



ANNO QUINQUAGESIMO SECUNDO

GEORGH III. REGIS.



Cap. 196.

An Act for making a Pier and Landing Place at *Ryde*,
in the *Isle of Wight*. [13th July 1812.]

WHEREAS the Town of *Ryde*, in the *Isle of Wight*, in the County of *Southampton*, is a Place of great public Resort, not only for Persons passing and repassing to and from the *Isle of Wight*, and also for the Masters and Mariners of the Ships and Vessels lying at *Spithead* and *The Motherbank*, but likewise for Persons frequenting the same as a Watering Place; but there is at present great Difficulty in landing and shipping Passengers, Goods, Wares, and Merchandizes, for the Want of a Pier and Landing Place for that Purpose: And whereas the erecting and maintaining a good and sufficient Pier and Landing Place, with proper Quays, Wharfs, Storehouses, and other Works, and proper Conveniencies for supplying fresh Water to Ships and Vessels, would very much contribute to the Increase of the Trade of the said Town of *Ryde*, and would be also of great Benefit and Convenience, as well to the Inhabitants of the said Town and Neighbourhood, and all other Persons resorting there, as also to the Merchants, Masters, and Mariners of the Ships and Vessels lying at *Spithead* and *The Motherbank* aforesaid, and would be of great public Utility; but the same cannot be carried into Effect without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the Honourable *Charles Anderson Pelham*, the Honourable *Sir Nash Grose*, *Sir John Barrington* Baronet, *Sir William Oglander* Baronet, *Sir Leonard Thomas Worsley Holmes* Baronet, *Barrington Pope Blackford*, *Michael Hoy*, *Walter Lock*, *George Player*,
[Loc. & Per.] 48 P James

James Edwards, James Cull, Edward Jukes, George Morris Jukes, William Loe, Robert Lydall, James Beazeley, James Beazeley junior, Richard Cowlam Wafell, William Wafell, and James Warne, together with such other Person or Persons, Body or Bodies Corporate or Collegiate, as shall at any Time or Times hereafter be possessed of One or more Share or Shares of and in the said Pier, Landing Place, Wharfs, Quays, and other Works to be constructed and made by virtue of or under the Authority of this Act, and their several and respective Executors, Administrators, Assigns, and Successors, shall be and they are hereby united into and declared to be a Company for the constructing, erecting, building, making, doing, maintaining, repairing, and supporting a Pier, Quays, Wharfs, and such other Works, Requisites, Matters, and Things, as shall or may be necessary for the completing a good and sufficient Landing Place or Landing Places for the landing and shipping of Passengers, and lading and unlading Goods, Wares, Merchandizes, and other Matters and Things, at *Ryde* aforesaid, and for the other Purposes of this Act, according to the Directions, and subject to the several Provisions, Regulations, and Restrictions herein-after contained, and shall for those Purposes be One Body Politic and Corporate, by the Name and Style of *The Ryde Pier Company*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead, and be impleaded at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and by that Name and Description shall and may have full Power and Capacity to purchase, take, have, hold, and enjoy any Messuages, Lands, Tenements, and Hereditaments whatsoever, to the Use of themselves and their Successors, for the Purposes of this Act, notwithstanding the Statutes of Mortmain, or of any of them, or of any other Law or Statute to the contrary thereof in anywise notwithstanding.

Company
may build a
Pier.

II. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered to make, construct, erect, build, maintain, and support on the Site of the Landing Place and Quay made in or about the Year One thousand seven hundred and fifty-six, under an Agreement then entered into between Lord *Edgcumbe*, Sir *John Barrington* Baronet, and others, and the Land or Shore adjoining thereto at or near *Ryde* aforesaid, a Pier; and also to make, construct, build, maintain, and support such Quays, Wharfs, and other Works, Buildings, or Matters and Things as they shall deem necessary or expedient for the making a safe, commodious, and sufficient Pier and Landing Place for the landing and shipping of Passengers, and lading and unlading Goods, Wares, Merchandizes, and other Matters and Things; and for the convenient supplying of fresh Water to Ships and other Vessels resorting to the said Pier or Landing Place, or the adjoining Shore; and also to erect and make, or cause to be erected and made, such Buildings and Warehouses for the Purposes of receiving of Goods and Merchandizes, and such Dwelling Houses and other Buildings, Accommodations, and Things, and in such Manner as the Directors for the Time being, or the major Part of them present at any Meeting or Meetings as herein-after mentioned, shall deem necessary or expedient; subject to the Provisions and Directions in this Act contained.

III. And be it further enacted, That the said Company of Proprietors shall have full Power and Authority to contract and agree with the Owner or Owners, Occupier or Occupiers of all such Lands, Grounds, and Hereditaments in or near the said Pier and Landing Place, for the absolute Purchase of any such Lands, Grounds, and Hereditaments, or of such Part or Parts thereof as shall be necessary for the Purpose of making and completing the Works of the said Pier or Landing Place, or for the Purpose of enlarging or improving the same, or for erecting, building, and making Quays, Wharfs, and other Works, with proper Roads, Avenues, and Approaches thereto, or of supplying fresh Water to Ships and other Vessels resorting or coming to the said Pier or Landing Place, or the adjoining Shore, and for any other of the Purposes of this Act.

To purchase Lands, &c.

IV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbonds, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, who are or shall be seised, possessed, or interested in their own Right, and for every other Person or Persons whomsoever who are or shall be seised, possessed of, or interested in any such Lands, Grounds, and Hereditaments, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of Proprietors; and all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be valid and effectual in the Law, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever so conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she, or they or any of them shall respectively make by virtue or in pursuance of this Act; and all such Contracts, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors; and such of them as shall be made of any Lands or other Hereditaments to the said Company of Proprietors, shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; *videlicet*,

Bodies Politic, &c. empowered to sell and convey Lands.

Contracts and Sales to be made at the Expence of the Company.

‘ I of _____ of _____ in Consideration of the Sum
 ‘ to me paid, [*or*, in Consideration of the annual
 ‘ Rent of _____ to me to be hereafter yielded and paid by
 ‘ yearly or half-yearly Payment [*as may be agreed upon*] by *The Ryde Pier
 ‘ Company*, do hereby grant and release to the said Company all [*describing
 ‘ the Premises to be conveyed*] and all my Right, Title, and Interest to and
 ‘ in the same, and every Part thereof; to hold to the said Company for
 ‘ ever, by virtue and according to the true Intent and Meaning of the
 ‘ Act of Parliament passed in the Fifty-second Year of the Reign of His
 ‘ present Majesty, intituled [*here set forth the Title of this Act*]. In
 ‘ Witness whereof, I have hereunto set my Hand and Seal, this
 ‘ _____ Day of _____ in the Year of our
 ‘ Lord _____

Form of Conveyance to the Company.

And

And all such Conveyances and Assurances shall be valid and effectual to all Intents and Purposes, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever.

Satisfaction
to be made.

V. Provided always, and be it further enacted, That all and every Body or Bodies Corporate, Politic, or Collegiate, Trustees, or other Persons herein-before capacitated to sell or convey Lands and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands or other Hereditaments in or upon which the said Pier or other Works hereby authorized are intended to be made, or any of them, may accept and receive Satisfaction for the Value of such Lands, Grounds, and Hereditaments, and for the Damages to be sustained by making and completing the said Works herein-before directed; and from and immediately after the Time of making and executing such Sale and Conveyance, or any Contract or Contracts for the same, the said Company of Proprietors may and shall be at Liberty to enter upon, and from thenceforth for ever to have, take, and enjoy the said Lands, Grounds, and other Hereditaments, for the Uses and Maintenance of the said Pier and other Works; and in case the said Company of Proprietors, and the said Parties interested in such Lands and Grounds or other Hereditaments, cannot or do not agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Verdict of a Jury, as herein-after directed.

If Parties
cannot agree,
Price to be
settled by a
Jury.

If Parties are
dissatisfied, or
refuse or are
unable to
treat, &c. a
Jury to be
impannelled
to decide the
Matter.

VI. And, for settling all Differences which may arise between the said Company of Proprietors and the several Owners of or Persons interested in any Lands, Tenements, or Hereditaments which shall or may be taken and affected or prejudiced by reason of the Execution of any of the Powers hereby granted, be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any other Person or Persons so interested, for and on his, her, or their Part or Parts, or for or on the Part of his, her, or their Cestuique Trusts, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money or other Compensation as shall be offered by them the said Company of Proprietors, or their Agents by and on their Behalf, and shall give Notice thereof in Writing to the Clerk for the Time being to the said Company of Proprietors within Thirty Days next after such Offer shall have been made, and the Party or Parties giving such Notice as aforesaid shall therein request that the Matter or Matters in Dispute may be submitted to the Determination of a Jury; or if any Body Politic, Corporate, or Collegiate, or any other Person or Persons seized or possessed of or interested in any such Lands, Tenements, or other Hereditaments as aforesaid, shall refuse to treat or agree, or shall not agree, or by Reason of Absence or Disability cannot agree with the said Company of Proprietors, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in Possession of, or to the Interest they claim therein, to the Satisfaction of the said Company, or the Person or Persons authorized by them, then and in every such Case the said Company of Proprietors shall and they are hereby empowered and required from Time to Time to issue a Warrant under their Common Seal to the Sheriff, or One of the
Coroners

