



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. lxxiv.

An Act for the Improvement of the Town of *Milford* and the Neighbourhood thereof, for establishing Gasworks, Waterworks, and a Cemetery there; and for other Purposes.

[27th July 1857.]

WHEREAS it is expedient that Provision be made for the general Improvement of the Town of *Milford* in the County of *Pembroke* and the Neighbourhood thereof, and in order thereto that Commissioners be incorporated and be authorized to establish Gasworks and Waterworks, and to supply Gas and Water within the Limits of this Act, and to establish and regulate a Cemetery, and to make and maintain the Sewers, Streets, and Bridges by this Act authorized to be made: And whereas it is expedient that for the Purposes of this Act the Commissioners be authorized to levy Rates and to borrow Moneys on the Credit of those Rates and other Property as by this Act provided: And whereas the Objects of this Act cannot be attained 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

[*Local.*]

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and

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and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title.

I. This Act may be cited for all Purposes as the "*Milford Improvement Act, 1857.*"

8 & 9 Vict.
c. 18. and
10 & 11 Vict.
cc.15.,16.,17.,
34., 65., & 89.
incorporated.

II. "The Lands Clauses Consolidation Act, 1845," and "The Commissioners Clauses Act, 1847," and "The Gasworks Clauses Act, 1847," and "The Waterworks Clauses Act, 1847," and "The Cemeteries Clauses Act, 1847," and "The Towns Improvement Clauses Act, 1847," and "The Town Police Clauses Act, 1847," are respectively incorporated with this Act.

Same Mean-
ings to Words
in incorpo-
rated Acts as
in this Act.

III. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Limits of
Act.

IV. This Act shall be put in force for all the Purposes thereof in all Places within a District bounded by a Line commencing at the Shore of *Milford Haven* in *Galliswick Bay* at the Mouth of *Galliswick Stream*, and following the Course of that Stream upwards through *Galliswick Bottom* to the South-west Corner of *Great Giles Field*, and thence along the Southern Fence of that Field to the Road leading to *Hubberstone Village*, and thence in a Northerly Direction along the Western Fence of *Elly Bankfield* to and thence along the Northern Fence of that Field and of *Watersfield* and of *Elder Meadow* to the old Turnpike Road from *Hakin* to *Haverfordwest*, and thence Southward along the Western Fence of that Road to its Elbow at the Village of *Hubberstone*, and thence across the same Road to and along the Northern Fence of such Road in an Easterly Direction to the Public House called the *Rose and Crown*, and thence along the Southern Fence of a Field belonging to the Honourable *Robert Fulke Greville* called *Moses Park* to the High-water Mark at Spring Tides at *Havens Head*, and thence along such High-water Mark on the Western and Northern Shores of *Havens Head* and *Hubberstone* or *Priory Pill* to the Head of that *Pill*, and thence along the Centre of the *Priory Stream* to the Bridge over it near to *Thornton* at the Encampment, and thence along the Northern Fence of the *Thornton and Stainton Road* Eastward to the Corner of the Field called the *Old Meadow*, and thence along the Western, Northern, and Eastern Fences of that Field to the Northern Fence of the last-mentioned Road, and along that Fence Westward to the Road leading to the *Priory* and *Milford*; and along the Western and Southern Fence of that Road to its Junction with the *Milford Turnpike Road*, and thence across the first-mentioned Road to and along the Western Fence

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Fence of the *Milford* Turnpike Road, Northwards to a Point opposite to the *Coombs*, and thence across such Turnpike Road to the Corner of the *Coombs*, and thence along the Southern Fence of the *Coombs* to the Corner of a Field called *Hilton*, and thence along the Western Fence of that Field and the Field called *Grotty*, both belonging to the said *Robert Fulke Greville*, to the Watercourse called *Deadman's Lake*, and down and including that Watercourse to the High-water Mark at Spring Tides on the Shore of *Castle Pill*, and along that High-water Mark of that Shore Westward to the Mill occupied by *Mr. Rosser*, and thence along the Southern Fence of the Lane Road and Path in a South-easterly Direction to the Gate opening into the Road from *Nayland* to *Milford*, and across the same, and thence along the Southern Fence of that Road to the Boundary Wall between the *Castle Hall* Property and the Land of *Adrian James Nicholas Stokes*, and thence along the Eastern Boundary of the *Castle Hall* Property to the Shore of *Milford Haven* near to *Newton Noyes*, and along the High-water Mark at Neap Tides of that Shore westward to the Mouth of *Galliswick* Stream in *Galliswick* Bay, and all Places within which Limits are in this Act called "the Town."

V. A Map prepared in Duplicate, and One Part of which is deposited in the Private Bill Office of the Honourable the House of Commons, and the other Part of which shall, within Two Months after the passing of this Act be deposited by the Commissioners with the Clerk of the Peace for the County of *Pembroke*, and on which Map the Limits within which this Act is to be put in force are shown by a strong Black Line, shall be receivable in Evidence of the Limits of this Act.

Limits shown on deposited Map.

VI. The Clerk of the Peace shall receive the Copy of the Map so to be deposited with him, and shall retain the same, and permit Inspection and Copies and Extracts of the Map to be made, according to the Provisions of the Seventh Year of *William* the Fourth and the First Year of Her present Majesty, Chapter Eighty-three, with respect to Documents therein referred to.

Deposit of Map with Clerk of Peace.

VII. The Commissioners for executing this Act shall, by the Name of "The *Milford* Improvement Commissioners," be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act, and to put this Act in all respects into execution.

Milford Improvement Commissioners incorporated for Execution of Act.

VIII. The Number of the Commissioners shall be Fifteen.

Number of Commissioners.

IX. That *William Browning*, *Robert Pavin Davies*, *John Andrew Field*, *George Gould*, *James Greenish*, *William Greenish*, the Honourable

First Commissioners, &c.

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able *Robert Fulke Greville, Octavious Leach Clerk, William Gerrard Leifchild, Franklin Leifchild, George Paynter Lewis, Thomas James Lewis, Richard Lewis, John Richards, George Thomas,* and the Survivors of them, shall be the First Commissioners, and shall continue in Office until the First Election of Commissioners under this Act, and shall then retire from Office, and Fifteen Commissioners shall be elected to supply their Place, the retiring Commissioners being, if qualified, eligible for Re-election: Provided always, that the First Commissioners shall not exercise any of the Powers of this Act except such as may be properly exercised with respect to the First Election of Commissioners under this Act.

Qualification
of Commis-
sioners.

X. The Qualification for a Commissioner shall be as follows: he shall be of the Age of Twenty-one Years, and he shall be a Resident within the Town, and rated in the then last Rate under this Act for any Property within the Town to the yearly rateable Value of Twenty Pounds or upwards, or he shall be seised or possessed as Owner or Lessee, or be in the Enjoyment in his own Right, or in right of his Wife, of the Rents and Profits of Property within the Town rated in the then last Rate under this Act to the yearly rateable Value of Thirty Pounds or upwards for an Estate of Freehold, or for a Term of Years not less than Fifty Years unexpired: Provided always, that where any Company or other Corporation rated under this Act proposes for Election thereunder as a Commissioner any Director of the Company, or any Member of the Corporation, the Qualification of the Person so proposed shall be sufficient if the Company or Corporation proposing him be rated under this Act to the yearly rateable Value of Twenty Pounds or upwards, and own Property rated under this Act to the yearly rateable Value of Thirty Pounds or upwards.

Qualification
where Com-
pany or Cor-
poration pro-
pose Com-
missioner.

Qualification
of Electors.

XI. Every adult Male Owner of Property within the Town, and every Company or other Corporation, and adult Male Person respectively rated in the then last Rate under this Act in respect of any Property within the Town, and who Seven Days at least before the Day of Election has paid all Rates made under this Act not less than Three Months before such Election, and payable by him and them respectively, shall be entitled to vote at every Election of Commissioners, and shall be so entitled according to the Scale prescribed by Section Twenty-four of the "Commissioners Clauses Act, 1847."

