



ANNO DECIMO

# GEORGII IV. REGIS.

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## *Cap. xxxix.*

An Act for paving, watching, lighting, cleansing, and otherwise improving the Town of *Ryde* in the *Isle of Wight* in the County of *Southampton*; and for establishing a Market within the said Town.

[14th *May* 1829.]

**W**HEREAS the Town of *Ryde* in the *Isle of Wight* in the County of *Southampton* is become very populous, and is much resorted to as a Watering Place, and by Persons passing and repassing to and from the said *Isle of Wight*: And whereas the said Town is at present very ill paved, and the Streets, Highways, and other public Passages therein are in many Places very much out of Repair, and the Police therein is very inefficient: And whereas it would be beneficial to the Inhabitants of the said Town, and to all Persons resorting thereto, if Provision were made for paving, watching, lighting, and otherwise improving the several Highways, Streets, Lanes, Ways, Paths, public Passages and Places within the said Town, and for establishing a Market, and erecting a Market House within the said Town; but such beneficial Purposes cannot be effected 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,

[*Local.*]

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That

Limits of the  
Town de-  
scribed.

That from and immediately after the passing of this Act so much and such Part of the Parish of *Newchurch* in the *Isle of Wight* as now is the Estate of *George Player* of *Ryde House* in the said Isle, Esquire, and *Mary Ann* his Wife, and of *John Lind* of *Westmont* in the said Isle, Esquire, and *Elizabeth Lydia* his Wife, or of either of them, (other than and except certain Lands called *Stroud Wood, Bulls, and Millhouse,*) and all other Messuages, Tenements, Lands, and Hereditaments within the Limits of and surrounded by the said Estate, shall, for the Purposes of this Act, be and for ever constitute and be called and known by the Name of "The Town of *Ryde* in the *Isle of Wight.*"

Commis-  
sioners.

II. And be it further enacted, That the Governor and Captain General of the *Isle of Wight* for the Time being, and every Male Person in his own Right or in the Right of his Wife seised or possessed of a Real or Personal Estate in a Messuage or Tenement, Messuages or Tenements, Land, Tythes, or Hereditaments, within the said Town, of the clear Value of One thousand Pounds, over and above all Charges, Incumbrances, and Outgoings, shall be and they are hereby appointed Commissioners for carrying this Act into execution, by the Name of "The Commissioners for improving the Town of *Ryde* in the *Isle of Wight.*"

Commis-  
sioners to be  
sworn.

III. And be it further enacted, That no Person (except the Governor and Captain General of the *Isle of Wight*) shall be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation herein-after mentioned) until he shall have taken and subscribed before One of the said Commissioners (who is and are hereby empowered to administer the same) an Oath or Affirmation in the Words or to the Effect following; (that is to say,)

Form of the  
Oath.

‘ I *A.B.* do swear, [*or being One of the People called Quakers, do solemnly affirm,*] That I am really and *bonâ fide* in my own Right [*or, in the Right of my Wife, as the Case may be,*] seised or possessed of a Real or Personal Estate in a Messuage or Tenement, Messuages or Tenements, Land, Tythes, or Hereditaments, situate within the Town of *Ryde*, of the clear Value, according to the best of my Knowledge, Information, and Belief, of One thousand Pounds, over and above all Charges, Incumbrances, and Outgoings [*to wit, describing the Property*]; and that I will faithfully, truly, and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities vested and reposed in me as a Commissioner by virtue of an Act passed in the Tenth Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act*].

‘ So help me GOD.’

Penalty on  
Persons not  
qualified act-  
ing as Com-  
missioners.

And if any Person (except as aforesaid), not qualified in manner herein-before mentioned to act as a Commissioner, shall presume to act as such in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered on the Information or Prosecution of any Person or Persons whomsoever,  
with

with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or in the *Knighton* Court for the *Isle of Wight*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person had acted as a Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified, shall, previous to his or their being so convicted, be as valid and effectual as if such Person or Persons had been duly qualified as aforesaid.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during the Time he shall hold any Office or Place of Profit under the said Commissioners, or during such Time as he shall have any Share or Interest in any Contract to be performed relating to the Execution of any of the Powers of this Act.

Commissioners not to act if interested.

V. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet together at the House of *Robert Yelf*, called the *Hotel*, or some other proper and convenient House or Place within the said Town of *Ryde*, on the Third *Tuesday* next after the passing of this Act, for the Purpose of putting this Act into execution, and shall and may then and from Time to Time afterwards adjourn themselves to meet at the House or Place aforesaid, or at any other convenient House or Place within the said Town, as they or the major Part of them present at such Meeting shall appoint; and 'Three Days' Notice of such Adjournment shall be given to the Commissioners residing within the said Town, by the Clerk to the said Commissioners; and in every such Notice the Time of Meeting shall be mentioned or set forth; and if it shall happen that there shall not appear at any such Meeting of the said Commissioners a sufficient Number to act, then the Commissioners present, or in case no Commissioner shall attend, then the Clerk to the said Commissioners, shall adjourn such Meeting to some future Day, so that no Adjournment be for a longer Time than Twenty-one Days.

Meetings of Commissioners.

VI. And be it further enacted, That at all Meetings to be holden in pursuance of this Act the said Commissioners shall defray their own Expenses; but no Act of the said Commissioners shall be valid unless made or done at some Public Meeting to be held in pursuance of this Act; and all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any Public Meeting, the whole Number present at such Meeting not being less than Five; and a Chairman shall and may be appointed at every such Meeting; and in case of an equal Number of Votes upon any such

Commissioners to pay their own Expenses.

Quorum of Commissioners.

such Question, (including the Chairman's Vote,) the same shall be adjourned to the next Meeting of the Commissioners.

No Order to be revoked unless at a Meeting specially convened for that Purpose.

VII. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered at any subsequent Meeting unless at some Meeting to be holden for that express Purpose, nor unless Notice, specifying the Revocation or Alteration intended to be made, signed by any Two of the said Commissioners, be left at the Houses of such of the Commissioners as shall be resident within the said Town, Three Days at least previous to the Day of holding such Meeting (exclusive of the Day of giving such Notice, and the Day of such intended Meeting), nor unless a greater Number of Commissioners shall attend at such Meeting to alter or revoke such Order than were present when the same was made, nor unless the major Part of the Commissioners present shall concur in such Revocation or Alteration.

Book of Proceedings to be kept.

VIII. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of the Names of all the Commissioners who shall duly qualify in pursuance of this Act, and of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of such Commissioners as shall be present at their respective Meetings; and the Chairman of each Meeting of the said Commissioners shall always subscribe his Name at the End of the Proceedings of the said Commissioners at every such Meeting; and all Entries in such Books, being signed as aforesaid, shall be deemed Originals, and shall be allowed to be read in Evidence in all Cases, Suits, and Actions touching anything done in pursuance or by virtue of this Act; and such Book or Books shall, at all the Meetings of the said Commissioners, be open and liable to the Inspection of all and every of the said Commissioners, and all and every the Persons rated and assessed for the Purposes of this Act, and also of all and every the Creditors on the Rates and Assessments thereby granted and made payable, all and every the Persons rated and assessed as aforesaid, and Creditors having previously given Three Days' Notice to the Clerk of the said Commissioners of their Intention to inspect such Book or Books, and paying to the Clerk for every such Inspection the Sum of One Shilling for every Book inspected.

Commissioners may sue and be sued in their own Names or in the Name of their Clerk.

IX. And be it further enacted, That the said Commissioners shall and may sue and be sued, for or concerning anything to be done in pursuance of this Act, in the Name or Names of any One or more of them, or in the Name of their Clerk; and no Action, Suit, or Proceeding shall abate or be discontinued by the Death or Removal of any One or more of the said Commissioners, or of any such Clerk, nor by the Act of such Clerk without the Consent of the said Commissioners, but the Commissioner or Commissioners, or Clerk for the Time being to the said Commissioners, shall be deemed to be Plaintiff or Defendant, Plaintiffs or Defendants, (as the Case may be,) in every such Action or Suit: Provided always, that every such Commissioner or Commissioners, or Clerk, in whose Name any Actions or Suits shall

shall be prosecuted or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Money which shall arise from any Rates, Assessments, or Tolls to be levied under this Act, all such Costs, Damages, and Expenses as by the Event or in consequence of any such Action or Proceeding he or they shall bear, expend, or be put unto or become chargeable with by reason of his or their being so made Plaintiff or Defendant, Plaintiffs or Defendants, as aforesaid.

