the intermittent consumption of gas by the engine.

Provision of valve where high-pressure air is used.

68.—(1) Every consumer of gas supplied by the Corporation who uses air at high pressure for or in connection with the consumption of such gas (in this section referred to as "high-pressure air") shall if required to do so by the Corporation provide and fix in a suitable position and use an efficient valve or other appliance for preventing the admission of such air into the service pipe or any main through which such gas is supplied

and shall at all times at his own expense keep in proper order and repair any such valve or other appliance as aforesaid which shall have been provided and fixed whether upon such requirement or otherwise.

(2) It shall not be lawful for any person at any time after the passing of this Act to commence to use high-pressure air unless and until he shall have given to the Corporation not less than fourteen days' previous notice in writing of his intention to do so.

(3) Every person who at the date of the receipt by him of any such demand note as is referred to in paragraph (A) of subsection (5) of this section is using high-pressure air shall within one month after that date give to the Corporation notice in writing of such use and if within one month after the giving of such notice the Corporation require the consumer giving the same to provide and fix such a valve or other appliance as aforesaid it shall not be lawful for him after the expiration of fourteen days from the receipt of the requirement to continue to use high-pressure air unless before such expiration he shall have complied with the requirement.

(4) If any consumer shall fail to comply with any requirement of the Corporation or any obligation under this section the Corporation may cease to supply gas to him and shall not be under any obligation to resume such supply until the default shall have been remedied to their satisfaction.

(5) The Corporation shall give notice of the effect of the foregoing provisions of this section—

(A) (in the case of all persons who at the date of the passing of this Act are consumers of gas supplied by the Corporation) on the demand notes for gas charges payable to the Corporation issued next after that date; and

(B) (in the case of any person becoming after the passing of this Act a consumer of gas supplied by the Corporation) on the first of such demand notes delivered to such person after he shall have become a consumer.

(6) The Corporation shall have access at all reasonable times to all premises supplied by them with gas in or upon which high-pressure air is used or the Corporation have reason to believe that high-pressure air is or may

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at the time be used in order to ascertain whether any such valve or appliance as aforesaid is efficient or is in proper order and repair or whether such a valve or appliance is provided and fixed where necessary.

(7) The Corporation shall be at liberty to take off remove test inspect and replace any such valve or other appliance as aforesaid such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the valve or other appliance be found in proper order but otherwise at the expense of the consumer.

PART V.

ELECTRICITY.

Increase of maximum charges for electricity.

69. Section 1 of the Fourth Schedule to the Order of 1890 is hereby repealed and in lieu thereof the following provisions shall apply and have effect :—

Where the undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter—

(A) In respect of the quarters ending thirty-first March and thirty-first December for any amount of energy up to fifteen units fifteen shillings and for each unit over fifteen units one shilling :

(B) In respect of the quarters ending thirtieth June and thirtieth September for any amount up to ten units ten shillings and for each unit over ten units one shilling.

Method of charging for electricity.

70. Notwithstanding anything contained in the Electricity (Supply) Acts 1882 to 1919 or in any other Act or any Order relating to the Corporation or the electricity undertaking the Corporation may in all or any cases where they supply electricity charge for and in respect of such supply by any method from time to time selected by the Corporation and approved by the Minister of Transport Any such method may be other than by the actual amount of electricity supplied or the electrical quantity contained in such supply and may authorise a periodical charge in respect of the maximum power required by the consumer in addition to a charge for the electricity supplied to him.

Supply of electricity by agreement.

71. If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement:

Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

PART VI.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

As to filthy premises.

72.—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Corporation that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Corporation duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if such officer is satisfied of the truth of the representation of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling-house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 of the Summary Jurisdiction Act 1879.

(2) Any expenses incurred by the Corporation under this section and not paid by the occupier shall be recoverable from the owner of the dwelling-house or premises.

Houses infested with vermin to be cleansed.

73.—(1) If the medical officer or the sanitary inspector has reasonable cause to believe that any house is infested with vermin he may enter into such house and may inspect and examine the same and any articles therein for the purpose of ascertaining whether such house is infested with vermin.

(2) Where on the certificate of the medical officer or sanitary inspector it appears to the Corporation that any house is infested with vermin the Corporation shall give

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notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and any articles therein and if so required in the notice to remove the wall paper or other covering from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable to a penalty not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall (subject as hereinafter provided) be recoverable from the person making the default.

(4) Every person who shall wilfully obstruct any authorised officer or servant of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any requirements contained in any notice given or any work done by the Corporation was reasonable and as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

(6) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation or any boat lying in any river canal or other water within the borough and used for the like purpose.

Cleansing of children and their clothing.

74.—(1) The medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may examine the person and clothing

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of any child (other than children in boarding schools including reformatory and industrial schools) and if on examination the medical officer or any such authorised person as aforesaid shall be of opinion that the person or clothing of any such child is infested with vermin or is in a foul or filthy condition the medical officer may give notice in writing to the parent or guardian or other person who is liable to maintain or has the actual custody of such child requiring such parent guardian or other person to cleanse properly the person and clothing of such child within twenty-four hours after the receipt of such notice.

(2) If the person to whom any such notice as aforesaid is given fails to comply therewith within the prescribed time the medical officer or some person provided with and if required exhibiting the authority in writing of the medical officer may remove the child referred to in such notice and may cause the person and clothing of such child to be properly cleansed in suitable premises and with suitable appliances and if necessary for that purpose may without any warrant other than this Act convey to such premises and there detain such child until such cleansing is effected.

(3) Where after the person or clothing of a child has been cleansed under the provisions of this section the parent or guardian or other person liable to maintain the child allows him to get into such a condition that it is again necessary to proceed under this section the parent guardian or other person shall on summary conviction be liable to a fine not exceeding ten shillings.

(4) The examination or cleansing of females under this section shall only be effected either by a person duly qualified as a medical practitioner or by a female person being a member of the staff of the medical officer.

(5) Any notice required to be given under this section shall be deemed to be properly served by giving it to the person to whom it is addressed or leaving it for him with some inmate of his residence or by sending the same by post in a registered letter to his usual or last known residence In any such notice it shall be sufficient to designate the person to be served as the parent guardian or other person liable to maintain or having the actual custody of the child whose person or clothing requires to be cleansed.

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(6) For the purposes of this section the expression "child" means a person under the age of fourteen years.

Cleansing of verminous persons.

75.—(1) The Corporation may from time to time provide free of charge temporary shelter or house accommodation with any necessary attendants and apparatus for cleansing and freeing from vermin the person and clothes of any person who shall be certified by the medical officer to be infested with vermin or in a foul or filthy condition or suffering from any contagious or infectious disease of the skin and may on the certificate of the medical officer cause any such person who consents to leave his house or whose parent or guardian (where the person is a child) consents to his leaving the house to be removed therefrom to such temporary shelter or house accommodation for the purpose of disinfecting and cleansing his person and clothing and in the like case and on the like certificate may cause any such person who or (where the person is a child) whose parent or guardian does not consent to his leaving the house to be removed therefrom to and detained in any such temporary shelter or house accommodation where two justices on the application of the Corporation and on being satisfied of the necessity of the removal and detention make an order for the removal and detention subject to such conditions (if any) as are imposed by the order The Corporation shall in every case cause the removal and detention to be effected and the condition of any order satisfied without charge to the person removed or to the parent or guardian of that person.

(2) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

(3) If any person at the request of the Corporation or under an order of such justices shall cease his employment in order to comply with such order the Corporation may and in case of an order of the justices shall make compensation to him for any loss he may suffer thereby.

(4) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation.

(5) This section shall not apply to any child as defined in the section of this Act of which the marginal note is "Cleansing of children and their clothing."

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Notification of infectious disease to teachers.

76. Any parent or guardian having personal charge of a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any member of the family and who fails forthwith to notify such occurrence to the head teacher of the school shall be liable to a penalty not exceeding twenty shillings.

