

THIS INDENTURE made the sixteenth day of February One thousand nine hundred and five BETWEEN JOHN TALBOT CLIFTON of Lytham Hall in the County of Lancaster esquire of the one part and the urban district council of Lytham being the urban sanitary authority for the District of Lytham in the County of Lancaster (hereinafter called the said council) of the other part WHEREAS the piece of land hereinafter referred to has been enclosed and laid out and planted as gardens at the expense of the said John Talbot Clifton or his predecessors in title for the benefit and enjoyment of the inhabitants of Lytham and neighbourhood and the visitors thereto AND WHEREAS the said John Talbot Clifton is desirous of making a gift thereof to the said District and of vesting the same in the said Council in manner and upon the terms and conditions hereinafter appearing NOW THIS INDENTURE WITNESSETH that in pursuance of the said desire the said John Talbot Clifton as settlor hereby conveys unto the said Council ALL that piece of land known as Lowther Gardens in the Township of Lytham in the County of Lancaster bounded on the north side thereof by Church Road on the east side thereof by Lowther Terrace on the south side thereof by Beach Parade and on the west side thereof by Woodville Terrace and containing twelve acres three roods and thirteen perches or thereabouts in statute measure (except and reserving unto the said John Talbot Clifton his heirs and assigns all mines of coal ironstone and fireclay in and under the said land) TO HOLD the same unto and to the use of the said Council their successors and assigns for ever but subject to the terms and upon the conditions hereinafter contained PROVIDED ALWAYS and it is hereby agreed and declared and the said council hereby covenant with the said John Talbot Clifton his heirs and assigns in manner following that is to say that the said council their successors and assigns will at all times hereafter hold the land hereby conveyed as and for a Public Park or Public Gardens and keep and maintain the same in good and tidy order cultivation and condition and will for that purpose keep the same planted with ornamental trees and shrubs And will at all times keep the boundary wall and gates of the said land in good repair order and condition And will at all times subject as hereinafter mentioned permit the inhabitants of and visitors to Lytham and the neighbourhood thereof and the public generally to have the free use and enjoyment of the said land as a Public Park or Public Gardens for the purpose of recreation And will not at any time permit or suffer meetings for the discussion of political religious trade or social questions or other matters of controversy to be conducted or lectures or addresses to be delivered on any part of the said land nor use or permit the said land or any

Use of the
Public
Gardens
restricted
enjoyment

building thereon or the walls thereof for the purpose
of advertising nor permit the said land or any part
thereof to be used except as a Public Park or Public Gardens
or for any other purpose than those of recreation and en-
joyment AND will not at any time permit or suffer any games
other than lawn tennis croquet bowls or games of a similar
character to be played on any part of the said land
AND will not during the said term erect or suffer to be
erected on or under any part of the said land any Swings
Band stand or any building or erection of any description
whatsoever either permanent or temporary without the pre-
vious license in writing of the said John Talbot Clifton
his heirs or assigns having been first obtained and the
plans and situations thereof having been first approved
of in writing by the said John Talbot Clifton his heirs
or assigns AND will not do or suffer any act or thing
which may be or grow to the annoyance damage or distur-
bance of the said John Talbot Clifton his heirs or assigns
or his or their tenants or lessees or the owners or occupiers
for the time being of any adjoining or neighbouring
property AND will at all times keep the said Gardens under
the control of the said Council and will not let or part
with the possession of the said land or any part thereof
without the previous license in writing of the said
John Talbot Clifton his heirs or assigns PROVIDED
ALWAYS and - it is hereby

games by these presents authorised in the said Gardens PROVIDED ALSO and it is hereby declared that subject to any existing rights thereover it shall be lawful for the said Council to close the said Gardens to the public at night but not earlier than one hour after sunset IN WITNESS whereof the said John Talbot Clifton has hereunto set his hand and seal and the said Council have hereunto caused their Common Seal to be affixed the day and year first before written.

Signed sealed and delivered
by the said John Talbot
Clifton in the presence of

J. TALBOT CLIFTON

James A.S. Fair,
Estate Offices, Lytham.
Land Agent.

The Common Seal of the Urban
District Council Of Lytham
was hereunto affixed in the
presence of

John S. Slater,
Chairman.

Chas. A. Myers,
Clerk.

L.S.