



## CHAPTER cclvii.

An Act to confer powers upon the Urban District Council of Paignton in the county of Devon with respect to the purchase and laying out of land for a recreation ground to make better provision for the improvement health and local government of the district and for other purposes. A.D. 1898.  
[12th August 1898.]

**W**HEREAS the district of Paignton in the county of Devon is an urban district co-extensive with the parish of Paignton under the management and subject to the jurisdiction of the Paignton Urban District Council who are the urban sanitary authority for the district :

And whereas the Council have adopted the Infectious Disease (Notification) Act 1889 the Infectious Disease (Prevention) Act 1890 Parts I. II. and III. of the Public Health Acts Amendment Act 1890 and the Private Street Works Act 1892 and the Council are the owners of the waterworks at Paignton under the powers of the Paignton Water Act 1867 :

And whereas the town of Paignton is a seaside resort of rapidly-increasing population and it is expedient that the Council be empowered to purchase certain marshy and low-lying land in the midst of the district as shown on the deposited plans and raise reclaim and lay out and thereafter retain and use the same as a recreation ground in accordance with and subject to the provisions herein-after contained :

And whereas in promotion of this object the agreement set out in the schedule hereto has been entered into between the Council on the one part and the several persons whose names appear at the foot thereof of the other part and it is expedient that this agreement should be confirmed and made binding upon the Council and the several signatories thereto :

And whereas by the statute of James I. chapter 18 it is enacted that "all persons resiant and dwelling in the counties of Devon and Cornwall may fetch and take sea sand at all places under the full

A.D. 1898. — “ sea mark for the bettering of their land and for the increase of  
“ corn and tillage at their wills and pleasures ” and in consequence  
of this enactment considerable quantities of sea sand shingle gravel  
stones and like matters are yearly removed from the seashore of the  
district and disposed of for profit and used exclusively for other  
purposes than those contemplated by the recited statute and without  
any benefit to the district :

And whereas the beach sands and foreshore of the district form  
the natural bar and protection against the inroads and encroachments  
of the sea and it is expedient that the digging and removal of  
sand shingle gravel stones and the like matter therefrom should be  
restricted and that the Council should be empowered to purchase  
and acquire by agreement the whole or any part of the foreshore  
bounding the district as herein-after provided :

And whereas it is expedient that the maritime boundary of the  
district should be defined and that the Council should be invested  
with further powers of control over the seashore of the district :

And whereas it is expedient that powers should be conferred upon  
the Council for constructing works so as to obtain a supply of sea  
water :

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

And whereas the purchase of the said land and the works in  
connexion therewith are permanent works within the meaning of  
section 234 of the Public Health Act 1875 :

And whereas it is expedient that the Council be authorised to  
borrow for the purposes of this Act such sums as with the approval  
of the Local Government Board may be found to be requisite :

And whereas an absolute majority of the whole number of the  
Council at a meeting held on the third 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  
Western Morning News a local newspaper circulating in the district  
such notice being in addition to the ordinary notices required for  
summoning such meeting resolved that the expenses in relation to  
promoting the Bill for this Act should be charged upon the district  
fund and general district rate :

And whereas such resolution was published twice in the Western  
Morning News a newspaper circulating in the district of the urban  
district council 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 urban district council at a further special meeting held in pursuance of a similar notice on the seventh day of February one thousand eight hundred and ninety-eight being not less than fourteen days after the deposit of the Bill in Parliament: A.D. 1898.

And whereas the owners and ratepayers of the district 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 of the lands proposed to be acquired under the powers of this Act and a book of reference to the plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands required for the purposes of this Act were duly deposited with the clerk of the peace for the county of Devon and with the clerk to the urban district council of Paignton which plans and book of reference are in this Act respectively referred to as the deposited plans and book of reference:

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.

1. This Act may be cited for all purposes as the Paignton Improvement Act 1898. Short title.

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

- Part I.—Preliminary.
- Part II.—Acquisition of Lands.
- Part III.—Recreation Grounds.
- Part IV.—Seashore.
- Part V.—Infectious Disease.
- Part VI.—Buildings and Streets and Sanitary Matters.
- Part VII.—Police and Street Traffic.
- Part VIII.—Hackney Carriages.
- Part IX.—Finance.
- Part X.—Legal Proceedings.
- Part XI.—Miscellaneous.

3. The Lands Clauses Acts are (except where expressly varied or inconsistent with this Act) incorporated with and form part of this Act. Incorporation of Acts.

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Interpre-  
tation.

4. In this Act the following words and expressions have the meanings hereby assigned unless the subject or context otherwise requires:—

- “The district” means the urban district of Paignton in the county of Devon as extended and defined by this Act:
- “The Council” means the urban district council of Paignton:
- “The seashore” means and includes the seashore foreshore and all the beach and sands within the district:
- “The Vagrancy Acts” means the Vagrancy Act 1824 and any Act for the time being in force amending the same:
- “The clerk” “the surveyor” “the medical officer of health” “the inspector of nuisances” mean respectively the clerk and the surveyor to the Council and the medical officer of health and inspector of nuisances of the district and “the office” in relation to any of the said officers means the office of that officer at the town hall or at such other place in the district as the Council may from time to time appoint:
- “Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 applies for the time being within the district:
- “Dairyman” means any cowkeeper purveyor of milk or occupier of a dairy milk store or milk shop:
- “Dairy” means and includes any dairy farmhouse cowshed milk store or milk shop:
- “The district fund” and “general district rate” mean the district fund and general district rate of the district:
- “Daily penalty” means a penalty for each day on which any offence is continued after conviction therefor:
- “Skysign” means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part upon over or above any house building or structure which or any part of which skysign shall be visible against the sky from some point in any street or public way and includes all and every part of any such post pole standard framework or other support The expression “skysign” shall also include any balloon parachute or similar device employed wholly or in part for the purposes of any advertisement or announcement on over or above any house building structure or erection of any kind or on or over any street or public way but shall not be deemed to include—

Any flagstaff pole vane or weathercock unless adapted or used wholly or in part for the purposes of any advertisement or announcement;

Any sign on any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building or the cornice or blocking course of any wall or to the ridge of a roof Provided that such board frame or other contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported ;  
Any such word letter model sign device or representation as aforesaid which relates exclusively to the business of a railway company and which is placed or may be placed wholly upon or over any railway station yard platform or station approach belonging to a railway company and which is also so placed that it could not fall into any street or public place:

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Unless the subject or context otherwise requires words and expressions to which meanings are assigned by the Public Health Acts have in this Act the same respective meanings.

5. This Act shall be carried into execution by the Council.

Execution of Act.

## PART II.—ACQUISITION OF LANDS.

6. Subject to the provisions of this Act the Council may enter on take and use all or any of the lands in the said parish of Paignton in the said county of Devon delineated on the deposited plans and described in the deposited book of reference :

Power to take lands.

Provided that the Council shall not use any of the lands to be so taken and used by them for the purposes of building thereon save and except for the erection of buildings for the purposes of the new recreation ground or otherwise as provided for by this Act or of other buildings not intended for human habitation :

Provided always that the Council shall not without the consent of the owner for the time being enter upon take or use so much of the lands numbered 12 and 14 on the deposited plans as are coloured dark green on the plan signed by Thomas Creaser Kellock and George Soudon Bridgman.

7. The agreement dated the eighth day of July one thousand eight hundred and ninety-eight and made between the Council on the one part and the undersigned ratepayers of the district of the other part set out in the schedule to this Act is hereby confirmed and is made binding on the Council and on the said ratepayers respectively.

Confirmation of scheduled agreement.

8. The Council shall in accordance with the scheduled agreement form lay out and maintain as a public exercise or recreation ground

Council may lay out and maintain a

A.D. 1898:  
public re-  
creation  
ground.

(in this Act referred to as "the new recreation ground") for the use and benefit of the inhabitants of the district and the public the whole or so much of the lands mentioned in the section the marginal note whereof is "Power to take lands" as may be acquired by the Council and the Council shall lay out and drain fence level plant and improve the same and shall do all such other things as they may deem necessary for the proper forming maintaining and improving of the said land as a new recreation ground.

Power to  
lease the  
new recrea-  
tion ground.

9.—(1.) The Council may at such rent and subject to such covenants and conditions as they may think fit let on lease the whole or any portion of the new recreation ground for a term not exceeding five years subject to the same being kept open and maintained as a recreation ground to which the public shall be admitted on payment of such reasonable charge if any as may be specified in the lease thereof but the terms of any such lease shall not extend beyond the period when the moneys borrowed for the purchase and laying out of the said ground shall have been repaid.

(2.) Any money received by the Council by way of rent under any such lease shall be applied in payment of the annual interest on the outstanding balance of the amount borrowed for purchasing and laying out the said land and subject thereto shall be applied in payment of the annual instalments in reduction of such principal amount in the manner provided to be paid by the section of this Act the marginal note whereof is "Provisions as to sinking fund."

Correction of  
errors &c.  
in deposited  
plans and  
book of  
reference.

10. If any omission misstatement or wrong description shall have been made of any land or of the owners lessees or occupiers of any land delineated on the deposited plans or described in the deposited book of reference the Council after giving ten days notice to the owners lessees or occupiers of the land affected by such proposed correction may apply to two justices for the correction thereof If it appears to such justices that such omission misstatement or wrong description arose from mistake they shall certify the same accordingly and shall in their certificate state the particulars of any such omission misstatement or wrong description and the certificate with the other documents to which it relates shall be deposited with the clerk of the peace for the county of Devon and with the clerk to the urban district council The certificate shall be kept by the clerk of the peace and the clerk of the urban district council respectively with the other documents to which it relates and subject and according to the same enactments and provisions as apply to those other documents and thereupon such plans or book of reference shall be deemed to be corrected according to the certificate.

11. The powers of the Council for the compulsory purchase or taking of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

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Period for exercise of compulsory powers.

12. The Council in addition to any lands which they are otherwise by this Act authorised to acquire may by agreement purchase take on lease and hold for the purposes of this Act the whole or any portion of the foreshore bounding the district but nothing in this section shall authorise the Council to create or permit the creation or continuance of any nuisance on any such foreshore.

Purchase of additional lands by agreement.

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges aforesaid respectively.

Persons under disability may grant easements &c.

14. The Council shall not under the powers of this Act purchase or acquire either compulsorily or by agreement 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.