For the purposes of this section the expression "infectious disease" includes measles german measles whooping cough chicken pox and influenza.

Amendment of section 178 of Act of 1882.

77. Section 178 (Further powers with respect to prevention of infection from disease) of the Act of 1882 shall be read and have effect as if the word "indoor" had been omitted from paragraph (E) (1) of that section.

Medical inspection of inmates of common lodging-houses.

78. Whenever the medical officer shall report in writing to the Corporation or to a committee of the Corporation that there is a prevalence of dangerous infectious disease in the borough or in any adjoining or neighbouring borough or district and that there are reasonable grounds to apprehend the spread or communication of such disease to persons within the borough by persons resorting to common lodging-houses the Corporation or such committee as aforesaid may by resolution declare that by reason of the prevalence of the dangerous infectious disease named in the resolution it is expedient that the medical officer should be entrusted with the special powers hereinafter mentioned and subject as hereinafter provided the following provisions shall thereupon be in force within the borough for such period as the Corporation or such committee as aforesaid having regard to the circumstances of the case shall in the resolution determine (that is to say):—

(1) The medical officer may when authorised by warrant granted by any justice on complaint on oath by the medical officer that he has reason to believe that the dangerous infectious disease named in the resolution of the Corporation or such committee as aforesaid may exist or has recently existed in any common lodging-house in the borough medically examine any person found in any common lodging-house in the borough with a view to ascertaining whether such person is suffering or has recently suffered from such disease Any person obstructing the

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medical officer in making the examination aforesaid shall be liable to a penalty not exceeding forty shillings for each offence :

(2) A copy of every such resolution shall forthwith be sent by the Corporation or such committee as aforesaid to every keeper of a registered common lodging-house in the borough and to the Minister of Health :

(3) Unless approved by the Minister of Health any such resolution shall cease to be in force at the expiration of fourteen days after it is passed or any earlier date fixed by the Minister of Health :

(4) A warrant granted under this section may authorise the medical officer to exercise the powers of examination hereinbefore conferred during such period not exceeding the period during which the provisions aforesaid shall be in force as may be specified in such warrant.

Power to close infectious common lodging-houses.

79.—(1) If the Corporation deem it necessary on account of the existence or recent existence therein of infectious disease to close a common lodging-house they may make an application to a justice for an order to close the same and the justice if satisfied of the necessity of such closing may make an order for the closing of such house until the same shall have been disinfected to the satisfaction of and certified to be free from infection by the medical officer and any keeper of a common lodging-house who shall receive any lodger or suffer or permit any lodger to remain in such house after an order has been made to close the same and during the continuance of such order shall be liable to a penalty of five pounds for every day during which the offence continues.

(2) The Corporation shall make compensation to the keeper of any such lodging-house for any loss he may sustain by reason of any such closing.

Registration of premises used for preserving foods.

80.—(1) Any premises ordinarily used or proposed to be ordinarily used for the preparation or manufacture of sausages pressed potted or preserved meat fish or other food intended for the purposes of sale shall be registered by the owner or occupier thereof with the Corporation from time to time in such manner as they may direct

and no premises shall be used for the purposes aforesaid unless the same are so registered and the Corporation shall have power to refuse registration of any premises where the conditions are unsuitable.

(2) Any person offending against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) Provided that the provisions of this section shall have no application to any premises occupied as a factory or workshop of which notice is required by subsection (1) of section 127 (Notice of occupation of factory or workshop) of the Factory and Workshop Act 1901 to be given or shall in any way affect the operation of that Act.

As to contamination of sausages and other foods.

81. Any person who in the manufacture storage or preparation for sale of sausages pressed potted or preserved meat fish or other similar commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination shall be liable after notice for any such offence to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Byelaws as to admission of light to buildings.

82. Section 157 of the Public Health Act 1875 shall be extended so as to empower the Corporation to make byelaws for securing the adequate lighting of staircases passages and lobbies in new buildings and in cases where structural alterations are proposed to be made of staircases passages and lobbies of existing buildings.

Sanitary conveniences for workmen engaged on buildings.

83.—(1) The contractor or builder engaged in or upon the construction reconstruction or alteration of any building or of any works shall where practicable provide to the reasonable satisfaction of the Corporation and until the completion of any such construction reconstruction or alteration such water or other closets and urinals in or in connection with such building or works as may be sufficient for the accommodation of the workmen employed.

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(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Wilful damage to drains and water-closets.

84. If any person causes any drain water-closet earth-closet privy or ashpit or dustbin to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging the same or any water supply apparatus pipe or work connected therewith or by otherwise wilfully stopping up or wilfully interfering with or improperly using the same or any such water supply apparatus pipe or work he shall be liable to a penalty not exceeding five pounds Provided that nothing in this section shall prejudice any right which the owner or occupier of any premises aggrieved by any such act may have to recover compensation in respect of any damage suffered by him by reason of such act.

Byclaws as to stables.

85. The Corporation may make byelaws for securing the proper ventilation and lighting of and for the prevention of insanitary conditions (A) in or about or arising out of any existing stable not being used as such at the passing of this Act or (B) in or about or arising out of or with regard to the situation in reference to other buildings of any stable erected after the passing of this Act.

PART VII.

RATES.

Commencement of Part VII of this Act.

86. This Part of this Act shall come into operation on the first day of April one thousand nine hundred and twenty-three which date is in this Part of this Act referred to as "the commencement of this Part of this Act."

Repeal of certain provisions as to rates.

87. The following provisions of the following Acts are hereby repealed (namely) :—

Blackburn Borough Gas Water and Extension Act 1877—

Section 13 (Added area exempt from highway and other rates):

Blackburn Improvement Act 1879—

Section 12 (Partial exemption of added area from general district rates);

Section 13 (Added area exempt from highway and other rates):

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The Act of 1882—

Section 257 (Application of general district fund) so far as relates to the establishment or continuation of a separate fund;
Section 258 (Power to levy general district rate);
Section 260 (Manner of making rates);
Section 261 (Owners of buildings occupied for trade purposes for a less period than three months to be liable to the rate);
Section 262 (Certain kinds of property assessed on one-fourth of their net value);
Section 263 (Owners to repay occupiers);
Section 264 (Corporation may rate the occupiers in all cases);
Section 265 (Discount on rates);
Section 266 (Power to levy rates by distress):

The Act of 1892—

Section 6 (Overseers may make allowance by way of discount);
Section 62 (Power to council to collect borough rate); and
Section 63 (Power for owners to make deductions from general district rate in respect of empties).

All expenses of Corporation to be paid out of borough fund and borough rate.

88.—(1) All expenses of the Corporation which if this Act had not been passed would have been payable out of and all rates charges damages penalties and other moneys which if this Act had not been passed would have been paid or carried to the credit of the general district fund or general district rate shall be charged on and defrayed out of or paid and carried to the credit of the borough fund and the borough rate and in any case for which no specific provision is made in this Part of this Act any reference to the general district fund or general district rate in any Act or Provisional Order in force in the borough or in any mortgage of or charge on such fund or rate granted by the Corporation in pursuance of the provisions of any such Act or Order shall be deemed to be a reference to the borough fund and the borough rate.

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(2) The general district fund shall be closed and any balance standing to the credit or to the debit of the general district fund or the general district rate respectively shall be transferred to the credit or the debit (as the case may be) of the borough fund but any moneys owing to the Corporation in respect of or in connexion with the general district fund or the general district rate respectively shall notwithstanding the provisions of this Act continue to be payable to and recoverable by the Corporation as if this Act had not been passed and when received by the Corporation shall be carried to the credit of the borough fund.

(3) The Corporation may make and levy any borough rate prospectively in order to raise money to pay charges and expenses to be incurred thereafter or retrospectively in order to raise money to pay charges and expenses already incurred.

Contribution to borough rate to be paid out of poor rate.

