CHAPTER lxiv.

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An Act to enable the Local Board for the District of Bridlington to hold and acquire certain lands and hereditaments at Bridlington Quay now held in trust for them and to confer upon the said Local Board further powers for the good government of their District and for other purposes. [3rd July 1894.]

WHEREAS by a Provisional Order which was confirmed by the Local Government Supplemental Act 1865 the Local Board for the district of the township of Bridlington in the East Riding of the county of York who are herein-after referred to as "the Local Board" and whose district has since that time been extended were empowered to acquire certain properties for the purpose of improving existing and making new streets and promenades and to construct a sea-wall and promenade thereon and for other purposes connected therewith respectively:

And whereas the Local Board acquired the said properties and constructed a sea-wall and promenade thereon and laid out and planted a portion thereof or of the land adjacent thereto as a garden or pleasure ground which said promenade and garden or pleasure ground was originally called or known as the Sea-Wall Parade but was afterwards named "the Princes Parade":

And whereas the Local Board for some years prior to the passing of the Bridlington Local Board Act 1889 (herein-after referred to as "the Act of 1889") charged for admission to the Princes Parade and applied the moneys arising therefrom in maintaining the same and in providing a band of music to perform thereon and for other purposes:

And whereas by the Act of 1889 the Local Board were authorised to extend and improve the Princes Parade and to charge for admission thereto and further powers were conferred upon them in relation thereto:

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And whereas in order to extend and improve the Princes Parade and to provide a suitable hall for public assembly and entertainment in connection therewith the Local Board procured the properties known as Fort Hall the Victoria Rooms and Pier House Bath House and No. 2 Cliff Terrace and more particularly described in the First Schedule to this Act to be purchased by and conveyed to certain members for the time being of the Local Board upon the trusts herein-after mentioned:

And whereas the said properties were purchased partly with moneys arising from the charges made for admission to the Sea-Wall or Princes Parade prior to the passing of the Act of 1889 and partly with moneys raised on mortgage of the said properties or some of them:

And whereas the said properties respectively were conveyed to members of the Local Board as aforesaid upon trust to permit the same to be used and let for such purposes as the Local Board should from time to time appoint for the benefit of the Local Board their successors and assigns:

And whereas the property described in the first part of the said First Schedule is subject to a mortgage thereof for securing the repayment to George Broadrick Tonge his executors administrators or assigns of the principal sum of two thousand pounds with interest therefor at the rate of four pounds per centum per annum and the property described in the second part of the said First Schedule is subject to an equitable charge thereon by way of collateral security to the mortgage for securing the repayment to Margaret Orr her executors administrators or assigns of the principal sum of seven thousand five hundred pounds herein-after mentioned and the property described in the third part of the said First Schedule is subject to a mortgage thereof for securing the repayment to the said Margaret Orr her executors administrators or assigns of the principal sum of seven thousand five hundred pounds with interest therefor at the rate of four pounds per centum per annum:

And whereas by two several conveyances dated respectively the twenty-ninth day of May one thousand eight hundred and ninety-four the one made between Francis Creaser Edmund Mainprize William Butterfield John Andrew Leonard Mainprize Walter Dobson and Arthur Gibson Hill of the one part and the Local Board of the other part and the other made between George Gilbert Oliver Sutcliffe John Sawdon Edmund Mainprize James Heselton Leonard Mainprize Francis Creaser Joseph Earnshaw John Vickerman Mainprize Samuel Dyer John Morehouse Dyson William Andrew Storr and Walter Dobson of the first part the said parties thereto of the first part other than John Morehouse Dyson

and William Andrew Storr of the second part and the Local Board of the third part the said properties described in the said First Schedule were conveyed to the Local Board in fee simple subject to the herein-before recited mortgages and equitable charge thereon respectively And whereas it is expedient that the Local Board should be empowered to hold the said properties for the purposes herein-after mentioned and set forth subject to the several incumbrances affecting the same respectively:

And whereas the Victoria Rooms have out of moneys raised by the last-mentioned mortgage been enlarged and improved in order to adapt them for a place of public entertainment and in order to complete such improvements the Local Board have by their clerk contracted for the purchase of the property described in the Second Schedule to this Act for the price of one thousand five hundred pounds but the purchase thereof has not yet been completed:

And whereas it is expedient that the Local Board should be authorised to hold the said properties described in the First Schedule to this Act and to acquire the said property described in the Second Schedule to this Act for the purposes aforesaid and other purposes mentioned in this Act and that such provisions in relation thereto should be made as are herein-after contained:

And whereas it is expedient to authorise the Local Board to borrow money for the purposes of this Act:

And whereas the Local Board estimate that they will or may require to borrow for the purpose of paying off the said mortgages and completing the purchase of the premises described in the Second Schedule to this Act and for completing the enlargement and improvement of the Victoria Rooms (being permanent works within the meaning of the two hundred and thirty-fourth section of the Public Health Act 1875) a sum or sums of money not exceeding twelve thousand pounds:

And whereas it is expedient to define more clearly the boundary of the district seawards:

And whereas it is expedient that further powers for the better government of their district such as are herein-after contained be granted to the Local Board:

And whereas at a special meeting of the Local Board held on the fifteenth day of December one thousand eight hundred and ninety-three after ten clear days' notice by public advertisement of such meeting and its purpose in the "Eastern Morning News" a local newspaper circulating in the district it was resolved by an absolute majority of the whole number of the Local Board that the expenses in relation to promoting the Bill for this Act should be charged upon the district fund and general district rate:

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And whereas such resolution was published twice in the "Bridlington and Quay Gazette" a newspaper published and circulating in the district of the Local Board and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that Board and the approval of one of Her Majesty's Secretaries of State in respect of other matters:

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 Local Board at a further special meeting held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the district of the Local Board 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 the objects of this Act cannot be effected without the authority of Parliament:

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

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited for all purposes as the Bridlington Local Board Act 1894.

Act divided into parts.