Voting by
Companies
and Corpora-
tions.

XII. Any Company or other Corporation by this Act authorized to vote at any Election of Commissioners shall, for the Purposes of such voting, be considered as One Owner or Occupier, and shall vote by Proxy.

XIII. Pro-

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XIII. Provided always, That for the Qualification of Commissioners and Electors at the First Election of Commissioners, if there be not any Rate under this Act to determine the Qualification, the then last Rate for the Relief of the Poor in the Parish or Place where the Property is situate, in respect of which a Qualification is claimed, shall, for the Purposes of the First Election, be deemed the then last Rate under this Act, and the Commissioners or any Person authorized by them may inspect and take Copies and Extracts from the Poor's Rates Books and Assessment, according to the Provisions of Section One hundred and seventy-eight of "The Towns Improvement Clauses Act, 1847," which, and the Penalty thereby imposed, extend and apply to the Purposes of this Provision.

Poor Rate to be, if requisite, the Basis of Qualification for First Election.

XIV. The First Election of Commissioners under this Act shall take place on the Third *Thursday* in *September* One thousand eight hundred and fifty-seven, and the subsequent yearly Election of Commissioners shall take place on the Third *Thursday* in *September* in the Year One thousand eight hundred and fifty-eight, and in every subsequent Year respectively.

First and subsequent Election of Commissioners.

XV. The Commissioners so from Time to Time elected shall retire from Office according to the Rotation prescribed by Section Seventeen of the "Commissioners Clauses Act, 1847."

Rotation of Commissioners.

XVI. No Person shall be incapable of acting as a Justice of the Peace in the Execution of this Act with respect to any of the Purposes thereof by reason of his being a Commissioner.

Commissioner not incapable of acting as a Justice.

XVII. Whereas Plans showing the Sites of the intended Gasworks, Waterworks, and Cemetery respectively, and also Books of Reference thereto respectively containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands, Streams, and Waters in and upon which the same respectively are intended to be made, or which are intended to be taken for the Purposes of this Act, have been deposited with the Clerk of the Peace for the County of *Pembroke*: Therefore, subject to the Provisions of this Act, the Commissioners may enter upon, purchase, take, and use, for the Purposes of their intended Gasworks, Waterworks, and Cemetery respectively, such of the Lands, Streams, and Waters delineated on those Plans, and described in those Books of Reference respectively, as they think fit, and may purchase, take, and use any Rights, Easements, and Privileges affecting those Lands, Streams, and Waters respectively, or any of them: Provided always, that the Lands to be so taken for the intended Gasworks and Cemetery respectively shall be only the following Lands, that is to say, for the intended Gasworks the Land denoted on the Plans as "Site for Gas-

Power to take Lands, Streams, and Waters for intended Gasworks, Waterworks, and Cemetery.

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works," and for the intended Cemetery the Land denoted on the Plans as "Site for Cemetery;" nevertheless the Commissioners may purchase by Agreement, hold, and use any now existing Gasworks.

Power to
take Lands
for intended
Sewers,
Streets, and
Bridges.

XVIII. Whereas Plans and Sections showing the Lines and Levels of the intended Sewers, Streets, and Bridges, and also Books of Reference thereto containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in, over, or through which the same respectively are intended to be made or to pass, have been deposited with the Clerk of the Peace for the County of *Pembroke*: Therefore, subject to the Provisions of this Act, the Commissioners may enter upon, purchase, take, and use, for the Purposes of the intended Sewers, Streets, and Bridges, such of the Lands delineated on those Plans and described in those Books of Reference respectively as they think fit, and may purchase, take, and use any Rights, Easements, and Privileges affecting those Lands, or any of them.

Contribu-
tions by the
Hon. Robert
Fulke Gre-
ville, and
Penalty.

XIX. Whereas the Honourable *Robert Fulke Greville* is the Owner or otherwise interested in Property to a considerable Extent within the Limits of this Act, and has offered to make to the Commissioners the following Contributions: Therefore he shall, at his own Expense, provide the Land for, and within Eighteen Months from the passing of this Act construct the Two new Streets and Bridges, with habitable Toll Houses thereon, by this Act authorized, and shown on the Plan deposited in the Private Bill Office in respect of this Act; also he shall, on the passing of this Act, convey to the Satisfaction of the Bishop of the Diocese and vest in the Commissioners the Fee Simple and Inheritance of Five Acres of Land in *Old Meadow*, Number 39 on the said Plan, for the Purpose of the Cemetery by this Act authorized to be made; also he shall pay One Third of the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, and the Commissioners are hereby required to accept such Contributions for the Purposes of this Act; and in case of Default by the said *Robert Fulke Greville* in any of such Contributions he shall forfeit to the Commissioners the Sum of Three thousand Pounds, to be recovered in any of the Superior Courts, with full Costs of Suit.

Penalty on
default of
Contribu-
tions not
being made.

Powers for
compulsory
Purchases
limited.

XX. The Powers of the Commissioners for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act.

Purchase of
Lands by
Agreement.

XXI. Except as is by this Act otherwise expressly provided, the Commissioners shall not purchase or take any Lands otherwise than by Agreement.

XXII. The

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XXII. The Commissioners from Time to Time by Agreement may purchase any Lands, Streams, and Waters which they think requisite for any of the Purposes of this Act, and may make such Purchases of the Lands, Streams, and Waters on such Terms and Conditions as they from Time to Time think fit.

Power to purchase, &c. Lands by Agreement.

XXIII. Subject to the Provisions of this Act, the Commissioners from Time to Time may on any Lands from Time to Time vested in them for the Purposes of the Gasworks make, maintain, alter, and discontinue Gasworks, and all such Retorts, Gasometers, Receivers, Sewers, Drains, Machinery, and other Works and Apparatus, and such Houses, Buildings, and Approaches, and may do all such Things as they think proper for making and storing Gas, and for supplying Gas within the Town, and may make, store, and supply Gas accordingly, and may supply and sell the Gas and the Products of the Manufacture of the Gas, as they from Time to Time think fit.

Power to make and supply Gas.

XXIV. The Provisions "with respect to the Amount of Profits to be received by the Undertakers when the Gasworks are carried on for their Benefit" of the "Gasworks Clauses Act, 1847," do not apply to the Commissioners.

Provisions of 10 & 11 Vict. c. 15. as to Profits not to apply.

XXV. The Commissioners from Time to Time may light with Gas such of the Streets and Public Buildings within the Town, and at such Times, and in such Manner, as they think fit, and may provide, lay, and affix such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works and Conveniences as they think requisite for that Purpose.

Commissioners may light Streets.

XXVI. The Commissioners, with the Consent of the Owner and Occupier of any Building, may lay any Pipe, Branch, or other necessary Apparatus from any Main or Branch Pipe into, through, or against any Building for the Purpose of lighting it, and with the like Consent may provide and set up any Apparatus for measuring and ascertaining the Extent of the Supply.

Laying Pipes for lighting Buildings. Power to set up Apparatus for measuring Supply.

XXVII. The Commissioners shall not demand or receive for the Supply of Gas any greater Sum than a Sum after the Rate of Six Shillings and Sixpence for One thousand Cubic Feet of Gas during Five Years from the passing of this Act, and a Sum after the Rate of Six Shillings for One thousand Cubic Feet of Gas at any Time after the Expiration of the said Term of Five Years.

Limit of Price of Gas.

XXVIII. Every Consumer of Gas of the Commissioners shall, upon Request in Writing by the Commissioners, consume Gas by Meter, to be provided by the Commissioners at his Expense: Provided always, that in every Case where the Commissioners require the Consumer to consume Gas by Meter, and the Commissioners and

Consumption of Gas by Meter.

