



## CHAPTER cvi.

An Act to increase the number of the Council of the Borough of Blackpool and to authorise the Mayor Aldermen and Burgesses of the said Borough to construct additional tramways and for other purposes.

A.D. 1898.

[25th July 1898.]

**W**HEREAS the borough of Blackpool in the county palatine of Lancaster is a borough subject to the Acts relating to municipal corporations under the government of the mayor aldermen and burgesses of the said borough (herein-after called "the Corporation") acting by the council:

And whereas the said council consists of the mayor and six aldermen and eighteen councillors and it is expedient that the number of the aldermen and councillors should be increased:

And whereas the Corporation under the powers of—

The Blackpool Corporation Tramways Order 1884;

The Blackpool Corporation Tramways Order 1893;

The Blackpool Corporation Tramways Order 1896; and

The Blackpool Corporation Tramways Order 1897;

47 & 48 Vict.  
c. cxii.

56 & 57 Vict.  
c. cxiii.

59 & 60 Vict.  
c. cxx.

60 & 61 Vict.  
c. cli.

(which Orders are in this Act referred to collectively as the Tramway Orders and separately as an Order of the year in which it was made) were authorised to make various tramways in the borough all or some of which either are or are about to be completed and open for public use:

And whereas by the Blackpool Improvement Act 1896 (in this Act called "the Act of 1896") power was given to the Corporation (subject as to certain tramways in Lytham Road south of Station Road in the borough as in section 9 of the Act of 1896 mentioned) to place or run carriages on and to work and to take tolls and charges in respect of any tramways within the borough then belonging to them or authorised in or prior to the then session of Parliament to be constructed by them and in respect of the use of such carriages and by the Order of 1897 the said power was

59 & 60 Vict.  
c. cxxx.

A.D. 1898. — extended to the tramways thereby authorised to be constructed and the Corporation are now working certain of their tramways :

And whereas it is expedient that the Corporation should be empowered to construct additional tramways in the borough and to work the same :

56 & 57 Vict.  
c. lxxxvi.

And whereas by the Blackpool Improvement Act 1893 (hereinafter referred to as "the Act of 1893") the Corporation were authorised to construct certain works (therein and hereinafter called "the north shore works") consisting of a new road or carriage drive and an embankment sea-wall hulking or other defence against the sea parallel and co-extensive with the said road and by the Act of 1896 the sectional form of the north shore works was authorised to be altered :

And whereas considerable progress has been made with the north shore works and the works incidental thereto but further moneys are required for their completion :

And whereas it is expedient that the Corporation be empowered to acquire further lands for the purposes of their markets and also to acquire additional lands for the purposes of their town hall and municipal buildings :

And whereas it is expedient that further borrowing powers be conferred on the Corporation and that further provision be made with respect to the government of the borough :

And whereas it is expedient that the other provisions in this Act contained should be sanctioned :

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

And whereas estimates have been prepared by the Corporation for the purchase of land and for the execution of the works by this Act authorised and such estimates are as follows :—

For new tramways four hundred and eighty-three pounds ;

For market purposes six thousand pounds ;

For town hall and municipal buildings twenty-five thousand pounds ;

For the north shore works twenty thousand pounds :

And whereas the several works included in such estimates respectively are permanent works within the meaning of the two hundred and thirty-fourth section of the Public Health Act 1875 :

And whereas an absolute majority of the whole number of the council at a meeting held on the twentieth day of December one thousand eight hundred and ninety-seven after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Blackpool Times and Fylde Observer a newspaper

published and circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate of the borough : A.D. 1898.

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

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the first day of February one thousand eight hundred and ninety-eight being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

And whereas plans and sections showing the lines situation and levels of the tramways by this Act authorised and plans showing the lands which may be acquired under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing such lands have been deposited with the clerk of the peace for the county of Lancaster and are in this Act referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

#### PART I.—PRELIMINARY.

1. This Act may be cited as the Blackpool Improvement Act 1898. Short title.

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

- Part I.—Preliminary.
- Part II.—Increase of Council.
- Part III.—Tramways.
- Part IV.—Lands.
- Part V.—Finance and Rates.
- Part VI.—Miscellaneous.

Act divided into Parts.

A.D. 1898.

Incorporation of general Acts.

Interpretation.