Restriction on taking houses of labouring class.

For the purposes of this section the expression labouring class includes mechanics artizans 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 or 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.

15. If at any time after the expiration of five years from the completion of the purchase of the new recreation ground it shall be found by the Council that the same is not required in the interests of the district or is calculated owing to the cesser of the contributions under the scheduled agreement to become an undue burden upon the rates or that for other reasons it is undesirable to keep the same open as a recreation ground it shall be lawful for the Council to

Power to sell new recreation ground after five years if found not wanted.

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close the new recreation ground and with the approval of the Local Government Board to sell the same.

Application of proceeds of sale of surplus lands.

16. The proceeds of the sale of any lands or other property of the Council under the powers of this Act and the fines and premiums on any leases granted by the Council shall be distinguished as capital in the accounts of the Council and shall be applied in discharge of any moneys borrowed by the Council under this Act but shall not be applied to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board and borrowed money discharged by the application of such sums shall not be reborrowed.

### PART III.—RECREATION GROUNDS.

Council may erect reading refreshment rooms &c.

17. The Council may erect maintain furnish and equip and may remove pavilions conservatories refreshment assembly or reading rooms museums baths and other buildings and conveniences in the new recreation ground or in any other park or garden belonging to or held by them which may be required or convenient for such ground park or garden or the public resorting thereto and may charge for admission thereto :

Provided that the Council shall not charge for admission to such reading rooms on more than twelve days in any one year nor on more than four consecutive days on any one occasion.

Power to Council to let refreshment rooms &c.

18. The Council may let any refreshment rooms with their appurtenances belonging to them or under their control to any such person for such term not exceeding three years at any one time at such rent payable at such times under such covenants and on such conditions and with under and subject to such rights powers privileges and authorities relating thereto respectively as the Council may think fit.

Council may let assembly rooms.

19. The Council may let any reading rooms or assembly rooms in the new recreation ground belonging to them for the purpose of particular meetings or entertainments.

Application of moneys received for admission.

20. The moneys (if any) received from the admission of any persons to the new recreation ground or any reading room assembly room or enclosure therein or from the letting of any refreshment rooms or other buildings shall be carried to the district fund.

Power to provide apparatus for games.

21. The Council may provide apparatus for games and recreation for the use of the public frequenting the public parks gardens and recreation grounds and may charge for the use thereof and they may lease or grant for any term not exceeding three years the right



of providing and charging for such apparatus upon such terms and conditions as they think proper and the Council may make regulations with respect to the use and payment for the use of such apparatus. A.D. 1898.

**22.** The Council may pay or contribute towards the payment of a public band of music for the district provided that the amount of such payments or contributions do not in any year exceed a sum equal to a rate of one halfpenny in the pound on the rateable value of the district. The Council may in any recreation ground or other public place enclose an area within which such band shall play and make regulations as to the time and place for the playing of the band the payments to be made for admission within the said enclosure and for securing good and orderly conduct during the playing of the band. Power to contribute towards band.

**23.** The public parks gardens and recreation grounds within the district shall be deemed streets for the purposes of sections 24 25 and 29 of the Town Police Clauses Act 1847 and also for the purposes of so much of section 28 of that Act as relates to the following offences:— Recreation grounds to be deemed streets.

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

Every common prostitute or night walker loitering and importuning passengers for the purposes 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 firearm 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.

**24.** The Council may set apart any portion of any park garden or recreation ground for the time being belonging to or held by them for cricket football archery tennis and other games and for the drill of volunteers yeomanry or cadets or of any military or police force or for the purposes of the delivery of speeches or the holding of meetings of public or local interest but so that the same shall be open to the public when not in use for such games or drill or other purposes and the Council may make byelaws for regulating the use Power to set apart portions of recreation grounds for games.

A.D. 1898. of the portions of the park garden or recreation ground so set apart.

Power to close the new recreation ground.

**25.** The Council may when the new recreation ground is held by them and when the whole or any part thereof is so used or set apart for any special purpose as in the last preceding section mentioned or for any of the purposes mentioned in the Public Health Acts Amendment Act 1890 close the same or such part thereof against the public and may demand and take or permit to be demanded and taken such reasonable sums as the Council decide for the exclusive occupation of the said new recreation ground or any such portion thereof or for the admission of persons vehicles goods and things into the said new recreation ground or portion thereof so used or set apart and may exclude therefrom all persons vehicles goods and things unless payment be made of the reasonable sum demanded.

Power to provide and let chairs.

**26.** The Council may place or authorise any person or persons to place seats shelters or chairs in any street park recreation ground or pleasure ground 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 chairs and may make byelaws for regulating the use of seats shelters and chairs and for preventing injury or damage thereto.

Power to appoint officers.

**27.** The Council may appoint officers for securing the observance of this Part of this Act and of the byelaws and regulations made thereunder and may procure such officers to be sworn in as constables for that purpose but any such officer shall not act as a constable unless in uniform or provided with a warrant.

#### PART IV.--SEASHORE.

Maritime boundary of district.

**28.**—(1.) The maritime boundary of the district and of the parish comprised therein is hereby extended to and declared to be the line of low water at the ordinary spring tide coloured red upon the map signed in triplicate by the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred.

(2.) The map referred to in this section shall within two weeks after the passing of this Act be deposited in the Parliament Office House of Lords the Private Bill Office of the House of Commons and with the clerk at the office of the Council and copies of the said map certified by the clerk to be true shall be sent within one month after the passing of this Act to the Local Government Board to the Board of Agriculture and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

(3.) Copies of or extracts from the said map deposited with the clerk certified by him to be true shall be received in all courts of

justice and elsewhere as *primâ facie* evidence of the contents of this map. A.D. 1898.

**29.** The Council may make and enforce byelaws for the prevention of danger obstruction nuisance or annoyance to persons using the seashore and in particular may by such byelaws— Byelaws as to seashore.

- (1) Regulate 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 moveable) 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 regulate the user of the seashore for such purposes as shall be prescribed by such byelaws;
- (2) Regulate the selling and hawking of any article commodity or thing on the seashore;
- (3) Regulate the user of the seashore for riding and driving;
- (4) Provide for the preservation of order and good conduct among persons frequenting the seashore.

**30.** The Council may make byelaws—

- (1) For appointing and limiting the places on the seashore from which persons of each sex may bathe without using a bathing machine or tent and for prohibiting the use of any other place on the seashore for bathing without using a bathing machine or tent;
- (2) For the preservation of decency and order at public bathing places on the seashore and for appointing and limiting the places on the seashore from which persons of the male and female sex may bathe together and from which they may bathe separately;
- (3) For regulating the hours during which bathing may take place from public bathing places on the seashore and for prohibiting the use of such places except during the hours so fixed; and
- (4) For prescribing the use of decent and sufficient bathing garments.

Byelaws as to bathing.

**31.** Every part of the seashore 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 set forth in the section of this Act the marginal note whereof is "Recreation grounds to be deemed streets." Seashore to be deemed public place and street for certain purposes.

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Byelaws for  
protection of  
bathers.

**32.** The Council may make byelaws requiring the owner or lessee of any bathing machine to provide or employ boats boatmen and attendants and to provide life-saving apparatus for the purpose of ensuring the safety of bathers and prescribing the qualification of such boatmen and attendants and the Council may employ and pay boatmen for the purpose of protecting persons whilst bathing.

Power to  
license  
pleasure  
boats &c.

**33.—(1.)** The Council may grant upon such terms and conditions as they may think fit licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire and to the boatmen or persons assisting in the charge or navigation of such boats and vessels and may charge a fee of one shilling for every such licence.

(2.) Any such licence may be granted for such period as the Council may think fit and may be suspended or revoked or endorsed by the Council 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 the power to suspend revoke or endorse the licence shall be plainly set forth in the licence itself.

(3.) No person shall let for hire any pleasure boat or pleasure vessel not so licensed nor shall any person carry or permit to be carried passengers for hire in any pleasure boat or vessel not so licensed.

(4.) No person shall act as boatman or assist in the charge or navigation of any pleasure boat or pleasure vessel when let for hire or when carrying passengers for hire who is not licensed by the Council as aforesaid.

(5.) A licence under this section shall not be required for any boat or vessel duly licensed by or under any regulations of the Board of Trade or for any boatmen or person assisting in the charge or navigation of such boat or vessel.

(6.) No person shall carry or permit to be carried in any pleasure boat or pleasure vessel a greater number of passengers for hire than shall be specified in the licence applying to such boat or vessel and every owner of any such boat or vessel shall before permitting the same to be used for carrying passengers for hire paint or cause to be painted on a conspicuous part of the said boat or vessel the number of persons which it is licensed to carry No person shall carry any passenger for hire in any boat plying for hire between Paignton and any other place or places in Torbay whether licensed by or under the regulations of the Board of Trade or under this Act while such boat shall be in tow of any other boat or vessel.

(7.) Every person who shall act in contravention of the provisions of this section shall for each offence be liable on summary conviction to a penalty not exceeding two pounds.

(8.) Any person deeming himself aggrieved by the granting withholding suspension revocation or endorsement of any licence under the provisions of this section may appeal to a petty sessional court held for the district after the expiration of two clear days after such grant withholding suspension revocation or endorsement. Provided that the person so aggrieved shall give twenty-four hours written notice of such appeal and the grounds thereof to the clerk and the court shall have power to make such order as they see fit and to award costs to the successful party such costs to be recoverable in like manner as a penalty under this section.

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(9.) Offences against the provisions of this section and penalties imposed or recoverable thereunder may be prosecuted and recovered summarily.

**34.** The Council shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Council shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Council and the amount of such costs and charges shall be a debt due from the Council to the Crown and shall be recoverable as a Crown debt or summarily.

Works below high-water mark not to be commenced without consent of Board of Trade.

**35.** The Statute 7 James I. chapter 18 so far as applying to the seashore of the district is hereby repealed and from and after the passing of this Act no person unless entitled so to do under a grant of the seashore or some part or parts thereof from the Crown or duchy of Cornwall or a person entitled to the benefit of such grant to a predecessor in title shall at any time dig carry away or remove any sand gravel shingle rock soil or other material from the seashore as defined by this Act and any person entitled under any grant as aforesaid shall not at any time dig carry away or remove any sand gravel shingle rock soil or other material from the seashore as defined by this Act except for use by himself or his lessees or tenants for purposes of building or of agriculture upon the lands in the district of such person in the occupation of himself or of his lessees.