2. This Act is divided into parts as follows (that is to say):—

Part I.—Preliminary.
Part II.—Acquisition &c. of lands.
Part III.—Borrowing powers.
Part IV.—Sands and seashore.
Part V.—Sanitary provisions.
Part VI.—Cleansing watercourses.
Part VII.—Buildings and streets.
Part VIII.—Police and street traffic.
Part IX.—Hackney carriages &c.
Part X.—Legal proceedings.

Interpretation.

3. In this Act the following words and expressions have the meaning hereby assigned to them unless the subject or context otherwise requires:—

"The district" means the district of the Local Board as existing at the passing of this Act;

"The surveyor" "the treasurer" "the medical officer of health" "the inspector of nuisances" respectively mean

the surveyor of the district the treasurer of the district the medical officer of health of the district (including any person authorised temporarily to act as medical officer of health) and the inspector of nuisances of the district;

"Seashore" means the beach sands and seashore within the district lying northwards from the piers and harbour of Bridlington;

"Owner" and "street" have the same meanings as in the Public Health Act 1875;

"Daily penalty" means a penalty to accrue for each day any offence shall continue after conviction therefor;

"The Vagrancy Acts" means the Act 5 George IV. chapter 83 and any Act amending the same;

"Omnibus" means any carriage used for the conveyance of passengers paying separate and distinct fares and used for the taking up and setting down of passengers upon its route or for conveying such passengers to or from any place within the district or to or from the district from or to any place without the district;

"Bicycle" includes velocipede tricycle and every other like mechanical contrivance.

Defining district boundary seawards.

4. The boundary of the district seawards is hereby declared to be the line of low water of the lowest spring tide and to include the whole of the piers and harbour of Bridlington.

Limits of Act.

5. This Act except where otherwise expressed or implied shall apply exclusively to and within the district.

PART II.—ACQUISITION &c. OF LANDS.

Local Board to hold lands described in First Schedule.

6. Subject to the provisions of this Act the Local Board may hold for the purposes of the Act of 1889 and this Act and the Public Health Acts the hereditaments described in the First Schedule to this Act and comprised in the said conveyances of the twenty-ninth day of May one thousand eight hundred and ninety-four for all the estate and interest therein conveyed to members of the Local Board upon trust for the Local Board as herein-before recited but subject to the several incumbrances affecting the same and the payment of the principal moneys and interest thereby secured as aforesaid and subject to and with the benefit of all covenants and stipulations affecting the same premises or any of them contained or referred to in the several conveyances thereof.

Discharge of mortgages.

7. The Local Board shall pay to the mortgagees the principal sums secured by the mortgages aforesaid and all interest for the same as soon as conveniently may be after the passing of this Act.

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Power to purchase lands described in Second Schedule.

8. The Local Board shall complete the purchase of and procure to be conveyed to the Local Board the premises described in the Second Schedule to this Act and provide for the payment of the purchase money therefor out of moneys borrowed under this Act or out of the district fund.

Provisions as to Victoria Rooms.

9. Subject and without prejudice to the rights (if any) of any owner or occupier of any adjacent property the Local Board may from time to time alter and improve and add to the Victoria Rooms and for that purpose make use of any of the premises vested in or to be acquired by them by virtue of this Act and they may use or permit the same to be used in whole or in parts as a place of public assembly or entertainment or refreshment and may charge for admission thereto and may let the same to any person or persons for such purposes or any of them either for any special occasion or for any term not exceeding three years.

Provisions as to user and disposal of Fort Hall property.

10. The Local Board may use the premises described in the first part of the First Schedule to this Act for the purpose of extending the Princes Parade in manner authorised by the Act of 1889 or of altering and improving the streets roads and footpaths adjacent thereto and may from time to time lease sell or exchange the same or such part or parts thereof as may not be required to be retained or used by the Local Board.

Application of receipts by Local Board.

11. All moneys received or to be received by the Local Board in respect of the said premises by way of income shall be carried to the district fund and all the expenses of executing this part of this Act shall be paid out of that fund.

Audit of accounts.

12. The receipts and expenditure of the Local Board under the provisions of this Act shall be included in the separate accounts to be kept by the Local Board under section 19 of the Act of 1889 and all the provisions of that section shall be deemed applicable thereto.

Byelaws.

13. All such parts of the premises vested in or to be acquired by the Local Board under this Act as from time to time shall be enclosed for the purposes of a promenade garden or pleasure ground either with or without payment for admission thereto shall for the purpose of the eighth section of the Act of 1889 be deemed part of the Princes Parade and all byelaws made under that section and for the time being in force shall apply to such parts of the said premises as shall at any time under this section be deemed part of the Princes Parade.

PART III.—BORROWING POWERS.

Power to borrow.

14.—(1) The Local Board 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 the provisions of the Public Health Acts or any general Public Acts borrow on mortgage on the security of the revenue arising under the Act of 1889 and this Act and of the district fund and general district rate or either of those securities and for the following purposes the sums of money following (that is to say) :—

For paying the costs charges and expenses preliminary to and of and incidental to the preparing and applying for and obtaining and passing of this Act the sum required for the purpose ;

For discharging the mortgages upon the properties comprised in the First Schedule to this Act and for providing the purchase money for the property comprised in the Second Schedule to this Act eleven thousand pounds ;

For completing the enlargement and improvement of the Victoria Rooms one thousand pounds ;

For paying the costs charges and expenses of and incident to the discharge of the said mortgages and completing the said purchase the sums required for those purposes :

And in calculating the sums the Local Board may borrow under any other enactment or by order or sanction of any Public Department of State any sums they may borrow under this Act shall not be reckoned and the powers of the Local Board as to borrowing under this Act shall not be restricted under any of the provisions of the Public Health Act 1875.