Coroners of the County of *Southampton*, if the said Sheriff should be a Party interested, commanding such Sheriff (and the said Sheriff or Coroner is hereby empowered and required) to impanel, summon, and return not less than Twelve, nor more than Twenty-four substantial and indifferent Persons qualified to serve on Juries; and the Persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the Justices of the Peace acting for the *Isle of Wight*, or any Two or more of them, at some Place in the said *Isle of Wight*, at such Time as shall be specified in such Warrant, and to attend such Justices at the said Place until discharged by the said Justices; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the Clerk of the Justices of the Peace for the County of *Southampton*, acting for the *Isle of Wight*, or his Deputy, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts at *Westminster*, are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and the Place appointed as aforesaid, the said Clerk of the Justices appointed as before mentioned, or his Deputy, shall return other honest and indifferent Men of the By-standers, or of others who can be speedily procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve, and all Parties concerned may have their lawful Challenge against any of the said Jurymen, but shall not challenge the Array; and the said Clerk of the Justices, or his Deputy, is hereby empowered and required to summon and call before the said Justices any Witnesses touching the Matters in question, and may order and authorize the said Jury, or any Four or more of them, to view the Place or Places, Matters or Things in Controversy; and such Jury shall upon their Oath, (which Oath as well as the Oaths to such Witnesses, the said Justices are hereby empowered and required to administer); inquire of, assess, and ascertain, and give a Verdict for the several Sums of Money which shall be paid for the Purchase of such Lands, Grounds, and other Hereditaments; and the said Justices shall give Judgment for such Purchase Money so assessed by such Jury; which said Verdict and the Judgment thereupon shall be binding and conclusive to all Intents and Purposes, upon all Bodies Politic, Corporate and Collegiate, and upon all Persons whomsoever; provided that Fourteen Days Notice in Writing at the least of the Hour and Place at which such Jury are so required to be returned, be given to the Bodies Politic, Corporate or Collegiate, or to the Person or Persons interested or claiming so to be, before the Time of the Meeting of the said Justices and Jury as aforesaid, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and in each and every Case where a Verdict shall be given for more Money as a Recompence or Satisfaction for the absolute Sale of any Lands, Grounds, or other Hereditaments than shall have been previously offered by or on Behalf of the said Company of Proprietors before the summoning such Jury, or where by reason of Absence, or other Impediment or Disability, there shall not be found any Person or Persons at hand who may be legally capacitated to contract with and make Conveyances to the said Company of Proprietors, as herein-before mentioned, then and in all such Cases all the reasonable Expences of causing such Value to be assessed and awarded as aforesaid, shall be settled by the said Justices, and be defrayed by the said Company of Proprietors; but if any Verdict shall be given for the same

or a less Sum than shall have been previously offered by or on Behalf of the said Company of Proprietors, or in case of such Refusal to treat with or make a Conveyance to the said Company of Proprietors, by any Bodies Politic, Corporate or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act or otherwise legally empowered to treat and convey as aforesaid, then, and in all such Cases, (except where by reason of Absence or otherwise, any Person shall have been prevented from treating and agreeing as aforesaid, in which Case all such Costs and Expences shall be borne and paid by the said Company of Proprietors), the reasonable Costs and Expences of causing such Value to be assessed and awarded as aforesaid, shall be settled in like Manner by the said Justices, and be borne or paid by the Body or Bodies Politic, Corporate or Collegiate, or by the Person or Persons with whom the said Company of Proprietors shall have such Concerns, Controversies or Disputes; which said Costs and Expences shall and may be deducted out of the Money so assessed and awarded, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed or awarded as aforesaid.

Persons requesting Juries to enter into Bonds to prosecute.

VII. Provided always, and be it further enacted, That all and every Person and Persons making Complaint, and requesting a Jury to be summoned, shall (before the said Company of Proprietors shall issue their Warrant for that Purpose) enter into a Bond with Two sufficient Sureties to the Treasurer of the said Company of Proprietors, in a Penalty of Two hundred Pounds, with Condition to prosecute his, her, or their said Complaint, and to pay and bear the Costs and Expences of summoning such Jury and taking such Verdict, in case the same shall be given for no greater or for a less Sum or Rent than had been offered by or on Behalf of the said Company of Proprietors before the summoning and returning the said Jury or Juries, for the Purchase of or as a Recompence for any Lands, Grounds, or Hereditaments.

Compelling the Sheriff to summon a Jury.

VIII. And be it further enacted, That if the Sheriff or other Person so directed to summon and return a Jury as aforesaid, or his Deputy or Agent, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and if any Person so summoned or returned as aforesaid upon such Jury shall not appear, or if appearing shall refuse to be sworn, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be examined or to give Evidence, every Person so offending, having no reasonable Excuse, (to be allowed by the said Parties), shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus, after such Penalty and the Charge of such Distress and Sale shall be deducted; and every such Penalties so recovered from any Person who shall have been so summoned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Party who shall appear to the said Justices to be injured by the Default of such Person.

IX. And

IX. And be it further enacted, That all Persons who shall in any Examination to be taken upon Oath by virtue of this Act, wilfully and corruptly give false Evidence, or otherwise forswear themselves before any such Jury, or any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Punishing
Persons guilty
of Perjury,

X. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjudged by any Jury or Juries in Manner aforesaid, for the Purchase of any such Lands or other Hereditaments before-mentioned, to the Proprietor or Proprietors of such Lands and Premises, or such other Person or Persons as shall be interested therein, or entitled to receive such Money, at any Time after the same shall have been so agreed for, determined or awarded; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Company, or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then, upon the Payment of the said Sum or Sums of Money into the Bank of *England* as herein-after directed and required, (in case the same shall be requested), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Company of Proprietors and their Agents, Servants or Workmen, immediately to enter upon such Lands, Grounds, or Hereditaments respectively, and then and thereupon the Lands, Grounds and Hereditaments, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company of Proprietors, to and for the Purposes of this Act for ever; and such Tender, Payment or Investiture, shall not only bar all Right, Title, Claim, Interest and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever therein; provided nevertheless, that before such Payment, Tender or Investment as aforesaid, it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut into such Lands or Grounds for the Purposes of making such Pier and other Works, without Leave of the respective Owners or Occupiers thereof.

Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money,

XI. And be it further enacted, That every Tenant at Will or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Company of Proprietors, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Three Calendar Months Notice to quit such Possession from the Clerk or Solicitor to the said Company of Proprietors, or from the Person or Persons so authorized by them to take such Possession; and such Person or Persons in Possession shall at the End of Three Calendar Months, whether

Tenants at Will to deliver Possession at Three Months Notice,

ther such Notice be given with reference to the Time or Times of such Tenants holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly to deliver up the Possession of the said Premises to the said Company of Proprietors, or to such Person or Persons authorized by them to take Possession thereof, such Authority being signified under the Hands of the Committee or Court of Directors of the said Company of Proprietors, or any Three or more of them; and in case any such Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, all reasonable Satisfaction being first made or tendered, it shall and may be lawful for the Committee or Court of Directors, or any Three or more of them, to issue their Precept or Precepts to the Sheriff of the said County of *Southampton*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the same Premises accordingly, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods and Chattels; provided nevertheless, that in case any such Tenant at Will, or Lessee for a Year, or from Year to Year, shall be required to quit such his or her Premises before the Expiration of his or her current Year therein, and any Difference or Dispute shall arise respecting the Amount of such Satisfaction, such Satisfaction shall be settled and determined by a Jury in such and the like Manner as the Satisfaction to be made to the Purchaser of Lands, Tenements, or Hereditaments, to be taken or made use of for the Purposes of this Act, is herein directed to be settled and determined.

Verdicts to be recorded.

XII. And be it further enacted, That all the said Judgments and Verdicts, (being first signed by the Clerk of the said Justices, or his Deputy, present at the taking of such Verdicts, and pronouncing of such Judgment respectively), shall be kept by the Clerk of the Peace among the Records of the Sessions of the said County of *Southampton*, and shall be deemed to be Records of the said Sessions to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Hundred Words, and so in Proportion for any less Number of Words.

Houses, Gardens, &c. not to be taken or injured.

XIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company of Proprietors, or any other Person or Persons, to take or cut down any Timber or other Trees whatsoever, nor take, use, injure, or damage any House or other Building, or any Ground which on the First Day of *January* One thousand eight hundred and twelve was the Site of any House or other Building, as a Garden, Orchard, Yard, Park, or planted Walk, or Avenue to a House, Lawn or Pleasure Ground, inclosed or adjoining to a Dwelling House, without the Consent in Writing of the respective Owners and Occupiers thereof.

Lands of certain Persons not to be

XIV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to, or authorize or empower

power the said Company of Proprietors to take or make use of any Lands or Grounds of or belonging to the Lord or Lady of the Manor of *Ashey* and *Ryde* for the Time being, or of *John Cooper* of *Ryde* aforesaid, Brewer, without the Consent in Writing of such Person or Persons had and obtained for that Purpose. taken without their Consent.

XV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or for any other Matter, Right or Interest, of what Nature or Kind soever, purchased, taken or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as hereinbefore mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte, The Ryde Pier Company*, together with the Name or Names of such Person or Persons as any Three of the Directors of the said Company shall by Writing signed by them direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements or Hereditaments standing settled therewith, to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Messuages, Lands, Tenements and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made. Application of Compensation Money when exceeding 200l.

XVI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging When less than 200l. and exceeding 20l.

[*Loc. & Per.*]

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to any Corporation, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then, and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Court of Directors, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When less than 20l.