Restriction on removal of sand &c.

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or tenants and any person acting in contravention of the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds. Provided that nothing herein contained shall extend to prohibit the Paignton Harbour Company from removing sand gravel shingle rock soil or other material from Paignton Harbour for the purpose of clearing cleansing and deepening the same nor to prohibit the removal of seaweed from any part of the seashore by any person or persons now entitled to remove the same.

PART V.—INFECTIOUS DISEASE.

Cowkeepers and others to furnish lists of customers in certain cases.

**36.** Whenever it shall be certified to the Council by the medical officer of health that the outbreak or spread of infectious disease is in the opinion of such medical officer of health attributable to the milk supplied by any dairyman the Council may require such dairyman to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the district and such dairyman shall furnish such list accordingly and the Council shall pay to him for such list the sum of sixpence and after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings. Every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Persons engaged in washing or mangling clothes to furnish lists of owners of clothes in certain cases.

**37.** Whenever it shall be certified to the Council by the medical officer of health that it is desirable with a view to prevent the spread of infectious disease that they should be furnished with a list of the customers of any person earning a livelihood or deriving gain by the washing or mangling of clothes the Council may require such person to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of the owners of clothes for whom such person washes or mangles or has washed or mangled and of the persons who have been employed by any such person aforesaid during the past six weeks and such person shall furnish such list accordingly and the Council shall pay to him for every such list the sum of sixpence and at the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings. Every person who shall knowingly or wilfully offend against this enactment shall be liable for each such offence to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Power to provide nurses.

**38.** The Council may if they think fit provide or contract with any other person to provide nurses for attendance upon any person

suffering from infectious disease within the district and may charge a reasonable sum for the service of any nurse so provided. A.D. 1898.

**39.** All dairymen supplying milk within the district from premises whether within or beyond the district shall notify to the Council all cases of infectious disease among persons engaged on or in connexion with their dairies and in default shall be liable to a penalty not exceeding forty shillings. Dairymen to notify infectious disease existing amongst their servants.

**40.** No person suffering from an infectious disease or who is living in a house in which there is a case of infectious disease shall milk any animal or pick fruit or engage in any occupation connected with food intended for the use of man or carry on any trade or business in such a manner as to be likely to spread the infectious disease and if he does so he shall be liable to a penalty not exceeding forty shillings. Infected person not to carry on business &c.

**41.** The words "without proper lodging or accommodation" in section 124 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 and that section shall extend and apply to all persons suffering from any dangerous infectious disease and being in or upon any house or premises where such person cannot be effectually isolated so as to prevent the spread of the disease. Explaining section 124 of Public Health Act 1875.

**42.** If any dairyman shall at the request of the Council stop his milk supply within the district on account of the spread or suspected spread of infectious disease the Council shall make compensation to him for any loss occasioned by such stoppage. Compensation to dairymen.

**43.** If any washerwoman laundry-woman midwife or nurse shall at the request of the Council stop her employment as such for the purpose of preventing the spread of infectious disease the Council shall make compensation to her for any loss she may sustain by reason of such stoppage. Power to compensate nurses &c.

**44.** Public notice of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the district and by a notice to be affixed outside the offices of the Council and by such further means as the Council deem reasonable for carrying notice of this Part of this Act to persons affected or likely to be affected thereby. A copy of the newspaper containing the advertisement shall be conclusive evidence that public notice of this Part of this Act has been duly given unless the contrary be proved and no objection to such notice shall be made after six months from the date of the advertisement. Public notice to be given of Part of Act.

A.D. 1898. PART VI.—BUILDINGS AND STREETS AND SANITARY MATTERS.

Definition of new buildings.

45. From and after the passing of this Act—

The re-erection wholly or partially on the same site of any building of which an outer wall is pulled down to or within ten feet of the surface of the adjoining ground ;

The conversion into a dwelling-house of any part of a building not originally constructed for human habitation ;

The conversion into one dwelling-house of two or more dwelling-houses constructed originally as two or more dwelling-houses ;

The conversion of a building which when originally erected was legally exempt from the operation of any building byelaws in force within the district into a building which had it been originally erected in its converted form would have been within the operation of those byelaws ;

The reconversion into a dwelling-house of any building which has been used or appropriated for any purpose other than 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 such addition only and (in matters relating to the structure of walls foundations roofs and chimneys for securing stability and the prevention of fires and for purposes of health) so far as regards the part of the existing building upon which such addition is placed ;

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

Shall for all the purposes of this Act and the Public Health Acts and of any byelaw made thereunder respectively be deemed to be the erection of a new building.

Approval of plan to be void after certain interval.

46. The approval by the Council of any plan or section of any street or building shall be null and void if the execution of the works specified in such plan or section shall not be commenced within the following periods (that is to say) :—

As to plans approved after the passing of this Act within three years from the date of such approval ; and

As to plans approved before the passing of this Act within three years from the passing of this Act :

And at the expiration of these respective periods fresh notice deposits and approval shall unless the Council otherwise determine be requisite.



The Council shall give notice of the provisions of this section to every person intending to erect a new building the plans for which shall have been approved before the passing of this Act but the erection of which building shall not have been commenced and shall attach a similar notice to every approval of plans given subsequent to the passing of this Act. A.D. 1898.

47. The Council may retain any drawings plans sections specifications and written particulars descriptions or details deposited with the Council in pursuance of any enactment for the time being in force in the district or of any byelaw made thereunder. Retention of plans &c. deposited with Council.

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

49. Every person who shall lay out a new street along which terraces or other continuous blocks of more than four houses shall be intended to be built not giving access through their own grounds to the backs of such houses shall in addition to the front road make and construct a back and side roads at the back and at each end of every such terrace or block of continuous houses which back and side roads shall be in no case less than fifteen feet in width. Provision as to back and side roads to terraces.

50. No person 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 Council to indicate the approved line and level thereof Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings. No building until line of street defined.

51.—(1.) Every undertaking or agreement under seal expressed to be made in pursuance of this section and given by or to the Council to or by any owner of property on the passing of plans or otherwise in connexion with the property of such owner and registered as herein-after provided shall be binding upon the owner of the property for the time being and all persons claiming through or under him and upon the Council and such owner shall be entitled to require from the Council a copy of such undertaking or agreement. Undertakings to bind successive owners.

(2.) The Council shall keep a register of such undertakings and agreements and within seven days after the date of any such undertaking or agreement an entry thereof shall be made in the register showing the names and descriptions of the parties thereto

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and the purport of the undertaking or agreement and the property in respect of which the same is given or entered into and such register shall contain a suitable index relating to such property.

(3.) Every such register shall be open to inspection by any person at all reasonable times on payment of a sum not exceeding one shilling in respect of each name or property searched for and the Council shall furnish copies of any part of such register to any person applying for the same on payment of such reasonable sum as may be fixed by the Council and any sums received under this section shall be carried to the credit of the district fund.

(4.) If any clerk or other person having the custody of such register shall refuse to allow such inspection or to furnish such copies he shall be liable to a penalty not exceeding five pounds for each such refusal such penalty to be recoverable by the person aggrieved in a summary manner.

(5.) Where at the time of such undertaking or agreement being given the legal estate in the property to which such undertaking or agreement relates is not vested in the owner thereof as defined by this section such undertaking or agreement shall not be binding upon the person in whom the legal estate in such property is at that date vested or upon his successors in title unless such person joins in such undertaking or agreement nor shall any undertaking or agreement relating to property to which the owner is entitled for a term of years only be binding upon any person for the time being entitled to such property in reversion immediate or otherwise unless such person joins in such undertaking or agreement.

(6.) In this section the expression "owner" means the person for the time being receiving the rack rent of the property in respect of which such undertaking or agreement is given or entered into whether on his own account or as trustee for any other person or who would so receive the same if such property were let at a rack rent.

Penalties on occupiers refusing execution of Act.

52.—(1.) In case the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Council under this Act or under any byelaw made under the powers of this Act then after notice of the provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Council to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and

during the continuance of this refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works. A.D. 1898.

(2.) If the occupier of any premises when requested by or on behalf of the Council to state the name of the owner of the premises occupied by him shall refuse or wilfully omit to disclose or wilfully misstate the same he shall (unless he shall show a cause to the satisfaction of the court for his refusal) be liable to a penalty not exceeding two pounds.

53. Every person desirous of forming a communication for horses or vehicles across any footway so as to afford access to any premises from a street repairable by the inhabitants at large shall prior to commencing the work give notice in writing of such desire to the Council and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footway and what provision (if any) is made for kerbing for gullies and for a paved crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the surveyor and in case a plan shall have been approved then in accordance with the plan so approved and not otherwise and if any person drives or permits or causes to be driven any horse or vehicle across any footway unless and until such communication has been so made he shall for each such offence be liable to a penalty not exceeding forty shillings in addition to the amount of damage (if any) thereby done to the footway. Crossing for horses or vehicles over footpath.

54. Where any tree hedge or shrub overhangs any street so as to obstruct or interfere with the light from any public lamp or to interfere with the free passage or comfort of passengers the Council may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the tree hedge or shrub so as to prevent such obstruction or interference and in default of compliance the Council may themselves carry out the requisition of their notice doing no unnecessary damage and shall be entitled to recover any expenses incurred by them as a penalty under this Act. Trees or shrubs overhanging streets.

55. Whenever the medical officer of health or surveyor has reasonable grounds 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 with the consent (except in the case of houses let in separate dwellings) of the owner or occupier of such house or building or in the event of objection by any such owner or occupier after obtaining the order of a court of summary jurisdiction apply such test as he may consider efficient Power of medical officer to test drains.

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to such drains for the purpose of discovering any defects therein Any owner or occupier who refuses notwithstanding such order to allow such test to be made or to give all reasonable facilities for making such test shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings If the drains be found defective so as to cause risk to health the owner or occupier of the premises shall be bound on receiving notice from the Council 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 Council may enter and execute the work and recover the expenses thereof from the owner or occupier in a summary manner or where the owner is the person liable as private improvement expenses are recoverable under the Public Health Acts but nothing in this section shall affect contracts between owners and occupiers.

Provision  
for filling up  
cesspools &c.