(2) The moneys so borrowed shall be repaid within the following periods (that is to say) :—

Moneys borrowed for paying the costs charges and expenses preliminary to and of and incident to the preparing applying for and obtaining and passing this Act within five years from the date of borrowing the same ;

Moneys borrowed for discharging the mortgages upon the properties comprised in the First Schedule to this Act and providing the purchase money for the property described in the Second Schedule to this Act forty years from the date of borrowing the same ;

Moneys borrowed for completing the enlargement and improvement of the Victoria Rooms twenty-five years from the date of borrowing the same ;

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Moneys borrowed for paying the costs charges and expenses of and incident to the discharge of the said mortgages and in completing the said purchase forty years.

(3) The provisions contained in sections two hundred and thirty-six to two hundred and thirty-nine of the Public Health Act 1875 with respect to the mortgages to be executed by a local authority shall apply in the case of any mortgages granted under this Act and for the purposes of such application the local authority shall mean the Local Board.

(4) The repayment of the moneys borrowed under and for the purposes of this Act shall be made within the respective periods prescribed by this Act (herein-after referred to as "the prescribed periods") either by equal annual instalments of principal or of principal and interest or by paying annually throughout the prescribed periods into the sinking fund such several equal sums as will with accumulations by way of compound interest at a rate not exceeding three pounds per centum per annum be sufficient to pay off those moneys respectively at par within the prescribed periods:

Provided that in case at any time the principal sums to be repaid are reduced by the application to such repayment of the proceeds of the sale or disposition of land or other moneys received on capital account other than borrowed moneys the payments to the sinking funds may be reduced to such extent and upon such terms as may be from time to time approved by the Local Government Board:

The Local Board may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is established Provided that they pay into the fund each year and accumulate during the residue of the prescribed period at compound interest a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied at the rate per centum per annum on which the equal annual payments to the sinking fund are based:

The Local Board may at any time apply the whole or any part of the sinking fund in the purchase for extinction of their own securities although at a premium Provided that in the event of any such purchase the payments to such sinking fund shall if required by the Local Government Board be increased to such extent and upon such terms as may from time to time be approved by that Board:

The Local Board shall pending the application of any sinking fund in repayment of debt invest the same and the dividends

interest and annual income thereof in the purchase of Exchequer Bills or other Government securities or in securities in which trustees are by law for the time being authorised to invest or in mortgages debentures debenture stock or other securities (not being annuities certificates or securities payable to bearer) issued by any local authority as defined by section thirty-four of the Local Loans Act 1875 other than the Local Board the Local Board being at liberty from time to time to vary and transpose such investments:

Provided always that if in any year the income produced by the investments of any sinking fund is at a rate that falls short of the prescribed rate of accumulation for such fund the Local Board shall forthwith make good such deficiency out of the rates or revenues liable to make the equal annual payments to the fund:

Provided also that in case in any year the income received from investments of any sinking fund is in excess of the fixed rate of accumulation any such excess may be applied by the Local Board in reduction of the other payments to the fund:

The first payment by instalments or to any sinking fund in respect of the moneys borrowed under this Act shall be made within twelve months after the respective dates of borrowing.

(5) All mortgages granted under this Act shall rank together without any priority on account of the date of the mortgage deed or on any other account.

(6) All mortgages granted by the Local Board before the passing of this Act shall during their continuance have priority of charge on the fund rates or revenue therein comprised over all mortgages granted by the Local Board under this Act.

Annual return to Local Government Board.

15. The clerk of the Local Board shall within twenty-one days after the thirty-first day of March in each year during which any instalment is required to be paid or any sum is required to be set apart for a sinking fund in respect of moneys borrowed by the Local Board under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year next preceding the making of such return and the description of the securities on which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the said clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and

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shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appear to the Local Government Board by such return or otherwise that the Local Board have failed to pay any instalment or to set apart any instalment or to set apart any sum required by this Act for the sinking fund or have applied any portion of the money set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and any such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court and the provisions of this section shall mutatis mutandis apply to appropriations and annual repayments.

PART IV.—SANDS AND SEASHORE.

Local Board may make byelaws as to user of seashore &c.

16. The Local Board may from time to time for the prevention of danger obstruction nuisance or annoyance to persons using the seashore make and enforce byelaws for all or any of the following purposes (that is to say):—

For regulating the erection or placing on the seashore or on such part or parts thereof as may be prescribed by such byelaws (all of which are in this section included in the words "the seashore") of any booths tents sheds stands and stalls (whether fixed or movable) or vehicles for the sale or exposure of any article or thing or any shows exhibitions performances swings roundabouts or other erections vans photographic carts or other vehicles whether drawn or propelled by animals or persons and the playing of any games on the seashore and generally for regulating the user of the seashore for such purposes as shall be prescribed by such byelaws;

For regulating the selling and hawking of any article commodity or thing on the seashore;

For regulating the user of the seashore for riding and driving;

For the preservation of order and good conduct among persons frequenting the seashore.

Restriction on use of bicycles on the Esplanade.

17. It shall be lawful for the Local Board from time to time by order to prohibit during such period as may be specified in the order the use of bicycles on the Esplanade and every such order shall be painted or placed on boards which shall be kept fixed or placed on some conspicuous parts of the Esplanade Any person

offending against any such order shall for every offence be liable to a penalty not exceeding forty shillings.

Provisions as to bathing.

18. The Local Board may by resolution from time to time fix and alter the hours during which bathing may take place from those parts of the seashore within the district or within a distance of four hundred yards from any part of the district or of any stand for bathing machines:

And any person who shall undress on the seashore or bathe in the sea within the district or within a distance of four hundred yards from any part of the district except from a bathing machine or from a public bathing place or from a boat distant from the shore not less than two hundred yards and from any stand for ladies' bathing machines not less than two hundred yards at any other time than between the hours so appointed shall for every such offence be liable to a penalty not exceeding forty shillings:

And the Local Board may from time to time make and when made vary amend or rescind byelaws for the preservation of decency and order at public bathing stations on the seashore within the limits aforesaid and for regulating the hours during which bathing may take place therefrom and may by such byelaws prescribe the use of decent and sufficient bathing garments.