89. The contribution of the township to the borough rate shall be paid by the overseers out of the poor rate and the provisions of section 145 of the Municipal Corporations Act 1882 shall (subject to the provisions of this Part of this Act) apply to the said contribution.

Poor rate to be called consolidated rate.

90. The poor rate (inclusive of the contributions to the borough rate levied as part thereof in pursuance of the provisions of this Act) shall be called the consolidated rate of the township.

Application of Poor Rate Assessment and Collection Act 1869.

91. The following provisions shall have effect in the application of the Poor Rate Assessment and Collection Act 1869 (in this section hereinafter called "the said Act") within the borough and the township:—

(1) The Corporation shall be substituted for and have all the powers of the vestry in and in relation to the provisions of the said Act:

(2) The commission which may be allowed under section 3 of the said Act may be of such amount not exceeding twenty per centum as the Corporation may from time to time determine:

(3) The abatement and deduction and the further abatement and deduction which may be allowed under section 4 of the said Act of fifteen per centum and fifteen per centum respectively may be of such amounts not exceeding ten per centum

and ten per centum respectively as the Corporation may from time to time determine:

(4) The amount of such commission or abatement and deduction as aforesaid which may be from time to time allowed as aforesaid may vary according to the rateable value of the hereditament to which for the time being it shall be determined by the Corporation to apply provided that such amount shall be the same for the time being in the case of all hereditaments for the time being of a like rateable value:

(5) Notwithstanding anything in this Part of this Act contained the provisions of this section shall come into operation on the passing of this Act but so that any resolution thereafter passed by the Corporation under the said provisions and any agreement with or notice by any owner thereafter made or given under either of the said sections 3 and 4 of the said Act shall not take effect until after the commencement of this Part of this Act and any agreement with or notice given by any owner under either of the said sections in force at the passing of this Act shall be and the same are hereby determined on and from the commencement of this Part of the Act.

Differential rating for certain classes of hereditaments.

92. The provisions contained in this section shall have effect with respect to the consolidated rate to be hereafter made and levied by the overseers (that is to say):

(1) The owner of any tithes or any tithes commutation rentcharge or the occupier of any land used as arable meadow or pasture ground only or as woodlands allotments orchards market gardens or nursery grounds and the occupier of any land covered with water or used only as a canal or towing path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed to the consolidated rate in respect of such hereditaments on the full rateable value thereof but (subject as next hereinafter provided) shall be liable to pay in each year in respect of such premises a rate calculated on the basis of seven-tenths only of the amount in the pound

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of the rate payable in respect of hereditaments not within the provisions of this section less the discount from time to time allowed in pursuance of the section of this Act of which the marginal note is "Discount on consolidated rate":

(2) During the continuance of the Tithe Rentcharge (Rates) Act 1899 such Act shall have effect within the borough as if the following provision were substituted for section 1 thereof (that is to say):—

"The owner of tithe rentcharge attached to a benefice shall be liable to pay only four-sevenths of the amount payable under subsection (1) of the section of the Blackburn Corporation Act 1922 of which the marginal note is "Differential rating for certain classes of hereditaments" in respect of any rate which is assessed on him as owner of that tithe rentcharge and the remaining three-sevenths thereof shall on demand being made by the collector of the rate on the surveyor of taxes for the borough or any district therein be paid by the Commissioners of Inland Revenue out of the sums payable by them to the local taxation account on account of estate duty grant":

(3) During the continuance of the Agricultural Rates Act 1896 the occupier of any agricultural land as defined in that Act shall be liable to pay in each year in respect of such land a rate calculated on the basis of two-fifths only of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section:

(4) Nothing in this section shall in any way affect—

(A) The operation of the Agricultural Rates Act 1896 save as in this section is expressly provided or the payment of the sum certified by the Minister of Health or the Local Government Board as the amount of the share of the annual grant payable

under that Act out of the local taxation account to the Corporation or in respect of the township ; or

(B) The operation of the Ecclesiastical Tithe Rentcharge (Rates) Act 1920 ; or

(C) The amount of the contribution for any purposes to be made by the township out of the poor rate ; or

(D) The calculation of the amount in the pound of the part of the consolidated rate levied for the purposes of the relief of the poor and other expenses of the guardians and expenses of the overseers respectively which is required to be stated in the demand note for the poor rate.

Amendment of error in consolidated rate.

93. Any person aggrieved by reason of any clerical or arithmetical error in a consolidated rate may apply to a court of summary jurisdiction sitting in and for the borough who after the applicant has given such notice to the overseers who made the rate and such persons as the court may think just may hear the case in like manner as in the case of summary proceedings and amend the rate so far as regards such error.

Amendment of consolidated rate.

94. Section 221 of the Public Health Act 1875 shall apply to the borough in respect of the consolidated rate as if the overseers were an urban authority and the rate therein mentioned were the consolidated rate.

Payment of consolidated rate by instalments.

95. The overseers if so required by the Corporation shall in pursuance of the provisions of section 15 (Overseers may make poor rate payable by instalments) of the Poor Rate Assessment and Collection Act 1869 declare that any consolidated rate made by them for a period exceeding three months shall be paid by instalments at such times as shall have been previously specified by the Corporation.

Discount on consolidated rate.

96. The Corporation may from time to time if they think fit direct the overseers to make an allowance by way of discount not exceeding five per centum on the amount due in respect of any consolidated rate or any instalment thereof from every person who pays the same within such time after demand of the rate

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or after the date when any instalment falls due as the case may be as the Corporation shall prescribe and in any such case the overseers shall make such allowance accordingly.

Water rent may be collected with consolidated rate.

97. Any water rent or charge payable to the Corporation may be collected together with the consolidated rate and the same books may be used for the said rents charges and rates.

As to section 133 of Lands Clauses Consolidation Act 1845.

98. For the purpose of section 133 of the Lands Clauses Consolidation Act 1845 the poor's rate shall be deemed to be three-fifths of the amount in the pound of the consolidated rate.

As to recovery of consolidated rate.

99. No warrant of commitment in respect of non-payment of the consolidated rate shall be issued against any person who shall satisfy the court that his failure to pay the said rate is due to circumstances over which he had or has no control and that he has not divested himself of means for the purpose of evading payment of the said rate.

Overseers may require returns.

100.—(1) The overseers may require the owner or occupier or reputed owner or occupier of any hereditament in the township to send to them a return in writing in the form set forth in the Third Schedule to this Act and containing the particulars therein mentioned or referred to.

(2) Any person who wilfully refuses or neglects to make a return lawfully required under this Act within fourteen days after the service of the order shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds and any person who wilfully makes or causes to be made a false return shall be liable to a penalty not exceeding ten pounds.

(3) The overseers shall whenever required by the Assessment Committee of the Blackburn Poor Law Union produce from time to time to such committee the returns or any of them obtained by the overseers under the provisions of this section.

As to assistant overseer and collector of poor rate.

101.—(1) The office of collector of poor rate for the township shall be abolished and the power or duty of the board of guardians of the Blackburn Union to appoint such officer shall cease to be exerciseable or

performed by such guardians and any order for the appointment of such officer shall cease to operate in the township.

(2) The existing assistant overseer of the township shall be transferred to and become an officer of the Corporation who may if they think fit determine the appointment of such officer.

(3) Section 120 of the Act of 1888 (which relates to compensation to existing officers) shall apply as respects any officer whose office is abolished or whose appointment is determined by or in pursuance of this section subject as follows :—

(A) any reference in the said section 120 to "the county council" shall be construed as a reference to the Corporation ;

(B) references in that section to "the passing of this Act" shall be construed as references to the passing of this Act;

(C) the expression in subsection (1) of that section "the Acts and rules relating to Her Majesty's Civil Service" shall mean the Acts and rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Act of 1888 ;

(D) the Minister of Health shall be substituted for the Treasury in that section ; and

(E) any compensation shall be paid out of the borough fund or borough rate.