**56.** If it shall appear to the Council 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 ashpit 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 Council 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 ashpit or well to be filled up or removed and any drain communicating therewith to be effectually disconnected destroyed and taken away or to cause such cesspool receptacle ashpit or well to be so altered as to remove any such objection as aforesaid.

Where it appears that any such cesspool receptacle ashpit 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 ashpit 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 Council 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.

**57.** The powers conferred by section 41 of the Public Health Act 1875 upon the Council to empower the surveyor and inspector of nuisances to enter premises for the purposes therein mentioned shall extend to authorise the Council if on the report of either of such officers it shall appear that they have reason to suspect that any drain watercloset earth-closet privy ashpit or cesspool is in a condition in which it is a nuisance or injurious to health or likely to become so to empower the surveyor or inspector of nuisances after twenty-four hours notice to the occupier of such premises or in case of emergency without notice to enter such premises and to act in accordance with the provisions of the said section as if such written application had been made as therein mentioned.

A.D. 1898.  
Extension of  
section 41 of  
Public  
Health Act  
1875.

**58.** The powers of the Council under section 39 of the Public Health Act 1875 shall extend to authorise them to provide and maintain urinals under any public street and to provide and maintain lavatories for the use of the public and to employ and pay attendants and to make reasonable charges for the use of any lavatories so provided and the Council may make byelaws for the management of such lavatories and as to the conduct of persons frequenting the same.

Council may  
provide  
lavatories &c.

**59.** 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 in a convenient and suitable position the Council may by notice in writing require the owner of such inn public-house beer-house eating-house or other place of public entertainment to provide and maintain on the premises in a position to be specified in the order a urinal or urinals which shall be supplied with water to the satisfaction of the Council and the Council may order the owner of any buildings or lands to remove any urinal belonging or attached thereto which appears to them to be a nuisance or offensive to public decency Any person who fails within a reasonable time to comply with any of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings Provided that nothing in this section contained shall extend or apply to any convenience now or hereafter to be erected by any railway company at or within any railway station or station yard before the passing of this Act.

Urinals to  
be attached  
to refresh-  
ment houses  
&c.

**60.** Any cistern used for the supply of water for domestic purposes which is so placed constructed or kept as to render the water therein liable to contamination causing or likely to cause risk to health shall be deemed to be a nuisance within the meaning of the Public Health Act 1875.

Cisterns  
liable to con-  
tamination  
nuisance.

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Extending provisions of section 75 of Towns Improvement Clauses Act 1847.

**61.** Section 75 of the Towns Improvement Clauses Act 1847 shall extend and apply to any structure which is deemed by the surveyor to be dangerous to passengers or to the occupiers of any building. Provided that nothing in the said section contained shall render it incumbent upon the surveyor to cause a hoarding or fence to be put up in the case of a dangerous chimney.

Prevention and removal of projections over streets.

**62.** Sections 69 and 70 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 projection from or at any building and whether erected before or after the passing of this Act which the Council may determine to be dangerous or an obstruction to the safe and convenient use of any street.

Penalty on washing house fronts save in prescribed hours.

**63.** No ladder shall be placed on the footway or roadway of any street within the district to facilitate the washing of any house front or window except between the hours of four and ten in the forenoon from May to September or between the hours of four and eleven in the forenoon from October to April nor shall any house front or window be washed in such a way that water falls upon the pavement except within such hours and all persons acting in contravention of this provision shall be liable to a penalty not exceeding forty shillings for each offence.

Exemption of Government and railway property from building regulations.

**64.** Without prejudice to any existing right of Her Majesty 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 either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public purposes 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. There shall also be exempted from the said provisions every building (not being a dwelling-house) belonging to any railway company and used by such company as a part of or in connexion with their railway.

#### PART VII.—POLICE AND STREET TRAFFIC.

Restriction on advertising vehicles and hoardings.

**65.—(1.)** It shall not be lawful in any street in the district to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Council which consent shall be in writing and may be for such time and contain such terms and conditions as the Council think fit. Any person aggrieved by the refusal of the Council to grant such consent or by the terms and conditions imposed may appeal to a court of summary

jurisdiction held for the district after the expiration of two clear days after the decision of the Council is notified to him provided he give twenty-four hours notice of such appeal and the grounds thereof to the clerk of the Council and the court shall have power to make such order as to them may seem fit and to award costs such costs to be recoverable in like manner as a penalty under this Act. A.D. 1898.

(2.) Every hoarding or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Council.

(3.) It shall not be lawful after the passing of this Act to erect any hoarding or similar structure to be used partly or wholly for advertising purposes in or abutting on or adjoining any street to a greater height than twenty feet above the level of such street without the consent of the Council and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoarding as the Council may determine.

(4.) The owner or other person using any hoarding wall or similar structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Council and in the event of any nuisance being created in any street by reason of the falling off of any papers affixed for advertising purposes to such hoarding wall or other structure shall forthwith remove and clear away such papers.

(5.) Any person who acts in contravention of any of the provisions of this section or who violates any conditions or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty after conviction not exceeding twenty shillings.

(6.) Any consent or condition made under this section may be under the hand of the clerk or surveyor of the Council.

(7.) This section shall not apply to any hoarding or similar structure or advertisement affixed to any railway station or premises of a railway company for the purposes of any such company but it shall apply to any hoarding abutting upon a public road or placed or erected upon bridges of any railway company facing a road or street.

**66.** It shall not be lawful to erect or fix to upon or in connexion with any building or erection any skysign and it shall not be lawful to retain any existing skysign so erected or fixed for a longer period than three years after the passing of this Act nor during that period Regulations as to sky-signs.

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except with the licence of the Council and in the event of such licence being granted then only for such period not exceeding three years from the passing of this Act and under and subject to such terms and conditions as shall be therein prescribed Provided that in any of the following cases a licence of the Council under this section shall become void (namely):—

- (1) If any addition to any skysign be made except for the purpose of making it secure under the direction of the surveyor;
- (2) If any change be made in the skysign or any part thereof;
- (3) If the skysign or any part thereof fall either through accident decay or any other cause;
- (4) If any addition or alteration be made to or in the house building or erection on over or to which any skysign is placed or attached if such addition or alteration involves the disturbance of the skysign or any part thereof;
- (5) If the house building or erection over on or to which the skysign is placed or attached become unoccupied or be demolished or destroyed:

Provided also that if any skysign be erected or retained contrary to the provisions of this Act or after the licence for the erection maintenance or retention thereof for any period shall have expired or become void it shall be lawful for the Council to take proceedings for the taking down and removal of the skysign in the same manner and with the same consequences as to the recovery of expenses and otherwise in all respects as if it were an obstruction within the meaning of section 69 of the Towns Improvement Clauses Act 1847.

Any person acting in contravention of any of the provisions of this section or of the terms and conditions (if any) of any approval licence or consent under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

As to unfenced ground.

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

Dangerous places to be repaired or enclosed.

**68.** With respect to the repairing or enclosing of dangerous places the following provisions shall have effect namely:—

- (1) If any building wall steps structure or other thing or any well excavation reservoir pond stream dam or bank is for want of sufficient repair fencing or enclosure dangerous to the passengers along any street or public footpath the Council may order the owner liable to repair the same to repair remove fence or enclose the same within the period specified in the order so as to prevent any danger therefrom:



(2) If after the service of the order on the owner he shall neglect to comply with the requirements thereof within the prescribed period the Council may cause such works as they think proper to be done for effecting such repair removal fencing or enclosure and the expenses thereof shall be payable by the owner and may be recovered summarily unless the court of summary jurisdiction or the court of quarter sessions on appeal shall be of opinion that under the circumstances of the case such expenses should be borne by the Council.

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69. The Council may when and as they think 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 and troughs respectively and may furnish or discontinue such gratuitous supply (but for such drinking and watering only) in such public places as the Council may think fit but not against or in the 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 be liable to a penalty for every such offence not exceeding forty shillings.

Power to provide drinking fountains &c.

70. The Council may by order during such hours as may be necessary for band performances prohibit the use of all horses or carriages within the meaning of the Highway Acts as extended by the Local Government Act 1888 on the Esplanade (being the promenade on the eastern side of "the Green" adjoining the beach) on any future extension thereof and in the Park (laid out by the Council on lands acquired from the trustees of the Dendy Estate) and such order shall be painted or placed on boards which shall be kept fixed or placed on some conspicuous parts of "the Esplanade" "the Green" and "Park" Any person offending against any such order shall for every offence be liable to a penalty not exceeding forty shillings.

Regulation as to horses carriages &c.

71. Any person who shall frequent and use any street or public place within the district either on behalf of himself or any other person for the purpose of bookmaking or betting or wagering or agreeing to bet or wager with any other person shall be liable to a penalty not exceeding five pounds.

Frequenting streets for purpose of betting.

72. The Council may make and enforce byelaws—

(1) For regulating street cries in the streets or any other public place between the hours of eight o'clock in the afternoon and eight o'clock in the forenoon ;

Power to make byelaws.

A.D. 1898.

(2) For prescribing the hours within which any show booth caravan circus or menagerie may be kept open and for preserving order therein;

(3) For regulating the use of any steam organ or other musical instrument or any whistle or horn worked by steam or other mechanical means within the district Provided always that this section shall not apply to any locomotive or steam engine in use on any railway or tramway nor to any steam whistle or steam trumpet to which the Factories (Steam Whistles) Act 1872 applies.

Street musicians to depart on request.

73. Any householder personally or by his servant or by any constable may require any street musician or singer to depart from the neighbourhood of the house of such householder and every person who shall sound or play upon any musical instrument or sing in any street within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

#### PART VIII.—HACKNEY CARRIAGES.

Powers of inspector of hackney carriages.

74. Any person appointed by the Council in writing may examine all public vehicles plying for hire within the district and shall see that the laws and byelaws relating to such public vehicles are duly observed. If any proprietor driver conductor or other person shall obstruct or hinder such person so appointed as aforesaid in the execution of his duty such proprietor driver conductor or person shall be liable to a penalty not exceeding forty shillings.

As to public vehicles taken at railway station.