3. The Lands Clauses Acts and section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act.

4. In this Act unless the subject or context otherwise require—  
Terms to which meanings are assigned by enactments incorporated with this Act or which have therein special meanings have in this Act and for the purposes of this Act the same respective meanings ;

“ The borough ” means the borough of Blackpool ;

“ The Corporation ” means the mayor aldermen and burgesses of the borough ;

“ The council ” means the town council of the borough ;

“ The treasurer ” means the treasurer of the borough ;

“ The borough fund ” and “ the borough rate ” respectively mean the borough fund and the borough rate of the borough ;

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

“ The tramways ” means the tramways by this Act authorised ;

“ The tramway undertaking ” means the tramway undertaking of the Corporation authorised by the Tramway Orders ;

“ Tramway revenue ” means all revenue of the tramway undertaking as extended by this Act ;

“ Channels ” means and includes channels passages and tubes for ropes cables wires and electric lines ;

“ Mechanical power ” includes steam electric and every other motive power not being animal power ;

“ Engine ” includes motor ;

“ Market revenue ” means all revenue of the markets of the Corporation ;

“ The Municipal Corporations Acts ” means the Municipal Corporations Act 1882 and any Act amending the same ;

“ The Public Health Acts ” means the Public Health Act 1875 and any Act amending the same.

Limits of Act.

Act to be executed by council.

5. This Act shall apply exclusively to the borough.

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

#### PART II.—INCREASE OF COUNCIL.

Increase of council.

7. On and after the first day of November one thousand eight hundred and ninety-eight the borough shall have thirty-six

[61 & 62 VICT.] *Blackpool Improvement Act, 1898.* [Ch. cvi.]

councillors that is to say six councillors for each of the six wards of the borough and on and after the ninth day of November one thousand eight hundred and ninety-eight the borough shall have twelve aldermen. A.D. 1898.

8. The several persons who on the first day of November one thousand eight hundred and ninety-eight are councillors for the respective wards into which the borough is divided shall on that day go out of office and the several persons who on the ninth day of November in the same year are aldermen of the borough shall on that day go out of office and on the first day and on the ninth day respectively of the said month of November an election for councillors for the respective wards into which the borough is divided and an election of aldermen of the borough shall be held according to the provisions of the Municipal Corporations Act 1882. First election of council.

9. The several persons who on the first day of November one thousand eight hundred and ninety-eight are aldermen of the borough shall be eligible for election as councillors at the election of councillors to be held on the first day of November one thousand eight hundred and ninety-eight notwithstanding that such persons are then aldermen of the borough. Aldermen to be eligible for election as councillors on 1st November 1898.

10. On the ninth day of November in the year one thousand nine hundred and one and in every third succeeding year one-half of the whole number of aldermen shall go out of office. The aldermen who shall go out of office in the year one thousand nine hundred and one shall be those six who were elected by the smallest number of votes at the election of aldermen to be held in November one thousand eight hundred and ninety-eight and thereafter those aldermen shall go out of office who have been aldermen for the longest time without re-election but subject nevertheless to the provisions of section 40 (1) of the Municipal Corporations Act 1882. Order of retirement of aldermen.

11. Subject to the provisions of section 40 (1) and (2) of the Municipal Corporations Act 1882 the councillors for the respective wards of the borough shall go out of office as follows (that is to say) :— Order of retirement of councillors.

On the first day of November one thousand eight hundred and ninety-nine one-third of the whole number being those two who were elected by the smallest number of votes in the respective wards at the election of councillors to be held on the first day of November one thousand eight hundred and ninety-eight ;

A.D. 1898.

On the first day of November one thousand nine hundred another third of the whole number being those two who were elected by the next smallest number of votes in the respective wards at the said election; and

On the first day of November one thousand nine hundred and one the remaining third of the whole number elected at the said election:

And thereafter the councillors for the respective wards of the borough shall go out of office in accordance with the provisions of the Municipal Corporations Act 1882.

Provision for equality of votes.

12. If at the election of the persons elected councillors or aldermen to be held on the first day and on the ninth day respectively of the said month of November one thousand eight hundred and ninety-eight there be an equality of votes between any two or more councillors or aldermen respectively or in case of any such councillors being elected without a poll the council shall at their meeting on the ninth day of November one thousand eight hundred and ninety-eight or at some adjournment thereof determine the order of retirement of such persons.

First meeting of new council.