(4) The non-acceptance of any office shall not be a bar to the right of any officer to compensation.

PART VIII.

FINANCE.

Power to borrow and repayment of borrowed moneys.

102.—(1) The Corporation may in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow at interest the sums requisite for the purposes set forth in the first column of the following table and all moneys so borrowed shall be primarily chargeable on the respective revenue fund and rate set forth in the second column of the said table and shall be repaid within the respective

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periods set forth in the third column thereof and the Corporation may apply any sum so borrowed for the said purposes respectively (that is to say) :—

Purpose.	Primary Charge.	Period for Repayment.
(i) For paying the costs charges and expenses of this Act as hereinafter defined.	Borough fund and borough rate.	Five years from the passing of this Act.
(ii) For the payment out of capital of interest on borrowed moneys referred to in the section of this Act whereof the marginal note is "Suspension of payments into certain sinking fund" during the period of such suspension.	Revenue of electricity undertaking.	Twenty-five years from the date or dates of borrowing.

(2) The Corporation may also with the sanction of the Minister of Transport borrow such further moneys as may be necessary for the purpose of providing a fund for working capital for the tramway undertaking.

(3) The Corporation may also with the sanction of the Electricity Commissioners borrow such further moneys as may be necessary for the purpose of providing a fund for working capital for the electricity undertaking.

(4) The Corporation may also with the sanction of the Minister of Health borrow such further moneys as may be necessary (A) for the purpose of providing funds for working capital for the water and gas undertakings respectively (B) for the purpose of providing a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of their powers and duties the cost of which is from time to time charged on the borough fund and (C) for any other of the purposes of this Act.

(5) Any moneys borrowed under the powers of subsections (2) (3) and (4) of this section shall be repaid within such periods not exceeding sixty years as may be prescribed by the authority with whose sanction such moneys are borrowed and the revenue fund or rate primarily chargeable for any moneys so borrowed shall be such as that authority shall prescribe.

Mode of raising money.

103. The Corporation may raise all or any moneys which they are authorised to borrow under this Act by the creation and issue of corporation stock or by mortgage or partly in one way and partly in the other.

Certain provisions of Act of 1898 to apply.

104. The provisions contained in the following sections of the Act of 1898 (namely):—

Section 105 (Sections 236 237 and 238 of Public Health Act to be available);
Section 106 (Application of borrowed moneys);
Section 107 (Appointment of receiver);
Section 109 (Protection of lender from inquiry); and
Section 117 (Corporation not to regard trusts);

shall subject to the provisions of this Act extend and apply mutatis mutandis to and in relation to all moneys borrowed under the powers of this Act:

Provided that the said sections shall be read and have effect as if the Minister of Health were referred to therein in lieu of the Local Government Board.

Suspension of payments into certain sinking fund.

105. Notwithstanding anything contained in any Act it shall be lawful for the annual provision required to be made by the Corporation for the repayment of any money borrowed or to be borrowed by them for or in respect of the construction and provision by the Corporation of the new station for generating electricity at Whitebirk and the trunk mains from that station to Jubilee Street generating station to be suspended for such period as the Electricity Commissioners may determine provided that such suspension shall not be for a longer period than five years from the thirty-first day of March one thousand nine hundred and twenty.

Power to use one form of mortgage for all purposes.

106.—(1) Where the Corporation have from time to time any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the corporate seal of the Corporation and may be made in the form contained in the Fourth Schedule to this Act or to the like effect.

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(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities granted by the Corporation at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(5) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods by the means and out of the funds rates or revenues within by and out of which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this section and the interest upon such sums shall be paid out of the funds rates or revenues out of which such interest would have been payable respectively if this section had not been enacted.

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

Every such register shall be open to public inspection during office hours at the said office without fee or reward and the treasurer or other person having the custody of the same refusing to allow such inspection shall be liable to a fine not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his rights and interest therein to any other person by deed duly stamped truly stating the consideration and such

transfer may be according to the form contained in the Fourth Schedule to this Act or to the like effect and shall not contain any recital trust power or proviso whatsoever.

(9) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the treasurer who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his rights and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

(11) If the treasurer wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a fine not exceeding twenty pounds.

Alteration of rate basis for sinking fund calculations.

107. Notwithstanding anything contained in any Act of Parliament or Order the rate of accumulation of the annual payments to any sinking fund being an accumulating sinking fund which the Corporation are required by such Act or Order to set aside for repayment of borrowed moneys may be reckoned at a rate not exceeding three pounds ten shillings per centum or such higher rate as the Minister of Health may from time to time approve.

Security for principal moneys.

108.—(1) All principal moneys shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(2) The interest from time to time payable on any such principal moneys shall rank equally with the interest or dividends on all other securities of the Corporation

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created or granted in pursuance of any statutory borrowing power and all such interest and dividends shall be the first charge on all the revenues aforesaid.

Method of charge of interest on principal moneys.

109. The amount to be charged to each undertaking or fund in respect of interest on principal moneys shall be—

(A) In the case of principal moneys in respect of which provision for repayment is made by the payment of equal yearly or half-yearly instalments of principal or of principal and interest combined the amount payable as and for interest under the bond or mortgage creating the charge; and

(B) In the case of principal moneys in respect of which provision for repayment is made by means of a sinking fund the amount ascertained to be required in that behalf.

Repayment of principal moneys.

110.—(1) The Corporation shall pay off any principal moneys required to be repaid within a prescribed period either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or others of them such payments to commence within twelve months after the date of borrowing the principal moneys in respect of which the payments shall require to be made.

(2) In case the Corporation decide to repay any of the said principal moneys by means of a sinking fund they shall each year throughout the prescribed periods respectively pay to such fund a sum or sums equal to the aggregate amount of all sums payable in that year for the purpose of providing within the prescribed periods respectively sums equal in amount to the respective amounts of the principal moneys for the repayment of which the fund is established Provided that if the Corporation desire to accelerate the repayment of any of the principal moneys they may increase the amount of any of the said sums so to be paid as aforesaid.

(3) The yearly sums to be paid into the fund in respect of each amount of the said principal moneys for the repayment of which the fund is established shall be such as the Corporation shall determine provided that the same shall not be less than either—

(A) The equal annual sum which if accumulated at compound interest at a rate not exceeding

three pounds ten shillings per centum per annum (or at such higher rate as from time to time may be approved by the Minister of Health) would be sufficient after payment of all expenses to repay that amount in the prescribed period and accumulations of the said equal annual sums at compound interest at the rate per centum on which the said equal annual sum is calculated ; or

(B) The equal annual sum which if continued throughout the prescribed period would be sufficient without accumulations to repay that amount within the prescribed period.

The said yearly payments in respect of each amount of the principal moneys shall be continued throughout the prescribed period.

(4) If it appears to the Minister of Health at any time that the said several yearly sum or sums as aforesaid or any of them are insufficient to provide within the prescribed periods sums equal in amount to the amount of the principal moneys in respect of which such yearly sum or sums respectively are paid the amount of such yearly sum or sums shall be increased to such extent as the Minister of Health may determine and the Corporation with the consent of the Minister of Health may at any time reduce such yearly sum or sums either temporarily or permanently in any case in which it appears to the Minister of Health that such yearly sum or sums would if maintained be more than sufficient to provide within the prescribed period a sum equal in amount to the amount of the principal moneys in respect of which such yearly sum or sums are required to be paid and if the amount paid into the sinking fund at any time in respect of any particular amount of the principal moneys is in the opinion of the Minister of Health sufficient with the accumulations to arise thereon (if any) to provide within the prescribed period a sum equal in amount to the amount of such principal moneys the Corporation with the consent of the Minister of Health may discontinue the payment of the yearly sum or sums to the sinking fund in respect of that amount of the principal moneys.