Power to annex conditions to licences of bathing machine proprietors.

19. The Local Board may by byelaws from time to time specify the conditions to be annexed to any licence granted to the owner or lessee of any bathing machine as to the employment of boats boatmen and attendants for the purpose of ensuring the safety of bathers and as to the qualifications of such boatmen and attendants and any owner or lessee of any bathing machine who or any of whose boatmen attendants or servants shall commit a breach of any such conditions shall be liable to a penalty not exceeding five pounds and the Local Board may in the event of conviction suspend or revoke the licence of any such owner or lessee.

Protection of bathers.

20. The Local Board may employ and pay boatmen for the purpose of protecting persons whilst bathing.

Sand &c. not to be removed from seashore without licence of Local Board.

21. Any person other than a grantee of the Crown who at any time digs carries away or removes any sand gravel shingle rock stone clay soil or other material from the seashore within the district without having first obtained the licence in writing of the Local Board or who having obtained such licence digs carries away or removes any sand gravel shingle rock stone clay soil or other material from any part of the seashore within the district or in any quantity or manner other than the part quantity or manner permitted by such licence shall for every such offence be liable to a

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penalty not exceeding twenty pounds Provided that this enactment shall not apply to the seashore below the line of high water without the consent of the Board of Trade.

Sands and seashore to be deemed a street for certain purposes.

22. Every part of the seashore within the district shall for the purposes of the Vagrancy Acts be deemed to be a public place and shall be deemed to be a street for the purposes of sections ten and thirteen of the Act of 1889 and of section twenty-nine of the Town Police Clauses Act 1847 and also for the purposes of so much of section twenty-eight of that Act as relates to the following offences :—

Every person who slaughters or dresses any cattle or any part thereof except in the case of any cattle over-driven which may have met with any accident and which for the public safety or other reasonable cause ought to be killed on the spot ;

Every common prostitute or night-walker loitering and importuning passengers for the purpose of prostitution ;

Every person who wilfully and indecently exposes his person ;

Every person who publicly offers for sale or distribution or exhibits to public view any profane indecent or obscene book paper print drawing painting or representation or sings any profane or obscene song or ballad or uses any profane or obscene language ;

Every person who wantonly discharges any fire-arm or discharges any missile or makes any bonfire ;

Every person who throws or lays any dirt litter or ashes or night soil or any carrion fish offal or rubbish on any street.

PART V.—SANITARY PROVISIONS.

Rain water pipes not to be used as soil pipes

23. No pipe used for the carrying off of rain water from any roof shall be used for the purpose of carrying off the soil or drainage from any privy or water-closet.

Power to supply courts with water-closets &c.

24. The Local Board for the purpose of supplying a court or place with a water-closet earth-closet ash-pit or other sanitary accommodation may from time to time purchase by agreement any building and remove the same and execute all consequent structural and other works and the owner or owners of the houses in the court or place benefited thereby shall be liable to pay the cost of the purchase of such building and the other expenses incurred by the Local Board in the execution of this section and the amount thereof shall be apportioned among those owners by the surveyor in proportion to the rateable value of the property held by them in such court or place and the amount apportioned to each owner shall be payable by and recoverable from him in a summary manner or

as private improvement expenses under the Public Health Acts Provided that if any owner feels himself aggrieved as regards either the amount of such expenses or the apportionment thereof he may appeal to a court of summary jurisdiction to determine the amount or apportionment as the case may be.

Urinals to be attached to public-houses &c.

25. Where any inn public-house beer-house eating-house or other place of public entertainment built before or after the passing of this Act has no urinal belonging or attached thereto the Local Board may order the owner of such inn public-house beer-house eating-house or other place of public entertainment to provide and maintain upon or adjoining the premises in a position to be specified in the order a urinal or urinals to the satisfaction of the Local Board and the Local Board may order the owner of any buildings or lands to remove any urinal belonging or attached thereto which appears to them so situated or constructed as to be a nuisance or offensive to public decency and if any person fails to comply with any of the provisions of this section he shall be liable to a penalty not exceeding twenty shillings and to a daily penalty of twenty shillings.

Surface water not to be discharged on to surface of footway &c.

26. No surface water shall be allowed to discharge from a stack pipe on to the surface of a footpath or roadway.

As to separate sewers.

27. Where in any street separate sewers have been provided and are maintained for surface water and for sewage no sewage shall be allowed to pass into the surface water sewer and so far as practicable no surface or storm water shall be allowed to pass into the sewage sewers 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 :

Provided that in the case of any house or premises existing at the time of the provision of separate sewers the drains whereof would but for the passing of this Act have been sufficient to effectually drain such house or premises the Local Board shall at their own expense make all necessary alterations to the drains and pipes of such house or premises in order to keep separate the sewage and surface water drainage thereof.

Local Board may require old drains to be laid open for examination before communicating with sewers.

28. Before any drain existing at the time of the passing of this Act and then not communicating with a sewer of the Local Board shall be made to communicate with any sewer of the Local Board the Local Board may require the same to be laid open for examination by the surveyor and no such communication shall be made until the surveyor shall have certified that such drain may be properly made to communicate with such sewer and the surveyor shall cause the ground to be closed and any damage done to be

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made good as soon as can be and the expense of the works shall be defrayed by the Local Board.

Owners &c. to permit application of smoke or other test to drains.

29. Whenever the medical officer of health has reasonable ground for believing that the drains connected with any house or building are defective so as to cause risk to health he may after twenty-four hours' notice and (except in the case of houses let in separate dwellings) with the consent of the owner or occupier of such house or building or in the event of objection by any such owner or occupier after obtaining an order of a court of summary jurisdiction apply the smoke test or other test to such drains for the purpose of discovering the defect Any owner or occupier who refuses notwithstanding such order to allow such tests to be made or to give all reasonable facilities for making such tests shall be liable to a penalty not exceeding forty shillings If the drains be found defective the owner of the premises shall be bound (subject to the terms of any lease or other contract) on receiving notice from the Local Board to that effect specifying generally the nature of the defect to carry out all necessary operations for remedying the same within a reasonable time to be named in such notice and if he makes default in so doing the Local Board may enter and execute the work and recover the expenses thereof from the owner or other person liable under the lease or contract in a summary manner or where the owner is the person liable as private improvement expenses are recoverable under the Public Health Acts.