Consumer

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Consumer fail to agree as to the Remuneration to be paid by the Consumer for the Hire or User of the Meter, the Amount of the Remuneration shall be decided under the Provisions of "The Lands Clauses Consolidation Act, 1845," by Two Justices, as if it were a Case of disputed Compensation, not exceeding Fifty Pounds.

Penalty for
injuring
Meter.

XXIX. If any Person fraudulently use, injure, alter, or destroy any Meter, Stopcock, or Pipe used for regulating the Supply or for ascertaining the Quantity of Gas supplied or consumed, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds.

Power to
lease Gas-
works.

XXX. The Commissioners from Time to Time may make any Lease of the Gasworks for not exceeding Seven Years to any Person willing to make and supply Gas according to the Provisions of this Act, and every such Lease may be at such yearly Rent, either with or without any other Payment, and on such Terms and Conditions whatsoever, as the Commissioners think fit; and every such Lessee of the Gasworks and his Representatives claiming thereunder shall have and may exercise all the Powers of the Commissioners with respect to the maintaining of the Gasworks and the supplying of Gas: Provided always, that no such Lessee or Representatives shall make for any Gas supplied by him or them any higher Charge than the Commissioners might make for the Gas if supplied by them.

Power to
make and
maintain
Waterworks
and supply
Water.

XXXI. Subject to the Provisions of this Act, the Commissioners from Time to Time may, in or upon any Lands from Time to Time vested in them for the Purposes of the Waterworks, make, maintain, alter, and discontinue Waterworks, and any Reservoirs, Sewers, Drains, Pipes, Machinery, and other Apparatus, Works, and Conveniences, and such Houses, Buildings, and Approaches, and may do all such Things as they think necessary for supplying Water within the Town, and may supply Water accordingly.

Provisions of
10 & 11 Vict.
c. 17. as to
Profits not
to apply.

XXXII. The Provisions "with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit" of the "Waterworks Clauses Act, 1847," do not apply to the Commissioners.

Water Rates.

XXXIII. The Commissioners may demand and take for a Supply of Water for domestic Purposes, including Waterclosets, the following Rates, according to the yearly rateable Value of every Dwelling House or Part of a Dwelling House so supplied; (to wit,)

If there be not a Bath in the Dwelling House or Part of a Dwelling House, at the following Rates :

Where the yearly rateable Value thereof does not exceed Ten Pounds, at a yearly Rate not exceeding Six Pounds *per Centum per Annum* on such yearly Value ;

Where

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Where such Value exceeds Ten Pounds and does not exceed Thirty Pounds, at a yearly Rate not exceeding Five Pounds *per Centum per Annum* on such yearly Value;

Where such Value exceeds Thirty Pounds, at a yearly Rate not exceeding Four Pounds *per Centum per Annum* on such yearly Value:

If there be any Bath in the Dwelling House or Part of a Dwelling House supplied, then, in addition to those Rates, the following Rates for every Bath therein:

Where the yearly rateable Value thereof does not exceed Ten Pounds, an additional yearly Rate for every Bath not exceeding Two Shillings and Sixpence;

Where such yearly Value exceeds Ten Pounds, an additional yearly Rate not exceeding for One Bath Five Shillings, and for every additional Bath Two Shillings and Sixpence: Provided always, that if there be any Watercloset or Bath in any Manufactory or Place of Business the Commissioners may charge such Sum as they deem reasonable for a Supply of Water thereto.

XXXIV. The Commissioners may supply any Person with Water for other than domestic Purposes for such Remuneration and upon such Terms and Conditions as the Commissioners and the Persons desirous of having the Supply agree on. Water supplied by Agreement.

XXXV. A Supply of Water for domestic Purposes shall not include a Supply of Water for Cattle or for Horses, or washing Carriages, where such Horses and Carriages are kept for Hire or by common Carriers, or a Supply for any Trade, Manufacture, or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purposes. What is not a Supply for domestic Purposes.

XXXVI. Every Person using for any other than domestic Purposes any Water supplied by the Commissioners, and not having previously agreed with the Commissioners for a Supply for such other Purposes, and every Person having agreed with the Commissioners for a Supply of Water for any other than domestic Purposes, and using for any Purposes other than the Purposes so agreed on the Water so supplied by the Commissioners, shall respectively for every such Offence forfeit not exceeding Five Pounds. Penalty for using Water for other than domestic Purposes without Agreement.

XXXVII. Provided always, That the Commissioners shall not be compelled to supply with Water any Watercloset or private Bath, or the Apparatus connected therewith, unless the same be made to the Satisfaction of the Commissioners, and used so as to prevent the Waste or undue Consumption of the Water of the Commissioners, and

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the For preventing fouling of Water.

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the Return of foul Air and other noisome or impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Commissioners, or any private Bath so constructed as to contain when filled for Use more than Sixty Gallons of Water.

Water may be cut off in certain Cases.

XXXVIII. If any Person supplied with Water by the Commissioners wilfully do or cause to or knowingly permit to be done anything in contravention of the Provisions of this Act with respect to the Waterworks and Water Supply, or wilfully neglect to do anything which under those Provisions ought to be done for the Prevention of the Waste, Misuse, undue Consumption, or Contamination of the Water of the Commissioners, the Commissioners may turn off the Water supplied by them to such Person, and cease to supply such Person with Water until the Provisions of this Act be complied with, or proper Measures be taken by and at the Expense of such Person for the Prevention of such Waste, Misuse, undue Consumption, or Contamination of Water, and also may recover from such Person in any Court of competent Jurisdiction the Amount of any Damage which the Commissioners sustain by reason of any such wilful Act or Neglect.

Commissioners may require that Houses be supplied with Water, &c. if a Supply can be furnished at a Rate not exceeding 2d. per Week;

XXXIX. If at any Time it appear to the Commissioners that any House is without a proper Supply of Water, and that such a Supply of Water can be furnished thereto at a Rate not exceeding Twopence a Week, the Commissioners shall give Notice in Writing to the Occupier, requiring him within a Time therein specified to obtain such Supply, and to do all Works necessary for the Purpose, and if the Notice be not complied with, the Commissioners may, if they think fit, do such Works and obtain such Supply accordingly, and make and levy Water Rates upon the Premises, not exceeding in the whole the Rate of Twopence a Week, as if the Owner or Occupier of the Premises had demanded a Supply of Water, and were willing to pay Water Rates for the same.

and recover Expenses.

XL. The Expenses incurred by the Commissioners in doing such Works shall be private Improvement Expenses, and be recoverable as provided by "The Towns Improvement Clauses Act, 1847," or in any Court of competent Jurisdiction.

Power to lease Waterworks.

XLI. The Commissioners from Time to Time may make any Lease of the Waterworks for not exceeding Seven Years to any Person willing to obtain and furnish a Supply of Water according to the Provisions of this Act; and every such Lease may be at such yearly Rent and on such Terms and Conditions whatsoever as the Commissioners think fit; and every such Lessee of the Waterworks,
and

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and his Representatives claiming thereunder, shall have and may exercise all the Powers of the Commissioners with respect to the maintaining of the Waterworks and the obtaining and furnishing of a Supply of Water: Provided always, that no such Lessee or Representatives shall make for any Water supplied by him or them any higher Charge than the Commissioners might make for the Water if supplied by them.

XLII. Subject to the Provisions of this Act, the Commissioners from Time to Time may and forthwith shall, in and upon any Lands from Time to Time vested in them for the Purposes of the Cemetery, make and thereafter maintain, alter, improve, and regulate a Cemetery for the Burial of the Dead, with all proper Chapels, Approaches, and other Works and Conveniences.

Commissioners to make and maintain a Cemetery.

XLIII. No Part of the Cemetery shall be made within Three hundred Yards of any House of the yearly Value of Fifty Pounds or upwards, or having a Plantation or ornamental Garden or Pleasure Ground occupied therewith, except with the Consent of the Owner, Lessee, and Occupier thereof in Writing.