(5) All moneys which on the thirty-first day of March one thousand nine hundred and twenty-three are

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standing to the credit of any sinking fund in respect of principal moneys and not applied in repayment thereof shall be deemed to be and shall be transferred to the sinking fund established under this Act and the sums so transferred shall be taken into account in calculating the future payments to be made to the sinking fund under this section.

Payment of sale money to sinking fund.

111. Unless the Minister of Health otherwise directs the Corporation shall apply in discharge of principal moneys or shall pay into the sinking fund and then shall carry to the proper separate account forming part of the general account of the sinking fund all such money being capital or in the nature of capital and not being wholly or in part otherwise appropriated or required to be otherwise applied as shall arise from any sale lease or other disposition of land of the Corporation in respect of or for which any of the principal moneys have been borrowed and as shall arise from any other source.

Account of sinking fund for principal moneys.

112.—(1) As part of the general account of the sinking fund for principal moneys the Corporation shall keep—

(A) An account showing the securities on which all sums paid into the sinking fund are from time to time invested;

(B) Separate accounts relative to each undertaking or purpose for or in respect of which any principal moneys for the repayment of which the sinking fund is established were borrowed; and

(C) Separate accounts relative to such last-mentioned principal moneys in respect of each statutory borrowing power so exercised.

(2) The said separate accounts shall distinguish and show—

(D) The amounts of principal moneys outstanding for the time being chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose; and

(E) The several amounts of principal moneys discharged by application of the sinking fund.

(3) The said separate accounts shall further distinguish and show in relation to each undertaking or purpose—

(F) All money being capital or in the nature of capital paid into the sinking fund and in the judgment of the Corporation properly attributable to that undertaking or purpose;

(G) All money and securities transferred to the sinking fund as having formed part of any other sinking fund; and

(H) All money paid into the sinking fund as contributions from the revenues of the Corporation in respect of the discharge of those several amounts of principal moneys.

Application of income in reduction of contributions to sinking fund.

113.—(1) Where any money is standing on a separate account in the sinking fund being money paid into the sinking fund but not being capital or in the nature of capital the Corporation may deal with the same as in this section provided.

(2) Where any money standing on a separate account in the sinking fund and required by this Part of this Act to be invested and accumulated produces in any year a sum in excess of that which it would have produced at the rate of interest on which the payments to the sinking fund are calculated the Corporation may if they think fit deal with the excess so produced in accordance with the provisions of subsection (3) of this section.

(3) The Corporation may if they think fit from time to time apply the money described in subsection (1) of this section and the excess referred to in subsection (2) of this section to either of the purposes following or partly to one and partly to the other in such proportions as the Corporation from time to time may consider equitable and expedient (that is to say):—

(A) In reduction of such contributions out of the Corporation revenues as are payable into the sinking fund in respect of interest on the principal moneys in relation to which the separate account on which the money or interest and annual proceeds is or are standing is kept; and

(B) In reduction of the contributions out of the Corporation revenues payable into the sinking fund

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for redemption or purchase and extinction of the said principal moneys.

Application of sinking fund for principal moneys.

114. The Corporation may at any time apply the whole or any part of the sinking fund for principal moneys as follows :—

(1) In or towards the discharge of the principal moneys or any of them for the repayment of which the fund is established provided that the yearly sums to be paid to the fund shall not be affected by such application :

(2) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said money either wholly or partially by using for such purpose so much of any money for the time being forming part of the sinking fund as shall be available for the repayment of—

(A) a loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein ; or

(B) moneys borrowed and charged upon all the revenues of the Corporation and not shown by the deed to be raised in exercise of a particular borrowing power specified therein ;

and moneys so raised shall for the purposes of this Act be deemed to be moneys borrowed under a statutory borrowing power Provided that when exercising this power the Corporation shall—

(A) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund ;

(B) Credit such account or accounts in the sinking fund as the Corporation may determine with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of such sinking fund under subsection (1) of this section;

(C) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from the sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of this Part of this Act as to repayment and reborrowing shall apply thereto accordingly:

(3) When any of the principal moneys are discharged by the application of any part of the sinking fund the principal moneys so discharged shall be deemed to be in respect of such one or more of the statutory borrowing powers under which the principal moneys for the repayment of which the sinking fund is established were borrowed and if in respect of more than one in such proportions as the Corporation shall determine Provided that the amount of the principal moneys deemed to be discharged in respect of any statutory borrowing power shall not exceed the amount of the contributions paid into the sinking fund in respect of that borrowing power and the accumulations (if any) thereon:

(4) Pending or in default of any such application of the sinking fund as in this section hereinbefore provided the Corporation shall invest the same in any statutory security and may from time to time vary and transpose any such investments and may realise the same or any part thereof for the purpose of the application of the proceeds in accordance with the provisions

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of this section and the dividends income and annual proceeds of such investments may be applied towards paying the yearly sums required to be paid to the sinking fund under the section of this Act the marginal note whereof is "Repayment of principal moneys":

(5) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

Payments of interest and contributions to sinking funds.

115.—(1) The yearly sum or sums to be provided for interest and for contributions to sinking funds for principal moneys respectively under the provisions of this Part of this Act to be established shall be provided by contributions from the several revenues of the Corporation (if any) primarily made liable to provide the same by or under any statutory borrowing power or by any resolution of the Corporation having reference to the respective borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several revenues out of which the respective contributions would be properly payable and in default thereof or subject thereto out of the borough fund and borough rate.

(2) The Corporation shall from time to time in order to raise the amounts of the several contributions as aforesaid out of their several revenues do all such acts exercise all such powers collect all such moneys and make and levy all such rates as they lawfully can or ought to do exercise collect make and levy for the purpose of or in relation to the respective statutory borrowing power in exercise whereof the several principal moneys are raised.

Determination as to charge of principal moneys.

116. For the purposes of any contribution or account in respect of principal moneys under this Part of this Act the Corporation if they think fit having regard to all the circumstances of the case and subject to the terms on which any principal moneys were borrowed may from time to time by resolution with the approval of the Minister of Health determine and declare on which of the Corporation revenues any of such moneys is or shall be deemed to be primarily or collaterally charged or determine and declare that any such moneys and the interest thereon shall be apportioned as regards the charge

thereof between or among any of the Corporation revenues and every such determination and declaration shall be effectual to all intents. A.D. 1922.

Information and returns to Minister of Health.

117.—(1) The Corporation shall furnish all such information and returns (if any) to the Minister of Health with regard to the exercise of the powers contained in this Part of this Act as he shall from time to time require and in particular the treasurer shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to the sinking fund in pursuance of the provisions of this Part of this Act in respect of any of the principal moneys and at any other time when the Minister of Health may require such a return to be made transmit to him a return in such form as may be prescribed by him and if required by him verified by statutory declaration of the treasurer showing for the year next preceding the making of such return or for such other period as the said Minister may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and also in the case of moneys lent by the Corporation to any borrowing authority and raised otherwise than by the issue of Corporation stock showing the amounts which have been received from the borrowing authority for principal together with in any case such further information (if any) as the said Minister shall require and in the event of his failing to make such return the treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the said Minister out of the High Court.

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(2) If it appears to the said Minister by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for the sinking fund (whether such instalment or annual payment or sum is required by this Part of this Act or by the said Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of the sinking fund to any purposes other than those authorised the said Minister may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the said Minister out of the High Court.

Power to reborrow.

118.—(1) The Corporation shall except as hereinafter provided have power to reborrow for the purposes of paying off any principal moneys borrowed or reborrowed which have not been repaid and are intended to be forthwith repaid or in respect of any principal moneys which have been repaid by the temporary application of funds at the disposal of the Corporation which at the time of the repayment it was intended to reborrow:

Provided that the Corporation shall not have power to reborrow in respect of any principal moneys repaid by instalments or annual payments or discharged by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose:

Provided also that any principal moneys reborrowed shall for the purpose of repayment be deemed to form the same loan as the money for the repayment of which the reborrowing has been made and shall be repaid within the prescribed period.