XVII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then, and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken or used for the Purposes of this Act, as the said Court of Directors or any Three or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

XVIII. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises to the Satisfaction of the said Court of Directors, or any Three of them, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements or Hereditaments be not known or discovered; then, and in every such Case it shall be lawful for the said Court of Directors, or any Three or more of them, to order the said Sum or Sums of Money so awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates,
Title

Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XIX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*; in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or for any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase; and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Respecting
disputed
Titles.

XX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof respectively; it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court
may order
reasonable
Expences of
Purchases to
be paid by
the Company.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise and contribute amongst themselves a competent Sum of Money for making and maintaining the said Pier, Landing Place, and all the Ways, Roads, Quays, Wharfs, and all other Works and Conveniences belonging or requisite thereto, and for the convenient supplying of fresh Water to Ships and other Vessels resorting to the said Pier or Landing Place, or the adjoining Ground, not exceeding in the Whole the Sum of Thirty thousand Pounds, save and except as
herein

Proprietors
to raise Mo-
ney for
making Har-
bour.

herein mentioned; and that the same shall be divided into Five several Rates or Shares; (that is to say), Shares of One hundred Pounds each, Shares of Fifty Pounds each, Shares of Thirty Pounds each, Shares of Twenty Pounds each, and Shares of Ten Pounds each; and that the said Shares shall be, and are hereby vested in the several Persons so having subscribed or hereafter subscribing, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they shall severally raise and contribute; and all Bodies Politic, Corporate and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, and shall pay such Sum or Sums as shall be demanded on account thereof, according to the Provisions in that Behalf herein-after contained, towards carrying on and completing the said Pier, Quays, Wharfs, and other Works, and other the Purposes of the said Undertaking, shall be entitled to receive the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid, out of the Profits and Advantages that shall and may arise and accrue by the Rates and Duties, and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of this Act, after the several Disbursements herein-after respectively provided; and every Body Politic, Corporate and Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall respectively pay such proportionable Sums to the Amount of their respective Shares, towards carrying on the same in Manner herein directed and appointed.

Shares to be
Personal
Estate.

XXII. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate and Collegiate, and all other Person and Persons of and in the said Undertaking on the Joint Stock or Fund of the said Company, shall be and be deemed to be Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Company not
to take
Lands, &c.
until 10,000l.
be raised.

XXIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors to proceed in the Execution of the Works herein authorized to be made, or to take any Lands, Grounds, Houses, Tenements, or Hereditaments, for the Purposes of this Act, unless a sufficient Number of Subscribers and Shareholders shall, within Three Years next after the passing of this Act, be obtained, who will undertake to raise the Sum of Ten thousand Pounds towards making and maintaining the said Pier and Landing Place, Quays, Wharfs, and other Works herein authorized to be made, nor unless it shall be proved to the Satisfaction of the Justices of the Peace for the County of *Southampton*, assembled at any General Quarter Sessions of the Peace holden in and for the said County, that a Subscription to the Amount, and within the Period aforesaid, hath been actually entered into, or engaged to be raised for the Purposes of this Act.

Power to
create new
Shares of
5l. each.

XXIV. And be it further enacted, That it shall and may be lawful to and for any Number, not being less than a Majority of the Proprietors of the Shares aforesaid, at any Special Meeting to be appointed and held in Manner herein-after mentioned, to authorize and empower the Directors, to be appointed in Manner herein-after mentioned, to create, sell, and dis-

pose

Directors
dying, &c.
how Vacancy
shall be sup-
plied.

them by this Act; and that they or any Three of them so assembled as aforesaid shall be and constitute a Court of Directors for all the Purposes of this Act; and such Directors so appointed as aforesaid, shall continue in Office until others shall be chosen in their Stead as herein-after mentioned, or until such Person or Persons shall respectively die, or decline to act, or until any of the Persons who shall have been so chosen as Directors from amongst the Members of the said Company subscribing towards the said Stock, shall have disposed of, or become otherwise dispossessed of his, her, or their Shares and Interests in the said Stock; and in the Room and Place of every such Director or Directors so as aforesaid appointed, who shall die, decline to act, or dispose of his or their Stock as aforesaid, there shall be appointed out of the Subscribers to the said Undertaking, by the Majority of the said Proprietors of the Joint Stock of the said Company attending at a Special Meeting of the said Company to be called for that Purpose, of which the Directors for the Time being are hereby required to give Twenty-one Days Notice, as in the Manner directed with respect to the First Meeting of the said Company of Proprietors, one other Person or Persons to fill up the Vacancy of such Director or Directors; and the several new Director or Directors so as aforesaid to be elected and appointed, shall continue in Office for such Time or respective Times and no longer, as the Director or Directors in whose Stead he or they shall be so respectively elected or appointed ought to have continued in Office, if such Death or Deaths, Removal or Disqualification had not happened.

Power of
Directors,
&c. to call
for Accounts,
and for Pay-
ments of In-
stalments
upon Shares,
&c.

XXVII. Provided always, and be it enacted, That the said Directors, or any Three or more of them, shall have Power from Time to Time to call for all Accounts of Monies laid out and disbursed for the Purposes of this Act, by the Receivers and other Officers and Persons employed under the Authority of this Act, and to make such Call or Calls for Money from the said Subscribers, their Successors, Executors, Administrators, and Assigns, according and in proportion to the Amount of their respective Subscriptions, for the Purpose of defraying the Charges and Expences in, about, or relating to the procuring and passing of this Act; and in the next Place, in and about the Expences of carrying on the Works authorized or directed by this Act to be done, as by them, or any Three or more of them, shall from Time to Time be found wanting and necessary for those Purposes, so that no Call shall exceed the Sum of Twenty Pounds *per Centum* on the Sum or Sums so subscribed, and so that no more than Three Calls be made in any One Year; and Fourteen Days Notice at least shall be given of all such Calls, in such Manner as the said Proprietors, or the Majority of them, shall at the First or any subsequent General or Special Meeting decide; which Money so called for shall be paid to such Person or Persons, and in such Manner as the said Directors shall from Time to Time appoint or order, for the Use of the said Undertaking; and the Owner or Owners of such Stock shall pay his, her, or their Proportion or Proportions of the Monies so called for as aforesaid, at such Time and Place, and in such Manner as shall be appointed for that Purpose as aforesaid; and if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall neglect or refuse to pay his, her, or their proportionable or rateable Part or Share, Parts or Shares of the said Monies to be called for as aforesaid, at the Time and Place to be appointed by the said Directors, the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so neglecting or refusing to pay the same, shall forfeit the Sum of

One Pound for every Ten Pounds of his, her, or their respective Subscription or Stock, or Part and Interest in the said Undertaking and Premises; and in every such Case the said Company shall and they are hereby empowered to sue for and to recover in any Court of Law or Equity, with Costs, every or any such Part or Parts thereof so neglected or refused to be paid; and in case such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share, or Parts or Shares of the said Money to be called for as aforesaid, for the Space of Two Calendar Months next after the Time of any of the respective Times of Payment thereof appointed as aforesaid, then and in every Case the same may be sued for and recovered by the said Company of Proprietors as last herein-before mentioned, or otherwise, at the Option of the said Directors, or any Three or more of them, and the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so neglecting or refusing to pay the same, shall forfeit all his, her, or their respective Stock or Parts and Interest in the said Undertaking and Premises; all which Forfeitures shall go to and for the Benefit of the Rest of the said Proprietors, their respective Executors, Administrators, and Assigns, holding for the Time being Shares of the said Stock, in proportion to their respective Shares and Interests.

XXVIII. Provided always, and be it further enacted, That no Advantage shall be taken of any Forfeiture of any such Stock, or of any Part thereof, until Notice in Writing of such Forfeiture shall have been previously given or left to or with the Owner or Owners of such Stock, or left at his, her, or their usual or last known Place of Abode, nor unless the same shall be declared to be forfeited at some General Meeting of the said Company, held at any Time after Three Calendar Months after such Forfeiture shall happen to be made; but that the Subscriber or Subscribers having incurred such Forfeiture as aforesaid, may at any Time previous to such General Meeting pay or cause to be paid for the Use of the said Company, and into the Hands of the Person appointed to receive the Monies due upon such Instalments, the further Sum of Twenty Shillings for every Twenty Pounds Stock, and so in proportion for any lesser Sum, the Instalment on which has been so neglected to be paid, together with all the Monies which shall be then due upon such Instalment so neglected to be paid as aforesaid, and in consideration of which Payment such Forfeiture shall be annulled, as if such Instalment had been regularly paid at the Time appointed for the Payment thereof; and in case of such Forfeiture the same shall be an Indemnification to every Proprietor so forfeiting his, her, or their Stock, Part, and Interest as aforesaid, against all Actions, Suits, or Prosecutions whatsoever, to be commenced for any Breach of Contract or Non-payment of the Sums so neglected to be paid as aforesaid.

No Advantage of Forfeiture to be taken till Notice thereof is given, and the same declared at a General Meeting.

XXIX. And be it further enacted, That after any Call of such Money shall have been made by the Directors as herein-before mentioned and provided, no Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, upon the Penalty of forfeiting his, her, or their respective Share or Shares therein to the said Company, in Trust for the Benefit of all the said Proprietors, unless he, she, or they shall at the Time of such Sale or Transfer have paid the whole Sum of Money which shall have been called for upon such Share or Shares so sold

No Transfer of Shares to be made until Instalments actually called for be paid.

or

or transferred; and that every such Transfer shall be null and void to all Intents and Purposes whatsoever.