13. The first meeting of the new council shall be held on the ninth day of November one thousand eight hundred and ninety-eight at which the first business shall be the election of the twelve aldermen of the borough and the determination of the order in which they shall retire under the provisions of this Act and the next business shall be the election of a mayor who shall continue in office until the following ninth day of November or until his successor has accepted office and made and subscribed the required declaration.

Returning officer at the first elections.

14. The returning officer at the election of councillors for each ward on the first day of November one thousand eight hundred and ninety-eight shall be the mayor or a person appointed by the mayor.

Application of Municipal Corporations Acts.

15. Subject to the provisions of this Act all elections vacations of office and rotations shall be governed by the Municipal Corporations Acts.

### PART III.—TRAMWAYS.

Power to make tramways.

16. Subject to the provisions of this Act the Corporation may make form lay down use and maintain the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all such rails plates sleepers channels

junctions turntables turnovers turnouts crossings passing-places  
posts poles brackets wires waiting-rooms sheds works and  
conveniences connected therewith as may be necessary or proper  
therefor : A.D. 1898.

The tramways herein-before referred to and authorised by this Act shall be of the gauge of four feet eight and a half inches The Corporation shall not run thereon carriages or trucks adapted for use upon railways :

The said tramways will be situate wholly within the borough and are the following :—

Tramway No. 4 a single line 1.46 chain in length or thereabouts commencing in Queen Square by a junction with Tramway No. 1 authorised by the Order of 1893 at a point 1.70 chain or thereabouts from its commencement thence proceeding along Queen Square and the carriage drive constructed under the Blackpool Improvement Act 1865 and terminating in the carriage drive at a point 0.93 chain or thereabouts measured in a northerly direction from the centre of the westerly end of Queen Square :

Tramway No. 5 a single line 0.84 chain in length or thereabouts commencing in Queen Street by a junction with Tramway No. 1 authorised by the Order of 1893 at a point 0.17 chain or thereabouts west of its termination thence proceeding along Queen Street and Dickson Road and terminating in Dickson Road at a point 0.88 chain or thereabouts north of the commencement of Tramway No. 5 authorised by the Order of 1896.

The tramways shall not be laid so that for a distance of thirty feet and upwards a less space than nine feet six inches shall intervene between the outside of the footpath on either side of the road and the nearest rail of the said tramways respectively.

17. If the tramways be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for constructing the same or otherwise in relation thereto shall cease except as to so much of the tramways respectively as is then completed. Period for completion of tramways.

18. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic by the Board of Trade. Tramways not to be opened until certified by Board of Trade.

19. The rails of the tramways shall be such as the Board of Trade approve. As to rails of tramways.

20. In addition to the requirements of section 26 of the Tramways Act 1870 the Corporation before they proceed to open or Further provision as to

A.D. 1898.  
—  
construction  
of tramways.

break up any road for the purpose of constructing laying down maintaining and renewing any of the tramways shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down maintenance and renewal of any of the tramways or part of any of the tramways respectively except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement.

Tramways to  
be kept on  
a level with  
surface of  
road.

**21.** If the Corporation hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid they may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Tramways to  
form part of  
tramway  
undertaking.

**22.** Subject to the provisions of this Act the tramways shall form part of the tramway undertaking and the Corporation and their lessees and licencees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are respectively subject and liable to with respect to the tramway undertaking or any part thereof and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds as they are by the Tramway Orders and the Act of 1896 authorised to demand and take in respect of the tramway undertaking.

Provisions as  
to motive  
power.

**23.** Notwithstanding anything contained in the Tramway Orders the carriages used on the tramways may be moved by animal power or subject to the following provisions by mechanical power (that is to say) :—

- (1) The mechanical power shall not be used except with the consent of and according to a system approved by the Board of Trade :
- (2) The Board of Trade shall make regulations (in this Act referred to as "the Board of Trade regulations") for securing to the public all reasonable protection against danger arising from the use under this Act of mechanical power on the tramways and for regulating the use of electric power :
- (3) The Corporation or any company or person using any mechanical power on the tramways contrary to the provisions



of this Act or of the Board of Trade regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof: A.D. 1898.