X. And be it further enacted, That the said Commissioners shall and may, from Time to Time whenever they shall think it necessary, appoint and employ a Treasurer and Clerk, and Collector or Collectors of the Rates or Assessments herein-after mentioned, also a Surveyor or Surveyors, Inspector of Nuisances, Clerk of the Market, Scavengers, Firemen, Keepers of Engines, and such other Officers and Persons for the Execution of this Act as the said Commissioners shall think proper, and from Time to Time remove him or them, and appoint others in the Room of such of them as shall be so removed, or shall otherwise relinquish or discontinue such Office, and out of the Monies to be raised by virtue of this Act pay such Salaries, Wages, and Allowances to the said Officers and other Persons as they shall think reasonable; and the said Commissioners shall and may take such Security from such Treasurer and other Officers for the due Execution of his and their respective Offices as they shall think proper; and all such Officers and Persons so to be appointed shall, under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or any Five or more of them, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officers and Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint, within Five Days next after being thereunto required by the said Commissioners, or any Five or more of them, by Notice in Writing given to or to be left at the last or most usual Place of Abode of such Officer or Person, and at the same Time also deliver all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same; and in case of Refusal or Neglect so to do, then and in any of the Cases aforesaid the said Commissioners may and are hereby authorized and empowered to cause an Action to be brought against the Officer or Person so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall remain due from him, and the said Books and Papers, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or any Five or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace, such Justice may and is hereby authorized and required to issue a Summons under his Hand, requiring the Officer or

Officers to be appointed.

Officers to account.

[*Local.*]

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Person

Person so neglecting or refusing to appear before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or upon the Testimony of One or more credible Witness or Witnesses upon Oath, (which Oath the said Justice is hereby empowered to administer,) it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall remain due from such Officer or Person, or any such Books or Papers undelivered up, such Justice may and is hereby authorized and required, upon Nonpayment of such Monies, by a Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and in case sufficient Distress cannot be found to answer and satisfy the said Monies, and the Charges of selling and distraining the same, or if it shall in manner aforesaid appear to such Justice that such Officer or Person shall have neglected or refused to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer and Person, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to any Common Gaol or Bridewell for the County, City, Borough, or Jurisdiction where such Offender shall be or reside, there to remain without Bail or Mainprise, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they shall approve, (which Composition the said Commissioners are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners as aforesaid: Provided always, that no such Person who shall be so committed for Want of Distress shall be detained in Prison for any One Offence for a longer Time than Three Calendar Months.

Accounts to  
be kept of  
Receipts and  
Disburse-  
ments.

XI. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk or Treasurer for the Time being, in which Book or Books such Clerk or Treasurer shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for and on account of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all reasonable Times be opened to the Inspection of the said Commissioners, or any Creditor or Creditors on the Rates or Assessments granted by this Act, without Fee or Reward; and the said Commissioners and Creditors shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying anything for the same; and in case the said Clerk or Treasurer shall refuse to permit or shall not permit the said Commissioners, or such Creditors, or any of them, to inspect the same at all reasonable Times,

Times, or take such Copies or Extracts as aforesaid, such Clerk or Treasurer shall forfeit and pay any Sum not exceeding Five Pounds.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, to be the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Office or Place of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or in the *Knighton* Court in the *Isle of Wight*, by Action of Debt or on the Case, or by Bill, Suit, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer and Clerk not to be the same Person.

XIII. And be it further enacted, That if any Clerk, Treasurer, Surveyor, or Collector, or other Officer or Person employed by the said Commissioners for the Purposes of this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever, (other than such Salary or Allowance as shall be appointed and allowed by the said Commissioners, or by this Act,) for or on account of anything done by virtue of this Act, or for forbearing to do anything ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of this Act, (unless with the Consent and Approbation of the said Commissioners,) every such Person so offending shall be incapable afterwards of serving or being employed under the said Commissioners, and shall forfeit and pay the Sum of Fifty Pounds for every such Offence to any Person or Persons who shall sue for the same, to be recovered in manner last aforesaid.

Penalty on Officers taking Fees or being concerned in Contracts.

XIV. And be it further enacted, That all the Pavements in the several Streets, Squares, Ways, Lanes, and other public Passages and Places within the said Town and Limits of this Act, and of all future Streets, Ways, and Places made therein, and the Stones, Gravel, and other

Pavements, &c. vested in the Commissioners.

other Materials of which the Footways of such Markets, Streets, Squares, Ways, Lanes, and other public Passages and Places do and shall consist, and all Gutters made or to be made adjoining to such Pavements, and all the Dirt, Dust, Dung, Ashes, and Filth to be swept, gathered, collected in or within the said Town, and also all Lamps, Lamp Irons, Lamp Posts, Fire Engines, and the Pipes, Buckets, and other Materials thereunto belonging, Watchboxes, Watch-houses, Fire Engine Houses, and other Houses and Buildings, and all other Matters and Things which shall hereafter be used, erected, or fixed up by virtue of this Act, and all Materials, Implements, and other Things which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of and are hereby vested in the said Commissioners; and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy, the several Articles or Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for improving the Town of *Ryde* in the *Isle of Wight*," without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles or Things, or any Part or Parts of the same respectively, to such Person or Persons and in such Manner as they the said Commissioners shall think proper.

Pavements  
to be kept in  
repair.

XV. And be it further enacted, That from and after the passing of this Act the present and all future Pavements, Gutters, Drains, Sewers, and Watercourses within the said Town, and all Footpaths within the same, shall be for ever repaired, amended, maintained, supported, and kept in repair by the said Commissioners, under and by virtue of this Act; and it shall be lawful for the said Commissioners to make such Footways in, upon, or adjoining the several Highways, Streets, Lanes, Ways, Paths, and Passages, and to cause the same, or so much and such Part and Parts thereof as they shall from Time to Time think requisite, necessary, and proper, to be paved with proper Paving Stones, Flag Stones, or other Stones, in such Manner as they shall from Time to Time think proper, and to make or cause to be made such and so many Common Sewers, Tunnels, Cuts, Drains, Sinks, and Channels in, under, and through the several present and future Highways, Streets, Lanes, Ways, Paths, and Passages within the said Town, and also to make such open Gratings and other Openings to the same, as they shall think sufficient and necessary for carrying away all Filth, foul and waste Water, and other Nuisances from the said Town, and from all Houses and Buildings built or hereafter to be built within the said Town, as they shall think proper,  
they



they the said Commissioners repairing all Damage that may be done to the public Highways in the making or repairing of any such Sewers, Tunnels, or Drains.

XVI. And be it further enacted, That all and every the several and respective Occupiers of Houses and Buildings in and adjoining the several Streets and public Places within the said Town shall and they are required to cause the several Footpaths and Pavements and Gutters along the whole Length of their respective Houses and Buildings to be well and sufficiently swept every Morning in the Year, except *Sundays*, between the Hours of Five and Ten of the Clock; and every such Occupier making Default therein shall for every such Default forfeit and pay a Sum not exceeding Five Shillings.

Footpaths to be swept.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Lanes, Highways, Passages, and other public Places within the said Town, to be watered at such Seasons and Times, and to provide necessary Engines, Carts, and Labour for that Purpose, as the said Commissioners shall think proper and requisite.

Streets may be watered.

XVIII. And be it further enacted, That when any Streets, Ways, Roads, or Passages already laid out or hereafter to be laid out within the said Town shall be well and sufficiently made, paved, flagged, or otherwise repaired, and put in good Order, Repair, and Condition, in such Manner as shall be satisfactory to the said Commissioners, and to the Commissioners acting under the Act for amending the Roads and Highways within the *Isle of Wight*, it shall be lawful for the said Commissioners under this Act, with the Consent of any Two of His Majesty's Justices of the Peace for the said County of *Southampton*, upon the Application of the Lessee or Lessees for Years determinable on Lives, or of the Owner or Owners of the Soil of such Streets, Ways, Roads, or Passages, with the Consent of such Lessee or Lessees, or of the greater Part in Value of such Owners or Lessees, or of the Person or Persons liable to repair the same, to declare such Streets, Ways, Roads, or Passages to be common Highways; and from and after such Declaration made, the same and every of them shall be deemed and taken to be public Highways to all Intents and Purposes, and thenceforth repaired and kept in repair in like Manner as other Highways within the said Town.

Power to declare Streets public Highways when made, &c. upon Application of the Owners.

XIX. Provided also, and be it further enacted, That no Person, being the Owner or Occupier of or otherwise interested in any Land or Building within or adjoining to any Street, Way, or Passage proposed to be made a public Highway as aforesaid, shall be entitled to vote as a Commissioner touching the declaring of any such Street, Way, or Passage to be a public Highway, or touching the paving or repairing of the same, or any Part thereof.

Owners of Lands adjoining not to vote for declaring such Streets public Highways.