Cemetery not to be within 300 Yards of certain Property.

XLIV. Such Part of the Cemetery as the Bishop of the Diocese approves shall be set apart for Burial according to the Rites of the Established Church.

Part of Cemetery to be set apart for the Established Church.

XLV. In addition to their Powers of Sale of exclusive Rights of Burial, the Commissioners may demand and take such a Sum as they from Time to Time think reasonable for the Privilege of single Burials in any Vault, Grave, or other Place of Burial made by them, or in the open Ground of the Cemetery, and every such Sum shall be recoverable by them in any Court of competent Jurisdiction: Provided always, that the Charge shall be the same in the consecrated and unconsecrated Parts of the Cemetery.

Sales of Rights of Burial.

XLVI. The Commissioners in respect of every deceased Person interred in the Part of the Cemetery set apart for Burial according to the Rites of the Established Church shall, as Part of the Expenses of executing this Act, pay to the Incumbent of any Parish or Ecclesiastical District in which the Person died the same Fees as such Incumbent would be entitled to receive in respect of such Interment if the deceased Person were buried in the Parish or Ecclesiastical District of such Incumbent.

Saving Rights of Incumbents;

XLVII. Provided always, That no such Incumbent shall be entitled to receive any such Fee unless he shall (and for that Purpose he may) perform over the deceased Person by himself, or some Clergyman of the

provided they perform Burial Service by

the

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themselves
or Deputy.

the Established Church whom he from Time to Time appoints, the Burial Service according to the Rites of the Established Church.

Power to
provide Pre-
mises for the
Reception of
the Dead
previously to
Interment.

XLVIII. For the Purpose of preventing the manifold Evils occasioned by the Retention of the Dead in the Dwellings of the Poor, the Commissioners, if they think fit, may provide, fit up, and make Byelaws with respect to the Management and Charges for the Use of Buildings or Rooms in which Corpses may be received and decently and carefully kept before Interment, and the Commissioners may, upon proper Application, and subject to such Regulations, and at the Rates and Charges prescribed by any such Byelaws, make all necessary Arrangements for the decent and economical Interment of any Corpse received into any such Building or Room.

Commission-
ers to make
intended
Sewers,
Streets, and
Bridges.

XLIX. Subject to the Provisions of this Act, the Commissioners may and forthwith shall make and thereafter maintain the intended Sewers, Streets, and Bridges respectively according to the Levels, in the Lines, and in, upon, and through the Lands delineated on the Plans and Sections and described in the Books of Reference respectively deposited for the Purposes of the intended Sewers, Streets, and Bridges respectively: Provided always, that nothing in this Act shall restrain the Commissioners from extending their Sewers from Time to Time, whenever it is necessary for effectually draining the Town, or any Part thereof, so to do.

New Streets
authorized.

L. The intended Streets and Bridges by this Act authorized to be made and maintained are the following:

To wit, first, a new Street or Road commencing at or near to the Western End of *First Street* in the Town of *Milford*, and passing by an opening Bridge over *Priory Pill*, and thence parallel with or near to the Shore of *Haven's Head* into the public Road from *Hakin* to *Hubberstone* at or near to the *Rose and Crown* Public House; secondly, a new Street or Road branching out of the High Road from *Nayland* to *Milford* at or near to the House of Mrs. *Howell*, and crossing *Castle Pill* by an opening Bridge, and thence up the *Coombs* to the *Milford* Turnpike Road near to the *Milford* Turnpike Gate.

Construction
of Viaducts.

LI. The Viaducts or Crossings of the *Hubberstone* and *Castle Pills* shall be constructed of open Pilework, and shall have a clear Headway under their Soffits of not less than Fifteen Feet at ordinary Spring Tides.

Hubberstone
Pill Viaduct.

LII. The Viaduct or Crossing over the *Hubberstone Pill* shall be constructed so that there be and be maintained a clear Waterway of not less than One hundred and eighty Feet between the Abutments,
and

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and an opening Span of Forty Feet shall be made and maintained in the said Viaduct or Crossing.

LIII. The Viaduct or Crossing over the *Castle Pill* shall be constructed so that there be and be maintained a clear Waterway of not less than One hundred and ninety Feet between the Abutments, and an opening Span of Thirty Feet shall be made and maintained in the said Viaduct or Crossing.

Castle Pill
Viaduct.

LIV. Previously to commencing either of the Viaducts or Crossings over the *Hubberstone* and *Castle Pills*, or the Works connected therewith, or any Work below High-water Mark, the Commissioners shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Viaducts or Crossings and Works for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Viaducts or Crossings and Works shall be constructed only in accordance with such Approval; and when any such Viaduct or Crossing or Works shall have been commenced or constructed, it shall not be lawful for the Commissioners at any Time to alter or extend the same without obtaining previously to making any such Alteration or Extension the like Consent or Approval; and if any such Viaduct or Crossing or Works shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly, with Costs of Suit.

Before com-
mencing
Works, Plans
to be ap-
proved by
the Admi-
ralty.

LV. During the Construction of each of the Viaducts or Crossings of the *Hubberstone* and *Castle Pills* and Works connected therewith the Commissioners shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, a Light to be kept burning by and at the Expense of the Commissioners for the Navigation and safe Guidance of Vessels, and for ever after the Completion of each of the said Viaducts or Crossings the Commissioners shall cause to be hung out or exhibited upon or near to the Centre thereof every Night, from Sunset to Sunrise, a good and sufficient Light to be kept burning by and at the Expense of the Commissioners for the Navigation and safe Guidance of the Vessels, and which Lights shall be from Time to Time altered by the Commissioners in such Manner, and be of such Description, and be so used and placed as the Lord High

Light to be
kept burning
during the
Construction
of certain
Works.

[Local.]

12 O

Admiral,

Milford Improvement Act, 1857.

Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the Commissioners shall neglect to exhibit and keep any or either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Penalty for detaining Vessels longer than shall be necessary.

LVI. It shall not be lawful for the Commissioners, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating either the *Hubberstone* or *Castle Pills* for a longer Space of Time than may be sufficient to admit of any Carriages or Horses traversing the Viaducts, and approaching either of the same Bridges. to cross the said respective Pills, and for opening the said Viaducts to admit such Vessel, Barge, or Boat to pass; and in case the Commissioners, or any Person or Persons acting under them, shall detain any such Vessel, Barge, or Boat contrary to the Provisions of this Act, or demand, take, or receive any Toll for the Passage through such Opening of any Person or Persons, Vessel, Barge, or Boat, the Commissioners or every Person so offending shall in every such Case forfeit and pay the Sum of Ten Pounds; but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid.

Power to Admiralty to order a local Survey at Expense of Commissioners.

LVII. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Commissioners in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Commissioners shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Commissioners, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Commissioners.

Works affecting tidal Waters abandoned may be removed by Admiralty at Expense of Commissioners.

LVIII. If any Work to be constructed by the Commissioners in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly, with Costs of Suit.

LIX. The

Milford Improvement Act, 1857.

LIX. The new Streets by this Act authorized to be made and maintained shall, on the opening for public User thereof, respectively become and be and shall be declared by the Commissioners to be public Highways, and shall for ever thereafter be repairable by the Commissioners out of "the Paving and Sewering Rate" by this Act granted.

New Streets to be public Highways.

LX. Where the making and opening for public User of the new Streets by this Act authorized, or either of them, renders unnecessary or useless as a Street any Part of any existing Street within the Town, the Commissioners from Time to Time may, if they think fit, stop up and inclose the Part so rendered useless, whereupon such Part shall, but to the Extent of their Frontage only, vest in the Owners in Fee of the Land abutting thereon in the Proportion of One Half of the Width thereof in the Owner of Land on one Side, and the remaining Half in the Owner of the Land on the other Side, of such Part exempt from any Right of Way, but subject* to all other Rights and Equities to which such Land may be subject.

Power to sell Parts of Streets made useless by new Streets.