Provisions as to filling up cesspools &c.

30. If it shall appear to the Local Board by the report of the medical officer of health surveyor or inspector of nuisances that any cesspool or other receptacle used or formerly used as a receptacle for excreta or other obnoxious matter or for the whole or any part of the drainage of a house or any ash-pit or any well or disused well belonging to any such house or part of a house is prejudicial to health or otherwise objectionable for sanitary reasons and that it is desirable that the same should be filled up or removed or so altered as to remove any such objection as aforesaid the Local Board may if they think fit by notice in writing require the owner or occupier of such house or part of a house within a reasonable time to be specified in the notice to cause such cesspool receptacle ash-pit or well to be filled up or removed and any drain communicating with such cesspool or receptacle to be effectually disconnected destroyed and taken away.

Where it appears that any such cesspool receptacle ash-pit or well is used in common by the occupiers of two or more houses or parts of houses the notice for the filling up or removal of any such

cesspool receptacle ash-pit or well may be served on any one or more of the owners or occupiers of such houses and it shall not be necessary to serve such notice on all such owners or occupiers.

If default is made in complying with the requisitions of a notice under this section the Local Board may themselves carry out the requisitions and may recover the expenses incurred by them in so doing from the owners or occupiers in default in a summary manner or where the owners are the persons liable as private improvement expenses are recoverable under the Public Health Acts.

Penalty on non-compliance with order under section 70 of Public Health Act 1875.

31. Any person on whom an order is made under the seventieth section of the Public Health Act 1875 who fails to comply with such order shall (without prejudice to any right of the Local Board to pursue any other remedy which they would be entitled to pursue if this Act had not been passed) be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding ten shillings.

Explaining section 124 of Public Health Act 1875.

32. The words "without proper lodging or accommodation" in section 124 (Removal of infected persons without proper lodging to hospital by order of justice) of the Public Health Act 1875 shall be construed to include any person without proper lodging or accommodation having regard to the danger of infection to other persons in the same house.

PART VI.—CLEANSING WATERCOURSES.

Stream &c. choked up to be a nuisance under Public Health Act 1875.

33. Any stream or watercourse or outfall for water or any part or parts thereof respectively within the district so choked up with weeds or other growth or so silted up as in either case to lessen the proper flow or usual effectual drainage of water through the same shall be deemed a nuisance within the meaning of the ninety-first section of the Public Health Act 1875 and all the provisions relating to nuisances of that Act shall so far as applicable apply to every such stream watercourse or outfall for water notwithstanding that the same may not be injurious to health.

Local Board empowered to take proceedings for preventing obstructions in watercourses.

34. The Local Board may take such proceedings by indictment action or otherwise as they may deem advisable for the purpose of preventing the obstruction of any watercourse or outfall for water within the district or for the removal of any obstruction from any watercourse or outfall for water and for preventing the improper storage of the water of any watercourse or outfall for water or for preventing the improper discharge of any storage waters into any watercourse or outfall for water passing through the district or any part thereof whether such discharge takes place in the district or not.

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PART VII.—BUILDINGS AND STREETS.

What to be deemed new buildings.

35. From and after the passing of this Act—

The re-conversion into a dwelling-house of any building which has been discontinued as and appropriated for any purpose other than that of a dwelling-house;

The making of any addition to an existing building by raising any part thereof or making any projection therefrom but so far as regards such addition only; and

The roofing or covering over of an open space between walls or buildings

shall for all the purposes of this Act and the Public Health Acts and of any byelaws made thereunder respectively be deemed to be the erection of a "new building" and the word "building" shall for all such purposes include an erection or building of a permanent character of whatever materials constructed.

Exemption of Government property from building regulations.

36. There shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building structure or work vested in or in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or the public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service.

Exemption as to railway buildings and streets.

37. There shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building (not being a dwelling-house) belonging to a railway company and used by such company as a part of or in connection with their railway and from so much of the provisions of this Act as relates to streets the approach road to any railway station or any other road or roadway within the limits of the property of any railway company.

Approval of plans and sections.

38. The approval by the Local Board whether before or after the passing of this Act of any plan and section of new buildings shall be null and void if the execution of the work specified in such plan and section be not commenced within three years from the date of such approval And at the expiration of that period fresh notice deposits and approval shall unless the Local Board otherwise determine be requisite.

The Local Board shall give notice of the provisions of this section to every person intending to erect a new building the plans and sections for which shall have been approved before the passing of this Act but the erection of which building shall not have been commenced.

The foregoing provisions of this section shall apply to plans and sections of new streets.

Buildings abutting on streets.

39. For the purposes of this part of this Act buildings and lands shall be deemed to be in a street when they abut upon a street or when they have an access covered or uncovered to a street.

Alterations to old buildings.

40. Any alteration addition or other work made or done for any purpose except that of necessary repair not affecting the construction of any external or party wall in to or upon any old building or in to or upon any new building after the roof has been covered in shall to the extent of such alteration addition or work be subject to all enactments and byelaws to which new buildings in the district are from time to time subject.

Levels of new dwelling-houses and construction of cellars.

41. The level of the ground floor of every new dwelling-house shall unless otherwise allowed by the Local Board be at least six inches above the level of the footway street or court adjoining such dwelling-house at the point where the same adjoins such dwelling-house whether there shall be a cellar to such dwelling-house or not and the floor of every cellar in every such dwelling shall be laid with hard flags or tiles or with such other non-absorbent material as may be approved by the Local Board.

As to open spaces about buildings.