XX. And be it further enacted, That it shall be lawful for the said Commissioners acting under the Authority of this Act, and they are hereby required to cause all such Parts of the Streets, Lanes, Highways,

Pavements, &c. to be made at the Charge of

[*Local.*]

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Highways,

Owners or  
Occupiers of  
Houses, &c.

Highways, and Passages within the said Town, which are now in the Estimation of the said Commissioners sufficiently built upon, but not finished, paved, flagged, or otherwise put into good Order and Condition, and all such Streets, Lanes, Ways, and Passages as are now making or may hereafter be made within the said Town, or any Part or Parts thereof, although not fully built upon, but of which the Land at the respective Sides thereof has been sold or leased for building upon, to be made, paved, flagged, repaired, and cleansed, with such Gutters, Sinks, Common or Main Sewers, Drains or Watercourses, and with such Materials and in such Manner as to the said Commissioners shall seem meet and necessary, and all such Gutters, Sinks, Common or Main Sewers, Drains, or Watercourses, from Time to Time to be repaired and amended, scoured and cleansed, as Occasion may require; and the Charges and Expenses attending the same shall be reimbursed to the said Commissioners by the Occupiers or Persons in the actual Possession of the Houses, Buildings, Ground, or Land within or on the respective Sides of the said Streets, Ways, and Passages so to be paved, flagged, repaired, and cleansed as aforesaid, or wherein such Gutters, Sinks, Common or Main Sewers, Drains, or Watercourses shall be made, repaired and amended, scoured and cleansed, as aforesaid, each such Occupier or Person in possession paying a proportionable Share thereof, such Share to be ascertained by the said Commissioners or their Surveyor; and if any such Occupier or Person in possession shall at any Time refuse or neglect to pay such Proportion of the said Charges and Expenses so to be ascertained as aforesaid, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner and Occupier, in like Manner as the Rates herein-after directed and required to be raised and levied are authorized to be recovered.

Notice to be  
given before  
paving by  
Commis-  
sioners to  
Occupiers of  
Houses, &c.  
requiring  
them to pave.

XXI. Provided always, and be it further enacted, That the said Commissioners shall not cause the said Streets, Lanes, Ways, and Passages, or any Part thereof respectively, to be paved, flagged, repaired, and cleansed, or Gutters, Sinks, Common or Main Sewers, Drains, or Watercourses to be made therein as aforesaid, until their Surveyor shall have given or left a Notice in Writing under his Hand to or for the Owner or Occupier of each and every House, Building, Ground, Land, or other Premises within or at the Sides of the said Streets, Lanes, Ways, or Passages, or such Part thereof respectively so wanting paving, flagging, repairing, and cleansing, or wanting Gutters, Sinks, Common or Main Sewers, Drains, or Watercourses made therein, requiring him, her, or them to pave, flag, repair, and cleanse the same Streets, Lanes, Ways, or Passages, and to make Gutters, Sinks, Common or Main Sewers, Drains, or Watercourses therein in such Manner as shall be expressed in such Notice, either before, behind, or at the Side of his, her, or their Premises, (as the Case may be,) nor until such Owner or Occupier shall have neglected or refused for the Space of Three Calendar Months next after the Receipt of such Notice to pave, flag, repair, and cleanse the same Streets, Lanes, Ways, and Passages, and to make Gutters, Sinks, Common or Main Sewers, Drains, and Watercourses therein, in the Manner and Form expressed in such Notice.

XXII. Pro-

XXII. Provided also, and be it further enacted, That it shall be lawful for every such Occupier at Rackrent to retain and deduct out of his, her, or their Rent or Rents all the Charges and Expenses which he, she, or they shall bear, pay, or be put unto or be compelled to pay, in respect of any such paving, flagging, cleansing, and Repairs, and of such Gutters, Sinks, Common or Main Sewers, Drains, and Watercourses made and done as aforesaid, and in all such Cases such Retention and Deduction shall be made by the actual Occupiers at Rackrent against his, her, or their immediate Landlord or Landlords only.

Occupiers  
may retain  
Expenses  
from Rent.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners or their Surveyor, during such Time as any of the said Streets, Lanes, Highways, Passages, or other public Places within the said Town shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause so many Bars, Posts, Rails, and Chains or other Obstructions to be fixed, set up, and placed across or in any of the said Streets, Lanes, Highways, Passages, or other public Places, to prevent the passing of Carriages, Horses, and Cattle whilst such Works and Repairs are in progress, as to the said Commissioners shall seem proper; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, Chains, or other Obstructions, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to  
place Bars  
across Streets  
under Repair.

XXIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and set up, or cause to be erected and set up, in such Parts of the said Streets, Lanes, Highways, Passages, and other public Places as they may think necessary, any Posts, Pillars, Stones, Rails, Bars, Chains, or any other Fence or Fences, either permanent or temporary, for the Purpose of preserving any of the Footways within the said Town clear from Annoyance by Horses, Cows, Swine, or other Cattle, and for the Purpose of keeping off Carriages from any of the said Footways and for the Prevention of Accidents, and also to paint, repair, and replace any such Posts, Pillars, Stones, Rails, Bars, Chains, or other Fence or Fences, from Time to Time whenever it shall appear to be requisite.

Power to set  
up Posts for  
guarding  
Footways.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time and at any Time or Times hereafter to contract and agree to and with the Commissioners for carrying into execution an Act passed in the Fifty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act for amending the Roads and Highways in the Isle of Wight*, and also to and for the said Commissioners for improving the Roads and Highways within the *Isle of Wight* to contract and agree with the said Commissioners for carrying this Act into execution, for the Commissioners for carrying this Act into execution to repair, amend, maintain, support, and keep in repair all and every or any or either of the present and future Highways, Streets, Lanes, Ways, Paths, and Passages within the said Town, and for the Payment by the said

Power to  
contract with  
the Com-  
missioners of  
the Isle of  
Wight Roads.  
53 G.3. c.92.

Commis-

Commissioners for amending the Roads and Highways within the *Isle of Wight*, to the said Commissioners for improving the Town of *Ryde*, of any annual, half-yearly, quarterly, or any gross or aggregate Sum, as and for a Compensation for taking on them such Repairs, or for the releasing and discharging the Inhabitants, Owners, and Occupiers of Messuages, Lands, Tenements, and Hereditaments within the said Town of and from the Rates and Assessments now or hereafter payable by the said Inhabitants, Owners, or Occupiers under or by virtue of the said Act, or from any Portion of such Rates and Assessments; and such Contract or Contracts shall and may be made for any Time or Term they the said Commissioners respectively shall from Time to Time and at any Time or Times agree; and all and every such Contracts and Contract shall be valid and effectual in the Law to all Intents and Purposes whatsoever; and from and after the making of any such Contract, and during the Continuance of the same, the said Commissioners for carrying this Act into execution shall, during the Continuance of every such Contract, have such and the like Powers and Authorities, to all Intents and Purposes, for repairing, amending, supporting, and keeping in repair the said present and future Streets, Highways, Lanes, Paths, Ways, Passages, and Places within the said Town, as are vested in the Commissioners for amending the Roads and Highways within the *Isle of Wight* under the said Act of the Fifty-third Year of His said late Majesty's Reign, and during every such Contract the same Highways, Streets, Lanes, Ways, Paths, and Passages shall be maintained, supported, amended, and kept in repair by the said Commissioners acting under this Act; and the said Commissioners for carrying into execution the said Act of the Fifty-third Year of His said late Majesty's Reign shall, during the Continuance of every such Contract, be wholly discharged from the Amendment, Reparation, Support, and Maintenance of the same Highways, Streets, Lanes, Ways, Paths, and Passages within the said Town.

No Turnpike Tolls to be applicable to the Repairs of Streets, &c. in the Town.

XXVI. Provided always, and be it further enacted, That no Toll or Tolls, or Sum or Sums of Money which shall or may be raised or collected by way of Toll under any Turnpike or Highway Act or Acts, shall be applicable or applied in or towards the Repairs or Amendment of the present or any future Streets, Highways, Lanes, Ways, Paths, or Passages within the said Town.

Power to contract for paving.

XXVII. And be it further enacted, That the said Commissioners for carrying this Act into execution may and they are hereby authorized and empowered from Time to Time, if they shall so think fit, to contract with any Person or Persons for paving, curbing, repairing, cleansing, and lighting the said Highways, Streets, Lanes, Ways, public Passages and Places within the said Town, and for furnishing Materials for the same, and for erecting a Market House and other Buildings, and for doing or performing all or any other of the Works by this Act directed, authorized, or empowered to be done or performed, in such Manner and under such Penalties for the due Performance of such Contracts as the said Commissioners shall think fit; and every such Contract shall be good, valid, and binding, as well upon the said Commissioners as upon the other Party or Parties thereto; and in case

case any such Work shall not be well and sufficiently done and performed according to such Contract, the said Commissioners may cause an Action or Suit of Law or in Equity to be brought in any of His Majesty's Courts against every such Contractor, either for a specific Performance of such Contract, or for any Penalty contained therein, or for any Damage sustained by reason of the Nonperformance thereof: Provided always, that it shall be lawful for the said Commissioners (if they think fit) to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper; provided also, that no such Contract shall be made for a longer Space of Time than Two Years from the Time of entering into such Contract.