LXI. The Commissioners from Time to Time may lay any Land vested in them into any Street for the widening and rendering more commodious of the same, and may sell any Part of such Land which becomes unnecessary or useless as a Street.

Power to dispose of Lands for Improvement of Streets.

LXII. The Owner of any Court or Passage, or any Part of any Court or Passage, not being a public Thoroughfare, shall, on being required by the Commissioners so to do, and to their Satisfaction, sufficiently flag or pave the Court or Passage or the Part thereof of which he is the Owner, and lay with Stone or Brick an overground Drain or Channel at a proper Level through, over, or along such Part thereof as the Commissioners require, and keep the Flagging or Paving of the Court or Passage or of such Part thereof, and also such Drain or Channel over the same, in good Repair, to the Satisfaction of the Commissioners.

Owners of Courts and Passages to flag and drain the same;

LXIII. The Owner of any such Court or Passage, or of any Part of any such Court or Passage, shall cause the Houses therein belonging to him to be sufficiently drained into an underground Sewer or Drain, and so to be kept and continued to the Satisfaction of the Commissioners.

and drain Houses therein.

LXIV. If the Owner of any Court or Passage or Part thereof do not, within the Time and in the Manner required by the Commissioners, so flag or pave the same, or so lay with Stone or Brick such Drain or Channel, or so cause his Houses therein to be sufficiently drained into an underground Sewer or Drain, then and in every such Case the

Commissioners may flag and drain Courts or Passages, and

Milford Improvement Act, 1857.

recover Ex-
penses from
Occupiers.

Commissioners, if they think fit, may do the Works, and all their Expenses thereof and incidental thereto shall be repaid to them by the Owner of the Court or Passage, or Part thereof, or House; or, if the Commissioners so think fit, the same may be recovered by the Commissioners from the Occupiers thereof respectively as private Improvement Expenses.

Occupiers to
be repaid by
Owners.

LXV. Provided always, That every such Occupier shall be entitled to deduct from the Rent from Time to Time becoming due from him to such Owner so much as is so paid by or recovered from him in respect of any such Expenses, or the same may be recovered by such Occupier from such Owner by Action in any Court of competent Jurisdiction.

Houses not
to be built in
close Courts.

LXVI. No Person (except with the Consent of the Commissioners) shall build any House in any Court the Passage or Entrance into which is less than Four Feet wide and open for less than Fifteen Feet in Height from the Ground upwards from End to End, or shall build any House of more than Three Stories in Height, exclusive of Cellars, fronting on any Street made or laid out after the passing of this Act, and less than Twelve Yards in Width.

Owners of
vacant Lands
adjoining
Streets to
fence, &c.
same;

LXVII. The Owner of any vacant or unbuilt Land adjoining to or abutting on any Street shall to the Satisfaction of the Commissioners sufficiently fence off the same from the adjoining Street with a good and substantial Fence of the Height of Four Feet at the least, and every Occupier shall always afterwards keep the Fence in good Repair to the Satisfaction of the Commissioners.

or Commis-
sioners may
fence, &c.
same, and
recover Ex-
penses from
Owner.

LXVIII. If any such Owner do not so sufficiently fence such Land to the Satisfaction of the Commissioners within Fourteen Days after Notice in Writing for that Purpose from the Commissioners or their Surveyor is given to him, or left for him at his usual or last known Place of Abode in *England*, or, if the Owner be unknown to the Commissioners, or be out of *England*, upon or affixed to the Premises in respect of which the same is given, then and in any such Case the Commissioners, if they think fit, may fence such Land or such Part thereof as is not fenced pursuant to such Notice, and all their Expenses thereof and incidental thereto shall be repaid to them by such Owner, and be recoverable by Action in any Court of competent Jurisdiction.

Commis-
sioners may
repair and
receive Ex-
penses from
Occupier.

LXIX. If any such Occupier do not sufficiently repair such Fence to the Satisfaction of the Commissioners within Fourteen Days after Notice in Writing for that Purpose from the Commissioners or their Surveyor is given to him or left for him at his usual or last known Place of Abode in *England*, or, if the Occupier be unknown to the

Commis-

Milford Improvement Act, 1857.

Commissioners, or be out of *England*, upon or affixed to the Premises in respect of which the same is given, then and in any such Case the Commissioners, if they think fit, may repair such Fence or such Part thereof as is not repaired pursuant to such Notice, and all their Expenses thereof and incident thereto shall be repaid to them by such Occupier, and be recoverable by Action in any Court of competent Jurisdiction.

LXX. It shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling House, any Room or Building which or any Part of which is directly over any Privy or Cesspool, unless the Privy or Cesspool have fitted up in connexion with it a Watercloset with an adequate Supply of Water to the Satisfaction of the Commissioners; and every Person who builds any House contrary to this Provision, or lets separately except as aforesaid, or knowingly suffers to be occupied as a Dwelling House, any Room or Building contrary to this Provision, shall for every such Offence forfeit not exceeding Forty Shillings, and a further Penalty not exceeding Ten Shillings for every Day during which such House continues contrary to this Provision, or during which such Room or Building is so occupied, after Conviction for the First Offence.

No Room over any Privy to be let or occupied as a Dwelling House.

LXXI. The Commissioners or any Surveyor or other Person employed by them under an Order for that Purpose from Time to Time may search for, dig, and carry away any Stones, Gravel, or other Materials fit for paving and covering the Pavements, and pitching or repairing any Streets, or for making any Sewers, Streets, or Bridges by this Act authorized, in and from the Lands of any Person where the same may be had (such Lands not being a Yard, Garden, Orchard, Park, Wood, Coppice, Nursery, or inclosed Ground, the Commissioners, Surveyor, or other Person filling up the Pits and levelling the Grounds from which the Materials are taken, and paying to the Owners and Occupiers of the Lands reasonable Compensation for cutting, digging, taking, and carrying away such Materials, and for carrying the same over any inclosed Lands.

Power to take Materials for Roads, &c. from waste and private Lands, making Compensation.

LXXII. Provided always, That the Commissioners, their Surveyor, or such other Person shall not so search for, dig, or carry away any Materials until Ten clear Days Notice in Writing be given to the Owner and Occupier of the Lands to appear before a Justice to show Cause why such Materials should be not taken from such Lands; and if such Owner or Occupier do not attend pursuant to such Notice; or do not show sufficient Cause why such Materials should not be taken from such Lands, the Justice shall authorize the Commissioners, their Surveyor, or such other Person to dig and carry away such Materials at such Times as to such Justice shall seem fit.

Materials not to be taken from Lands without Order of Justice.

[*Local.*]

12 P

LXXIII. The

Milford Improvement Act, 1857.

Power to erect public Urinals, &c.

LXXIII. The Commissioners from Time to Time may provide and erect and afterwards keep in good Order such Urinals, Necessaries, and other similar Conveniences in such Situations as they deem proper for the Accommodation of the Public.

Commissioners to erect Bound Stones for defining Limits.

LXXIV. The Commissioners shall from Time to Time erect and maintain Bound Stones or Posts for better ascertaining and preserving the Limits of this Act.

Paving and Sewering Rate.

LXXV. The Commissioners once in every Year, or oftener if they think fit, may make One or more equal Rate or Rates, under the Name of the Paving and Sewering Rate, upon the Occupiers of all rateable Property within the Town according to the yearly rateable Value thereof, but such Rates shall not exceed in any One Year ending with the Thirty-first Day of *December* One Shilling in the Pound on such yearly Value.

Expenses of making Sewers to be defrayed by special Sewer Rates.

LXXVI. The Expenses of making the new Sewers by this Act authorized, and any other new Sewers, and of enlarging any old Sewer, and of closing any open Sewer, shall be defrayed by special Sewer Rates to be made according to the Provisions of "The Towns Improvement Clauses Act, 1847," but the yearly Amount of any special Sewer Rate shall not exceed One Shilling in the Pound on the yearly rateable Value of the Lands and Buildings in respect of which it is made.