42. Whenever any open space exclusively belonging to the owner of any building in the district has in accordance with the byelaws for the time being in force been left in the rear or at the side of such building it shall not be lawful to erect any building whatsoever upon such open space so as to diminish the prescribed open space nor shall such open space be calculated in providing the prescribed open space for or in connection with any other building which may be erected.

Ovens and furnaces to have protecting walls.

43. The owner of any oven used by any baker for the first time after the passing of this Act and of any furnace used by any tradesman or artificer for the first time after the passing of this Act shall construct a wall of not less than nine inches in thickness between the fire of the oven or furnace and the wall of the building in which such oven or furnace shall be and such wall shall be constructed above below and around the oven or furnace to the satisfaction of the Local Board.

No buildings allowed until street defined.

44. No person except with the consent of the Local Board shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to the satisfaction of the Local Board to indicate the approved line and level thereof Any person who shall offend

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against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Power to vary line of new streets.

45. The Local Board may by order vary or alter the intended position or direction of any intended new street for the purpose of causing it to communicate in a direct line with any other street adjoining or leading thereto The Local Board shall make compensation to any person who may be injuriously affected by the exercise of the powers conferred by this section.

Continuations of existing streets to be deemed new streets.

46. Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any byelaws made thereunder and for the time being in force within the district be deemed to be a new street.

Power to define streets.

47. The Local Board may by order from time to time determine and declare the points or limits at or within which any street is to be taken as beginning and ending.

Local Board may define future line of streets.

48. (1) Where any street in the district is in the opinion of the Local Board narrow or inconvenient or without any sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered the Local Board may from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of any such street The line which in any case the Local Board propose so to prescribe and define shall be distinctly marked and shown on a plan to be signed by the clerk of the Local Board and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Local Board formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to every owner interested whose name and address they can ascertain No new building erection excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street than such line.

(2) The Local Board may purchase the land lying between any such line as aforesaid and the centre of the street and the same when purchased shall vest in the Local Board as part of the street.

(3) Whenever in any of the above cases the Local Board shall require the said line to be observed and kept they shall make full compensation to the owner and other persons immediately interested in any new building for any loss or damage they may sustain in consequence of such new building being set back and the Local Board shall also make to the owner of any adjoining land or building and to all other persons interested in any such land or building full compensation in respect thereof for all loss damage

or injury (if any) sustained by them by reason of the Local Board requiring the said line to be observed and kept All compensation under this section shall in case of difference be settled by arbitration in manner provided by the Public Health Act 1875.

(4) If after any such line shall be so defined and prescribed as aforesaid any person shall wilfully or negligently act contrary to this enactment he shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty of like amount.

Entrances to courts &c. not to be interfered with.

49. The entrance to any court or place not being a highway repairable by the inhabitants at large shall not at any time after the passing of this Act be closed or narrowed or built over or the height or headway thereof lowered without in each case the consent of the Local Board in writing.

Every person offending against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

PART VIII.—POLICE AND STREET TRAFFIC.

Fencing of vacant land.

50. Where any vacant or waste lands are in a state to cause a nuisance or danger to the public the Local Board may serve a notice on the owner or occupier requiring him within a time thereby limited to effectually fence the same so as to exclude the public therefrom and if the owner or occupier fails to comply with the requisitions of the notice or to keep such lands effectually fenced the Local Board may cause such lands to be effectually fenced or the fences thereof to be repaired and may recover from the owner or occupier the expenses incurred thereby summarily.

As to unfenced grounds.

51. Any unfenced ground adjoining or abutting upon any street shall for the purposes of the Vagrancy Acts be deemed to be a public place.

Power to make bye-laws as to advertisement hoardings.

52. The Local Board may from time to time make and enforce byelaws for regulating the erection and position of hoardings for the exhibition thereon of advertisements for requiring the proper maintenance and repair of such hoardings when erected and the removal thereof if and when the same are unsafe and for regulating the mode of exhibiting such advertisements Provided that this section shall not apply to any hoardings or advertisements which are or may be placed wholly upon any railway station yard platform or station approach belonging to a railway company.

Indecent shows &c.

53. If any person exhibits any indecent show or exhibition in any street or in any place to which admission is obtained by payment of money he shall for every such offence be liable to a penalty not exceeding five pounds.

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Prevention and removal of projections over streets.

54. Sections sixty and seventy of the Towns Improvement Clauses Act 1847 (incorporated with the Public Health Acts) shall with respect to the district extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any building and whether erected before or after the passing of this Act which the Local Board may determine to be dangerous or an obstruction to the safe or convenient use of any street.

Covered shelters.

55. The Local Board may from time to time provide place and maintain on any public road or place and on any land of the Local Board and with consent of the owners lessees and occupiers on any other land covered shelters for the protection of the public against wind and rain and may from time to time remove the same.

Public drinking fountains and waterings for cattle &c.

56. The Local Board may from time to time when and as they think it expedient put up and continue and from time to time remove or discontinue drinking fountains and cattle troughs with proper conveniences for the gratuitous supply of water for drinking and for watering of cattle and horses at such fountains or troughs respectively and may furnish or discontinue such gratuitous supply (but for such drinking and watering only) in such public places as the Local Board may think fit but not against or in the immediate proximity of any private dwelling-house warehouse counting-house shop or other building or the fence or wall of any garden or pleasure ground except with the consent of the owner and occupier thereof and every person who shall wilfully use any water so gratuitously supplied elsewhere or otherwise than as herein-before mentioned or foul such water shall forfeit to the Local Board for every such offence a sum not exceeding forty shillings.

Chairs and seats for public use.

57. The Local Board may from time to time place or authorise any person or persons to place seats or chairs in any street park gardens pleasure ground recreation ground promenade parade or other public place for the use of the public and may if they think fit charge or allow such person or persons to charge a reasonable sum for the use of such chairs and may make regulations for the use thereof and for preventing injury or damage thereto.

For regulating street music near Princes Parade.