(4) The Board of Trade if they are of opinion—

(A) That the Corporation or any company or person using mechanical power have or has made default in complying with the provisions of this Act or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered; or

(B) That the use of mechanical power as authorised under this Act is a danger to the passengers or the public; may by order either direct the Corporation or such company or person to cease to use such mechanical power or permit the same to be continued only subject to such conditions as the Board of Trade may impose and the Corporation or such company or person shall comply with every such order. In every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

24. The lessees under any lease made by the Corporation shall not use any mechanical power on the tramways or any part thereof unless they are authorised to do so by special permission in such lease and the Corporation may with the consent of the Board of Trade and subject to the provisions of this Act attach to such special permission such conditions and restrictions (not being inconsistent with the provisions of this Act) as they may think fit. Lessees not to use mechanical power unless expressly authorised.

25. The following provisions shall apply to the use of electric power under this Act unless such power is entirely contained in and carried along with the carriages:— Provisions as to use of electric power.

(1) The Corporation shall employ either insulated returns or uninsulated metallic returns of low resistance:

(2) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines circuits and other works of any description and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or for telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus:

(3) The Corporation shall be deemed to take all reasonable precautions against interference with the working of any wire

A.D. 1898.

line or apparatus if and so long as they adopt and employ at the option of the Corporation either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking :

- (4) At the expiration of two years from the passing of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents :
- (5) If any difference arises between the Corporation and any other party with respect to anything herein-before in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be :
- (6) The electric power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :
- (7) The expression " Corporation " in this section shall include lessees and any person owning working or running carriages over any tramway of the Corporation.

**26.** In the event of the tramways being worked by electricity the following provisions shall have effect :—

- (1) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General and the currents in such telegraphic lines

For pro-  
tection of  
Postmaster-  
General.

and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. If any question arises as to whether the Corporation have constructed their electric lines or other works or work their undertaking in contravention of this subsection such question shall be determined by arbitration and the Corporation shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator: A.D. 1898.

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the undertaking of the Corporation the Corporation shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:

(3) (a) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work;

(b) Any difference which arises between the Postmaster-General and the Corporation or their agents with respect to any requirements so made shall be determined by arbitration:

(4) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues:

A.D. 1898.  
—

- (5) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice :
- (6) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work :
- (7) For the purposes of this section and subject as therein provided sections 2 8 9 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act as if the Corporation were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section :
- (8) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 :
- (9) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act :
- (10) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid :
- (11) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the tramways of the Corporation.

A.D. 1898.

27. It shall not be lawful for the Corporation or any person working or using the tramways to take or demand on Sunday or any public holiday any higher tolls or charges than those levied by them on ordinary working days.

Fares on  
Sundays or  
public holidays  
not to be raised.

28.—(1) Notwithstanding anything in the Tramways Act 1870 to the contrary the Corporation may place and run carriages on and may work and may demand and take tolls and charges in respect of any of their tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks harness engines machinery apparatus horses steam cable electric and other plant appliances and conveniences and may place in on over or under any street all such works poles posts wires and appliances as may be requisite or expedient for the convenient working or user of the said tramways by animal or mechanical power and may sell exchange or dispose of such of the before-mentioned articles and things as from time to time may no longer be required but nothing in this Act shall empower the Corporation to construct any station for generating electric power or to create or permit a nuisance.

Power to  
Corporation  
to work  
tramways.

(2) The byelaws and regulations authorised by the Tramways Act 1870 to be made by the promoters of any tramway and their lessees may with respect to any tramways or portion of tramways for the time being belonging to and worked by the Corporation be made by the Corporation alone.

29. For the protection of the county council of the county palatine of Lancaster (in this section called "the council") the following provisions shall have effect (that is to say):—

For pro-  
tection of  
Lancashire  
County  
Council.

(1) Before commencing to execute any work in connexion with the tramway undertaking upon any main road under the jurisdiction of the council the Corporation shall submit to the council for its reasonable approval plans sections and specifications of the proposed works Provided that if the council fail within thirty days after such submission to signify their disapproval they shall be deemed to have approved thereof:

(2) The Corporation shall maintain the portion of the said main road affected by any such works of the Corporation for such period (not being less than twelve months from the date of the efficient restoration thereof) as there shall be any subsidence in the surface thereof:

(3) All such works affecting the said main road shall be executed to the reasonable satisfaction of the surveyor to the council:

(4) If any difference arise between the council and the Corporation touching anything to be or not to be done under this section such difference shall be settled by an arbitrator to

A.D. 1898.

be appointed by the Board of Trade on the application of either of the parties in difference and his decision shall be binding on both parties.

As to conveyance of mails.