Power to invest all sinking funds in statutory securities.

119. When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund for the payment off of moneys borrowed or payable by them or to provide a reserve or renewal fund they

may (in addition to any other powers from time to time vested in them) invest such sinking reserve or renewal fund and the interest on the investments thereof in statutory securities.

Repeal of certain financial provisions.

120. The following enactments are hereby repealed :—

The Act of 1882—

Section 267. (Security for gas annuities);
Section 284. (Priority of existing mortgages);
Section 285. (Priority of gas annuities);
Section 286. (Priority of water annuities);
Section 290. (Power to reborrow) :

The Blackburn Order 1897—

Article XIV relating to the investment of loans funds and sinking funds;
Article XVII conferring power to reborrow :

The Act of 1898—

Section 98. (Sinking fund for moneys borrowed for waterworks and hereafter to be borrowed);
Section 99. (Provision as to increase and reduction of payments to sinking fund under preceding section);
Section 100. (Defining "prescribed period");
Section 101. (Local Loans Act 1875 to be available);
Section 103. (Power to reborrow);
Section 108. (Annual return to Local Government Board);
Section 112. (As to investment of sinking &c. funds);

and so much of section 134 of the Act of 1901 section 82 of the Act of 1908 and section 27 of the Act of 1911 respectively as incorporates the said sections of the Act of 1898.

Saving for certain existing securities.

121. The provisions of this Part of this Act shall not prejudice or affect but shall take effect subject to the rights of the holders of any securities issued by the Corporation and outstanding at the passing of this Act and to the enactments relating thereto.

Scheme for fixing equated periods.

122.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more uniform periods within which all or any loans

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contracted by them under statutory borrowing powers shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may make provision in regard to all matters incidental thereto.

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Minister of Health who may by order confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act.

(3) Nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock existing at that time except with the consent of such mortgagee or holder.

(4) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister of Health may be consolidated and dealt with in the accounts of the Corporation as if the aggregate amount of the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister of Health separate consolidations may be made of all or any of the loans included under such general headings.

(5) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

Application of water revenue.

123. All moneys from time to time received by the Corporation on account of the revenue of the water undertaking (including the interest on any such reserve fund as is hereinafter referred to when that fund amounts to the prescribed maximum) shall be applied by the Corporation as follows :—

(1.) In payment of the working and establishment expenses and cost of maintenance of the water undertaking including all costs expenses penalties and damages incurred or payable by

the Corporation consequent upon any proceedings by or against the Corporation their officers or servants in relation to the water undertaking :

(2) In payment of the interest or dividend on any mortgages stock or other securities granted and issued by the Corporation in respect of money borrowed for water purposes :

(3) In providing any instalments or sinking fund required to be provided in respect of moneys borrowed for water purposes :

(4) In payment of all other their expenses of maintaining the water undertaking not being expenses properly chargeable to capital :

(5) In providing a reserve fund if they think fit by setting aside such money as they may from time to time think reasonable and investing the same and the resulting income thereof in Government securities or in any other securities in which trustees are by law from time to time authorised to invest other than stock or securities of the Corporation and accumulating the same at compound interest until the fund so formed amounts to one-tenth of the aggregate capital expenditure on the water undertaking which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Corporation from the water undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the water undertaking and so that if that fund is at any time reduced it may thereafter be again restored to the prescribed limit and so from time to time as often as such reduction happens.

The Corporation shall carry the net surplus remaining in any year and the annual proceeds of the reserve fund when amounting to the prescribed limit to the credit of the borough rate or at their option shall apply such surplus or some part thereof in reduction of the capital moneys borrowed for water purposes or to any other purposes of the water undertaking.

Any deficiency of income in any year shall be charged upon and payable out of the borough rate.

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Application of gas revenue.

124. All moneys from time to time received by the Corporation on account of the revenue of the gas undertaking (including the interest on any such reserve fund as is hereinafter referred to when that fund amounts to the prescribed maximum) shall be applied by the Corporation as follows:—

(1) In payment of the working and establishment expenses and cost of maintenance of the gas undertaking including all costs expenses penalties and damages incurred or payable by the Corporation consequent upon any proceedings by or against the Corporation their officers or servants in relation to the gas undertaking:

(2) In payment of the interest or dividend on any mortgages stock or other securities granted and issued by the Corporation in respect of money borrowed for gas purposes:

(3) In providing any instalments or sinking fund required to be provided in respect of moneys borrowed for gas purposes:

(4) In payment of all other their expenses of maintaining the gas undertaking not being expenses properly chargeable to capital; and

(5) In providing a reserve fund if they think fit by setting aside such money as they may from time to time think reasonable and investing the same and the resulting income thereof in Government securities or in any other securities in which trustees are by law from time to time authorised to invest other than stock or securities of the Corporation and accumulating the same at compound interest until the fund so formed amounts to one-tenth of the aggregate capital expenditure on the gas undertaking which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Corporation from the gas undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the gas undertaking and so that if that fund is at any time reduced it may thereafter be again restored to the prescribed limit and so from time to time as often as such reduction happens.

The Corporation shall carry the net surplus remaining in any year and the annual proceeds of the reserve fund when amounting to the prescribed limit to the credit of the borough rate or at their option shall apply such surplus or some part thereof in reduction of the capital moneys borrowed for gas purposes or to any other purposes of the gas undertaking.

Any deficiency of income in any year shall be charged upon and payable out of the borough rate.

Application of revenues of undertakings.

125.—(1) The Corporation may (if they think fit) apply money received by them on account of the revenue of any of the undertakings hereinafter mentioned in the construction extension and improvement of the works and conveniences for the purposes of such undertaking and in the provision of funds for working capital:

Provided that money shall only be so applied after the working and establishment expenses of the undertaking and the interest and sinking fund payments in respect thereof have been provided for.

(2) The undertakings hereinbefore referred to are the water gas tramway and electricity undertakings of the Corporation.

Alteration of date for making up accounts of Corporation.

126. In and after the year one thousand nine hundred and twenty-three section 276 (Accounts to be made out and annually published) and section 277 (As to audit of borough fund account) of the Act of 1882 shall be read and have effect as if the thirty-first day of March were therein referred to in lieu of the twenty-fifth day of March and section 55 (Altering date of filling up annual accounts for electric lighting) of the Act of 1908 shall be read and have effect accordingly.

Alteration of dates for payment of water rents.

127. In and after the year one thousand nine hundred and twenty-three section 70 of the Waterworks Clauses Act 1847 in its application to the water undertaking shall apply as if the thirty-first day of March the thirtieth day of June the thirtieth day of September and the thirty-first day of December had been referred to therein in lieu of Lady Day Midsummer Day Michaelmas Day and Christmas Day respectively.

Expenses of execution of Act.

128. All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made may be defrayed out of the borough fund and borough rate.

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Part IX.

Miscellaneous.

Expense of reconnecting discontinued supply of gas or electricity.

129. In any case in which in consequence of any default on the part of the occupier of any premises the Corporation have under any powers of the Corporation in that behalf cut off the supply of gas or electricity respectively to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Corporation the expenses of reconnecting the supply and the Corporation shall not be under any obligation to supply gas or electricity respectively to such occupier until he shall have paid such expenses.

Increase of tolls for slaughter-houses.

130. The following tolls for slaughter-houses shall be substituted for the tolls for slaughter-houses specified in the Sixth Schedule to the Act of 1882 and the Acts relating to the markets of the Corporation shall be read and construed accordingly (that is to say) :—

Tolls for Slaughter-houses.

	s.	*d.*
For every bull ox cow steer or heifer slaughtered	2	0
For every calf slaughtered	1	0
For every sheep or lamb slaughtered	0	6
For every pig of twenty score and over slaughtered	2	0
For every pig of three score and under twenty score slaughtered	1	6
For every other pig slaughtered	0	9

Power to grant gratuities in certain cases.