58. The Local Board may by writing under the hand of their chairman or clerk from time to time prohibit for specified hours the playing of music and singing in any street or public place within one hundred yards of the Princes Parade and any person wilfully offending against such prohibition shall for every such offence be liable to a penalty not exceeding forty shillings Section eleven of the Act of 1889 is hereby repealed.

Captain of fire brigade or other officer to have control of operations at fires.

59. (1) The captain or superintendent of the fire brigade of the Local Board or other officer of such fire brigade for the time being in charge of the engine or other apparatus for extinguishing fires attending at any fire within the district shall from the time of his arrival and during his presence thereat have the sole charge and control of all operations for the putting out of such fire whether by the Local Board or any other fire brigade including the fixing of the positions of fire engines and apparatus the attaching of hose to any water pipes or water supply and the selection of the parts of the building on fire or of adjoining buildings against which the water is to be directed.

(2) Such captain superintendent or other officer in charge shall have power to stop or regulate the traffic in any street whenever in his opinion it is necessary or desirable to stop or regulate such traffic for the purpose of extinguishing any fire or for the safety or protection of life or property.

(3) Any person who during a fire wilfully disobeys any lawful order of any such officer of the fire brigade of the Local Board shall be liable to a penalty not exceeding five pounds.

Power to police constable &c. to enter and break open premises in case of fire.

60. Any police constable acting under the orders of his superintendent or inspector and any member of the fire brigade of the Local Board being on duty and any officer of the Local Board may enter and if necessary break into any building in the district being or reasonably supposed to be on fire or any buildings or lands adjoining or near thereto without the consent of the owner or occupier thereof respectively and may do all such acts and things as he may deem necessary for extinguishing fire in any such building or for protecting the same or rescuing any person or property therein from fire.

PART IX.—HACKNEY CARRIAGES &c.

Prescribed distance for hackney carriages.

61. All byelaws for regulating licensed hackney carriages and the conduct of the drivers thereof and all provisions of this Act and of the Town Police Clauses Acts 1847 and 1889 for the time being in force within the district shall apply to licensed hackney carriages and the drivers thereof within a distance of six miles from the Post Office in Prince Street if the hiring takes place within the district Provided that it shall not be obligatory on the drivers of licensed hackney carriages to contract to carry persons for hire beyond the district.

Powers of inspector of hackney carriages.

62. The inspector of hackney carriages or such other person as may be appointed by the Local Board for that purpose may from time to time examine all hackney carriages and omnibuses plying

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for hire within the district and shall see that the laws and byelaws relating to such conveyances are duly observed If any proprietor driver or conductor or other person shall obstruct or hinder any such inspector or other person appointed as aforesaid in the execution of his duties he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Penalty for fraudulent use of numbers and badges.

63. Every person who fraudulently or with intent to deceive does any of the following things (namely):—

(1) Affixes or places on any carriage or cart any figure or number to resemble any figure or number appointed by the Local Board to be affixed to any hackney carriage;

(2) Affixes or carries on his person any badge figure or number to resemble any badge figure or number appointed by the Local Board to be carried by a licensed driver or conductor;

(3) Alters or erases whilst any licence granted by the Local Board in respect of any vehicle is in force any number painted thereon or affixed thereto by direction of the Local Board or any officer of the Local Board authorised in that behalf;

(4) Affixes or carries on his person any badge figure or number assigned by the Local Board or by any duly authorised officer of the Local Board to any other person

shall be liable to a penalty not exceeding forty shillings.

Power to license persons following certain callings.

64. (1) The Local Board may from time to time grant to every person they think fit a licence to carry on the calling of bath chairman or other wheel chairman and may charge a fee of one shilling for any such licence.

(2) The Local Board may from time to time make byelaws for regulating the conduct of any persons so licensed and the charges to be made by them.

(3) Any such licence may be granted for a year or for any less period according as the Local Board may think fit and may be suspended or revoked or endorsed by the Local Board for a breach of such byelaws or whenever they shall deem such suspension or revocation or endorsement to be necessary or desirable in the interests of the public Provided that the existence of this power to suspend or revoke or endorse a licence shall be plainly set forth in the licence itself.

(4) Every such licence whensoever issued shall expire on the first day of June next following the date of its issue and may contain conditions as to the badge which the holder of any such licence shall wear.

Penalty on persons misrepresenting

65. If any person while unlicensed represents himself to be licensed or wears any badge for the purpose of holding himself out

as licensed to carry on the calling of bath chairman or other wheel chairman he shall be liable to a penalty not exceeding twenty shillings.

themselves to be licensed.

PART X.—LEGAL PROCEEDINGS.

General provisions as to byelaws.

66. All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act 1875 (except so much thereof as relates to byelaws made by a rural sanitary authority) shall apply to all byelaws from time to time made by the Local Board under the powers of this Act Provided that the Secretary of State shall be the confirming authority for byelaws made under section sixteen of this Act and that no such byelaws so far as they apply to the seashore below high-water mark shall be valid without the consent in writing of the Board of Trade.

Information by whom to be laid.

67. All informations under or for the breach of any of the provisions of this Act or of the Town Police Clauses Act 1847 incorporated with the Public Health Act 1875 may be laid by any officer of the Local Board duly authorised in that behalf or by the clerk of the Local Board.

Authentication and service of notices.

68. In the case of any notice or other such document under this Act requiring authentication by the Local Board the signature of the clerk or other duly authorised officer of the Local Board shall be sufficient authentication Notices orders and any other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act 1875 are by section two hundred and sixty-seven of that Act authorised to be served Provided always that in the case of any company any such notice or document shall be delivered or sent by post addressed to the secretary or clerk of the company at their principal office or place of business.

Application of moneys from sale &c. of land.

69. The Local Board shall apply all moneys from time to time received by them in respect of any sales exchanges or disposition of lands and premises by this Act authorised or by way of fine or premium on any lease in or towards paying off moneys borrowed and for the time being owing under this Act or if there shall be no moneys owing under this Act such proceeds shall be applied in or towards paying off any other moneys for the time being owing by the Local Board Provided that such proceeds when used to pay off borrowed moneys shall not be applicable to the payment of instalments appropriations or annual repayments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

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As to appeal.