Expenses of cleansing, &c. Sewers to be paid out of Paving and Sewering Rate.

LXXVII. The Expenses of cleansing and maintaining all Sewers vested in the Commissioners, and all other Expenses of executing this Act with respect to Sewers, and not sufficiently provided for by the special Sewer Rates, shall be defrayed out of the Paving and Sewering Rate.

Expenses of new Streets and Bridges to be charged on Tolls.

LXXVIII. The Expenses of maintaining the new Streets and Bridges by this Act authorized to be made and maintained shall be defrayed out of the Tolls by this Act granted and the Rents reserved on Leases of the Tolls, which Tolls and Rents shall be applied only for such Maintenance.

Power to make Improvement Rates.

LXXIX. The Commissioners once in every Year, or oftener if they think fit, may make One or more equal Rate or Rates, under the Name of "the Improvement Rate," upon the Occupiers of all rateable Property within the Town according to the yearly rateable Value thereof, but such Rates shall not exceed in any One Year ending with the Thirty-first Day of *December* Two Shillings and Sixpence in the Pound on such yearly Value.

LXXX. The

Milford Improvement Act, 1857.

LXXX. The Commissioners, if they think fit, may order that any Rate shall be levied by Assessments, to be made for separate and distinct Districts. Rates for Districts.

LXXXI. Provided always, That the total Amount of all the Rates made in any One Year under this Act on any rateable Property shall not exceed Four Shillings in the Pound on the yearly rateable Value thereof. Limit of total Rates.

LXXXII. All Expenses of lighting the Streets within the Town shall be defrayed out of the Improvement Rate, and the Commissioners shall accordingly credit the Gasworks Account, and debit the Improvement Account with the Amount of those Expenses. Expenses of lighting charged on Improvement Rate.

LXXXIII. The Commissioners from Time to Time may borrow at Interest on Mortgage of the Paving and Sewering Rate any Sums not exceeding in the whole One thousand nine hundred Pounds, and after having paid off (otherwise than by the Sinking Fund) any Money so borrowed, they may re-borrow the Amount so paid off, and so from Time to Time. Power to borrow for paving and sewerage.

LXXXIV. The Commissioners from Time to Time may borrow at Interest on Mortgage of the Improvement Rate, and any Property from Time to Time vested in them under this Act for any Purposes other than paving and sewerage, any Sums not exceeding in the whole Five thousand six hundred Pounds, and after having paid off (otherwise than by the Sinking Fund, any Money so borrowed), they may re-borrow the Amount so paid off, and so from Time to Time. Power to borrow for other Purposes.

LXXXV. Provided always, That the total Amount of Principal Money at any One Time borrowed and secured under this Act shall not exceed Seven thousand Pounds, and the Commissioners shall not borrow for the following Purposes respectively more than the following Sums: Limit on borrowing.

For the Gasworks, Two thousand five hundred Pounds:

For the Waterworks, Two thousand three hundred Pounds:

For the Cemetery, Eight hundred Pounds.

LXXXVI. The respective Mortgagees of the Commissioners may enforce the Payment of the Arrears of the Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Two thousand Pounds. Arrears may be enforced by Appointment of a Receiver.

LXXXVII. For the Purpose of more accurately showing the Income and Expenditure of the Commissioners they shall keep distinct and separate Accounts, to be called respectively "the Special Sewers Distinct Accounts for the several Purposes of Act.

Milford Improvement Act, 1857.

Sewers Rates Account," "the Paving and Sewering Account," "the Gasworks Account," "the Waterworks Account," "the Cemetery Account," and "the Improvement Account," of all their Receipts, Credits, Payments, and Liabilities under this Act with respect to the Execution thereof for the several Purposes of this Act respectively : Provided always, that the Commissioners may from Time to Time apportion between Two or more of those Accounts as they think fit any Items relating to more than One of those Purposes.

Application of Moneys borrowed on Paving and Sewering Rates.

LXXXVIII. All Moneys from Time to Time borrowed by the Commissioners under this Act on the Security of the Paving and Sewering Rates shall be carried to the Credit of the Paving and Sewering Account, and shall be applied as follows :

1. In Payment of such Part as the Commissioners think fit of Two Thirds of the Expenses of and incident to the obtaining and passing of this Act :
2. In carrying into execution the Purposes of this Act for which the Moneys were so borrowed, so as such Purposes be of a permanent Nature.

Application of Moneys borrowed on Improvement Rate and other Property.

LXXXIX. All Moneys from Time to Time borrowed by the Commissioners under this Act on the Security of the Improvement Rate, and any Property from Time to Time vested in them under this Act for any Purposes other than paving and sewerage, shall be carried to the Credit of the Improvement Account, and shall be applied as follows :

1. In Payment of such Part of Two Thirds of the Expenses of and incident to the obtaining and passing of this Act as are not otherwise paid :
2. In carrying into execution the Purposes of this Act for which the Moneys were so borrowed, so as such Purposes be of a permanent Nature.

Application of Moneys borrowed on certain other Rates.

XC. All Moneys from Time to Time borrowed by the Commissioners under this Act on the Security of District Rates and special Sewer Rates and private Improvement Rates respectively shall be applied in carrying into execution the Purposes of this Act for which the Moneys were so borrowed, so as such Purposes be of a permanent Nature.

Application of Moneys carried to Paving and Sewering Account.

XCI. All Moneys from Time to Time received by the Commissioners in respect of the Purposes of this Act with respect to paving and sewerage, other than Moneys received from special Sewer Rates or private Improvements, shall be carried to the Credit of "the Paving and Sewering Account," and, except as is by this Act otherwise provided with respect to Moneys borrowed, all Moneys from
Time

Milford Improvement Act, 1857.

Time to Time carried to the Credit of that Account shall be applied as follows :

1. In Payment of such Part as the Commissioners think fit of Two Thirds of the Expenses of and incident to the obtaining and passing of this Act :
2. In Payment of the Interest on the Moneys borrowed under this Act, and from Time to Time owing on the Security of the Paving and Sewering Rate :
3. In providing, in proportion to the Amount so borrowed, the Sinking Fund by this Act required:
4. In carrying into execution the Purposes of this Act with respect to paving and sewerage other than with respect to Purposes to be provided for by special Sewer Rates or for private Improvements :
5. And the Surplus, if any, shall be carried to the Credit of the Improvement Account :

Provided always, that the Commissioners shall not expend any Money raised by them by the Paving and Sewering Rate, or by Mortgage thereof, in or towards the first making of the intended Streets and Bridges shown on the deposited Plans, or the acquiring of any Lands for the Purposes thereof.

XCII. All Moneys from Time to Time received by the Commissioners in respect of the Purposes of this Act other than with respect to paving and sewerage, and Moneys received from special Sewer Rates or private Improvements, shall be carried to the Credit of the Improvement Account, and all Moneys from Time to Time carried to the Credit of that Account shall be applied as follows :

Application of Moneys carried to Improvement Account.

1. In Payment of such Part as the Commissioners think fit of Two Thirds of the Expenses of and incident to the obtaining and passing of this Act :
2. In Payment of the Interest on the Moneys borrowed under this Act, and from Time to Time owing on any Security other than the Security of special Sewer Rates, private Improvement Rates, and the Paving and Sewering Rate respectively :
3. In providing, in proportion to the Amount so borrowed, the Sinking Fund by this Act required:
4. In carrying into execution the Purposes of this Act other than with respect to paving and sewerage and private Improvements.

XCIII. The Sum to be set apart and appropriated out of the Moneys in the Hands of the Commissioners as a Sinking Fund, to be applied in paying off the Principal Moneys borrowed on Mortgage under this Act, shall be in each Year respectively not less than One Thirtieth Part of the respective Moneys so borrowed.

Sinking Fund to be provided.

[Local.]