Subscribers dying, and their Executors not paying Installments;

XXX. And be it further enacted, That in case any Person or Persons subscribing or holding any Stock of the said Company of Proprietors shall die before any such Call or Calls shall have been made for the full Sum to be advanced on the Sum or Sums so subscribed for, or which he, she, or they shall have been possessed of or entitled to at the Time of his, her, or their Decease, without having made Provision by Will or otherwise in Writing, how the Money shall be paid upon the future Calls, then and in every such Case the Executors or Administrators of every such Owner or Owners leaving Assets, shall be chargeable in respect of such Calls as for the Debts of such Testator or Intestate; or in case the Executors or Administrators, or the Person or Persons entitled to the Personal Estate of such Testator or Intestate, shall refuse or neglect for the Space of Six Calendar Months to answer such Calls and Payments, the said Directors, or any Three of them, shall be and are hereby authorized and required to admit any other Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, to be a Proprietor or Proprietors of the Stock of such Owner or Owners so deceased, on Condition that he, she, or they so admitted do and shall, on or before such Admission, pay to the Executors, Administrators, or Successors of such deceased Owners, the full Sum or Sums of Money which shall have been paid by such Owner or Owners in his, her, or their Life-time, by Notice of any Call or Calls or otherwise, upon such Share or Shares of such Stock, or such other Sum or Sums of Money as the above can be sold for, first deducting the Penalty that may have been incurred as aforesaid.

Shares to be sold, and Produce paid to Executors, &c.

Shares how transferrable.

XXXI. And be it further enacted, That it shall and may be lawful for the several Proprietors of the said Company, his, her, or their respective Executors or Administrators, to sell any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Conveyance of which Share shall be in the Form and to the Effect following:

‘ I *A. B.* of _____ in Consideration of _____ to me paid
 ‘ by *C. D.* of _____ do hereby bargain, sell, assign, and
 ‘ transfer to the said *C. D.* One Share [*or, Two or more Shares, as the*
 ‘ *Case may be*] of the Capital Stock of the *Ryde Pier* Company, being
 ‘ Number _____ to hold to the said *C. D.* his Executors, Administrators,
 ‘ and Assigns; subject to the same Rules, Orders, and Restrictions, and
 ‘ and on the same Conditions that I held the same immediately before the
 ‘ Execution hereof; and I the said *C. D.* do hereby agree to take and ac-
 ‘ cept the said Share or Shares of the said Capital Stock, subject to the
 ‘ same Rules, Orders, Restrictions, and Conditions; as witness our
 ‘ Hands and Seals the _____ Day of _____

And on every such Sale, the said Deed of Conveyance being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares, shall be kept by the said Purchaser or Purchasers, for his, her, or their Security, after the Clerk or Clerks to the said Company shall have entered in a proper Book or Books for that Purpose a Memorial of such Transfer and Sale, for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale.

Sale or Transfer, for which no more than Five Shillings shall be paid for each Share so transferred, and the said Clerk or Clerks is and are hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote in respect thereof as Proprietor or Proprietors of the said Undertaking.

XXXII. And be it further enacted, That the said Company shall and they are hereby required to cause the Names and proper Additions of the Persons who shall be entitled to the several Shares in the said Undertaking, with the Number of Shares they are respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be entered in a Book or Books to be kept by the Clerk or Clerks to the said Company, and after such Entry made the said Company shall cause their Common Seal to be affixed thereto, and shall cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every Subscriber upon Demand, specifying the Shares to which he or she is entitled in the said Undertaking, every such Proprietor paying to the Clerk or Clerks to the said Company Two Shillings and Sixpence for every Share contained in such Certificate (exclusive of the Stamp Duty, if any thereon); and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified.

Names of Proprietors to be entered in a Book, &c.

XXXIII. And be it further enacted, That it shall be lawful for the Directors of the said Company to appoint a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, Pier Master, and such other Officers and Servants as they shall find necessary for the Purposes of this Act, and to appoint others in their Stead as they shall die, resign, be removed, or become incapable of discharging the Duties of their Offices respectively, taking such Security or Securities for the faithful Execution of their respective Offices as the Directors or the Majority of them shall from Time to Time think fit; and the said Directors shall, out of the Money to be raised by virtue of this Act, pay or allow unto such Person or Persons such Salaries, Allowances, or Remunerations, yearly or otherwise, for their Time and Trouble, as to them shall seem meet and reasonable; and that it shall be lawful from Time to Time for the Directors, at any Meeting at which Three Directors at least shall be present, to remove or suspend any such Officers as aforesaid, for any reasonable and sufficient Cause.

Directors to appoint Treasurer and other Officers and Servants.

XXXIV. And be it further enacted, That the said Treasurer, Pier Master, Clerk, and all other Officers or Servants to be appointed by virtue of this Act, shall at such Time, and as often as the said Directors shall order, render to them, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of the Execution of their respective Offices, and of all Matters and Things committed to their Charge by virtue of this Act, and also of the Monies which shall have been by them respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper

Officers to account, deliver up Papers, and pay over Balances to Directors when required.

and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their Hands to the said Directors, or to such Person or Persons as they shall appoint; and such Officers or Servants so accounting shall, if required by the said Directors, verify their Accounts respectively upon Oath, which any Three of the said Directors is hereby empowered to administer; and if any such Officer or Servant shall refuse or neglect to render such Account, or to produce such Receipts or Vouchers, or to make such Payments as aforesaid, or shall not deliver to the said Directors, or to such Person or Persons as they shall appoint, within Thirty Days after being thereunto required by the said Directors, or by such Person or Persons so appointed, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, or of their respective Offices, or Duplicates thereof, or shall refuse to verify such Accounts upon Oath as aforesaid; then and in either of the Cases aforesaid the said Directors, or such Person or Persons as they shall appoint, may and they are hereby authorized and empowered to make Complaint thereof to any Justice of the Peace for the County or Place wherein such Officer or Servant so neglecting or refusing shall be or reside; and such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Servant to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if, upon the Confession of the Party, or by Testimony of any credible Witness or Witnesses upon Oath, which Oath such Justice is hereby empowered to administer, it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act, shall be in the Hands of or shall be due from any such Officer or Servant, such Justice may and is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied upon the Goods and Chattels of such Officer or Servant; and if sufficient Goods and Chattels to pay and satisfy the said Money and the Charges of levying the same, and of the Proceedings for the Recovery thereof, cannot be found, or if it shall appear to such Justice that such Officer or Servant hath refused or neglected to render and give such Accounts, or to verify the same as aforesaid, or to deliver up all such Books, Papers, and Writings as aforesaid, or Duplicates thereof, then and in any or either of the Cases aforesaid, such Justice shall commit every such Offender to the Common Gaol or House of Correction for the County, Town, or Place where he shall be or reside, there to remain without Bail or Mainprize, until he shall comply with the aforesaid Direction, or make Satisfaction to the said Company; but no such Officer or Servant who shall be so committed for want of sufficient Goods and Chattels as aforesaid only, shall be detained in Prison by virtue of this Act for a longer Term than Three Calendar Months.

Chairman of
Courts of
Directors
how to be ap-
pointed, and
to have the
Casting Vote.

XXXV. And be it further enacted, That the said Directors at their several Courts or Meetings for executing this Act shall elect a Chairman, by whom all Acts and Orders of the said Directors shall be signed, in the Name and Style of the said Company, and who shall have the Casting Vote upon any Question to be determined, in such and the same Manner as any Chairman herein mentioned, to be appointed by the said Proprietors at any Annual or Special Meeting of the said Company.

XXXVI. And

XXXVI. And be it further enacted, That all Accounts of Money laid out and disbursed on account of the said Pier, Wharfs, and other Works thereunto belonging, shall once in every Year be laid before the Court of Directors of the said Company, for their Inspection and Approbation; and that a Statement thereof shall annually be laid before the Justices of the Peace who shall be appointed to inspect, audit, and settle the same, in Manner herein mentioned.

Accounts to be laid before Directors, and annually submitted to the Auditors.

XXXVII. And be it further enacted, That it shall and may be lawful for the said Court of Directors from Time to Time to make, frame, ordain, and establish, revoke, repeal, annul, or alter such Bye Laws, Rules, Orders, and Regulations as they shall think fit, for the good Government of the said Company, and their Clerks, Treasurer, Collectors, Officers, Assistants, Servants, and others, appointed or employed under or by virtue of this Act; and for the better regulating the said Pier, and the mooring and the stationing of Vessels and Boats thereto, and for the well governing, ordering, and managing of the Officers and Crews of such Vessels, and the Boatmen, Servants, and others employed therein or belonging thereto, in all Matters and Things which shall concern the Interests of the said Company in the said Pier, and their Appurtenances respectively; and also for the better regulating, governing, and managing the several Works, Matters, and Things by this Act authorized and directed to be made, done, and constructed, as well while the same are doing as after they shall be finished; and for the more safe and convenient landing and shipping of Passengers, and shipping, lading, discharging, carrying, conveying, laying, and depositing of Goods, Wares, and Merchandizes upon, to, or from the said Quays, Wharfs, or Landing Places belonging to the said Pier; and for the better governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggon, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, and Merchandizes to or from the said Quays, Wharfs, or Landing Places; and for the more convenient supplying of fresh Water to Ships and other Vessels resorting to the said Pier or Landing Place, or the adjoining Shore, and for the managing the general Concerns of the said Company; which Bye Laws, Rules, Orders, and Regulations shall be and remain in full force, until and unless the same shall be repealed, amended, or altered from Time to Time by the Proprietors and Members of the said Company, at any Special Meeting to be held for that Purpose as herein-after directed; and to annex, impose, and appoint reasonable and pecuniary Penalties or Forfeitures, not exceeding Ten Pounds for any One Offence, to be recovered in Manner herein-after mentioned, for the Non-observance, Non-performance, or other Breach of or Offence against any of such Bye Laws, Rules, Orders, and Regulations; and also to make such other Bye Laws, Rules, Orders, and Regulations as shall be thought necessary or expedient for effecting the Purposes of this Act, and the due Execution thereof; and all such Bye Laws, Rules, Orders, and Regulations, and all Alterations thereof, shall be reduced into Writing, under the Common Seal of the said Company, and signed by the Clerk or Chairman, and shall be printed, and a Copy or Copies thereof in legible Characters shall be affixed in some conspicuous Place or Building near unto or adjoining the said Pier, for the Inspection of all Persons interested therein; and all such Bye Laws, Rules, Orders, and Regulations shall be binding upon, observed, and obeyed by all Persons whomsoever using,