70. Any person deeming himself aggrieved by any order judgment determination or requirement or the making or withholding of any certificate licence or consent or approval of or by the Local Board or of or by any officer or valuer of the Local Board or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

Recovery of penalties &c.

71. Offences against this Act and penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner.

Penalties to be paid over to the treasurer.

72. All penalties recovered by the Local Board or any officer of the Local Board on their behalf under this Act or any byelaw thereunder shall be paid to the treasurer and be carried by him to the credit of the district fund.

Saving for indictments &c.

73. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act.

Judges &c. not disqualified.

74. 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 or by reason of his being a member of the Local Board.

Powers of Act cumulative.

75. All powers rights and remedies given to the Local Board by this Act shall 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 the Public Health Acts and the Local Board 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 penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Saving rights of Crown under Crown Lands Act.

76. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections 21 and 22 of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty Her heirs or successors.

Saving rights of the Crown in the foreshore.

77. Nothing contained in this Act shall authorise the Local Board to take use or in any manner interfere with any portion of

the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Costs of Act.

78. The costs charges and expenses preliminary to and of and incidental to the preparing applying for and obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or the House of Commons shall be paid by the Local Board out of the district fund and the general district rate or out of moneys borrowed for the purpose under the powers of this Act.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

The First Part.

All that messuage tenement or dwelling-house situate at Bridlington Quay aforesaid known by the name of Fort Hall with the yard garden and outbuildings thereto adjoining and belonging And also all that piece of ground on part of which the said buildings stand situate in the moor in the lordship of Bridlington aforesaid and forming the unsold portion of a close containing two acres six poles more or less which said close adjoined upon a close upon the inclosure of Bridlington awarded to Sleightholme Blackburne on the north on the German Ocean on the east on a road formerly called the Cliff Road and now the promenade on the west and all which said hereditaments intended to be hereby granted are shown on the plan endorsed on presents and therein coloured pink And also all and singular the tythes of what nature or kind soever arising or issuing out of the said hereditaments hereby granted or any part thereof together with all the rights members privileges and appurtenances to the same belonging or appertaining.

The Second Part.

All that messuage tenement or dwelling-house formerly in the occupation of Edward Rycroft and now or late of Mrs. Skelsey and others part of which has been converted into two shops with the yard and outbuildings thereto adjoining and belonging situate in Bridlington Quay aforesaid in a certain street or place called Cliff Terrace adjoining upon an open yard on or towards the north upon property formerly belonging or reputed to belong to the devisees of John Cook and late of Benjamin Batchelor on or toward the east upon Garrison Street on or towards the west upon Cliff Terrace aforesaid leading to the North Pier on or towards the south which shop and dwelling-house were late in the occupation of Thomas Crowther Hudson William Sawdon and Frederick Bagnall respectively and now of Messrs. Skelsey Bourne and Purdon And also all the baths and buildings attached to and communicating with the said dwelling-house situate and being under Cliff Terrace aforesaid and fronting a certain place called the Slipway which said baths and buildings were formerly in the occupation of the said Edward Rycroft lately of William Pool and now of Drinkrow Houghton and others Together with all ways rights lights members easements privileges and appurtenances to the said hereditaments and premises and every part thereof respectively belonging or in anywise appertaining and with the same usually held and enjoyed.

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THE THIRD PART.

First—All that building commonly called or known by the name of the Bridlington Quay Public Rooms and the Victoria Public Rooms situate in Bridlington Quay aforesaid on the east side of Garrison Street and extending from there to the North Pier and sands or seashore and erected upon the ground or sites of certain buildings formerly belonging or reputed to belong to William Wetwan Aller Taylor and Jane Thompson Secondly all that piece or parcel of ground formerly the site of a messuage or dwelling-house situate at Bridlington Quay aforesaid on the East Cliff there with the yard and appurtenances to the same belonging and facing the sea towards the south or south-east and adjoining the site of buildings and premises late of Thomas Brambles the younger but now forming part of the Sea-Wall Parade towards the north or north-west and the said public rooms toward the west or south-west Together with the way or passage or free ingress egress and regress at all times and upon all occasions to and from such ground into and through the roadway or passage at the north or north-west end of the said premises to and from the town street there called Garrison Street aforesaid and likewise all such part or so much of the ground or cliff on the south or south-east side of the site of the said messuage or dwelling-house as adjoins or appertains thereto or heretofore hath been occupied and enjoyed therewith Thirdly all that messuage or tenement erected and built on a certain piece of ground adjoining the north pier in Bridlington Quay aforesaid and also all that one undivided moiety or half part of the yard or garth behind the said messuage as the same was formerly or is now used in common by the occupiers of the said messuage and the owners and occupiers of the hereditaments firstly herein-before described and the well and pump there which said hereditaments are bounded by the North Pier on or towards the east and the said hereditaments firstly herein-before described on or towards the north Together with all ways rights lights members easements privileges and appurtenances to the same respectively belonging.

THE FOURTH PART.

All that messuage tenement or dwelling-house situate and being in Cliff Terrace Bridlington Quay aforesaid erected on a piece of ground whereon a house occupied as the Custom House previously stood which said messuage or dwelling-house is bounded by property now or lately belonging or reputed to belong to the devisees of Ann Headley's appointees on the east by property lately belonging or reputed to belong to Edward Rycroft and now of the said purchasers on the west by a private way on the north and by the town street on the south and was formerly in the occupation of John Cook then of Abraham Forth and recently of the said Benjamin Batchelor together with all ways rights lights members easements privileges and appurtenances thereto belonging.

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THE SECOND SCHEDULE.

All that messuage or dwelling-house with the outbuildings thereunto adjoining and belonging and now occupied therewith situate and being No. 3 Cliff Terrace in Bridlington Quay aforesaid and late in the occupation of Benjamin Batchelor.

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, 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
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