12 Q

XCIV. When-

Milford Improvement Act, 1857.

Private Improvement Expenses and Rate on unoccupied Lands.

XCIV. Whenever any Lands in respect of which any Moneys are owing to the Commissioners by the Owner thereof for private Improvement Expenses, or any private Improvement Rate is made, become unoccupied before such Moneys are fully paid off, or before the Expiration of the Period for which such Rate is made, or before the same Rate is fully paid off, such Moneys and Rate respectively shall become a Charge upon and be payable by the Owner of the Lands so long as the same continue to be unoccupied, and shall be recoverable by the Commissioners by Action in any Court of competent Jurisdiction accordingly.

If Owners of unproductive Property neglect to pay Costs, the same may be let to defray Expenses.

XCV. If any House, Building, or Land in respect of which any private Improvement Expenses are to be repaid to the Commissioners by the Owners thereof be unoccupied or unproductive, and the Owner thereof for Two Years fail to pay the Amount so repayable by him or any Part thereof, the same be not otherwise recovered, the Commissioners at or after the Expiration of Two Months Notice affixed or placed on the House, Building, or Land may take possession thereof, and fence off and let the same or any Part thereof by Deed under their Common Seal for any Term not exceeding Ten Years, at the best Rent which can be reasonably had, and may appoint some Person to deliver possession to the Lessee; and every such Lease shall vest the legal Estate in possession of the Premises comprised therein in the Lessee for the Term thereby granted, and shall give to him a good Title thereto against the Owner thereof, and Rent thereof shall be paid to the Commissioners, who shall thereout pay first the Expense of such fencing and letting, and next the Sum so due from such Owner, paying the Surplus (if any) to the Owner or his legal Representatives on Demand.

Power to provide Toll Gates and Toll House.

XCVI. After any Bridge by this Act authorized is opened for public Traffic, the Commissioners from Time to Time may set up such Toll Gates at or upon the Bridge or the Approaches thereto, and remove the Toll Gates and set up others in lieu thereof, as they think fit, and from Time to Time may provide and maintain such Toll Houses and other Conveniences near to the Toll Gates as they think fit: Provided always, that no Obstruction shall be caused to the free Use by the Public of any existing Right of Way from Shore to Shore across either of the Inlets or Pills without crossing the Bridge, and it shall be lawful for the Public at all Times to use free of Toll the new Streets for the Purpose of Access to the usual existing Places of crossing or fording on those Shores independently of such Bridges.

Bridge Tolls.

XCVII. The Commissioners from Time to Time may demand and take for Persons, Animals, and Carriages from Time to Time passing over any Bridge by this Act authorized, or any Part thereof, any Tolls not exceeding the following; (to wit,)

For

Milford Improvement Act, 1857.

For every Horse or other Beast drawing any Coach, Stage Coach, Omnibus, Gig, Chair, or other like Carriage, Fourpence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other like Carriage, Threepence :

For every Horse or Mule laden or unladen, and not drawing, Twopence :

For every Ass, laden or unladen, One Halfpenny, and if carrying more than One Person, One Penny :

For every Ox, Cow, Bull, or Neat Cattle, One Penny :

For every Calf, Pig, Sheep, or Lamb, One Farthing :

For every Carriage drawn or propelled by Steam or any Means other than Animal Power, Two Shillings and Sixpence :

For every Foot Passenger, except the Person or Persons (not exceeding Two) actually driving and accompanying any Waggon, Wain, Cart, or other like Carriage, One Halfpenny :

For every Person riding in or upon any Waggon, Wain, Cart, or other like Carriage (not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire), or riding upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other like Carriage, One Halfpenny.

XCVIII. The Tolls respectively shall be paid before any such Animal, Carriage, or Person be entitled to pass or repass through the Toll Gate : Provided always, that only One full Toll shall be demanded or taken for every Time of passing or repassing over the Bridge or any Part thereof : Provided also, that no more than Two full Tolls shall be taken for such passing or repassing in any One and the same Day, reckoned from Twelve of the Clock of One Night to Twelve of the Clock of the succeeding Night.

Tolls to be taken before passing, &c.

XCIX. The Commissioners from Time to Time may reduce all or any of the Tolls for such Time as they think proper, and again raise all or any of the Tolls, so that the Tolls never exceed the Amount by this Act limited ; and the Tolls, whatever be their Amount, shall be collected, recovered, and applied as by this Act provided.

Power to vary the Tolls.

C. The Tolls shall at all Times be charged equally, and after the same respective Rate, with respect to all Persons, Animals, and Carriages, of whatever respective Description, and no Reduction or Advance of the Tolls shall, either directly or indirectly, be made partially or in favour of any particular Person, but every such Reduction or Advance shall take effect with respect to all Persons, Animals, and Carriages of the same respective Sort.

Tolls to be charged equally.

CI. The Tolls may be demanded and taken at the Toll Gates from Time to Time provided under this Act by such Persons as the Commis-

Tolls to be taken by Toll Collectors.

Milford Improvement Act, 1857.

Commissioners and the Lessees of the Tolls respectively from Time to Time appoint to be the Toll Collectors.

Table of
Tolls to be
put up.

CII. After any Toll Gate is erected by virtue of this Act, the Commissioners shall put up and afterwards continue at every such Toll Gate a Table printed in distinct and legible Black Letters on a Board with White Ground, containing a List distinguishing the several Tolls to be paid by virtue of this Act, and shall renew the Boards whenever any of the Letters or Figures thereon are worn out, defaced, or obliterated; and the Commissioners shall not demand or take at any Toll Gate any Toll except while the Board so painted remains affixed to the Toll Gate.

Exemptions
from Tolls.

CIII. Provided always, That no Toll shall be demanded or taken,
First, for any Animal or Carriage attending Her Majesty or any of the Royal Family, or returning after so attending;
Secondly, for any Animal or Carriage employed in conveying or guarding Mails of Letters or Expresses under the Authority of Her Majesty's Postmaster General, or returning after being so employed;
Thirdly, for any Animal or Carriage attending Soldiers with their Arms and Baggage, or returning after being so employed;
Fourthly, for any Animal or Carriage employed in conveying any Ordnance or Commissariat, or other public Stores of or belonging to Her Majesty, or to or for the Use of Her Majesty's Forces, or returning after being so employed;
Fifthly, for any Soldier upon March or upon Duty;
Sixthly, for any Militia or Volunteers dressed in the Uniforms of their respective Corps upon their March, or in going to or returning from the Place appointed for and on the Days of Exercise;
Seventhly, for any Horse furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and ridden by them, dressed in the Uniforms of their respective Corps, in going to or returning from the Place appointed for and on the Days of Exercise;
Eighthly, for any Animal or Carriage employed only in conveying any Vagrant sent by a legal Pass, or any Prisoner sent by any legal Warrant, or returning empty after being so employed.

Power to
stop Persons
failing to
pay Toll and
to seize and
distrain
Horses, &c.

CIV. If any Person subject under this Act to the Payment of any Toll, after Demand made thereof by any Collector appointed to receive the same, fail to pay the Toll, the Collector by himself, or taking such Assistance as he thinks necessary, may stop and prevent the Passage of the Person so failing, and may seize and distrain the Animal in respect of which the Toll is payable, with their Bridles, Saddles,

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Saddles, Gear, Harness, or Accoutrements (except the Bridle or Reins of any Animal separate from the Animal), and any Carriage drawn by the Animal.

CV. If and whenever any Dispute happens about the Amount of Toll due, or the Charges of seizing, keeping, or selling any Distress for Nonpayment of Toll, the Collector or the Person distraining may retain the Distress, or the Money arising from the Sale thereof, until the Amount of the Toll due and of the Charges be ascertained by some Justice or Justices of the Peace for the County of *Pembroke*, who, upon Application made to him or them for that Purpose, may determine the Matter in dispute, and may also award such Costs to be paid by either Party to the other as to the Justice or Justices seem reasonable.