**30.** Notwithstanding any provision in any Act or Provisional Order relating to any existing tramways of the Corporation the Conveyance of Mails Act 1893 shall extend and apply to all the tramways of the Corporation as if the same had been authorised by an Act of Parliament passed after the first day of January one thousand eight hundred and ninety-three and to the Corporation as the body or person owning or working any such tramways.

Byelaws.

**31.** Subject to the provisions of this Act the Board of Trade may make byelaws with regard to any of the tramways upon which mechanical power may be used for all or any of the following purposes (that is to say) :—

For regulating the use of any bell whistle or other warning apparatus fixed to the engine or carriages ;

For regulating the emission of smoke or steam from engines used on the tramways ;

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets and at such places and in such cases of horses being frightened or of impending danger as the Board of Trade may deem proper for securing safety ;

For regulating the entrance to exit from and accommodation in the carriages used on the tramways and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages ;

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways by exhibition of the same in conspicuous places in the carriages and elsewhere :

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Act shall be liable to a penalty not exceeding forty shillings.

Recovery of penalties.

**32.** Any penalty under this Act or under any byelaws or regulations made under this Act may be recovered in manner provided by the Summary Jurisdiction Acts.

Amendment of Tramways Act 1870 as to byelaws by Corporation.

**33.**—(1) The provisions of the Tramways Act 1870 relating to the making of byelaws by the Corporation with respect to the rate of speed to be observed in travelling upon the tramways shall not authorise the Corporation to make any byelaws sanctioning a higher rate of speed than that authorised by any regulation or byelaw made by the Board of Trade under the authority of this Act at which engines and carriages are to be driven or propelled

on the tramways under the authority of this Act but the Corporation may if they think fit make byelaws under the provisions of the Tramways Act 1870 for restricting the rate of speed to a lower rate than that so authorised. A.D. 1898.

(2) The powers of the local authority under the Tramways Act 1870 with respect to the making regulations and byelaws as to the matters and for the purposes therein mentioned and with respect to the repeal and alteration of such byelaws shall for the purposes of and subject to the provisions of this Act extend and apply to regulations and byelaws for prohibiting any engine or carriage from running on the tramways or any part or parts thereof on Sunday Christmas Day and Good Friday respectively and on any day or days on which from the condition of the roads in which the tramways or any of them are laid or from any other cause whatsoever the Corporation may consider the tramways or any of them unfit for traffic.

**34.** All orders and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board. Authenti-  
cation of  
byelaws.

#### PART IV.—LANDS.

**35.** Subject to the provisions of this Act the Corporation may enter upon take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference which they may require for the purposes of this Act and may use the following of such lands for the following purposes (that is to say):— Power to  
Corporation  
to take lands  
referenced.

For market purposes—

Certain lands bounded on the north partly by the new covered market of the Corporation and partly by the fish shops at the western end of Upper West Street on the south by Euston Street on the east partly by Lytham Street and partly by the said new covered market and on the west by Market Street:

For town hall and municipal buildings purposes—

Certain lands bounded on the north partly by Talbot Square and partly by property of or reputed to belong to the Corporation on the north-west by Talbot Square on the south and east by property of or reputed to belong to the Corporation and on the west by Market Street.

**36.** The powers of the Corporation for the compulsory purchase of lands shall not be exercised for the purposes of this Part of this Act after the expiration of three years from the passing thereof. Period for  
compulsory  
purchase  
of lands.

A.D. 1898.

—  
Incorporating certain sections of Act of 1893.

**37.** The following sections of the Act of 1893 (that is to say) :—

Section 114 (Correction of errors omissions &c.) ;

Section 117 (Power to take easements &c. by agreement) ;

Section 118 (Power to acquire additional lands) ;

Section 119 (Consideration for such acquisition) ;

Section 121 (Power to retain sell &c. lands) ; and

Section 122 (As to consent of Local Government Board to sale &c. of lands) ;

so far as they are applicable for the purposes of this Act shall extend and apply mutatis mutandis to and in relation thereto and be deemed to be incorporated with and form part of this Act and in construing those sections for the purposes of this Act the expression "this Act" shall mean the Blackpool Improvement Act 1898.

Restriction on taking houses of labouring class.

**38.**—(1) The Corporation shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

(2) For the purposes of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Proceeds of sale of surplus lands.