XXVIII. Provided always, and be it further enacted, That no Contract which shall be made, nor any Mortgage or other Instrument executed by the said Commissioners for any of the Purposes of this Act, shall be binding upon the said Commissioners as Individuals or in their private Capacity, nor shall any of the said Commissioners personally, or their respective Estates, be answerable for or subject to the Payment of any of the Mortgages to be granted in pursuance of this Act; and all Money which shall be expended by or recovered against any of the said Commissioners, or the Treasurer or Clerk, or any other Officer or Servant acting under their Directions, by means of any Action, Prosecution, or Appeal to be brought by or against them, or any of them, touching the Execution of this Act, shall be borne and defrayed out of the Money which shall come to the Hands of the Treasurer or Treasurers to the said Commissioners, or any other Person, by virtue of this Act, but nevertheless that nothing herein contained shall extend to exonerate or discharge any of the said Commissioners, their Houses, Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, from the Payment of the Rates and Assessments to be raised by virtue of this Act.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time, when and as often as they shall think it expedient, to provide, erect, and set up, or cause to be provided, erected, and set up, such and so many Watch-houses and Watchboxes, in such Situations as they shall judge proper and expedient, in any of the Streets, Lanes, Highways, Passages, or other public Places of the said Town, and to appoint and employ such and so many Watchmen and Night Patrols, and such and so many Beadles, as well for the Day as Night, as they shall judge expedient and necessary for the Security and good Order of the said Town, and such Watchmen, Night Patrols, and Beadles from Time to Time to remove and displace, and to appoint others in their Stead; and also to order and direct how many of the said Watchmen, Night Patrols, and Beadles shall attend nightly within the said Town, or on any Road, Way, or Passage leading into or out of the said Town, and how such Watchmen, Night Patrols, and Beadles shall be armed, and at what Stations they shall be placed, for what Number of Hours they shall watch, and how often they shall go their Rounds, and to make such further Orders and Regulations from Time to

[Local.]

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Time,

Commiss-  
sioners not to  
be personally  
liable.

Power to  
erect Watch-  
houses and  
to employ  
Watchmen.

Time, for the better Government and Direction of the said Watchmen, Night Patrols, and Beadles, as they shall from Time to Time think proper.

Power to appoint Committees for regulating Watchmen and Night Patrols.

XXX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to appoint a Committee or Committees of the said Commissioners for the Purpose of managing, regulating, appointing, and suspending the said Watchmen, Night Patrols, and Beadles, and for other Purposes of this Act, as Occasion may from Time to Time require, between the several Meetings of the said Commissioners; and to appoint any One or more Person or Persons, with a Salary or otherwise, as a Superintendant or Superintendants of such Watchmen.

Duties of Watchmen, &c.

XXXI. And be it further enacted, That the said Watchmen, Night Patrols, and Beadles shall in their several Courses of Service use their utmost Endeavours not only to prevent Fires but also to keep Watch and Ward within the said Town, and to prevent Murders, Burglaries, Felonies, and other Outrages, Disorders, and Breaches of the Peace; and to that end the said Watchmen, Night Patrols, and Beadles respectively shall and may, and they are hereby empowered and required, to arrest and apprehend all Night-walkers, Felons, Malefactors, Vagrants, Beggars, Disturbers of the Peace, and all disorderly and suspected Persons who shall be found misbehaving or wandering within the said Town, or upon any Road, Way, or Passage leading into or out of the said Town, and to lodge them in any Place of Security within the said Town which shall be provided and appointed for that Purpose by the said Commissioners, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law.

Commissioners may appoint Constables and Assistant Constables.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners, in their Discretion, to nominate and appoint One or more permanent Constable or Constables for the said Town, for promoting the good Order thereof, and also from Time to Time to appoint a competent Number of able-bodied Men as Assistant Constables of the said Town, in keeping the Peace therein, and for executing all such Warrants, Precepts, and Orders as the Justices of the Peace acting for the said County of *Southampton* shall from Time to Time direct to them to be executed within the said Town, and from Time to Time to discharge and replace such Constables and Assistant Constables, or any of them, and make other Nominations and Appointments, and pay such Salary and Salaries, Wages and Remuneration, for the due Execution of the Duty they are required to perform, as the said Commissioners shall see fit; all which Constables and Assistant Constables shall be in addition to the Constables appointed at the Courts Leet for the Manor of *Ashey* and *Ryde*.

Watchmen, &c. to be sworn in as Constables.

XXXIII. And be it further enacted, That the said Constables, Assistant Constables, and all Watchmen, Patrols, Beadles, and Market Lookers or Inspectors of Markets and Fairs, to be appointed by virtue of

of this Act, shall be sworn in as Constables before some Justice of the Peace for the said County of *Southampton*, and such Market Lookers or Inspectors of Markets and Fairs shall also be respectively sworn in like Manner for the due Execution of their Office as Market Lookers or Inspectors of Markets and Fairs; and all such Constables, Assistant Constables, Watchmen, Patrols, Beadles, and Market Lookers or Inspectors of Markets and Fairs, respectively acting as such, while in the Execution of the Powers and Authorities of this Act, shall be and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges, and Immunities, and shall be subject and liable to such and the like Penalties and Forfeitures, as any Constable or Constables is or are invested with, or shall or may have and enjoy, or is or are or shall be subject or liable to by Law.

XXXIV. And be it further enacted, That for the better Administration of the Police within the said Town it shall be lawful for the said Constables or Assistant Constables, or any of them, on having an Appointment in Writing from the said Commissioners for that Purpose, to take Recognizances, without any Fee or Reward, from all or any Person or Persons who shall be brought before them or any of them upon any Charge not amounting to Felony, for the Appearance of such Person or Persons before any Justice or Justices of the Peace for the said County of *Southampton*, within the Space of Seven Days then next, for further Examination; and such Recognizance so to be taken as aforesaid shall be of equal Obligation to the Parties entering into the same, and liable to the same Proceedings as if the same had been taken before any of His Majesty's Justices of the Peace.

Constables  
to take Re-  
cognizances.

XXXV. And be it further enacted, That it shall be lawful for the said Beadles and they are hereby required, as often in every Night as shall be ordered by the said Commissioners, to go about their respective Districts and Rounds to observe and take notice whether all the Watchmen and Night Patrols perform their Duty in their several Stations, according to such Orders and Regulations as shall be made and provided by the said Commissioners; and in case any Watchman or Night Patrol shall be found misbehaving himself or neglecting his Duty, the said Beadles shall, as soon as conveniently may be, give Notice thereof to the Committee for the Time being for managing and regulating Watchmen and Night Patrols; and the said Beadles shall also patrol the several Streets within the said Town in the Day-time, during such Hours as the said Commissioners shall appoint, and apprehend and secure all Vagrants, and all drunken and disorderly Persons disturbing the public Peace, and all Persons wilfully obstructing or hindering the free Passage of any of the said Streets, Highways, public Passages or Places, and convey all such Persons before some Justice of the Peace for the said County; and every Person being convicted of any such Offence shall forfeit and pay any Sum not exceeding Five Pounds, over and above any other Penalty to which any such Person is or may be by Law subject or liable to.

Duty of  
Beadles.

XXXVI. And

Penalty on  
Watchmen,  
&c. for Neg-  
lect of Duty.

XXXVI. And be it further enacted, That if any of the said Watchmen, Night Patrols, or Beadles shall at any Time wilfully neglect or omit to observe and perform all the Orders, Rules, and Regulations made by the said Commissioners for their Conduct or Government respectively, or shall in any Manner neglect their Duty or misbehave, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Punishing  
Publicans for  
harbouring  
Watchmen  
during the  
Time they  
should be on  
Duty.

XXXVII. And be it further enacted, That if any Innkeeper, Victualler, or Keeper of any Public House shall knowingly harbour or entertain, or suffer to remain in his or her Public House, any such Watchman, Night Patrol, or Beadle, during any Part of the Time appointed for his being on Duty, every such Innkeeper, Victualler, or Keeper of a Public House shall, on Conviction thereof, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to  
reward dis-  
abled Watch-  
men, &c.

XXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to give such Rewards in Money to any of the said Watchmen, Constables, Night Patrols, and Beadles respectively, who may conduct himself with any particular Merit, or may be disabled or wounded in the Execution of his Office, as they the said Commissioners shall think reasonable, out of the Monies to be raised by virtue of this Act.