75. The provisions of the Town Police Clauses Acts 1847 and 1889 and the byelaws of the Council with respect to public vehicles shall be as fully applicable in all respects to public vehicles within the district conveying passengers to or from any railway station within the district as if such railway station were a public stand for public vehicles and also to such carriages and the drivers thereof within a distance of seven miles from the district 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 Provided also that if the hiring takes place within the district any offence against any such byelaw whether such offence shall have been committed within the district or not may be brought before and determined by any justice or justices of the peace having jurisdiction in the district:

Provided always that the provisions of this section shall not apply to any vehicle belonging to or used by any railway company for the purpose of carrying passengers and their luggage to or from any

of their railway stations or to the drivers or conductors of such vehicles nor shall the Council have or exercise any authority or control over vehicles whilst on the premises of any railway company except with the consent of the railway company. A.D. 1898.

**76.** An occasional licence for a public vehicle may be granted by the Council to be in force for such day or days or other period less than one year as may be specified in the licence. Occasional licences may be granted.

#### PART IX.—FINANCE.

**77.**—(1.) The Council may independently of any other borrowing power borrow at interest any sum or sums of money for the purposes herein-after mentioned;— Power to borrow.

(A) With the consent and approval of the Local Government Board for and in respect of the purchase and acquisition of the lands described on the deposited plans and in respect of the draining raising levelling improving and laying out the said lands and for any other purposes of this Act;

(B) For paying the costs and charges of and incidental to this Act.

(2.) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Council may mortgage and charge the district fund and general district rate.

**78.** The powers of borrowing money by this Act given shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Council may borrow under that Act any sums which they may borrow under this Act shall not be reckoned. Certain regulations of Public Health Act 1875 as to borrowing not to apply.

**79.** The provisions contained in sections 236 to 239 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 Council. Provisions of Public Health Act 1875 as to mortgages to apply.

**80.** The Council shall pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as “the prescribed periods”) following (that is to say):— Periods for payment off of money borrowed.

As to moneys borrowed for any of the purposes marked (A) in the section of this Act of which the marginal note is “Power to borrow” within such period not exceeding sixty years as the Local Government Board may sanction;

As to moneys borrowed for the purposes of paying the costs and charges of and incidental to this Act within five years from the date or dates of the borrowing of the same.

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Power to  
borrow under  
Local Loans  
Act 1875.

**81.** The Council may if they think fit borrow any money which they are by this Act authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 as amended by the Local Loans Sinking Fund Act 1885 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another All moneys borrowed in accordance with this section shall be a charge upon and shall be paid out of the same rate and security as they would be charged upon and paid out of if raised by way of mortgage under the powers of this Act and such rate and security shall be deemed to be the local rate as defined by the Local Loans Act 1875 All moneys borrowed in accordance with this section shall be discharged within the prescribed periods Provided always that in respect of any moneys raised under the Local Loans Act 1875 repayable by sinking funds the provisions of the sections of this Act of which the marginal notes are "Provisions as to sinking fund" "Application of sinking fund" "Annual return to Local Government Board" shall apply in lieu of those in sections 15 and 16 of the Local Loans Act 1875.

Payment of  
money  
borrowed.

**82.** Subject to the provisions of this Act the Council shall pay off all money borrowed by them under the powers of this Act and not under the powers of the Local Loans Act 1875 by equal annual or half-yearly instalments of principal or of principal and interest combined or by a sinking fund The Council shall not invest any sinking fund in their own securities or in any securities transferable by delivery.

Provisions as  
to sinking  
fund.

**83.—**(1.) Where the Council effect the repayment of any sum borrowed under this Act by means of a sinking fund they shall in every year pay out of the funds rates tolls or revenue on the security of which money is borrowed under this Act such equal annual sum as will with the accumulation thereof by way of compound interest calculated at a rate not exceeding three per centum per annum be sufficient to pay off the whole of the sum borrowed within the period fixed for such repayment.

(2.) The first payment into the sinking fund in respect of any sum borrowed under this Act shall be made within one year from the date on which such sum is borrowed.

(3.) All sums paid into the sinking fund shall be as soon as may be invested by the Council in securities in which trustees are for the time being authorised to invest or in the mortgages bonds debentures stock or other securities not being annuities or securities payable to bearer authorised by Act of Parliament of any local authority as defined by the Local Loans Act 1875 other than the Council and any such investments may be varied or transposed and all dividends

and other sums received in respect of such investments shall as soon as may be after they are received or become payable be paid into the sinking fund and be invested by the Council in like manner. A.D. 1898.

(4.) And if and as often as the income derived from such investments is not equal to the income which would be derived therefrom at the rate per centum on which the equal annual payments to the fund are based any deficiency shall be made good out of the respective funds rates tolls or revenue which are liable for the equal annual payments and if and as often as the income derived from such investments is in excess of the income which would be derived therefrom at the rate per centum on which the equal annual payments to the fund are based any such excess may be applied as part of such equal annual payments.

**84.** The Council may at any time apply the whole or any part of the sinking fund in or towards the discharge of the moneys or any part of the moneys for the discharge of which the fund was created. Application  
of sinking  
fund.

Whenever any of such principal moneys have been so paid off the Council shall thenceforward until the whole of the principal moneys for the repayment of which the sinking fund was set apart have been paid off pay into the sinking fund every year in addition to the other sums herein-before required to be paid into the fund a sum equivalent to the interest which would have been produced by the sinking fund or part of the sinking fund so applied at the rate per centum on which the equal annual payments to the fund are based.

When and so long as the securities standing to the credit of the sinking fund shall at the market price of the day be equal in value to the principal moneys then due and outstanding the Council may in lieu of investing the yearly income arising from the sinking fund apply the same in payment of the interest of the principal moneys then due and outstanding and may during such period discontinue the payment to the sinking fund of the yearly sums herein-before required to be paid thereto.

**85.** If the Council pay off any money borrowed by them under this Act otherwise than by instalments appropriations or annual repayments or by means of a sinking fund or out of the proceeds of the sale of land or other property or out of fines or premiums on leases or other moneys received on capital account not being borrowed moneys they may from time to time reborrow the same but all moneys so reborrowed shall be repaid within the prescribed period and shall be deemed to form the same loan as the moneys originally borrowed and the obligations of the Council with respect to the Power to re-  
borrow.

A.D. 1898. repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such re-borrowing.

Protection of lender from inquiry.

**86.** A person lending money to the Council under this Act shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof.

Council not to regard trusts.

**87.** The Council shall not be bound to recognise or see to the execution of any trust whether expressed, or implied or constructive to which any loan or security for loan given by them under this Act may be subject but the receipt of the person or persons or (as the case may be) of the personal representative or representatives of the person or the last survivor of the persons in whose name or names any loan or security for loan stands in the books of the Council shall from time to time be a sufficient discharge to the Council in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Council have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered on their books and the Council shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss mis-application or non-application of any such money.

Annual return to Local Government Board.

**88.--(1.)** The clerk shall within twenty-one days after the thirty-first day of March in each year during which any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment of the sum accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the clerk shall be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court.

(2.) If it appear to the Local Government Board by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required by this Act for any sinking fund or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default shall have been made be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court and the provisions of this section shall apply mutatis mutandis to appropriations and annual repayments.

A.D: 1898.

**89.** Money borrowed by the Council under this Act shall be applied only to the purposes of this Act for which it is authorised to be borrowed and to which capital is properly applicable.

Application of moneys borrowed.

**90.** Nothing in this Act shall prejudicially affect any charge on the revenue and rates or the estates and property of the Council subsisting at the passing of this Act and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of the revenue rate and property subject to his charge as if this Act had not passed and all such charges created before the passing of this Act shall during the subsistence thereof have priority over any mortgage or charge granted under this Act on the same revenue rate and property.

Saving for existing charges.

#### PART X.—LEGAL PROCEEDINGS.

**91.** All the provisions with respect to byelaws contained in sections 182 to 186 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 Council under the powers of this Act Provided that the Secretary of State shall be the confirming authority for byelaws made under the sections of this Act the marginal notes whereof are "Byelaws as to seashore" "Power to make byelaws."

General provisions as to byelaws.

**92.** All informations under or for breach of any of the provisions of this Act may be laid by any officer of the Council duly authorised in that behalf or by the clerk.

Informations may be laid by duly authorised officer.

**93.** In the case of any notice or demand under this Act requiring authentication by the Council the signature of the clerk or other duly authorised officer of the Council shall be sufficient authentication

Authentication and service of notices.

A.D. 1898. 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 267 of that Act authorised to be served Provided always that in the case of any company any such notice order 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.

As to appeal. **94.** Any person deeming himself aggrieved by any order determination or requirement or the making or withholding of any certificate licence or consent or approval of or by the Council or of any officer or valuer of the Council or by the 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. **95.** 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 to the treasurer. **96.** All penalties recovered by the Council or any officer of the Council on their behalf under this Act or any byelaw thereunder shall be paid to the treasurer to the Council and carried by him to the credit of the district fund.

Saving as to indictments. **97.** 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 Provided that no person shall be punished twice for the same offence.

Judge not to be disqualified by payment of rates. **98.** 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 Council.

Powers of Act to be cumulative. **99.** All powers rights and remedies given to the Council by this Act shall be deemed to be in addition to and not in derogation of any other powers rights and remedies conferred on them or on any committee appointed by them by the Public Health Acts and the Council 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 passed Provided that no person shall incur more than one penalty (other than a daily penalty) for the commission of the same offence.



PART XI.—MISCELLANEOUS.

A.D. 1898.

**100.**—(1.) The Council may on any lands acquired by them for the purposes of this section and on any lands belonging to the Council and appropriated with the consent of the Local Government Board to such purposes and on the bed of the sea erect maintain work and use a pumping station or stations with all necessary engines machinery works buildings and conveniences for pumping water from the sea and may construct lay down and maintain in and along the foreshore and streets in the district such mains pipes and works as may be necessary or convenient for the conveyance use or supply of sea water and may use and supply such water accordingly.

Sea water supply.

(2.) The Council may for the purposes of this section break up any streets in the district but they shall not under the powers of this section enter upon any lands not vested in them except with the consent of the owners and other persons interested in such lands.

(3.) The terms and conditions upon and subject to which the Council may supply sea water under the powers of this section shall be such as the Council shall prescribe or as shall be agreed upon between the Council and the person desiring to be supplied.