Directors to make Bye Laws.

using or in any Way concerned in the said Pier or Landing Place, or any of the Works to be made, erected, or maintained by virtue of this Act, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under or in pursuance of the same; provided that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, or to any of the Clauses, Provisions, and Directions in this Act contained; and all such Bye Laws, Rules, Orders, and Regulations shall be subject to be varied, altered, or repealed by the Proprietors of the said Company at any Special Meeting, and shall be subject to Appeal in Manner herein directed.

First and
other General
Meetings of
Proprietors.

XXXVIII. And be it further enacted, That a General Meeting of the several Persons so as aforesaid subscribing towards carrying the said Works into Execution, shall be called within Twenty-one Days next after the passing of this Act, and that such Meeting shall be held at the *Bugle Inn*, or some other Inn or Place in *Ryde*, of which Meeting, and the Hour thereof, Ten Days Notice shall be given by Advertisement in some One Newspaper usually circulated in the said County of *Southampton*; and that such Persons so assembled shall and may authorize the Directors named in this Act to proceed to put the same in Execution, and that all subsequent Meetings of the said Company shall be held at such Time and Place as shall from Time to Time be determined on at some preceding General Meeting, so that no such Meeting shall be held at less than Twenty-one Days from the Appointment thereof; and that Notice of such respective subsequent Meetings shall be given, duly inserted in some one Newspaper usually circulated in the said County of *Southampton*, Ten Days at least, including both Days before such intended Meetings respectively; and that all such Orders and Determinations of a General Meeting of the said Company as shall be authorized by this Act, and which shall be made by the Majority of such Votes and Proxies of the Proprietors of Shares in the Joint Stock of the said Company as shall be given at any such Meetings respectively to be holden by virtue of this Act and not otherwise, shall be binding and conclusive on all the Members of the said Company.

Annual
Meetings.

XXXIX. And be it further enacted, That One General Meeting of the said Company shall be held in the First Week of the Month of *September* in every Year at the Place aforesaid, or at such other Place as may be appointed by the Court of Directors; and Notice of such General Meeting so to be held shall be stuck up at least Twenty-one Days before the Day appointed for such Meeting, on the said Pier and Quay, and if thought necessary by the Court of Directors, be inserted in some one Newspaper usually circulated in the said County of *Southampton*; at which Annual Meeting Seven of the said Proprietors who shall respectively be possessed of Shares of Fifty Pounds each at least in the said Pier, shall by the Majority of Votes be chosen Directors, and shall be the Court of Directors for One whole Year then next, and shall have all the same Powers and Authorities as the Directors appointed by this Act.

Special
Meeting.

XL. And be it further enacted, That if any Seven or more Members of the said Company of Proprietors, who shall together be Possessors of Three hundred and fifty Pounds of the said Stock or upwards, or Three of the

faid Board of Directors shall judge it necessary or expedient for carrying into Execution any of the Purposes of this Act, or for calling in question any Matter or Thing ordered by the Directors, to have an Extraordinary General Meeting of the said Company called, and shall request the same to be called by Notice in Writing under their respective Hands, delivered to the Secretary, Clerk, or Treasurer of the said Company for the Time being; specifying in every such Notice the Business intended to be proceeded on at every such Meeting, then and in every such Case the said Directors, or any Three or more of them, shall and they are hereby authorized and required, within Ten Days after the Delivery of such Notice, to call such Extraordinary Meeting, of which Extraordinary Meeting Notice shall be given in Manner herein-before directed respecting ordinary Meetings, to assemble at such Place as aforesaid as they shall judge expedient, within Fourteen Days from and after such Notice; and such Meeting shall be deemed a General Meeting of the said Company, and all Proceedings of such Meetings shall be as valid and effectual to all Intents and Purposes whatsoever, as if the same had been done at Meetings called and holden in the Manner herein-before appointed.

XLI. And be it further enacted, That the said Company of Proprietors, at the First or any Annual Meeting, or at any Extraordinary Meeting of the said Company, shall and may proceed to the Election and Appointment of a Chairman, by whom all such Acts and Orders of the said Meetings shall be signed, in the Name and Style of the said Company, and such Chairman shall have the same Right of voting and acting as a Proxy as any other Proprietor, and he shall also, in case of an Equality of Votes upon any Question proposed or discussed, have the Casting Vote, although he shall have given one or more Votes before.

Chairman appointed at General Meetings.

XLII. And be it further enacted, That in case the said Company of Proprietors shall deem it expedient to borrow Money for the Purpose of enabling them to carry on the Works aforesaid, it shall and may be lawful to and for them and they are hereby authorized and empowered from Time to Time to borrow and take up at Interest on the Credit of the Rates and Duties of the said Pier and Works, any Sum or Sums of Money which they shall deem necessary for effectuating the Purposes of this Act, not exceeding Fifteen thousand Pounds; and to demise, grant, bargain, and sell the Property of the said Pier and other Works, and the Capital Stock therein, and the Tolls, Rents, and Duties arising or to arise to the said Company of Proprietors by virtue of this Act, (the Costs and Charges of preparing such Demise or Demises to be paid out of such Tolls, Rates, and Duties, as a Security for any Sum or Sums of Money which shall be so borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees who shall advance and lend the same), which said Demise or Demises shall be made and granted under the Seal of the said Company, and in the Name and Style of the said Company, signed by the Chairman of the said Directors present at the Meeting at which the said Money shall be borrowed, or by the Clerk of the said Company, and shall be in the Form or to the Effect following; that is to say,

Company may borrow Money not exceeding 15,000l.

‘ BY virtue of an Act of Parliament, made in the Fifty-second Year of the Reign of His Majesty King George the Third, intituled [*here insert the Title of this Act*], We, the Ryde Pier Company, incorporated
[*Loc. & Per.*] 48 U ‘ by

by and under the said Act, in Consideration of the Sum of
 advanced and paid to us by of do hereby
 demise, grant, bargain, and sell unto the said his Exe-
 cutors, Administrators, and Assigns, the aforesaid Pier, and Works
 belonging thereto, and all and singular the Rates, Rents, and Duties
 payable to us by virtue of the said Act, and all our Right, Title, and In-
 terest of, in, and to the same, to be holden by the said
 Executors, Administrators, and Assigns, until the said Sum of
 with the legal Interest thereof, shall be fully satisfied and
 paid. In Witness whereof, we have to these Presents caused our Com-
 mon Seal to be put, the Day of

Which said Demise, in Form aforesaid, shall be as valid and effectual for
 securing the Re-payment of the Money therein mentioned, as any Mortgage
 or Demise drawn in any other Manner, and shall be construed equitably
 by all Courts, according to the Intent thereof.

Mortgage
 transferrable.

XLIII. And be it further enacted, That it shall and may be lawful to and
 for the Person or Persons to whom any such Demise or Demises shall be
 made as aforesaid, and his, her, or their Executors, Administrators, or
 Assigns, to transfer his, her, or their Right or Interest therein to any Per-
 son or Persons, by Writing under his, her, or their Hands and Seals;
 which shall be in the Form and to the Effect following; *videlicet*,

I of in Consideration of the Sum of
 paid to me by of
 do hereby assign and transfer the Demise made by
 to me, bearing Date the Day of
 for securing the Sum of and In-
 terest; and I also assign and transfer all my Right and Property therein,
 and to the said Sum of and Interest, to the said
 Executors, Administrators, and Assigns. In Witness
 whereof, I have hereunto set my Hand and Seal, the
 Day of

Mortgage
 and Transfers
 thereof to be
 duly entered
 in a Book.

XLIV. And be it further enacted, That such Demises and Transfers shall
 be entered, or a Memorial thereof made in the Book or Books of the said
 Company, by the Clerk or Clerks to the said Company of Proprietors, and
 he or they shall also indorse on such Demise and Transfers a Memorandum
 of such Entry or Memorial, on Payment of Two Shillings and Sixpence;
 and until such Entry and Memorial be made of such Demises and Trans-
 fers, and such Indorsements made thereon, the same shall not be valid or
 effectual.

Interest how
 provided for
 and paid.

XLV. And be it further enacted, That the Interest of the Money which
 shall be raised or borrowed by virtue of this Act, shall be from Time to
 Time provided for and paid to the Person or Persons entitled to receive the
 same, prior to the making of any Dividends to the said Proprietors.