Lamps to be  
provided, &c.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners at any Meeting to be held in pursuance of this Act, of the Time, Place, and Purpose of which Twenty-one Days Notice at the least shall be given by the Clerk in manner aforesaid, if they the said Commissioners shall think fit, (but not otherwise,) from Time to Time, at any Time or Times after the passing of this Act, to purchase and provide such and so many Lamps, of such Sorts and Sizes, and such and so many Lamp Irons and Lamp Posts, and other Things for lighting such Lamps, as they shall judge necessary, and to direct the same to be affixed or set up on or against the Walls or Palisadoes of all or any of the Houses, Tenements, or Buildings, or against any other Walls or Fences within the said Town, or in any other Manner they shall think proper and convenient, and to be taken down, altered, or renewed when and as often as they shall think fit, and to cause such Lamps or any of them to be lighted with Oil Gas or Inflammable Air, in such Manner, at such Seasons of the Year, on such Evenings and such Hours of the Evening, and to be kept burning for so many Hours, as shall to them the said Commissioners seem necessary or proper for the well and sufficient lighting of all or any of the said Streets, Lanes, public Passages or Places within the said Town.

Gas Pipes not  
to be placed  
against  
Houses, &c.  
without Con-  
sent

XL. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Commissioners, or any Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or any other Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town for lighting any Street, Highway, or Place, or any House,  
Manu-



Manufactory, or other Building therein, to carry, lay, or fix or continue, any Pipe or Pipes or other Thing for the Conveyance of the said Gas or Inflammable Air into, through, or against any Dwelling House or Houses, or private Buildings, or any private Lands or Hereditaments and Premises, or so to continue the same against the Will of the Owner and Occupier of every such Dwelling House, Building, Lands, Tenements, and Hereditaments respectively expressed by Writing under his, her, or their Hand or Hands.

XLI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Road, Street, or Place will allow thereof, at the Distance of Four Feet at least, as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of any Company of Proprietors for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act aforesaid, as also from the nearest Part of any Main or Conduit Pipe already laid down or hereafter to be laid down by or by the Order of any Gas Light Company for the Conveyance of Gas in, under, through, along, across, or round any Roads, Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act, (unless in Cases where it shall be unavoidably necessary to lay the Pipes of the said Commissioners across any of the Pipes of any Company of Proprietors for the Conveyance of Water, or of any Gas Light Company, in which Cases the said Pipes of the said Commissioners shall, if practicable, be laid over and above such Water Pipes or such Pipes of any Gas Light Company (as the Case may be) at the greatest practicable Distance therefrom, and shall form therewith as near as possible a Right Angle,) and in such Case the said Pipes of the said Commissioners so crossing the said Pipes of any Company of Proprietors for the Conveyance of Water, or of any Gas Light Company, shall be at least Six Feet in Length, so that no Joint of any of the said Pipes of the said Commissioners shall be nearer to any Part of the said Pipes of any Company of Proprietors for the Conveyance of Water, or of any Gas Light Company, than Three Feet at least; and in laying down the said Pipes the said Commissioners, their Successors or Assigns, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every such Offence the Sum of Fifty Pounds, to be recovered as any Penalty is herein directed to be recovered, and to be paid and applied to the Use of the Guardians of the Poor within

For the Protection of Water Pipes.

[*Local.*]

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the

the *Isle of Wight*, provided the said Company shall neglect or refuse to make such Gas Pipes air-tight within Twenty-four Hours after Notice thereof given to them in Writing.

Commissioners to prevent Escape of Gas and Contamination of Water.

XLII. And be it further enacted, That whenever the Water of any Company of Proprietors for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act, or the Water or Waters of any Person or Persons, shall be contaminated or affected by the Gas of the said Commissioners, the said Commissioners shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Company of Proprietors, or Person or Persons, who shall have their Water contaminated or affected as aforesaid ; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case and Cases the said Commissioners, their Successors and Assigns, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of and for any Company of Proprietors for the supplying of Water within the Limits of this Act, or by any Person or Persons whose Water or Waters shall be so contaminated, to be left at the usual Office or Place of transacting Business of the said Commissioners, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of any Company of Proprietors for the supplying of Water, or from the contaminating the Water of any Person or Persons ; and in case the said Commissioners, their Successors or Assigns, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Commissioners, their Successors or Assigns, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to such Company of Proprietors for the supplying of Water, for the Use and Benefit of the same Company of Proprietors, and also to any Person or Persons who shall be so injured by such Contamination as aforesaid, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the Water of such last-mentioned Company or of such Person or Persons shall be and remain contaminated or affected by the Gas of the said Commissioners ; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited, on the Oath of One credible Witness, by and in the Name of the Treasurer, or by and in the Name of the Manager and Chief Clerk for the Time being of such Company of Proprietors for the supplying of Water, or by and in the Name of any One or more of the Directors of such last-mentioned Company, at the Option of the Party or Parties prosecuting such Information, or of such Person or  
Persons,

Persons, against the said Commissioners, their Successors or Assigns, before any Justice of the Peace for the County of *Southampton*, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, their Successors or Assigns, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to such Company of Proprietors, for the Use of the said Company or to such Person or Persons, as the Case may be.

XLIII. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Commissioners: Be it therefore enacted, That in every such Case it shall be lawful for such Company of Proprietors for the supplying of Water to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners; and if it shall appear that the said Water has been contaminated by any Escape of the Gas of the said Commissioners, the Costs and Expenses of the said Digging, Search, and Examination and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners; which Costs and Expenses shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, then and in such Case such Company of Proprietors for the supplying of Water shall bear and pay all the Costs and Expenses of such Examination, Repair, and Search, and shall also make good to the said Commissioners any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid, and recoverable in like Manner as any Penalty may be recovered by virtue of this Act.

For ascertaining if the Water is contaminated.

XLIV. And be it further enacted, That if the said Commissioners, or any Body Politic or Corporate, or any other Person or Persons, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder,

Penalty for conveying Washings into any River, &c.

Feeder, Pond, or Spring Head, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Commissioners, or any Body Politic or Corporate, or any other Person or Persons, so offending, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or elsewhere, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparance, shall be allowed, and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no Penalty or Forfeiture shall be recoverable unless the same be sued for within Two Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined; provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall have been sued for or recovered or not,) in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Commissioners, or any Body Politic or Corporate, or any Person or Persons, and the said Commissioners, or any Body Politic or Corporate, or any Person or Persons, shall not, within Twenty-four Hours after such Notice shall have been given to him or them as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or any Body Politic or Corporate, or any Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

For preventing the Escape of Gas.

XLV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down in any Road, Square, Street, Way, Lane, or other public Passage or Place

Place within the said Town of *Ryde*, the said Commissioners, or the Body or Bodies Politic or Corporate, or the Person or Persons, being the Owner or Owners of such Pipe or Pipes, so laying down or causing the same to be laid down in any such Road, Square, Street, Way, Lane, or other public Passage or Place, shall, immediately after Notice given to them or him, by Parol or in Writing, of any such Escape of Gas, from any Inhabitant or Inhabitants of the said Town, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, or the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty or Penalties shall from Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid before some One or more Justice or Justices of the Peace, and shall and may be recoverable and levied with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Commissioners, or of the Goods and Chattels of the Body or Bodies Politic or Corporate, or of the Person or Persons, so contracting to light or lighting as aforesaid, and be paid and applied to the Use of the Guardians of the Poor within the *Isle of Wight*.

XLVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Commissioners, Company or Companies of Proprietors, or other Person or Persons as aforesaid, or against any of their Officers, Servants, or Workmen, in respect of any such ~~Gas~~ Works as a public or private Nuisance, or from bringing any ~~Action~~ or Actions against the said Commissioners, Company or Companies of Proprietors, or other Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Carelessness or Want of Skill of the Person or Persons employed therein.

Commissioners or Persons furnishing Gas may be indicted for a Nuisance.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners to establish and hold or cause to be established and held a Market daily and every Day, or less frequently, as they shall think proper, in the said Town, or such Parts thereof as they shall think proper, either in the said Streets or in such other Place or Places within the Limits of this Act as the said Commissioners shall from Time to Time appoint; and it shall be lawful for all and every Person and Persons whomsoever to expose to Sale, sell, and buy in such Markets so to be established and held, Oxen, Sheep, Cattle, Pigs, Corn, Grain, Butchers Meat, Poultry, Fish, Butter, Eggs, Cheese, Vegetables, Fruit, China, Glass, Earthenware, or other marketable

Market to be held.

marketable Commodities, Matters, and Things whatsoever; but it shall not be lawful for any Person or Persons to sell or offer or expose to Sale any such Ox, Cow, Bull, Sheep, Cattle, Pigs, Corn, Grain, Meat, Fish, Poultry, Butter, Eggs, Cheese, Vegetables, Fruit, China, Earthenware, or other marketable Things, or put up any Stall, Enclosure, Standings, Boards, Baskets, or other Things for exposing the same, in any other Place or Places or at any other Time than shall be appointed by the said Commissioners for that Purpose, upon pain of every Person so offending forfeiting for every such Offence any Sum not exceeding Twenty Pounds.