**39.** So long as any properties remain to be acquired by the Corporation under the authority of this Act and the Corporation have unexhausted borrowing powers which may be reduced to the extent of the moneys so to be applied the Corporation may so far as they consider necessary apply moneys received by them from the resale leasing or letting of lands acquired under this Act in the purchase of properties so remaining to be acquired but as to moneys so received and not required as aforesaid the same shall be applied in extinguishment of any loan borrowed by the Corporation under the powers of this Act or be added to the sinking fund established and formed by the Corporation in respect of the loan out of which were acquired the properties so sold leased or let Provided that such moneys when applied in such extinguishment shall not be applicable to the payment of instalments or to payments required to be made to the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board



Provided also that borrowed money so discharged by the application of such moneys shall not be re-borrowed The borrowing powers of the Corporation by this Act authorised shall be reduced to the extent of the amounts applied in the purchase of properties under the provisions of this section. A.D. 1898.

#### PART V.—FINANCE AND RATES.

**40.** The Corporation may from time to time (in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under any other Act passed or Order granted and confirmed in this present session of Parliament) borrow at interest on the following securities and for the following purposes being purposes to which capital is properly applicable and not otherwise the following sums (that is to say):— Power to borrow.

On the security of the tramway revenue and the borough fund and borough rate—

For the tramways by this Act authorised any sum not exceeding five hundred pounds :

On the security of the borough fund and borough rate—

For paying the costs charges and expenses of this Act as herein-after defined the sum required for that purpose not exceeding one thousand five hundred pounds ;

For the north shore works any sum not exceeding twenty thousand pounds ;

For the purposes of the town hall and municipal buildings any sum not exceeding twenty-five thousand pounds :

On the security of the market revenue and the district fund and general district rate—

For market purposes any sum not exceeding six thousand pounds :

And in calculating the sum the Corporation may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing under the powers of this Act shall not be restricted by any of the provisions of the Municipal Corporations Acts or of the Public Health Acts.

**41.** The following sections of the Public Health Act 1875 (that is to say):— Provision as to mortgages.

Section 236 (Form of mortgage) ;

Section 237 (Register of mortgages) ;

Section 238 (Transfer of mortgages) ;

shall extend and apply mutatis mutandis to and in relation to mortgages made under the powers of this Act.

A.D. 1898.  
Receiver.

**42.**—(1) Section 95 (For appointment of receiver) of the Blackpool Improvement Act 1879 is hereby repealed without prejudice to any appointment made or proceedings taken thereunder prior to the passing of this Act.

(2) The mortgagees of the Corporation may enforce the payment of arrears of interest or principal or of principal and interest by the appointment of a receiver. The amount of arrears of principal to authorise the appointment of a receiver shall not be less than five thousand pounds in the whole.

(3) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Charge of  
borrowed  
money on  
borough  
fund &c.

**43.**—(1) The Corporation may by mortgage or otherwise charge respectively the borough fund and borough rate and the district fund and general district rate and all rates and tolls leviable by them as a municipal corporation urban district council burial board or other local authority and all property from time to time vested in them in any of such capacities with any moneys or liabilities borrowed or incurred by the Corporation after the passing of this Act and by this Act or any other Act for the time being in force charged on or directed to be paid out of such funds rates tolls and property respectively.

(2) Nothing in this section shall affect any power or duty of the Corporation to sell lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof other than a mortgage or charge made under the provisions of this section or affect any claim of any person under such first-mentioned charge.

(3) Such land or property shall in the hands of the purchaser or other person taking the same under the sale lease or other disposition be by virtue of this Act absolutely freed from the said mortgage or charge and he shall not be concerned to see to the application of such purchase money or other money or be answerable for any loss or misapplication thereof.

Incorporating certain  
sections of  
Act of 1893.

**44.** The following sections of the Act of 1893 (that is to say) :—

Section 129 (As to repayment of borrowed moneys);

Section 130 (Power to re-borrow);

Section 132 (Annual return to Local Government Board with respect to sinking fund);

Section 133 (Application of borrowed moneys);

Section 134 (Corporation not to regard trusts);

A.D. 1898.