**101.** The Council may if they think fit grant a gratuity of any sum (not exceeding one year's pay) to any of their officers or servants who may be disabled or injured in their service or to the widow or family of any such officer or servant who may die in their service or may at their discretion contribute any sum (not exceeding as aforesaid) to any charity or institution which may have undertaken the maintenance or relief of any such officer or servant. Every such gratuity or contribution shall be charged on and paid out of the fund or funds on which the salary wages or emoluments of such officer or servant would have been charged or paid if he had continued in his office or service.

Power to grant gratuities to officers and servants.

**102.** All consents of and permissions by the Council under this Act shall be given in writing and unless otherwise prescribed by the Council shall be given under the hand of the clerk.

Consent of Council to be in writing.

**103.** Whenever the Council under any enactment or byelaw for the time being in force within the district execute re-execute or alter any work act or thing in default of the owner or occupier and in the absence of negligence or misconduct on the part of the Council or of any contractor or person employed by them are required to pay damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or

In executing works for owner Council not liable for damages.

A.D. 1898. — altering such work act or thing the amount thereof when paid shall be added to and be deemed to be part of the expenses payable by such owner or occupier.

Power to  
Local  
Government  
Board to  
direct  
inquiries.

**104.**—(1.) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary for giving effect to any of the provisions of this Act and the inspectors of the Local Government Board shall for the purposes 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.

(2.) The Council shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Compensa-  
tion how to  
be deter-  
mined.

**105.** When any compensation damages expenses costs or charges is or are directed to be paid under this Act and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in manner provided by the Public Health Acts.

Service of  
notice on  
Council.

**106.** Except where otherwise expressed to the contrary any notice to or demand on the Council under this Act may be served on the Council by being delivered to the clerk or by being sent through the post in a prepaid letter addressed to the clerk.

For pro-  
tection of  
Paris Eugene  
Singer.

**107.** Whereas Paris Eugene Singer of Oldway Paignton in the county of Devon is or claims to be the owner of the seashore abutting on the land known as Redcliffe Towers Preston Meadows and Cliff Field numbers 170 214 218 254 and 292 on the map of Ordnance Survey for the said parish of Paignton Nothing in this Act contained shall be deemed or taken to prejudice diminish alter or affect the estates rights privileges powers or authorities if any in or over or under the said seashore or any part thereof vested in or exerciseable by the said Paris Eugene Singer or any person or persons claiming under him or his predecessors in title and every byelaw made under sections the marginal notes whereof are "Byelaws as to seashore" "Byelaws as to bathing" or either of them shall so far as it may affect the said seashore or the enjoyment or user thereof be subject to the approval in writing of the said Paris Eugene Singer or other the owner or owners for the time being of the said seashore.

For pro-  
tection of  
devisees of  
late John

**108.** Nothing in this Act contained shall be deemed or taken to prejudice diminish alter or affect the estates rights privileges powers or authorities if any in or over or under the seashore foreshore or

any part thereof vested in or exerciseable by the devisees under the will of the late John Finney Belfield or by Jane Hyslop Kruger or any persons claiming through or under them or either of them respectively.

Finney Belfield and Jane Hyslop Kruger.

**109.** Nothing contained in this Act shall authorise the Council 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.

Saving rights of Crown in foreshore.

**110.** Nothing contained in this Act shall extend to authorise the Council to take use enter upon or interfere with any land soil or water or any rights in respect thereof belonging to Her Majesty in right of the duchy of Cornwall without the consent in writing of some two or more of such of the regular officers of the said duchy or of such other persons as may be duly authorised under the provisions of the Duchy of Cornwall Management Act 1863 section 39 to exercise all or any of the rights powers privileges and authorities by the said Act made exerciseable or otherwise for the time being exerciseable in relation to the said duchy or belonging to the Duke of Cornwall for the time being without the consent of such Duke testified in writing under the seal of the duchy of Cornwall first had and obtained for that purpose or to take away diminish alter prejudice or affect any property rights profits privileges powers or authorities vested in or enjoyed by Her Majesty in right of the duchy of Cornwall or in or by the Duke of Cornwall for the time being.

Saving rights of Duchy of Cornwall.

**111.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for and obtaining and passing of this Act including the costs charges and expenses preliminary to and connected with the obtaining of the resolution of owners and ratepayers aforesaid shall as taxed by the taxing master of the House of Lords or the House of Commons be paid by the Council out of the district fund and general district rate or out of moneys borrowed for the purpose under this Act.

Costs of Act.

A.D. 1898.

The SCHEDULE herein-before referred to.

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THIS INDENTURE made the eighth day of July one thousand eight hundred and ninety-eight between the urban district council of Paignton in the county of Devon (herein-after called "the Council") of the one part and the several persons named in the first column to the schedule hereto (who are herein-after collectively called "the guarantors") of the other part.

WHEREAS the Council are promoting in Parliament a Bill for the better government of their district and for conferring upon the Council new and enlarged powers and the guarantors being desirous that the Council should acquire certain vacant lands situate within the urban district of Paignton and described in the section of the said Bill the marginal note of which is "Power to take lands" and that such lands should be laid out for recreation purposes have agreed to enter into the guarantee herein-after contained :

Now this indenture witnesseth that in consideration of the Council promoting the said Bill and obtaining the powers necessary to enable them to purchase the said lands and to lay them out as aforesaid the guarantors whose names appear in the first column of the schedule hereto and whose seals and signatures respectively are affixed opposite to their names in the third column of such schedule hereby severally covenant with the Council that they will for a period of five years from the date when the aforesaid land shall have been purchased in order to be laid out as aforesaid and when the first payment in respect of the money borrowed by the Council for the purchase of the said land shall become due (if the rent to be received by the Council from any letting of the same shall be insufficient to meet the amount required to pay the annual instalments of principal of the amount borrowed for purchasing and laying out the said land and the interest thereon) pay to the Council annually during such period of five years as aforesaid such sum (but not exceeding the amounts set opposite their respective names in the schedule hereto) as the said rent to be received by the Council in respect of the said land when so laid out shall be insufficient to meet and that such sums may be recovered by the Council in a summary manner as civil debts if not duly paid and that power to enable them to so recover the same for that purpose may be inserted in the said intended Act Provided always that if the amount required in any one year shall be less than the total of the amounts specified in the fifth column of the schedule hereto the liability of each of the guarantors shall be proportionately reduced and each shall in that event be liable only to contribute rateably and in proportion to the sum set opposite his name in the said fifth column of the said schedule towards the total contribution required for such year Provided also that except as to contributions previously become payable the liability of any guarantor hereunder shall cease at his death Provided always and it is hereby agreed that the parties hereto agree to abide by and be subject to any alteration herein which Parliament may require.

IN WITNESS WHEREOF the persons parties hereto have hereunto set their hands and seals the day and year first above written.

THE SCHEDULE ABOVE REFERRED TO.

Names of Guarantors.	Addresses.	Signatures.	Seals.	Limits of Amounts guaranteed.	Signed sealed and delivered in the presence of
Washington Merritt Grant Singer	Stearfield Paignton	Washington M. G. Singer.	(L.S.)	£ 25 0 0	Onesimus S. Bartlett Solr. Paignton.
Paris Eugene Singer	Oldway Paignton	P. E. Singer	(L.S.)	25 0 0	Onesimus S. Bartlett.
Devon & Cornwall Bank Limited	Devon & Cornwall Bk. L <sup>d</sup> .	Saml. S. Trounce Manager.	(L.S.)	5 0 0	Onesimus S. Bartlett Solr. Paignton.
Lloyd's Bank Limited	Lloyd's Bank L <sup>d</sup> .	Thos. Arnold Mg <sup>r</sup> .	(L.S.)	5 0 0	Onesimus S. Bartlett.
James Alexander	Mayhurst Paignton	James Alexander	(L.S.)	3 3 0	Onesimus S. Bartlett.
George Soudon Bridgman	Courtland Paignton	Geo. Soudon Bridgman.	(L.S.)	6 6 0	Onesimus S. Bartlett.
Henry Charles Collier	Gerston Hotel Paignton	Hy. C. Collier	(L.S.)	1 1 0	Onesimus S. Bartlett.
Onesimus Smart Bartlett	9 Gerston Terrace Paignton	Onesimus S. Bartlett	(L.S.)	10 0 0	Onesimus S. Bartlett.
William Hicks	49 Winner Street Paignton	William H. Hicks	(L.S.)	1 1 0	A. Dodge clerk to Messrs. Bartlett & Roberts Paignton.
Frederick William Vanstone	Sorrento Paignton	Fred. Wm. Vanstone	(L.S.)	5 0 0	Onesimus S. Bartlett.
Alfred Higgs	Queen's Road Paignton	Alfd. Higgs	(L.S.)	1 1 0	Onesimus S. Bartlett.
William Bromham	Shorton Paignton	W. Bromham	(L.S.)	10 0 0	Onesimus S. Bartlett.
Richard Harris	11 Adelphi Road Paignton	R. Harris	(L.S.)	1 0 0	Onesimus S. Bartlett.
Robert Moore	Commercial Hotel Paignton	R. Moore	(L.S.)	3 0 0	Onesimus S. Bartlett.
John Henry Whittell	Totnes Road Paignton	J. H. Whittell	(L.S.)	5 0 0	Onesimus S. Bartlett.

A.D. 1898.

A D. 1898.