A Market  
House to be  
built.

XLVIII. And be it further enacted, That for the more conveniently holding the said Market and carrying the other Purposes of this Act into execution, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, at any Time when they shall think proper, to erect, build, and set up, or cause to be erected, built, and set up, in any convenient Part or Parts of the said Town, on any Land to be purchased by them for that Purpose under the Authority of this Act, such Land not to exceed Five Acres, a Market House or Market Shed or Sheds, with convenient Stands, Stalls, and other Conveniences for holding the said Market, and either with or without any Room or Rooms for the meeting of the said Commissioners and other public Meetings and Business of the said Town, as the said Commissioners shall think proper; and when and as soon as such Market House, Shed or Sheds, shall be so set up, erected, and completed, and fit for the Reception of the Persons exposing to Sale Goods or other Things in the said Market, and shall be certified to be so completed by any Two of His Majesty's Justices of the Peace for the said County of *Southampton* acting within and for the *Isle of Wight*, the same shall be the only Market Place of or for the said Town; and it shall from thenceforth be lawful for the said Commissioners, and they are hereby authorized and empowered, to ask, demand, collect, recover, receive, and take, of and ~~from~~ all and every Persons and Person who shall sell or expose to Sale any Oxen, Horses, Sheep, Pigs, Cattle, Corn, Grain, Butchers Meat, Fish, Poultry, Butter, Eggs, Cheese, Vegetables, Fruit, China-ware, or other Things, the several Tolls or Sums of Money mentioned and specified in the Schedule to this Act annexed, or such less Tolls and Sums of Money as the said Commissioners shall think proper; which Tolls and Sums of Money shall be vested in the said Commissioners, and shall be paid and applied in such and the like Manner as the Rates and Assessments by this Act authorized to be levied and raised for the repairing the Pavements, Streets, Ways, Paths, and Passages, and erecting and repairing the said Market House, are by this Act authorized to be paid and applied, and in aid and addition thereto: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Inhabitant or Inhabitants of the said Town from selling or exposing to Sale any Corn, Grain, or Butchers Meat, Fish, Poultry, Butter, Eggs, Cheese, Vegetables, China, Earthenware, marketable Commodities, or other Matters or Things whatsoever, being his or her own Property, in his, her, or their own House or Houses, or in his, her, or their Shop or Shops, in any Part of the said Town, at any Time whatever.

Tolls to be  
taken.

XLIX. And

XLIX. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered at any Meeting, upon Twenty-one Days Notice in Writing, signed by the Clerk to the said Commissioners, and delivered in manner aforesaid, to let or farm the said Tolls or Duties payable under this Act, for the best Rent that can be got for the same, to any Person or Persons whomsoever, provided that the Leases, Contracts, or Agreements for the same be in Writing, and be duly executed by the Person or Persons taking or farming such Tolls, and also by the said Commissioners or any Five or more of them, and the same shall not be let for more than Three Years at any One Time; and the Rent which shall be agreed to be paid for the said Tolls shall be made payable and shall be paid to the Treasurer to the said Commissioners, so that One Quarter's Payment of such Rents shall always be in advance, or sufficient Security given for the Payment of such Rents to the Satisfaction of the said Commissioners, or in default thereof every such Lease, Contract, or Agreement shall be null and void to all Intents, Purposes, and Constructions whatsoever.

Power to let Tolls.

L. And be it further enacted, That during such Times as the said Tolls or any Part or Parts thereof shall be demised, leased, or in farm to any Person or Persons whomsoever, it shall be lawful for the Lessee or Lessees, Farmer or Farmers thereof, or such other Person or Persons as he, she, or they shall by any Writing or Writings under his, her, or their Hand or Hands authorize or appoint, to demand and take the said Tolls so to be leased, demised, or farmed, with the like Powers for the Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls appointed by the said Commissioners is hereby authorized and empowered to demand, take, and receive the same; and the Person or Persons so authorized by such Lessee or Lessees, Farmer or Farmers, shall be subject to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed by the said Commissioners is subject or liable to.

Lessees to have the same Power of collecting the Tolls as the Collectors under this Act have.

LI. And be it further enacted, That if any Person or Persons shall break down, injure, or deface the said Market House or Sheds, or any Erection made by virtue of this Act, or alter the Pavements of the said Streets and other Places, without the Consent of the said Commissioners, or shall stop up or impede any Common Sewer, Drain, or Watercourse, or prevent, hinder, or obstruct any Person or Persons in carrying this Act into execution, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Fifty Pounds, and also make, in every Case, to the said Commissioners, full Satisfaction for the Injury done, to be settled and ascertained by any One of His Majesty's Justices of the Peace acting for the County of *Southampton*, such Satisfaction to be levied and recovered in like Manner as any Penalty by this Act imposed is directed to be levied and recovered.

Penalty on defacing or injuring Buildings.

LII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time as they shall think expedient, to make, constitute, provide, establish, and

Power to make Bye-laws.

and ordain such Byelaws, Rules, Orders, and Regulations, for the better regulating, cleansing, occupying, and governing of the said Market House and Market Place or Market Places, and for preventing unwholesome Provisions being sold or offered or exposed to Sale, and deficient Weights and Measures being used therein respectively, and for preventing Horses and Carriages travelling or going through the said Market Place or remaining there, or any other Nuisances or Obstructions therein or the Approaches to the same, during the Times of holding the said Market, and all such other Rules, Orders, and Regulations touching the said Market House or Market Place or Market Places, as the said Commissioners, or any Five or more of them, shall deem expedient, and with such Penalty for disobeying such Byelaws, Orders, and Regulations as they shall think fit, not exceeding Five Pounds upon any One Person for One Offence; and the said Commissioners, or any Five or more of them, are hereby authorized and empowered to alter, vary, revoke, or make void any such Byelaws, Rules, Orders, and Regulations, and make and establish others instead or in lieu thereof, in such Manner as they shall think proper, for the better and more effectually governing and regulating the said Market House and Market Place or Market Places: Provided always, that such Byelaws, Rules, Orders, and Regulations, or any Alteration thereof, shall not be repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, nor inconsistent with any of the Powers or Provisions in this Act contained: Provided also, that a true Copy of such Byelaws, Rules, Orders, and Regulations, and of all other Bye Laws, Rules, Orders, and Regulations herein-after authorized to be made, shall be painted in White Letters on a Board with a Black Ground, and affixed on some conspicuous Place in the said Market House or Market Place or Market Places; and the said Byelaws, Rules, Orders, and Regulations shall be as good, valid, and effectual as if the same had been enacted in this Act; but no such Bye Law, Rule, Order, or Regulation, shall have any Force or Effect until Ten Days next after the same shall have been affixed as aforesaid; and the same respectively shall be subject to Appeal in manner herein-after mentioned.

Byelaws to be printed and affixed in the Market House, &c.

Appeal.

Streets to be named and Houses numbered.

LIII. And be it further enacted, That for the better carrying this Act into execution it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time as they shall see Occasion, to paint, engrave, or describe, or cause to be painted, engraved, or described, on a conspicuous Part of some House or other Building at or near the Corner of every such Market, Street, Square, Way, Lane, public Passage and Place, the Name by which the same now is or shall be called, and may order and direct the several Houses, Shops, Warehouses, and Buildings within the said several Markets, Streets, Squares, Ways, Lanes, public Passages and Places, or any of them, to be numbered with Figures painted or placed on the Door of every such House, Shop, Warehouse, or other Building, or such Part thereof as the said Commissioners shall think proper; and if any Person shall wilfully destroy, obliterate, or deface any such Names or Numbers, or any Part thereof or cause or procure the same to be done, every Person so offending shall for every such



such Offence forfeit and pay any Sum not exceeding Five Pounds.

LIV. And be it further enacted, That when any such Numbers, Figure or Figures, painted or put on any House, Shop, Warehouse, or other Building, or on the Door or Doors thereof, within the said Town, shall be defaced or rubbed out, the Owner or Owners or Occupiers of such House, Shop, Warehouse, or Building where the Number or Numbers, Figure or Figures, shall have been so defaced or rubbed out, shall, upon personal Notice given to him, her, or them, or upon Notice in Writing left at such House, Shop, Warehouse, or other Building, signed by the said Commissioners, or any Five or more of them, cause the same Number or Numbers, Figure or Figures, to be in the same Manner painted or put on such House, Shop, Warehouse, or other Building, or on the Door thereof respectively, within Ten Days next after such Notice; and in case of Neglect or Refusal to comply with such Order, every such Owner or Occupier shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

When Numbers or Figures are defaced, fresh Numbers and Figures shall be painted, &c.