Principal not
 to be paid off
 or called in
 without Six
 Months
 Notice.

XLVI. And be it further enacted, That in case the said Company shall
 be at any Time desirous of paying off and discharging any Sum or Sums of
 Money borrowed as aforesaid, they shall and are hereby required and
 directed to cause Six Calendar Months Notice in Writing signed by their
 Clerk or Clerks, of such their Intention, to be given to the Person or Per-
 sons

sons entitled to receive the same, or left at his, her, or their usual Place or Places of Abode, unless such Person or Persons shall consent to receive the same without such Notice; and every Mortgagee or Assignee, his, her, or their Executors or Administrators, who shall require Payment of the Principal Sum or Sums of Money due to him, her, or them, shall give unto the Treasurer of the said Company at any Annual or Special Meeting, Six Calendar Months Notice of the Day on which the same shall be required to be paid.

XLVII. And be it further enacted, That as soon as the Sum of Three thousand Pounds of the Sum estimated to be necessary for erecting and forming the said Pier and Landing Place shall have been subscribed or raised for the Purposes of this Act, it shall and may be lawful for the said Company of Proprietors to begin to construct and form the said Pier, Landing Place, and other Works necessary for the Purpose of carrying this Act into Execution; and for the better ascertaining and determining the Time when such Works shall be commenced, the Clerk to the said Company shall and he is hereby required to draw out and prepare a List or Schedule of the Names of the several Persons who shall subscribe from Time to Time any Money for carrying this Act into Execution, and of the several Sums agreed to be subscribed, placed opposite to the Names of the Persons subscribing the same; and such List or Schedule of such Subscribers shall be kept at the Office of the Clerk to the said Company of Proprietors, and shall be open to the Inspection of all Persons interested in the said Undertaking, at all reasonable Times, without Fee or Reward.

When 3000l. are raised the Works may be commenced.

XLVIII. And be it further enacted, That the Money already subscribed, and the Money to be raised under and by virtue of this Act, or a sufficient Part thereof, shall be laid out and applied in the first Place in Payment, Satisfaction, and Discharge of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and the making the proper Plans, Surveys, and Estimates, and the doing and providing of all the Matters and Things preparatory and previous thereto; and that all the Residue of such Money shall be applied and disposed of for and towards the making, carrying on, completing, and maintaining of the said Pier and other Works belonging thereto, and for other the Purposes of this Act.

Application of Subscription.

XLIX. And be it further enacted, That in case the Master or other Person having the Rule or Command of any Vessel, Boat, Wherry, Goods, Wares, or Merchandizes liable to any of the Duties imposed by this Act, or any other Person whomsoever, shall obstruct or hinder the said Company, or the Person or Persons appointed to collect the Tolls, Rates, or Duties hereby made payable, or any other Person employed or appointed by the said Company, such Master or other Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalties on Persons obstructing the collecting of Rates or Duties.

L. And be it further enacted, That when and as soon as the said Pier or Landing Place, Quays, Wharfs, and other Works, or any or either of them, shall be sufficiently completed to answer the Purposes intended by this Act, or any of them, it shall be lawful for the said Court of Directors

Table of Rates to be made.

Directors to make out a List, Table, Rate, and Assessment of Tolls, Dues, Duties, and Payments specified in the Schedule to this Act to be paid and payable to the said *Ryde Pier Company*, by all and every Passengers and Passenger, and other Persons and Person who shall land on the said Pier or Landing Place, Quay, Wharfs, or other Works, or embark or go on board any Vessel, Boat, Wherry, or any other Machine whatsoever, from the said Pier, Landing Place, Quays, Wharfs, and other Works, or either of them, or who shall in any Manner use the same for that or any other Purpose; and for all and every Cattle, Stock, Goods, Wares, Merchandizes, and other Matters and Things whatsoever that shall or may be landed, unladen, shipped, laden, or otherwise taken from or placed on the said Pier or Landing Place, Quays, Wharfs, or other Works; and for all and every or any Use that shall or may be made of the said Pier, Landing Place, Quays, Wharfs, or other Works; and shall submit such List, Table, Rate, and Assessment to His Majesty's Justices of the Peace for the County of *Southampton*, acting in and for the *Isle of Wight*, at some Meeting to be held for that Purpose, (of which Meeting Twenty-one Days Notice at the least shall be inserted in some Newspaper circulated in the said County of *Southampton*); and such Justices shall make such Alterations in such Table, List, Rate, and Assessment, and otherwise amend the same, as to the Majority of the Justices present at such Meeting shall seem proper, so as the same do not exceed the Amount of the Sums specified in the annexed Schedule, and shall then ratify the same by the Signature of the Clerk of the Justices; and from and immediately after such Table, List, Rate, or Assessment shall have been so submitted to the said Justices, and such Ratification thereof made as aforesaid, it shall and may be lawful to and for the said Company of Proprietors, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered, from Time to Time and at all Times to ask, demand, take, receive, collect, and recover, to and from all and every Passengers and Passenger, and other Person who shall land on the said Pier or Landing Place, Quays, Wharfs, or other Works, or embark or go on board any Vessel, Boat, Wherry, or other Machine whatsoever, from the said Pier, Landing Place, Quays, Wharfs, and other Works, or either of them, or who shall in any Manner use the same or any Part thereof for that Purpose or any other Purpose; and for all and every Cattle, Stock, Goods, Wares, and Merchandizes, and other Matters and Things whatsoever that shall or may be landed, unladen, shipped, laden, unshipped, or otherwise taken from or placed on the said Pier or Landing Place, Quays, Wharfs, or other Works, or any Part thereof, and for all and every or any Use that shall be made of the said Pier, Landing Place, Quays, Wharfs, or other Works, or any Part thereof, the said Tolls, Rates, Duties, Dues, and Payments being mentioned, specified, and set forth in such Table, List, Rate, or Assessment so ratified by the said Justices as aforesaid.

Power to
levy Rates.

Rates shall be
published.

LI. And be it further enacted, That a Table of the several Rates, Tolls, Dues, Duties, or Fees to be taken for the Use of such Wharfs, Piers, or other Works, shall be provided and fixed up in some conspicuous Part of the said Pier or other Works, in legible Characters.

Exemptions
from Duties
of Troops in
His Majesty's
Service.

LII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to charge His Majesty, or any other Person

on

on His Behalf, or the Commissioners or Officers of the Customs or Excise, or the Postmaster General for the Time being, or the Persons, employed by them, or the Masters or Mariners of any Transport or other Vessel in His Majesty's Service, with Payment of any of the Rates or Duties imposed by this Act, for the landing or shipping of any Troops in His Majesty's Service, nor any Horses, Arms, Ammunition, or Baggage, really and *bonâ fide* the Property of His said Majesty, or the said Commissioners or Postmaster respectively, or any of them, nor the Master only of the Vessel employed in carrying the Mail to and from *Ryde* aforesaid; or any Goods, Wares, or Merchandize seized as contraband, or any Articles, Matters, or Things really and *bonâ fide* the Property of His said Majesty; but if any Person or Persons shall claim and take the Benefit of any Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Five Pounds, over and above the Rates and Duties as aforesaid imposed by this Act.

LIII. And be it further enacted, That it shall and may be lawful to and for the Justices of the Peace of the said County of *Southampton*, acting for the said *Ile of Wight*, or the Majority of them present at any Meeting to be held for that Purpose, to lower or reduce all or any of the said Rates, Tolls, and Duties, and again to raise the same to such Sums as they shall think proper, not exceeding the Sums specified in the Schedule hereunto annexed, as often as the said Justices shall deem it necessary for the Interests of the said Undertaking. Rates may be altered.

LIV. Provided always, and be it further enacted, That the said Pier or Landing Place, authorized to be made by virtue of this Act, shall not be deemed or taken to be a legal Quay for the landing or shipping of any Goods, Wares or Merchandize, to or from foreign Parts. Pier not to be a legal Quay for landing or shipping Goods to foreign Parts.

LV. And be it further enacted, That the Masters and Owners of such Boats and Vessels shall be answerable and accountable for, and liable to the due Payment and Satisfaction of the said respective Tolls or Sums of Money by this Act granted, or that may at any Time hereafter be demandable under the Authority thereof, for all Persons, Horses, Cattle, Carriages, Goods, Wares, and Merchandises shipped or landed as aforesaid, into or from their respective Boats or Vessels; and if any such Master or Owner, or the Person or Persons for the Time being navigating or managing any such Boat or Vessel, shall after Demand made thereof by the said *Ryde Pier Company*, or any Collector or Collectors to be appointed by them as aforesaid, refuse to pay the same, it shall be lawful for the said *Ryde Pier Company*, and their Lessee and Lessees, Tenant or Tenants, and also for such Collector and Collectors, either with or without proper Assistants, to stop and prevent the Passage of any Person or Persons neglecting or refusing to pay the said Tolls or Rates, or any of them, or the Goods and Chattels of such Person or Persons, and to seize and distrain such Boat, or any Masts, Sails, Tackle, or Furniture belonging to any such Vessel, if a sufficient Distress can be readily found thereof; or if no sufficient Distress can be readily found and taken of any such Articles, then to seize and distrain such Vessel or Boat, and to keep and detain the same until all such Tolls or Sums of Money then due for such Persons, Horses, Cattle, Carriages Owners of Boats, &c. to be liable to the Tolls and Power of Distress.

riages and Goods, at any Time shipped or landed as aforesaid; together with the reasonable Expences of making such Seizure and Distress, and of keeping the same, shall be fully paid and satisfied; and in case all such Tolls or Sums of Money for which such Seizure and Distress shall at any Time or Times be made, and the reasonable Charges for making such Seizure and Distress, and of keeping the same, shall not be paid within the Space of Five Days after such Seizure and Distress shall be made, then it shall be lawful for the said *Ryde* Pier Company, and their Lessee or Lessees, Tenant or Tenants, Collector or Collectors, to cause the same, or any Part or Parts thereof, to be appraised and sold within Three Days after the Expiration of such Five Days, in the same Manner as in Cases of Distresses made or taken for Rent or Arrears of Rent, and out of the Money to arise by such Sale or Sales to deduct and retain all Tolls or Sums of Money due for or in respect of Persons, Horses, Cattle, Carriages and Goods shipped or landed on or off the Pier, Quays, Lands or Grounds aforesaid, by the same or any other Boat or Vessel belonging to the Owner or Owners of the Boat, Masts, Sails, Tackle, or other Furniture, or the Vessel or Boat so seized as aforesaid, returning the Overplus (if any) and what shall remain unsold upon Demand to the Owners thereof.