Section 135 (For protection of lenders);

Section 136 (Power to borrow under Local Loans Act 1875);

so far as they are applicable for the purposes of this Act shall extend and apply mutatis mutandis to and in relation to the moneys borrowed under the powers of this Act and for that purpose the expression "this Act" where used in those sections shall mean the Blackpool Improvement Act 1898. Provided that the period for the repaying of the moneys borrowed for the following purposes shall be as follows (that is to say) :—

For the north shore works any period not exceeding fifty years;

For the new tramways any period not exceeding thirty years;

For market purposes any period not exceeding forty years;

For town hall and municipal buildings purposes any period not exceeding forty years:

Such respective periods being in all cases calculated from the respective dates of the borrowing of the respective moneys.

45. Notwithstanding anything contained in the Municipal Corporations Act 1882 or in any approval of the Local Government Board to the borrowing by the Corporation thereunder the Corporation may and shall repay or make provision for repaying all moneys now or hereafter borrowed by them for all or any of the land or buildings mentioned or referred to in section 105 (Power to purchase land for town hall &c.) of the said Act within forty years from the date of the borrowing of the same.

As to repayment of certain borrowed moneys under Municipal Corporations Act 1882.

46. The Local Government Board may prescribe a form of rate and rate book which may include the poor rate borough rate general district rate parade rates rates and charges leviable under section 40 (Part of parade expenditure to be raised by parade rates) and section 41 (Parade rates) of the Blackpool Improvement Act 1865 rates or charges payable to the Corporation under section 10 (Part of expenditure for foregoing works to be provided by special rates) of the Act of 1893 and any other rates leviable in or in relation to the borough or the township of Blackpool and in respect of such rates and charges may prescribe the form of demand note and of receipts and any forms so prescribed shall be sufficient in law.

Local Government Board may prescribe form of rate &c.

47. All rate books books of account minutes of proceedings deeds papers and writings belonging to the township of Blackpool or to the former township of Layton-with-Warbreck within the borough or to the portion within the borough of the township of Marton united to the township of Layton-with-Warbreck and

Rate books &c. of township of Blackpool to be in custody of Corporation.

A.D. 1898. — together with that township now constituted the township of Blackpool shall be deposited in the town hall in the borough of Blackpool and be there kept and preserved by the Corporation and the ratepayers shall at all times have the same right of inspection and making extracts from such books and minutes as they would have had if they were ratepayers of the said township of Blackpool.

Auditors. **48.** The treasurer shall submit all accounts kept by him under any Act of Parliament or Provisional Order in force in the borough with all necessary vouchers and papers relating thereto to the auditors of the borough elected under the Municipal Corporations Acts and such accounts shall be audited without fee or reward and in like manner as the accounts of the borough are directed to be audited under the provisions of those Acts but nothing in this section contained shall prejudice or affect the powers of the Corporation under section 117 (Paid auditors) of the Blackpool Improvement Act 1879.

#### PART VI.—MISCELLANEOUS.

Extension of township of Blackpool. **49.** The township of Blackpool shall for all purposes (rating and otherwise) include that portion of the borough which is not at the passing of this Act within the said township.

The provisions of this section shall not for any purpose whatever affect the undertakings of the Blackpool Pier Company or of the South Blackpool Jetty Company Limited for the period of three years from the passing of this Act.

As to the slopes above the road or carriage drive. **50.** The Corporation may form construct lay out plant and maintain the slope situate above the level and on the easterly side of the road or carriage drive (Work No. 1) authorised by the Act of 1893 and the Act of 1896 or any part or parts of that slope in such manner and with such slope or slopes walls and fences (not exceeding in height one foot above the level of the Queen's Drive) as they think fit notwithstanding anything shown on any cross sections deposited for the purposes of the application for the said Acts or either of them and so much of the said cross sections respectively as shows such slope shall not be deemed to have been or to be incorporated with the said Acts or either of them.

Judges &c. not disqualified. **51.** A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Inquiries by Local Government Board. **52.—(1)** The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred on them or the

giving of any consents under this Act and their inspectors shall for the purpose of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875. A.D. 1898.

(2) All costs incurred by the Local Government Board (including such reasonable sum not exceeding three guineas a day as that Board may determine for the service of any inspector) in relation to the duties imposed on that Board under this Act shall be paid by the Corporation.

**53.** The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act as taxed 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 and borough-rate or out of moneys borrowed on the security thereof under the powers of this Act. Expenses of Act.

---

Printed by EYRE and SPOTTISWOODE,  
FOR  
T. DIGBY PROOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

---

And to be purchased, either directly or through any Bookseller, from  
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or  
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and  
90, WEST NILE STREET, GLASGOW; or  
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.