131.—(1) The Corporation may if they think fit in cases not within the Workmen's Compensation Act 1906 or the School Teachers (Superannuation) Act 1918 grant a gratuity of any sum to any of their officers or servants who may be disabled or injured in their service or may become incapacitated through age sickness or other infirmity or to the widow or family of any such officer or servant who may die in their service.

(2) Every such gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or been paid if he had continued in his office or service.

(3) In and for the purposes of this section the expression "officers or servants" shall include any teacher who at the date of the passing of this Act is or shall thereafter be permanently and exclusively employed by the Corporation as the local education authority for the borough or permanently and exclusively employed in any public elementary school in the borough (whether provided by the Corporation as the local education authority or not so provided) or permanently and exclusively employed in any school college or hostel provided by the Corporation as the local education authority for the purposes of Part II. of the Education Act 1902.

As to notices.

132.—(1) Where any notice or demand under any enactment byelaw or regulation from time to time in force within the borough requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under any such enactment byelaw or regulation may be served in the same manner as notices under the Public Health Act 1875 are by section 267 (Service of notices) of that Act authorised to be served:

Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

General provisions as to byelaws.

133. All byelaws from time to time made by the Corporation under the powers of this Act shall be made under and according to the provisions contained in sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority except that as regards confirmation of byelaws under the section of this Act whereof the marginal note is "Byelaws as to stables" and inquiries in relation thereto the Minister of Agriculture and Fisheries shall be included in addition to the Minister of Health.

Inquiries by Minister of Health.

134.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary in regard to the exercise of any powers conferred upon him or the giving of any consents under

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this Act and the inspectors of the Minister shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

(2) The Corporation shall pay to the Minister of Health any expenses incurred by him in relation to any inquiries referred to in this section including the expenses o any witnesses summoned by the inspector holding the inquiry and a sum (not exceeding five guineas each day) to be fixed by the Minister for the services of such inspector.

Incorporation of sections of Act of 1882 and Act of 1901.

135. The provisions contained in the sections of the Act of 1882 and the Act of 1901 respectively the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if they were re-enacted in this Act :—

The sections hereinbefore referred to are—

The Act of 1882—

Section 275 (Accounts to be kept by borough treasurer and audited in the same manner as the borough accounts);

Section 276 (Accounts to be made out and annually published);

Section 277 (As to audit of borough fund account) :

The Act of 1901—

Section 127 (Recovery of penalties &c.);

Section 129 (As to appeal).

Judges not disqualified.

136. A judge of any court or a justice shall not be disqualified from acting in the execution of any enactment from time to time in force within the borough by reason of his being liable to any rate rent or charge.

Several sums in one summons.

137. Where the payment of more than one sum by any person is due under any Act or Order from time to time in force within the borough any summons or warrant issued for the purposes of any such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Powers of Act cumulative.

138. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and

not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one fine (other than a daily fine for a continuing offence) for the commission of the same offence.

Further repeal.

139. The following enactments are hereby repealed :—

The Act of 1882—

Section 348 (Notices to be signed by town clerk or surveyor);

Section 351 (Liability to rates not to disqualify justices) :

The Act of 1892—

Section 68 (Notice to be signed by town clerk or surveyor);

Section 70 (Liability to rates not to disqualify justices) :

The Act of 1898—

Section 111 (Inquiries by Local Government Board) and so much of section 134 of the Act of 1901 section 82 of the Act of 1908 and section 27 of the Act of 1911 respectively as incorporates the said section 111 :

The Act of 1901—

Section 73 (Period for completion of works) ;

Section 126 (Notice to be signed by town clerk or surveyor);

Section 131 (Liability to rates not to disqualify justices :

The Blackburn Order 1910—

Sub-article (2) of Article III (Alteration of Local Act).

Crown rights.

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

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Costs of Act.

141. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund or such other funds and revenues and in such proportions as the Corporation may by resolution determine or out of money to be borrowed under this Act for that purpose.

The SCHEDULES referred to in the foregoing Act. A.D. 1922.

FIRST SCHEDULE.

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
45 & 46 Vict. c. ccxliii -	The Blackburn Improvement Act 1882.
48 Vict. c. xix - - -	The Blackburn Water Act 1885.
50 Vict. session 2 c. xlvi -	The Blackburn Corporation Tramways Act 1887.
51 Vict. c. xi - - -	The Blackburn Corporation Tramways Act 1888.
55 & 56 Vict. c. cxviii -	The Blackburn Corporation Act 1892.
61 & 62 Vict. c. cclxvi -	The Blackburn Corporation (Tramways &c.) Act 1898.
1 Edw. 7. c. ccxxiii - -	The Blackburn Corporation Act 1901.
8 Edw. 7. c. xcv - -	The Blackburn Corporation Act 1908.
1 & 2 Geo. 5. c. xxviii -	The Blackburn Corporation Water Act 1911.

PART II.—CONFIRMATION ACTS AND PROVISIONAL AND OTHER ORDERS.

Session and Chapter.	Confirmation Act.	Order.
52 & 53 Vict. c. cxv	The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1889.	Order relating to Blackburn dated 1st June 1889.
53 & 54 Vict. c. clxxix	The Local Government Board's Provisional Orders Confirmation (No. 10) Act 1890.	Order relating to Blackburn dated 30th May 1890.
53 & 54 Vict. c. cxcii	The Electric Lighting Orders Confirmation (No. 7) Act 1890.	Blackburn Electric Lighting Order 1890.
54 & 55 Vict. c. cxlviii	The Tramways Orders Confirmation (No. 1) Act 1891.	Church and Oswaldtwistle Tramways Order 1891.

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Session and Chapter.	Confirmation Act.	Order.
57 & 58 Vict. c. cxxix	The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1894.	Blackburn Order 1894.
60 & 61 Vict. c. cxlv	The Local Government Board's Provisional Order Confirmation (No. 18) Act 1897.	Blackburn Order 1897.
10 Edw. 7 & 1 Geo. 5. c. lxxxvi	The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1910.	Blackburn Order 1910.
9 & 10 Geo. 5 c. lxxv	The Local Government Board's Provisional Orders Confirmation (No. 1) Act 1919.	Blackburn Order 1919.
10 & 11 Geo. 5	- - - - -	Blackburn Water (Temporary Increase of Charges) Order 1920.
10 & 11 Geo. 5	- - - -	Blackburn Gas (Temporary Increase of Charges) Order 1920.
12 & 13 Geo. 5	- - - -	Blackburn Corporation Electricity Special Order 1922.

SECOND SCHEDULE.

Stamp

Ten shillings.

AN AGREEMENT made the eighteenth day of October one thousand nine hundred and seventeen between THE MAYOR ALDERMEN AND BURGESSES OF THE COUNTY BOROUGH OF BLACKBURN (hereinafter called "the Corporation") of the one part and THE URBAN DISTRICT COUNCIL OF OSWALDTWISTLE (hereinafter called "the Council") of the other part.

WHEREAS the Corporation are empowered by section 144 of the Blackburn Corporation Act 1882 to supply gas within the township of Oswaldtwistle:

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And whereas the Council are empowered by section 5 of the Oswaldtwistle Local Board Act 1869 to supply gas within so much of the township of Oswaldtwistle as lies on the easterly side of a straight line drawn from the Ordnance summit on the Accrington branch of the Bury Haslingden and Whalley Turnpike Road near the "Mother Red Cap" public house to a point in the boundary of that township where the same township adjoins the township of Yate and Pickup Bank near the place called Windy Bank:

And whereas the Corporation in pursuance of the powers conferred on them by section 144 of the Act of 1882 are supplying gas to property adjoining the "Britannia Inn" in the township of Oswaldtwistle such property being within the area of supply of the Council as mentioned in section 5 of the said Act of 1869:

And whereas the Council are desirous of obtaining the sole right and power to supply gas and the Corporation are willing to abandon their right to supply gas within the said area of supply of the Council in the township of Oswaldtwistle:

Now it is hereby agreed by and between the parties hereto as follows:—

1. Whenever the Corporation or the Council (whichever shall be the first) promote an omnibus Bill in Parliament such Bill shall contain a clause doing away with the right of the Corporation to supply gas within the said area of supply of the Council Provided that in the said Bill there shall be reserved to the Corporation power to continue to supply gas to all property within such area of supply which at the day of the date hereof shall be supplied by them until such time as the Council give written notice to the Corporation of their intention to supply gas to such property.