Directors may compound for Tolls.

LVI. And be it further enacted, That it shall and may be lawful to and for the said Directors from Time to Time to compound with any Person or Persons for any Period of Time not exceeding One Year, for or in respect of any Persons, Horses, Cattle, Carriages, Goods, Wares or Merchandise, shipped or landed on or off the said Pier, Quay, Wharfs, Lands or Grounds as aforesaid, for all or any of the Rates, Tolls or Dues to be paid in respect of such Persons, Horses, Cattle, Carriages, Goods, Wares, or Merchandise; and all such Composition Money shall be paid quarterly, or otherwise as the said Directors shall appoint; and in Default thereof every such Composition shall be null and void to all Intents and Purposes whatsoever.

LVII. And be it further enacted, That it shall and may be lawful for the said Company, in case of Non-payment of the Rates and Duties as aforesaid, instead of recovering the same in Manner aforesaid, or in case the Whole thereof shall not be so recovered, to proceed for the Recovery of the same, or so much thereof as shall not be so recovered by Action of Debt, or on the Case, in any Court of Record at *Westminster*; when under Five Pounds, in the Court of Requests for the *Isle of Wight*.

Persons evading Payments to remain liable, and also to forfeit a Sum equal thereto.

LVIII. And be it further enacted, That if any Passenger or other Person liable to the said Tolls, Duties or Dues, or any Master, Owner or other Person having the Rule or Command of any Vessel, Boat or Wherry, or the Owner, Factor or Consignee, or any Person having the Custody of any Goods, Wares or Merchandise, shall by any Means whatsoever at any Time or Times elude, evade, or avoid the Payment of the Rates or Duties hereby made payable in respect thereof, or any Part of the same, each and every Person eluding, evading or avoiding Payment as aforesaid, shall forfeit and pay to the said Company a Sum equal to the Amount of such Rates and Duties, and shall also stand charged with, and be liable to the Payment of the said Rates and Duties; which Rates and Duties, as well as the Forfeiture incurred by having eluded, evaded, or avoided the Payment thereof,

thereof, shall and may be recovered from such Passenger or other Person, Master or Owner, Factor or Consignee, or such other Person having such Rule or Command respectively, at any Time or Times either by the Means herein-before prescribed for the levying the said Duties, or by the same Method and in such Manner as is herein-after directed for levying and recovering the Fines, Forfeitures, and Penalties imposed by this Act, and with the like Costs.

LIX. And be it further enacted, That all and every Person or Persons whosoever who shall at any Time or Times hereafter wilfully or maliciously demolish or break down the said Pier, Quays, Wharfs, or any of the Works, or any Part or Parts thereof respectively, which shall be constructed in or which shall belong to the said Pier, shall be adjudged guilty of a Misdemeanor; and the Courts by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be imprisoned to hard Labour for the Term of Two Years, or any less Period the Court shall think proper.

Persons destroying Works or extinguishing Lights guilty of Felony.

LX. And be it further enacted, That every Master, Owner, or other Person having the Rule or Command of any Vessel, Wherry, or Boat, shall be, and is hereby made answerable and accountable to the said Company for the Amount or Value of any Damage or Mischief that shall be done through any Unskilfulness or Negligence, by him, or by such Vessel, Boat or Wherry, or by any of the Mariners, Servants, or Crew on board of or employed in the same, to the Pier, Quays, Breasts, or any of the Works which shall be constructed in pursuance of this Act; and the same, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed, are in and by this Act directed to be recovered.

Masters of Vessels answerable for Damages done by Crew through Neglect or Unskilfulness.

LXI. And be it further enacted, That in case the Master or Masters, Owner or Owners of any Ship or Vessel as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage or Trespass, by reason of any such Damage or Mischief done or committed by his or their Mariners, Boatmen, Servants, or other Persons employed by them or any of them, such Mariners, Boatmen, Servants, or other Persons, and each and every of them, shall be liable to pay such Penalty or Damage, with the Costs thereof, to such Master or Masters, Owner or Owners; and in case of Non-payment thereof upon Demand, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them, of such Penalty or Satisfaction for Damages, and the same, or the Costs thereof, have or hath not been repaid to him, her, or them, by such Mariner, Boatmen, Servants, or other Persons, or any of them, although demanded, (such Oath to be made before any One or more Justice of the Peace of the County where such Penalty or Satisfaction shall have been incurred or paid, or where such Mariner, Boatman, Servant, or other Person can be found), the Amount whereof shall be recovered as any other Penalty is hereby directed to be recovered.

Masters to recover Damages from their Servants.

LXII. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act inflicted, or authorized to be imposed or levied; (the

Penalties how to be recovered.

Manner

Manner of levying and recovering whereof is not otherwise hereby particularly directed), shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the County, Borough, City, Riding, Division, or Place wherein such Offender shall be or reside, (which Warrant or Warrants the said Justice is hereby empowered and required to grant), upon Conviction of the Offender or Offenders on his or their own Confession, or on the Information of any One or more credible Witness or Witnesses upon Oath; and such Fines, Penalties, and Forfeitures, when recovered, after rendering the Overplus (if any) to the Party or Parties whose Goods and Chattels shall be distrained and sold, (the Charges of such Distress and Sale being first deducted), shall (if not otherwise directed to be applied and disposed of by this Act) be paid to and belong to the said Company; and for want of sufficient Distress, the said Justice is hereby empowered and required to commit the Person or Persons so convicted to the Common Gaol or other public Prison of, or within the said County, Borough, City, Riding, Division or Place, there to remain for any Time not exceeding the Space of Two Calendar Months, unless such Fine, Penalty or Forfeiture, and all the necessary Charges attending the Recovery thereof, shall be sooner paid and satisfied.

LXIII. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or against any Order of Sessions, or against any Bye-Law, Rule, Orders, or Regulations made in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say),

Form of Conviction.

‘ **B**E it remembered, That on this _____ in the
 ‘ *A. B.* is convicted before me _____
 ‘ One of His Majesty's Justices of the Peace for the _____ of
 ‘ having [*as the Offence shall be*], and I the said _____ do
 ‘ adjudge him, her, or them to forfeit and pay the Sum of _____
 ‘ _____ Given under my Hand and Seal, the Day and
 ‘ Year aforesaid.’

Distress not to be deemed unlawful for Want of Form.

LXIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act; the Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect in the Summons, Conviction, Warrant of Distress, or other Warrant or Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity by him or them done or committed after such Distress made or taken, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Collectors of the Rates to be competent Witnesses.

LXV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Rates or Duties, or any of them, the Person or Persons acting by or under the Authority of the said Company of Proprietors, shall not be disqualified

qualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Rates or Duties.

LXVI. And be it further enacted, That in case any Person shall think himself or herself aggrieved by any Order or Judgment made or given in pursuance of any Bye Law, Rule, Order, or Regulation of the said Directors or Company of Proprietors, or by any Rate, Assessment, Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing done in pursuance of this Act, and for which no particular Method of Relief is hereby otherwise provided, it shall and may be lawful for such Person to appeal to the next Quarter Sessions of the Peace to be had for the Town, District, or Place in which such Justice of the Peace shall have Jurisdiction, at the Discretion of the Person making the Appeal; and after the Expiration of One Month from the Time when the Cause of such Appeal shall have arisen, such Appellant or Appellants first giving or causing to be given Twenty-one Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Company, and within Three Days after such Notice entering into a Recognizance before some Justice of the Peace, or other Magistrate acting within such Jurisdiction, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order, and to pay such Costs as shall be awarded by the said Magistrates assembled at such General or Quarter Sessions; and upon due Proof of such Notice having been given as aforesaid, and the entering into such Recognizance, the said Magistrates at such Session before whom such Appeal shall be brought, shall hear and finally determine the Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper; and the said Justices may, if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of any such Bye-Law, Rule, Order, or Regulation, and may also award such further Satisfaction to be made to the Party injured, as to them the said Justices shall seem reasonable, and the Determination of such Justices thereupon shall be final, binding, and conclusive upon all Parties.

Allowing an Appeal to the Quarter Sessions.

LXVII. And be it further enacted, That no Verdict, Judgment, or other Proceeding touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing, signed by his, her, or their Attorney, (specifying the Cause of Action), shall have been given to the Defendant or Defendants at least Twenty-one Days before the same shall have been brought; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the

Proceedings not to be quashed for Want of Form.