LV. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby required to nominate and appoint any Person or Persons as a Scavenger or Scavengers, and to purchase or hire any Cart or Carts or other Carriage or Carriages, and also any Horse or Horses, for the Purpose of cleansing the several Streets, Lanes, public Passages and Places within the said Town, and of carrying away the Dust, Dirt, and Soil therefrom; and it shall be lawful for the said Commissioners to contract with any Person or Persons for so doing, and to let, demise, and sell such Dust, Dirt, Rubbish, Ashes, Cinders, Soil, and other Filth to any Person or Persons; and if any Person or Persons whomsoever other than the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Streets, Lanes, Ways, public Passages or Places within the said Town, shall take or carry away or cause to be taken or carried away any Dung, Soil, Ashes, Cinders, Rubbish, or other Filth arising out of such Streets, Lanes, Ways, or other public Passages or Places as aforesaid, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from preserving or keeping any Soil, Dirt, Dust, Dung, Ashes, Cinders, Manure, Muck, Filth, or Rubbish which shall have arisen or have been made within his or their Houses, Yards, or other Premises, or from making use of the same for the Purpose of manuring Lands in his, her, or their own Occupation, or of selling or disposing of the same, so that such Soil, Dirt, Dust, Cinders, Dung, Ashes, Manure, Muck, Filth, or Rubbish be not laid or placed in any Highway, Street, Lane, Way, Passage or public Place longer than shall be absolutely necessary for removing, loading, and carrying away the same, and so that the same be not suffered to remain after the same shall have been directed to be removed by any Inspector of Nuisances to be appointed by virtue of this Act.

Scavenger to be appointed.

Projections to  
be removed.

LVI. And be it further enacted, That all Signs or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, Sign Posts and Sign Irons, Penthouses, Showboards, Porches, Sheds, Butchers Stalls, Bulks, Stepping Stones, Scrapers, and Gallowses, Shambles, Blocks or Pieces of Timber, Chopping Blocks, Watering Tubs or Troughs, Posts, Rails, Waterlades, and Stumps; and all other Projections whatsoever, (other than and except the present Virandas and Bow Windows,) projecting into or standing and being in or over the said Streets, Lanes, Ways, Paths, or Passages, and which shall by the said Commissioners, or any Five or more of them, be deemed inconvenient, or be deemed Nuisances, Obstructions, or Annoyances, shall be taken down and removed within Seven Days after the passing of this Act, or within Seven Days next after Notice from the said Commissioners, or any Five or more of them; and all Signs or other Emblems as aforesaid shall be affixed and placed in the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto the same respectively belong, and not otherwise; and in case the Owner or Owners shall neglect so to do by the Expiration of the Times so limited, it shall be lawful for the said Commissioners, or any Five or more of them, to cause such Signs, Emblems, Sign Posts, Sign Irons, Penthouses, Buildings, Showboards, Stalls, Window Shutters, and Flaps, Porches, Sheds, Butchers Stalls, Bulks, Stepping Stones, Scrapers, and Gallowses, Shambles, Blocks or Pieces of Timber, Chopping Blocks, Watering Tubs or Troughs, Posts, Rails, Waterlades, and Stumps, and all other Encroachments, Nuisances, or Annoyances whatsoever, to be taken down and removed, and shall cause all such Signs or other Emblems as aforesaid to be affixed or placed on the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto they respectively belong, and not otherwise, and the Charges and Expenses attending the same shall and may be recovered from the Owners or Occupiers thereof respectively, in the same Manner as any Penalty by this Act imposed is directed to be recovered; and if any Person or Persons shall at any Time or Times hereafter, without the Consent of the said Commissioners first had and obtained in Writing, hang, place, or erect, or cause or procure to be hung, placed, or erected, any Sign, or Sign Post or other Post, Sign Iron, Penthouse, Building, Showboard, Stall, Window Shutter or Flap, Porch, Shed, Butcher's Stall, Bulk, or Gallows, Shamble, Block or Piece of Timber, Chopping Block, Watering Tub or Trough, Post, Rail, Waterlade, or Stump, or shall continue or place any Step leading into any Cellar or Vault, or other Encroachment, Nuisance, or Annoyance whatsoever, or cause the same to be done contrary to the Directions aforesaid, or if any Person shall make any Bow or projecting Window from any House or Building in any Street, Way, or Passage, without the Consent of the said Commissioners, and contrary to their Direction, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings for every Day such Nuisance shall continue; and it shall be lawful for the said Commissioners, or any Five or more of them, at the Costs and Charges of the Owner or Owners thereof, to be recovered as aforesaid, to cause the same to be taken down and removed without any Notice to be given to the Owner or Owners, Tenants or Occupiers, to take down and remove the same.

LVII. And

LVII. And be it further enacted, That if any Slaughter-house, Swine or HogStye, Necessary House, Dunghill, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Filth, or Rubbish, or any other noisome Matter whatsoever, in or near any of the Streets, Lanes, Highways, Passages, or other Places within the said Town, shall be considered by any of the Inhabitants of the said Town as a Nuisance, it shall be lawful for the said Commissioners, from Time to Time, upon Complaint thereof being made to them by any of such Inhabitants, to inquire into the Matter complained of, and all attendant Circumstances, and if they shall deem the same to be a Nuisance which would have been actionable or indictable at Common Law, they are hereby empowered and required, by Notice in Writing under the Hand of their Clerk, to order such Nuisance to be abated or removed within such Time as the said Commissioners shall appoint next after such Notice given to the Person or Persons who ought to remove or abate the same, or for or on whose Behalf the same is carried on, or left at his, her, or their last or usual Place of Abode; and in case such Notice shall not be appealed against at any General or Quarter Sessions of the Peace to be holden for the said Borough of *Newport*, within Four Calendar Months after such Notice shall be given as aforesaid, then every such Owner or Occupier, or other Person, so neglecting or refusing to remedy or remove such Nuisance, pursuant to such Notice and to the Satisfaction of the said Commissioners, shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremedied or unremoved after the Expiration of the said Four Calendar Months from the Time of giving such Notice as aforesaid.

For removal  
of Slaughter-  
houses, &c.

LVIII. And be it further enacted, That if any Horse, Ass, Mule, Swine, or other Beast or Cattle, shall be found straying in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Town, the Owner thereof shall for every such Beast or Head of Cattle forfeit and pay any Sum not exceeding Twenty Shillings; and it shall be lawful for any Officer appointed by the said Commissioners to impound such Beast or Cattle in the Common Pound, or in any Pound which the said Commissioners may provide, (and which they are hereby authorized and empowered to provide and maintain within or near the said Town, for common Use by the Inhabitants thereof,) and to detain the same until the said Penalty, and the Expense of impounding and feeding and keeping the same in Pound, shall be paid and satisfied; and if in any such Case the said Penalty and Expense shall not be paid within Five Days next after such Beast or Cattle shall have been impounded, it shall be lawful for the Person appointed by the said Commissioners for that Purpose to sell the same; and the Costs and Charges of impounding, feeding, and keeping such Beast or Cattle in Pound, and of selling the same, and the said Penalty, shall be defrayed by such Sale; and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner of the said Beast or Cattle, upon Demand.

For impound-  
ing Cattle  
suffered to  
stray.

LIX. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Ass, Swine, or other Live Stock or Cattle, which shall be impounded or seized for the Purpose

Punishing  
Pound-  
breach.

of

of being impounded under the Authority of this Act, or shall pull down, damage, or destroy any Pound in which the same shall be impounded, or any Part thereof, or any Door, Gate, Lock, or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release or attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Ass, Swine, or other Live Stock or Cattle seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof by any Justice of the Peace for the said County of *Southampton*, be committed to the Common Gaol or to the House of Correction for the *Isle of Wight*, there to remain without Bail or Mainprise for any Time not exceeding Three Calendar Months.

For punish-  
ing Misbeha-  
viour in  
Drivers of  
Carriages.