2. On notice being given to the Corporation by the Council of the intenti n of the Council to supply gas to such property the Corporation shall sell and the Council shall purchase Firstly all buildings plant engines works mains pipes fittings meters and all other instruments laid placed or constructed or to be laid placed or constructed by the Corporation within the said area of supply of the Council for the supply of gas to the buildings and premises within the area of supply of the Council supplied with gas by the Corporation together with the full liability for all proceedings contracts or engagements to which the Corporation are or may be liable in respect thereof and the full benefit of all money due or to become due from consumers or others to the Corporation in respect of the supply of gas by the Corporation in such area of supply of the Council with full power to sue upon such contracts and recover such moneys as aforesaid and Secondly all that 4-inch gas main being 1,458 yards long or thereabouts more particularly shown by a red line between the points marked "A" and "B" on the plan hereunto annexed

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as is situate in the township of Oswaldtwistle within the said area of supply of the Corporation and now laid for the purpose of supplying gas in the said area of supply of the Council all which matters and things firstly and secondly hereinbefore described are hereinafter referred to as " the undertakings."

3. The consideration for the transfer and sale of the said undertakings specified in the preceding clause shall be the fair market value of the whole of the said undertakings at the time when the Council shall give to the Corporation notice of their intention to supply gas within the whole of the said area of supply of the Council and in estimating the amount of the said consideration nothing shall be included for goodwill but due regard shall be given to the profits made by the Corporation from the supply of gas within such area of supply And in the event of any dispute arising between the Corporation and the Council with respect to the amount of such consideration the same shall be referred to the arbitration of a competent valuer to be appointed by the secretary of the Institution of Gas Engineers for the time being and whose decision shall be final.

4. Nothing in these presents or in the proposed parliamentary Bill shall affect or prejudice the right of the Corporation to supply gas in that part of the township of Oswaldtwistle which lies to the west of a straight line drawn from the Ordnance summit on the Accrington branch of the Bury Haslingden and Whalley Turnpike Road near the " Mother Red Cap " to a point in the boundary of that township where the same adjoins the township of Yate and Pickup Bank near the place called Windy Bank.

5. Notwithstanding anything herein contained or implied to the contrary the Corporation shall not without the consent in writing of the Council at any time hereafter supply gas to any person or persons firm or company resident or carrying on business within the said area of supply of the Council other than and except any person or persons firm or company now being supplied with gas by the Corporation or the successive tenants or occupiers for the time being of the buildings now being supplied with gas by the Corporation.

6. The Corporation and the Council shall each use their best endeavours to procure the insertion of the provisions of this agreement in the next Bill to be promoted in Parliament by either the Corporation or the Council and the passing of the same into law with such modifications additions or alterations as may be agreed upon between the Corporation and the Council.

In witness whereof the Corporation and the Council have caused their respective common seals to be hereunto affixed the day and year first before written.

Given under the common seal of the mayor aldermen and burgesses of the borough of Blackburn in the presence of— } L.S.

Wm. Thompson Mayor.
Lewis Beard Town Clerk.

The common seal of the urban district council of Oswaldtwistle was hereunto affixed by order and at a duly constituted meeting thereof in the presence of— } L.S.

T. Hindle Chairman.
Benjn. Thos. Westwell Clerk.

THIRD SCHEDULE.

Return of Rent or Annual Value and of other Particulars to be rendered under the Blackburn Corporation Act 1922.

1. Name of the street or road &c. in which the property is situate - Number of the house - - - (If not numbered state the name by which known.) Whether occupied with or without stables or other premises as part of the same property- - The quantity of land (if any) and how used - - - - -	
2. Full Christian name and surname of occupier - - -	
3. Name and address of owner or immediate lessor - - - (If not known state the name and address of the agent or person to whom the rent is paid.)	
4. Whether the property is occupied— (*a*) Wholly as a private residence - - - - -	(*a*)
or (*b*) Partly as a dwelling-house and partly for trade or business purposes - -	(*b*)
or (*c*) Solely for trade or business purposes with no person residing on the premises other than a caretaker - (Number of rooms set apart for the use of the caretaker (if any) and on which floor.)	(*c*)
(*d*) Nature of the business (if any) - - - - -	(*d*)

5. If the occupation is in respect of part only of a house or premises state the extent and on which floor or floors - - - -	
6. Amount of rent - - - - *or* If ground rent only is paid state its amount - - - -	£ per £ per
7. Whether the property is held under lease or agreement for a period of years - - - - - *or* By the year quarter month or week - - - - -	
8. (*a*) Date of commencement of term of lease or agreement - - (*b*) Term of years for which granted (*c*) Whether granted for any consideration in money in addition to the rent or upon any condition as to laying out money in building rebuilding or improvements - - - - (If none insert "None.")	(*a*) (*b*) (*c*) Amount paid for lease £
9. If the occupier is the owner or has purchased the lease the full annual value should be stated *i.e.* the amount at which the property is worth to be let by the year the owner keeping it in repair - - - -	Annual value £
10. (*a*) Amount of land tax (if any) - (*b*) Amount of tithe rentcharge or of any rate or assessment in lieu of tithes paid in the year 19 (State in each case whether borne by the landlord or tenant.)	(*a*) £ . Borne by the (*b*) £ . Borne by the
11. Whether all usual tenant's rates and taxes are paid and borne by the occupier in addition to the rent - - - - -	
12. Whether the landlord or the tenant undertakes to bear the cost of repairs insurance and other expenses necessary to maintain the property - - - - (If each undertakes to bear part only of the cost of repairs state the particulars.)	

DECLARATION.

I declare that the foregoing particulars are in every respect fully and truly stated to the best of my judgment and belief.

FOURTH SCHEDULE.

FORM OF MORTGAGE.

COUNTY BOROUGH OF BLACKBURN.

By virtue of the Blackburn Corporation Act 1922 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the county borough of Blackburn (hereinafter referred to as "the Corporation") in consideration of the sum of pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee (his) executors administrators and assigns such proportion of the revenues of the Corporation (which expression includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation) as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee (his) executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as herein-after provided) at the rate of per centum per annum from the day of one thousand nine hundred and until payment of the principal sum such interest to be paid half-yearly on the day of and the day of in each year And it is hereby agreed that the principal sum shall be repaid at the town hall in the said borough [(subject as hereinafter provided) on the day of one thousand nine hundred and] [by]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Corporation and the mortgagee and mentioned in an endorsement to be made hereon under the hand of the mayor or the town clerk of the borough for the time being and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall

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operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this day of one thousand nine hundred and .

Town Clerk.

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named consenting the within-mentioned time for repayment of the within-mentioned principal sum of is hereby extended to the day of one thousand nine hundred and [and the interest to be paid thereon on and from the day of one thousand nine hundred and is hereby declared to be at the rate of per centum per annum].

Dated this day of one thousand nine hundred and .

FORM OF TRANSFER OF MORTGAGE.

I (the within-named) (of) in consideration of the sum of pounds paid to me by of (hereinafter referred to as "the transferee") do hereby transfer to the transferee (his) executors administrators and assigns (the within-written security) (the mortgage number of the revenues of the mayor aldermen and burgesses of the county borough of Blackburn bearing date the day of) and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Dated this day of one thousand nine hundred and .

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