Names of Guarantors.	Addresses.	Signatures.	Seals.	Limits of Amounts guaranteed.	Signed sealed and delivered in the presence of
William Williams Varwell	2 Torbay Terrace Paignton	W. W. Varwell	(L.S.)	£ 5 0 0	Onesimus S. Bartlett.
Henry Pearse Luscombe	16 Palace Avenue Paignton	H. P. Luscombe	(L.S.)	3 0 0	Onesimus S. Bartlett.
Emanuel Beare	10 Victoria Street Paignton	E. Beare	(L.S.)	3 0 0	Onesimus S. Bartlett.
Philip Henry Beare	8 Victoria Street Paignton	P. H. Beare	(L.S.)	0 10 6	Onesimus S. Bartlett.
Arthur Worsley Powell	Dyvnaint Paignton	A. Worsley Powell	(L.S.)	3 0 0	Onesimus S. Bartlett.
Charles Henry Eastley	Manor Office Paignton	Chas. H. Eastley	(L.S.)	5 0 0	Onesimus S. Bartlett.
Thomas Hamilton Ward	Bishop's Place Paignton	T. H. Ward	(L.S.)	1 1 0	Onesimus S. Bartlett.
Emanuel Westlake	Palace Place Paignton	E. Westlake	(L.S.)	3 0 0	Onesimus S. Bartlett.
Oliver James Newton	Church Street Paignton	O. J. Newton	(L.S.)	2 2 0	Onesimus S. Bartlett.
Charles Hyde Cosens	Totnes Road Paignton	C. Hyde Cosens	(L.S.)	2 2 0	Onesimus S. Bartlett.
George Robert Franklin	8 Palace Avenue Paignton	G. R. Franklin	(L.S.)	1 0 0	Onesimus S. Bartlett.
Harry Bernard Rossiter	Ceres House Paignton	H. B. Rossiter	(L.S.)	2 0 0	Onesimus S. Bartlett.
George Meadway Rabbich	Ellesmere Paignton	G. M. Rabbich	(L.S.)	0 10 0	Onesimus S. Bartlett.
Henry Paul Rabbich	Victoria House Paignton	H. P. Rabbich	(L.S.)	1 11 6	Onesimus S. Bartlett.
John H German	9 Torbay Terrace Paignton	J. H. German	(L.S.)	1 1 0	Onesimus S. Bartlett.
John Toby	10 Torbay Terrace Paignton	John Toby	(L.S.)	1 1 0	Onesimus S. Bartlett.
John Herbert Bond	4 Palace Avenue Paignton	J. H. Bond	(L.S.)	5 0 0	Onesimus S. Bartlett.

A.D. 1898.

Alexander Leaman	-	-	-	Alexr. Leaman	(L.S.)	0	10	6	Onesimus S. Bartlett.
Richard Coombes	-	-	-	R. Coombes	(L.S.)	5	0	0	Onesimus S. Bartlett.
Thomas Davey	-	-	-	T. Davey	(L.S.)	1	1	0	Onesimus S. Bartlett.
John Willcocks Daw	-	-	-	J. W. Daw	(L.S.)	1	11	6	Onesimus S. Bartlett.
William Wood Ellis	-	-	-	William W. Ellis	(L.S.)	5	0	0	Onesimus S. Bartlett.
William Charles Rossiter	-	-	-	Wm. Chas. Rossiter	(L.S.)	1	1	0	Onesimus S. Bartlett.
H F Bultz	-	-	-	H. F. Bultz	(L.S.)	1	1	0	Onesimus S. Bartlett.
William Nosworthy	-	-	-	W. Nosworthy	(L.S.)	2	0	0	Onesimus S. Bartlett.
William Hillman Stokes	-	-	-	W. H. Stokes	(L.S.)	1	1	0	Onesimus S. Bartlett.
Frederick William Puddicombe	-	-	-	F. W. Puddicombe	(L.S.)	1	1	0	Onesimus S. Bartlett.
Webber Rees	-	-	-	Webber Rees	(L.S.)	1	1	0	Onesimus S. Bartlett.
William Albert Axworthy	-	-	-	W. A. Axworthy	(L.S.)	8	0	0	Onesimus S. Bartlett.
Joseph Crathorn	-	-	-	J. Crathorn	(L.S.)	0	10	6	Onesimus S. Bartlett.
John Francis Watt	-	-	-	J. F. Watt	(L.S.)	2	2	0	Onesimus S. Bartlett.
Henry Letcher	-	-	-	Henry Letcher	(L.S.)	0	10	6	Onesimus S. Bartlett.
John Pollard	-	-	-	John Pollard	(L.S.)	1	0	0	Onesimus S. Bartlett.
Charles Hellyer Bootyman	-	-	-	C. H. Bootyman	(L.S.)	1	0	0	Onesimus S. Bartlett.
Robert Waycott	-	-	-	R. Waycott	(L.S.)	5	0	0	Onesimus S. Bartlett.
John Trist Bailey	-	-	-	John T. Bailey	(L.S.)	15	0	0	Onesimus S. Bartlett.
Robert Elliott Drew	-	-	-	R. E. Drew	(L.S.)	2	2	0	Onesimus S. Bartlett.

A.D. 1898.

[Ch. cclvii.] Paignton Improvement Act, 1898. [61 & 62 VICT.]

Names of Guarantors.	Addresses.	Signatures.	Seals.	Limits of Amounts guaranteed.	Signed sealed and delivered in the presence of
William Charles Rees	4 Gerston Place Paignton	W. O. Rees	(L.S.)	£ 1 1 0	Onesimus S. Bartlett.
Frederick J Warren	Clarendon Cottage Paignton	Fred. J. Warren	(L.S.)	0 10 6	Onesimus S. Bartlett.
Charles Garrett	Railway Hotel Paignton	Chas. Garrett	(L.S.)	1 0 0	Onesimus S. Bartlett.
Frederick Sarson	2 Palace Avenue Paignton	Fred. Sarson	(L.S.)	1 1 0	Onesimus S. Bartlett.
Frank Rossiter	7 Palace Avenue Paignton	Frank Rossiter	(L.S.)	1 1 0	Onesimus S. Bartlett.
J J Hoare	10 Palace Avenue Paignton	J. J. Hoare	(L.S.)	1 1 0	Onesimus S. Bartlett.
Norman Braund	12 Palace Avenue Paignton	Norman Braund	(L.S.)	1 1 0	Onesimus S. Bartlett.
Arthur Waycott	64 Winner Street Paignton	Arthur Waycott	(L.S.)	3 3 0	Onesimus S. Bartlett.
John Marshall Langler	27 Winner Street Paignton	John M. Langler	(L.S.)	1 1 0	Onesimus S. Bartlett.
Clara Powlesland	Church Street Paignton	Clara Powlesland	(L.S.)	0 15 0	Onesimus S. Bartlett.
Robert Kirkness	Church Street Paignton	Rob. Kirkness	(L.S.)	0 10 6	Onesimus S. Bartlett.
Edwin Couch	22 Palace Avenue Paignton	Edwin Couch	(L.S.)	1 1 0	Onesimus S. Bartlett.
Fred Charles Trewin	21 Palace Avenue Paignton	F. C. Trewin	(L.S.)	1 1 0	Onesimus S. Bartlett.
Reginald Charles Tolchard	4 Victoria Street Paignton	R. C. Tolchard	(L.S.)	0 10 6	Onesimus S. Bartlett.
William Edward Tucker	1 Gerston Terrace Paignton	W. E. Tucker	(L.S.)	1 1 0	Onesimus S. Bartlett.
Frederick John Rodgers	1A Victoria Street Paignton	F. J. Rodgers	(L.S.)	1 1 0	Onesimus S. Bartlett.
Walter H Bridgman	3 Victoria Street Paignton	Walter H. Bridgman	(L.S.)	1 11 6	Onesimus S. Bartlett.



A.D. 1898.

William Henry Earle	-	-	-	7 Victoria Street Paignton	-	-	W. H. Earle	-	(L.S.)	1 1 0	Onesimus S. Bartlett.
George Rodgers	-	-	-	17 Victoria Street Paignton	-	-	G. Rodgers	-	(L.S.)	1 11 6	Onesimus S. Bartlett.
Henry Langdon	-	-	-	23 Victoria Street Paignton	-	-	H. Langdon	-	(L.S.)	0 10 6	Onesimus S. Bartlett.
Samuel Hunter	-	-	-	29 Victoria Street Paignton	-	-	S. Hunter	-	(L.S.)	0 10 6	Onesimus S. Bartlett.
William Mitchell Port	-	-	-	31 Victoria Street Paignton	-	-	W. M. Port	-	(L.S.)	1 1 0	Onesimus S. Bartlett.
James Marwood Cole	-	-	-	44 Victoria Street Paignton	-	-	Jas. M. Cole	-	(L.S.)	1 11 6	Onesimus S. Bartlett.
Frederick Palk	-	-	-	42 Victoria Street Paignton	-	-	F. Palk	-	(L.S.)	5 0 0	Onesimus S. Bartlett.
Elizabeth Mary Palk	-	-	-	40 <sup>a</sup> Victoria Street Paignton	-	-	E. M. Palk	-	(L.S.)	0 10 6	Onesimus S. Bartlett.
William Henry Jago	-	-	-	40 Victoria Street Paignton	-	-	W. H. Jago	-	(L.S.)	1 0 0	Onesimus S. Bartlett.
Sarah Elizabeth Peake	-	-	-	38 Victoria Street Paignton	-	-	S. E. Peake	-	(L.S.)	0 10 6	Onesimus S. Bartlett.
Frank A Palk	-	-	-	36 Victoria Street Paignton	-	-	F. A. Palk	-	(L.S.)	1 1 0	Onesimus S. Bartlett.
George Staunbury	-	-	-	34 Victoria Street Paignton	-	-	G. Staunbury	-	(L.S.)	1 1 0	Onesimus S. Bartlett.
John Thomas Giles	-	-	-	30 Victoria Street Paignton	-	-	J. T. Giles	-	(L.S.)	0 10 6	Onesimus S. Bartlett.
Samuel Herbert Martin	-	-	-	28 Victoria Street Paignton	-	-	S. H. Martin	-	(L.S.)	0 10 6	Onesimus S. Bartlett.
Joseph John Thomas	-	-	-	26 Victoria Street Paignton	-	-	J. J. Thomas	-	(L.S.)	1 1 0	Onesimus S. Bartlett.
Frederick Spry	-	-	-	20 Victoria Street Paignton	-	-	Frederick Spry	-	(L.S.)	1 1 0	Onesimus S. Bartlett.
John Radford	-	-	-	14 Victoria Street Paignton	-	-	John Radford	-	(L.S.)	1 1 0	Onesimus S. Bartlett.
Frederick Henry Trevithick	-	-	-	Kernou Paignton	-	-	F. H. Trevithick	-	(L.S.)	3 0 0	Onesimus S. Bartlett.
Marcus Bridgman	-	-	-	Garfield Terrace Paignton	-	-	Marcus Bridgman	-	(L.S.)	1 0 0	Onesimus S. Bartlett.
John W Drew	-	-	-	8 Torbay Terrace Paignton	-	-	J. W. Drew	-	(L.S.)	1 1 0	Onesimus S. Bartlett.

A.D. 1898.

[Ch. cclvii.] Paignton Improvement Act, 1898. [61 & 62 Vict.]