Notice of Actions.

Defendant or Defendants before such Action brought; but in case no Tender of Amends shall have been made, it shall and may be lawful for the Defendant or Defendants (by Leave of the Court) at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Orders, and Judgments shall be made and given in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Limitation of
Actions.

LXVIII. And be it further enacted, That no Action against any Person or Persons for or on account of any Thing done in pursuance of this Act, shall be commenced after the Expiration of Six Calendar Months next after the Cause of Action shall arise; and every such Action or Suit shall be laid or brought in the said County of *Southampton*, and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or that such Action or Suit was brought before Twenty-one Days Notice given to the Defendant or Defendants, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find a Verdict for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or may have for Costs of Suit in any other Cases by Law.

General Issue.

Saving of Ma-
norial Rights.

LXIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to lessen or abate the Right and Title of any Lord or Lords of Manors, Lady or Ladies of any Manors or Lands, his or their Heirs or Assigns, to Customs, Tolls, Rights, Profits of Fairs and Markets, Wrecks, Royalties, and all other Things which shall happen or come within the Limits of their respective Manors, or other Benefits or Advantages belonging or in anywise appertaining to them or either of them, other than such Tolls, Rates, and Duties as are by this Act authorized and directed to be collected, received, and paid for the Use of *The Ryde Pier Company*, or otherwise controlled or intended so to be by this Act, but that he and they may receive and enjoy the same as fully and beneficially, to all Intents and Purposes whatsoever, as if this Act had not been made.

General
Saving.

LXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privilege, or Authority of the King's most Excellent Majesty, His Heirs and Successors, or of any Bodies Politic and Corporate, or other Person or Persons whomsoever, his, her, or their Heirs, Successors, Executors, and Administrators, other than

than and except those meant and intended to be barred and regulated by this Act.

LXXI. And be it further enacted, That this Act shall be deemed Public Act and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

The SCHEDULE of RATES, &c. referred to by the foregoing ACT.

	s.	d.
F OR every Passenger and other Person who shall land on the Pier; Landing Places, Quays, Wharfs, or other Works, or embark or go on board any Vessel, Boat, Wherry, or other Machine from the said Pier or Landing Place, Quays, Wharfs, or Works, or any Part thereof, for each and every Time	—	3
For every Person who shall use the said Pier for the Purpose of Walking for Exercise, Pleasure, or otherwise, Do.	—	2
For every Person who shall ride on Horseback for Pleasure, Exercise, or otherwise, on the said Pier or Landing Place, Quays, Wharfs, or any Part thereof, Do.	—	4
For every Four Wheel Carriage which shall be drawn on the said Pier or Landing Place, Quays, Wharfs, or Works, not being landed or embarked therefrom, Do.	1	—
For every Two Wheel Do. Do. Do.	—	6
For every Master of any Vessel, Boat, or Wherry, being an Inhabitant of the Town of Ryde, and residing there only, and using the said Pier and other Works, for the Purpose only of going to or returning from his own Vessel, Boat or Wherry, such Annual Sum as the Directors shall appoint, not exceeding Fifteen Shillings per Annum.		
For every Horse that shall be landed on or embarked from the said Pier or Landing Place, Quays, Wharfs, and Works, or any Part thereof	—	9
For every Bull, Cow, or Ox that shall be landed on or embarked from the said Pier or Landing Place, Quays, Wharfs, or Works, or any Part thereof	—	6
For every Hog or Pig that shall be landed on or embarked from the said Pier or Landing Place, Quays, Wharfs, or Works, or any Part thereof	—	2
For every Score of Sheep, One Shilling and Two-pence, or less than a Score, One Penny per Head.		
For every Score of Lambs, One Shilling, or less than a Score, One Penny per Head.		
For every Calf	—	2
For every Four Wheel Carriage	3	—
For every Two Wheel Do.	1	6
For all and every Cattle, Stock, Goods, Wares, Merchandises, and other Matters and Things whatsoever, that shall be landed, or otherwise taken from or placed on the said Pier or Landing Place, Quays, Wharfs, or other Works, or any Part thereof, the several Sums following, (that is to say) :		
Anchors	per Cwt.	— 2
Athes	per Barrel	— 3
Anchovies	do.	— 3
Alum	per Cwt.	— 1
Bacon	per Side	— 1
Beef or Pork	per Tierce	— 4
Do.	per Barrel	— 4
		Butter

			s.	d.
Butter	-	per Barrel	-	4
Biscuit	-	per Bag	-	2
Beans and Pease	-	per Sack	-	3
Corn	-	per Quarter	-	4
Bottles (empty)	-	per Dozen	-	$\frac{1}{2}$
Do. in Hampers full	-	per Dozen	-	1
Brushes (small)	-	per Dozen	-	0
Brooms (Hair) and Mops	-	per Dozen	-	1
Barilla (Pot Ashes)	-	per Seron	-	6
Barley (Scotch)	-	per Sack	-	3
Beer	-	per Hogshead	-	6
Do.	-	per Barrel	-	4
Do.	-	per Half Hogshead	-	3
Boxes, heavy	-	per Cwt.	-	3
Do. Hat (double)	-	each	-	3
Do. (single)	-	each	-	2
Do. (small)	-	each	-	1
Cheese	-	per Cwt.	-	2
Currants	-	per Butt	1	-
Do.	-	per Half Butt	-	6
Do.	-	per Carteel	-	4
Clover Seed	-	per Sack	-	3
Calves Skins	-	per Dozen	-	1
Cordage	-	per Ton	1	-
Canvass	-	per Bolt	-	2
Coffee	-	per Cwt.	-	3
Colours	-	per Firkin	-	2
Chairs	-	per Dozen	-	3
Cider	-	per Pipe	1	-
Do.	-	per Hogshead	-	6
Do.	-	per Half Hogshead	-	4
Carboys	-	each	-	2
Earthenware	-	per Crate	-	2
Flour	-	per Sack	-	4
Glass	-	per Square Crate	-	4
Gunpowder	-	per Barrel	-	4
Household Furniture	-	per Article	-	$1\frac{1}{2}$
Hemp	-	per Ton	2	-
Hops	-	per Bag	-	6
Do.	-	per Pocket	-	4
Herrings (Red)	-	per Barrel	-	4
Hides, raw	-	each	-	1
Hogsheads (dry Goods)	-	each	-	9
Iron	-	per Ton	-	6
Iron Pots	-	each	-	1
Lead	-	per Ton	-	6
Leather	-	per Hide or Buff	-	2
Malt	-	per Quarter	-	4
Mahogany	-	per Foot	-	$\frac{1}{2}$
Molasses	-	per Puncheon	-	9
Do.	-	per Half Puncheon	-	4
Mustard	-	per 36lb. Barrel	-	3
Nuts	-	per Bag	-	2
Nails	-	per Do.	-	2
Oatmeal	-	per Sack	-	3
Oil	-	per Pipe	-	6
Do.	-	per Hogshead	-	4
Do.	-	per Half Hogshead	-	2
Do.	-	per Jar	-	$\frac{1}{2}$
Do.	-	per Chest	-	1
Do.	-	per Half Chest	-	$\frac{1}{2}$

		s.	d.
Oranges and Lemons	per Chest	—	2
Do.	per Box or Half Chest	—	1
Pollard and Bran	per Sack	—	1
Potatoes	per Sack	—	1
Paper Stuff	per Ton	1	—
Pitch	per Barrel	—	1
Porter	per Butt	1	—
Plumbs	per Box	—	1
Parcels, small, and Bale Goods to 28lb.	each	—	2
Do. Do. to 84lb.	each	—	4
Do. Do. to 112lb.	each	—	5
Do. above 1 cwt. and things not specified	per Cwt.	—	3
Rice	per Barrel	—	2
Do.	per Half Barrel	—	1
Raisins	per Barrel	—	2
Do.	per Basket	—	1
Rosin	per Barrel	—	2
Do.	per Ton	1	—
Sugar, packed or solid	per Hoghead	—	9
Do.	per large Tierce	—	6
Do.	per small Do.	—	4
Do. in Bags or small Casks	per Cwt.	—	2
Do. Loaves and Lumps	per Cwt.	—	5
Soap	per Cwt.	—	5
Starch in Chests	per Cwt.	—	6
Staves (Pipe)	per Hundred	—	2
Do. (Hoghead)	per Hundred	—	2
Do. (Barrel)	per Hundred	—	1½
Do. (Ends)	per Hundred	—	1½
Shot	per Bag	—	1
Salt Fish	per Cwt.	—	4
Spirits	per Pipe	1	—
Do.	per Puncheon	—	10
Do.	per Hoghead	—	6
Do.	per Half Hoghead	—	3
Do. small Casks in proportion.			
Sacks (large)	per Bundle	—	2
Tea	per Chest	—	6
Do.	per Half Chest	—	3
Do.	per Quarter Chest	—	2
Tobacco and Snuff	per Cwt.	—	4
Timber	per Load	—	9
Tallow	per Hoghead	—	6
Tin Plates	per Box	—	2
Tar	per Barrel	—	4
Turpentine and Varnish	per Barrel	—	4
Vinegar	per Hoghead	—	4
Do.	per Half Hoghead	—	2
Wine	per Pipe	1	6
Do.	per Hoghead	—	9
Do.	per Half Hoghead	—	6
Wool, per Bag, not containing more than 12 Tod		—	9
Small Parcels under 6lb. carried in the Hand of any Passenger landing or embarking, and paying as such, to be exempt.			