For settling Disputes concerning Tolls and Distresses;

CVI. If the Toll and the reasonable Charges of such Seizure and Distress be not paid within Three Days after the Seizure and Distress, the Person so seizing and distraining may and shall sell all the Animals, Chattels, and Carriages so seized and distrained, or any Part thereof, returning the Overplus (if any) of the Proceeds of the Sale, after deducting the Toll and the reasonable Charges of the Seizure and Distress and Sale, and what (if any) remains unsold, upon Demand, to the Owner thereof.

and to sell Distress for Payment of Toll and Charges of Distress, &c.

CVII. If any Person fraudulently or forcibly pass over the Bridge or through any Toll Gate without having paid the Tolls, or assault, obstruct, or interrupt any Person employed in the Collection of the Tolls, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds.

Penalty for fraudulently passing Bridge, &c.

CVIII. Every Toll Collector shall place his Christian and Surname printed on a Board in legible Characters in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of the Name to be at least Two Inches in Length and of a Breadth in proportion, and printed in Black Letters on a Board with a White Ground, and shall continue the same so placed during the whole Time he is on Duty.

Toll Collector to place his Name on Toll House.

CIX. If any Toll Collector commit any of the following Offences, every such Toll Collector so offending shall for every such Offence forfeit not exceeding Forty Shillings; (that is to say,) if any Toll Collector,

Penalty for Offences herein named committed by Toll Collector.

First, do not place such Board and continue the same so placed during the whole Time he is on Duty:

Secondly, demand or take from any Person greater or less Toll than he is by this Act or any Order of the Commissioners made in pursuance thereof authorized to demand or take:

[Local.]

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Thirdly,

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Thirdly, demand or take Toll from any Person exempted from the Payment thereof, and claiming such Exemption:

Fourthly, refuse to permit any Person to read or in anywise hinder any Person from reading the Inscriptions on such Board or on the Table of the Tolls put up at the Toll Gates:

Fifthly, refuse to tell his Christian or Surname to any Person who having paid any Toll demands the same:

Sixthly, in answer to any such Demand gives a false Name:

Seventhly, on the legal Toll being paid or tendered unnecessarily detain or wilfully hinder or prevent any Passenger from passing through the Toll Gate.

Penalty for evading Tolls.

CX. If any Person take off any Horse or other Beast from any Carriage at or near to the Bridge or at or near to any Toll Gate set up under this Act, and afterwards put on the Horse or Beast after having passed the Bridge or any Toll Gate with Intent to evade and thereby evade or endeavour to evade the Payment of any Part of the Toll, or forge, counterfeit, or alter, or receive from or deliver to any other Person any Note or Ticket with Intent to evade the Payment of any Toll, or if any Person cause any such Act to be done or aid or abet any Person so acting, every Person so offending shall for every such Offence forfeit not exceeding Forty Shillings.

Penalty for destroying Bridge, &c.

7 & 8 G. 4. c. 30.

CXI. The Bridge, and the Toll Houses and Toll Gates, and Works of the Commissioners shall be deemed a public Bridge within the Meaning of the Act of the Session of the Seventh and Eighth Year of *George the Fourth*, intituled *An Act for consolidating and amending the Law relative to malicious Injuries to Property*.

Power to lease the Tolls.

CXII. The Commissioners from Time to Time may lease all or any of the Tolls for not exceeding Three Years to such Persons, at such Rents, and on such Terms and Conditions as the Commissioners think fit.

Appointment of Toll Collector.

CXIII. The Commissioners, or, during any Lease of the Tolls, the Lessees thereof, from Time to Time may appoint such fit Persons as the Commissioners or the Lessees think proper, to be the Collectors of the Tolls, and every Person so from Time to Time appointed Toll Collector may demand and take the Tolls accordingly.

Removal of Toll Collector.

CXIV. If and whenever any Toll Collector dies, or fails to perform or becomes incapable of performing his Duty, or absconds or absents himself, the Commissioners or the Lessee of the Tolls may discharge the Toll Collector so in default, and may appoint some fit Person to be Toll Collector in the Stead of the Toll Collector deceased or discharged.

CXV. A Cer-

Milford Improvement Act, 1857.

CXV. A Certificate in Writing, under the Hand of the Secretary of the Commissioners, or, as the Case may be, of the Lessee of the Tolls, shall for all Purposes be sufficient Evidence of the Appointment or Removal of any Toll Collector.

Evidence of Appointment and Removal of Toll Collector.

CXVI. If whenever any Toll Collector, or the Wife, Widow, or any of the Children, Family, or other Representatives of any Toll Collector deceased or discharged, or any other Person having the Possession of any Toll House or other Building or Property of the Commissioners, fail for Two Days after demanded by Notice in Writing, signed by the Secretary of the Commissioners, or by the Lessee of the Tolls, and given to such Toll Collector or to any such Person, or left at the Premises, to deliver up Possession thereof as so demanded, any One or more Justice or Justices of the Peace of the County of *Pembroke*, by Warrant under his or their Hand and Seal or Hands and Seals, may order any Constable or other Peace Officer for the County, with requisite Assistance, to enter into the Premises in the Daytime, and to remove all Persons found therein, with their Goods, out of the same, and put the Commissioners, Lessee, or newly appointed Toll Collector, or any other Person into possession thereof.

Power to obtain from discharged Toll Collector Possession of Toll House, &c.

CXVII. Whenever any Person fails to pay any Rate or Sum due and payable to the Commissioners, and the Rate or Sum so due and payable does not exceed Twenty Pounds, the Commissioners may recover the same, with full Costs of Suit, in any Court of competent Jurisdiction, and the Remedies of the Commissioners under this Enactment shall be in addition to their other Remedies for the Recovery of such Rate or Sum.

Recovery of Sums not exceeding 20*l.*

CXVIII. All Rates and Sums of Money due and payable to the Commissioners on any Account whatsoever, and all Penalties, Costs, Damages, and Expenses by this Act directed to be paid, may be levied by Distress, and any Justice, on Application by the Commissioners, may issue his Warrant accordingly.

Recovery of Moneys by Distress.

CXIX. Any Justice who issues any Warrant of Distress under this Act may order that the Costs of the Proceedings for the Recovery of the Rate or Sum shall be paid by the Person liable to pay such Rate or Sum, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Rate or Sum.

Costs of Distress.

CXX. Any Number of Names and Sums may be included in any Warrant or Notice obtained or given by the Commissioners for any of the

Several Names in One Warrant.

Milford Improvement Act, 1857.

the Purposes of this Act, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto.

Notices may
be given by
Placards.

CXXI. The Commissioners, instead of publishing in a Newspaper any Notice by this Act directed to be so published, may, if they think fit, post printed Copies thereof at the Offices of the Commissioners and in other public Places within the Town.

Application
of Penalties.

CXXII. The Justice or Justices by whom any Penalty is imposed under this Act, except such as is by this Act expressly provided to be paid by the Commissioners, shall award the same to the Commissioners.

Saving
Rights of the
Hon.R.Fulke
Greville,
under 30 G.3.
c. 55.

CXXIII. This Act or anything therein contained shall not in any way take away, lessen, alter, or affect any Interests, Rights, Powers, or Privileges to which the Honourable *Robert Fulke Greville*, his Heirs or Assigns, is or may be entitled under an Act passed in the Thirtieth Year of *George the Third*, intituled *An Act to enable Sir William Hamilton Knight of the most Honourable Order of the Bath, his Heirs and Assigns, to make and provide Quays, Docks, Piers, and other Erections, and to establish a Market, with proper Roads and Avenues thereto respectively, within the Manor or Lordship of Hubberstone and Pill in the County of Pembroke.*

Expenses of
Act.

CXXIV. Two Thirds of all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Commissioners, and may be apportioned by them between the Paving and Sewering Account and the Improvement Account as they think reasonable.

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