Names of Guarantors.	Addresses.	Signatures.	Seals.	Limits of Amounts guaranteed.	Signed sealed and delivered in the presence of
Vincent Cattermole Brown	Gerston Road Paignton	V. C. Brown	(L.S.)	£ 1 1 0	Onesimus S. Bartlett.
Arthur Cecil Gask	Newstead Paignton	Arthur Gask	(L.S.)	5 5 0	Onesimus S. Bartlett.
Thomas Wolfe Evans	75 Winner Street Paignton	Thos. Wolfe Evans	(L.S.)	3 3 0	Onesimus S. Bartlett.
Francis Winsor	81 Winner Street Paignton	F. Winsor	(L.S.)	0 10 6	Onesimus S. Bartlett.
George Adkins	The Elms Paignton	George Adkins	(L.S.)	5 0 0	Onesimus S. Bartlett.
John Parnell	5 Torbay Terrace Paignton	John Parnell	(L.S.)	5 0 0	Onesimus S. Bartlett.
Henry Webber	Willowdale Paignton	Henry Webber	(L.S.)	1 11 6	Onesimus S. Bartlett.
J E Levick	Dartmouth Road Paignton	J. E. Levick	(L.S.)	2 0 0	Onesimus S. Bartlett.
John Cole	Croft House Paignton	John Cole	(L.S.)	1 1 0	Onesimus S. Bartlett.
Frederick Pearson Bennett	1 Croft Park Paignton	F. P. Bennett	(L.S.)	0 10 0	Onesimus S. Bartlett.
Lawrence Pile Foale	1 Victoria Street Paignton	L. P. Foale	(L.S.)	1 1 0	Onesimus S. Bartlett.
Felix Edward Haarer	27 Victoria Street Paignton	F. E. Haarer	(L.S.)	1 1 0	Onesimus S. Bartlett.
William Thomas Burrige	48 Victoria Street Paignton	W. T. Burrige	(L.S.)	1 1 0	Onesimus S. Bartlett.
William Andrews	Roundham Paignton	W. Andrews	(L.S.)	1 0 0	Onesimus S. Bartlett.
Frank Harris	Dartmouth Road Paignton	Frank Harris	(L.S.)	1 1 0	Onesimus S. Bartlett.
Bertram Bennett	Montpelier Paignton	Bertram Bennett	(L.S.)	2 2 0	Onesimus S. Bartlett.
Emily G Hall	Kingehurst Paignton	Emily G. Hall	(L.S.)	2 2 0	Onesimus S. Bartlett.

A.D. 1898.

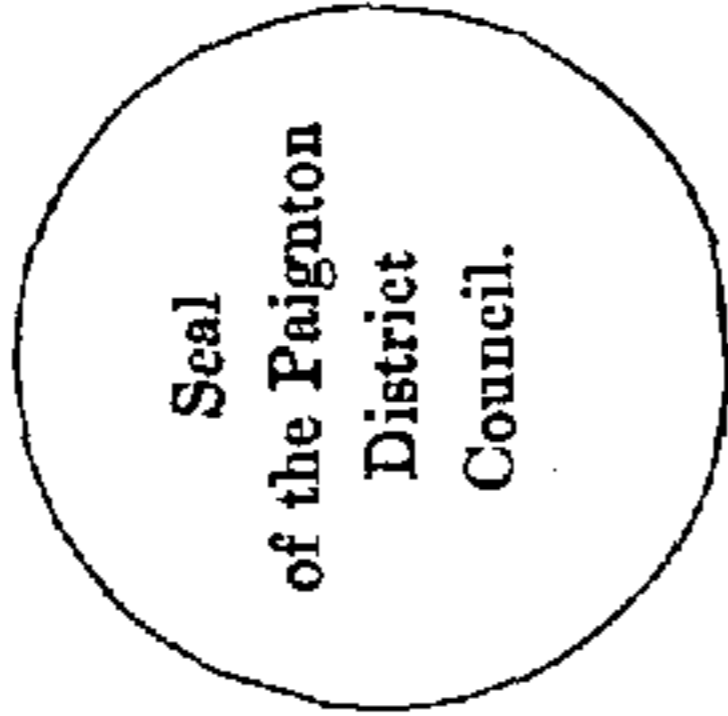
Martha Marchant	Westwood Paignton	Martha Marchant	(L.S.)	2 0 0	Henry Letcher Em- porium Paignton.
Rossiters Limited	Fernham Paignton	Rossiters Limited per Samuel Rossiter.	(L.S.)	1 1 0	Henry Letcher Em- porium Paignton.
Victor Brooks	Church Street Paignton	V. Brooks	(L.S.)	0 10 6	John T. Bailey.
William Henry Evans	Church Street Paignton	W. H. Evans	(L.S.)	2 2 0	Henry Letcher.
Andrew Thomson	Fernham Paignton	Andw. Thomson	(L.S.)	0 10 6	John T. Bailey.
Mary Hanford	32 Victoria Street Paignton	M. Hanford	(L.S.)	1 11 6	John T. Bailey.
George Wotton	9 Victoria Street Paignton	Geo. Wotton	(L.S.)	1 1 0	John T. Bailey.
Thomas Alfred Smallridge	13 Victoria Street Paignton	T. A. Smallridge	(L.S.)	0 10 6	John T. Bailey.
Richard Evans	Church Street Paignton	R. Evans	(L.S.)	3 0 0	John T. Bailey.
Henry James Ching	46 Victoria Street Paignton	H. J. Ching	(L.S.)	1 0 0	John T. Bailey.
William George Langford	21A Palace Avenue Paignton	W. G. Langford	(L.S.)	1 1 0	John T. Bailey.
John Henry Soper	12 Church Street Paignton	J. H. Soper	(L.S.)	0 10 6	Onesimus S. Bartlett.
George Hely Emerson	11 Palace Avenue Paignton	G. H. Emerson	(L.S.)	1 0 0	Onesimus S. Bartlett.
Alan Gardner	Terra Nova Paignton	Alan Gardner	(L.S.)	1 1 0	Onesimus S. Bartlett.
Eliza Nowell	Priory Towers Paignton	E. Nowell	(L.S.)	3 0 0	Onesimus S. Bartlett.
Ernest Wand	Esplanade Hotel Paignton	E. Wand	(L.S.)	4 0 0	Onesimus S. Bartlett.
Helen Caine	St. Briavels Paignton	Helen Caine	(L.S.)	1 0 0	Onesimus S. Bartlett.
James Winsor	13 Torbay Terrace Paignton	James Winsor	(L.S.)	2 0 0	A. Dodge.
Thomas Moore	Parkfield	Tho. Moore	(L.S.)		

A.D. 1898.

## [Ch. cclvii.] Paignton Improvement Act, 1898. [61 &amp; 62 VICT.]

Names of Guarantors.	Addresses.	Signatures.	Seals.	Limits of Amounts guaranteed.	Signed scaled and delivered in the presence of
Thomas Adams -	Totnes Road Paignton -	Tho <sup>s</sup> . Adams -	(L.S.)	£ 5 0 0	Onesimus S. Bartlett.
William Ellis Warren -	Rosetta Paignton -	W <sup>m</sup> . Ellis Warren -	(L.S.)	0 10 6	Onesimus S. Bartlett.
George Rossiter -	Palace Place Paignton -	Geo. Rossiter -	(L.S.)	0 10 6	Onesimus S. Bartlett.
George Webber -	Hyde Road Paignton -	Geo. Webber -	(L.S.)	0 10 6	Onesimus S. Bartlett.
Henry Pittis -	Oldenburgh Hotel Paignton -	H. Pittis -	(L.S.)	1 1 0	Onesimus S. Bartlett.
Thomas Robert Parnell -	15 Torbay Terrace Paignton -	T. R. Parnell -	(L.S.)	2 0 0	Onesimus S. Bartlett.
William Pethybridge -	38A Victoria Street Paignton -	W. Pethybridge -	(L.S.)	1 1 0	Onesimus S. Bartlett.
Walter George Couldrey -	Palace Avenue Paignton -	W. G. Couldrey -	(L.S.)	5 0 0	Onesimus S. Bartlett.
Elizabeth Jefferys -	Wickham Lodge Paignton -	Elizabeth Jefferys -	(L.S.)	1 1 0	Henry Letcher.
William Lambshead -	Palace Avenue Paignton -	W. Lambshead -	(L.S.)	10 0 0	Onesimus S. Bartlett.
William Wearne Morton -	3 Torbay Terrace Paignton -	W. W. Morton -	(L.S.)	1 1 0	Onesimus S. Bartlett.
Onesimus Smart Bartlett for Thomas Balrington Macaulay.	14 Adelphi Terrace Paignton -	Onesimus S. Bartlett	(L.S.)	3 0 0	A. Dodge.
Robert Stewart Cooksley -	Palace Place Paignton -	R. S. Cooksley -	(L.S.)	1 0 0	Onesimus S. Bartlett.
Henry Goodridge Deller -	5 Palace Avenue Paignton -	H. G. Deller -	(L.S.)	1 1 0	Onesimus S. Bartlett.
Onesimus S. Bartlett for T. L. Harding.	Market Street Torquay -	Onesimus S. Bartlett	(L.S.)	1 1 0	A. Dodge.
Walter George Couldrey for John Hooper Distin.	106 St. George's Road Southwark S.E.	W. G. Couldrey -	(L.S.)	1 1 0	Onesimus S. Bartlett.
Charles William Vickers -	Sands Road Paignton -	C. W. Vickers -	(L.S.)	1 1 0	Onesimus S. Bartlett.

Arthur Belfield - - - -	7 Kensington Square Mansions -	Arthur Belfield -	(L.S.)	1 1 0	Onesimus S. Bartlett.
John Egerton Falconer - -	151 Adelaide Road London N.W. -	J. Egerton Falconer -	(L.S.)	1 1 0	Onesimus S. Bartlett.
H. C. Belfield by his Attv. Josh. P. Hill.	Primley Paignton - - - -	H. C. Belfield by his Attv. Josh. P. Hill.	(L.S.)	5 0 0	Onesimus S. Bartlett.



The seal of the Paignton Urban District Council was affixed hereto in pursuance of a resolution of the Council passed at a meeting duly convened and held the 27th day of July 1898 in the presence of

G. BARNSTON  
Clerk.

W. LAMBSHEAD.

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