LX. And be it further enacted, That if the Driver of any Waggon, Cart, Dray, Sledge, or other such Carriage shall ride upon any Part of such Carriage, or drive the same faster than a Walk, in any of the said Streets, Lanes, Highways, Passages, or other public Places within the said Town, or shall be at such a Distance from the same during its Passage through the said Town as not to possess the complete Command over the Horses drawing the same; or if any Person riding or driving any Horse shall drive or ride the same furiously in any such Street, Lane, Highway, Passage, or public Place, or shall by Negligence or wilful Misbehaviour interrupt the free Passage of any Carriage or Passenger along the same; or if any Person shall haul or draw, or cause to be hauled or drawn upon any Part of the said Streets, Lanes, Highways, Passages, or other public Places, any Tree or Piece of Timber, or any Stone, otherwise than upon a wheeled Carriage, or shall suffer any Part of any Tree or Piece of Timber to drag upon any Part of the said Streets, Lanes, Highways, Passages, or other public Places; the Driver, Rider, or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and every such Driver, Rider, or other Person offending in any of the said Cases shall and may, by the Authority of this Act, with or without a Warrant, be apprehended by any Person who shall see such Offence committed; and it shall be lawful for the Person so apprehending such Driver, Rider, or other Person to cause him to be delivered to a Peace Officer, in order to be brought before some Justice of the Peace for the said County of *Southampton*, to be dealt with according to Law; and if any such Driver, Rider, or Person, in any of the Cases aforesaid, shall refuse to disclose his Name, the necessary Proceeding may be had against him before such Justice for the said Penalty, by a Description of his Person and the Offence committed, without stating his Name.

For prevent-  
ing Nui-  
sances.

LXI. And be it further enacted, That if any Person or Persons shall, in any of the present or future Streets, Lanes, Roads, Highways, Passages, or other public Places in the said Town, expose for Sale or sell any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, except in the public Market or Fair, or in such Place or Places as shall be appointed for that Purpose, or exhibit or place for Exhibition any Caravan or other Carriage containing any Animal or Animals or other public Show, or in any other Manner exhibit or cause to be exhibited

exhibited any public Show, except in such Place or Places as shall be appointed for that Purpose; or expose or show any Stallion, except in such Places as shall be appointed for that Purpose; or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident), or clean or dress any Horse or other Beast; or turn loose or suffer to be at large any Horse, Ass, Sheep, Bull, Cow, Swine, Goat, or other Beast, or any Bull Dog, Mastiff, or other ferocious Dog of any other Species, not being muzzled; or permit or suffer any Dog whatsoever to go at large after any public Notice given by the said Commissioners, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness; or ride on the Shafts of any Waggon, Dray, Cart, Sledge, or other Carriage, or in any other Part of such Waggon, Dray, Cart, Sledge, or other Carriage or Part of a Carriage, or on any of the Horses, Asses, Mules, or Cattle drawing the same, without the Reins of such Horses, Asses, Mules, or Cattle being held, or be at such a Distance from the same as not to possess the complete Direction over the Horses, Asses, Mules, or Cattle drawing the same; or when driving any empty or unloaded, Waggon, Cart, or other such like Carriage, shall refuse or neglect to turn the same aside and make way for any Coach, Chaise, or loaded Carriage of any Description, or when driving any Waggon, Cart, Sledge, or other Carriage, shall not readily and promptly turn the same out of the Road on meeting Horses and Carriages, so as to leave proper and sufficient Quarter for such Horses and Carriages; or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against and injure or damage any Curbstone or Foot Pavement or Causeway; or suffer any Waggon, Cart, Dray, or other Carriage to stand or remain with or without Horses longer than may be necessary for loading or unloading thereof, or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary; or suffer any Stage Coach, Diligence, Post Chaise, or other Carriage let to Hire to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage; or draw any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal or other heavy Materials, (except the same be wholly in or on some Carriage); or make or répair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or let off or fire any Musket, Gun, or Pistol, or other Fire Arms, (except in case of Necessity for Self-defence,) or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Firework, or sell or expose for Sale any Cracker, Squib, Rocket, or other Firework; or play at Foot-ball, or trundle or turn any Hoop or Hoops, or fly any Kite or Kites, or play at any other Game or Games, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers; or wilfully break, or abet or assist in wilfully breaking, any Glass or Window Panes or Windows, or any

[*Local.*]

10 C

Lamp

Lamp or Lamp Post ; or shall burn, dress, or cleanse any Cask, or hoop or fire, cleanse, wash, or scald any Cask or Tub ; or hew, saw, bore, or cut any Timber or Stone ; or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substance, (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building, or Dirt or Rubbish thereby occasioned, which shall be placed or inclosed in manner mentioned in this Act, so as to prevent any Mischief happening to Passengers,) or any Dust, Dirt, Dung, Soil, Filth, Carrion, Blood, Offal, Refuse of Garden Stuff, or any Sort of Rubbish ; or throw or cast any such Matters or Things into any public or private Well, Pump, Canal, Pool, Watercourse, or Reservoir for Water, or Common River or Brook within the said Town ; or hang up, place, or expose to Sale the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Goods, Wares, or Merchandise whatsoever, or any Fruit, Vegetables, or Garden Stuff, or any other Matter or Thing, in or upon or so as to project over or upon any Footway, or beyond the Line of or on the Outside of the Window or Windows of the House or Shop at which the same shall be so hung up or placed or exposed to Sale, so as to obstruct or incommode the Passage of any Person or Carriage ; or kill or slaughter, or singe, scald, or dress, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any Shop or other Place adjoining and exposed to any of such Streets, Lanes, Roads, Highways, Passages, or other public Places ; or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter-house, Shambles, Butcher's Shop, Hogstye, or Dunghill ; or shall in any of the said Streets, Lanes, or other public Places or Passages within the said Town, sift, screen, wet, slack, or mix any Lime ; or fix up any Flower Pot or Bow Pot or Pots at any Window or Windows, without sufficiently guarding the same so as to prevent their being blown or thrown down ; or leave open (after Sunset) the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to any Cellar, Coal-hole, Vault, Office, or other under-ground Room or Apartment, or of any Area, without having placed or left a sufficient Light to warn or prevent Persons from falling into such Cellars or other under-ground Rooms or Apartments or Areas, or leave open or not effectually fasten and secure any Grate, Stone, Plate, Board, or other Covering placed over any Opening in any Pavement, and used for putting Coals or other Articles into any Cellar or other Place under Ground ; or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner ; or bait or cause to be baited any Bull, Boar, or other Animal in any Part of the said Town, or commit any Nuisance or Annoyance whatever within the said Town ; or run, draw, drive, or carry any Truck, Wheel Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever upon any Footway or Causeway, (except only for the Purpose of crossing any Footway or Causway,) or drag thereon any Timber or Log of Wood, or any Stone or Metal, or roll thereon any Cask or Tub, (other than for the necessary loading or unloading thereof) into, upon, from, or out of any Cart or Carriage, or set or place thereon any Furniture, Goods, Wares, or Merchandise, or any Cask, Tub, Barrel,

Barrel, Box, Pail, Bucket, Stool, Bench, or Stall; or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any way to cause any Obstruction or Impediment in any such Footway or Causeway; or slide upon any such Footway or Causeway; or, by standing, loitering, or remaining in any such Footway or Causeway, (without some reasonable or good and sufficient Cause,) or in any other Manner, obstruct or incommode, hinder or prevent, the free Passage of any such Footway or Causeway, or prejudice, insult, jostle, or annoy any Person or Persons travelling, passing, or going thereon; or throw, cast, lay, or sift any Ashes, (except in the Time of Frost only, and then only to prevent Accidents,) or wilfully ride, lead, or drive on any Footway or Causeway any Horse, Mule, Ass, Swine, or other Beast or Cattle of any Kind whatsoever, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, drawing, or leading, to go thereon; or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Pavement; or indecently expose his or her Person; each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be, (in any of such Cases where the Person actually offending cannot be found or discovered,) or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LXII. And be it further enacted, That it shall be lawful for the said Commissioners to provide and maintain within the said Town sufficient Lock-up Houses or other Places of Security, wherein may be lodged any Nightwalkers, Felons, Malefactors, Vagrants, Disturbers of the Peace, and Beggars within the said Town, until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law; and also to provide Land and Buildings fit and convenient for the Deposit of the Dirt, Dung, Ashes, and other Filth to be swept and collected under the Authority of this Act, and for the Accommodation and Deposit of all Horses, Carts, Fire Engines, Tools, Implements, and other Articles, Matters, and Things to be used and employed by or by the Direction of the said Commissioners; and, for any of the Purposes of this Act, to purchase or take any Lands, Messuages, or Buildings which shall be considered necessary, or otherwise to purchase or take Ground, and to cause any new Erection or Building to be made thereon, and from Time to Time to give up or sell the same, or to purchase or take any other Lands, Messuages, or Buildings for the Purpose aforesaid; and the said Commissioners are hereby authorized and empowered to take and accept any Lease or Leases, Conveyance or Conveyances, of such Land, Messuages, or Buildings for the Purposes aforesaid, and in like Manner to make any Assignment or Conveyance of any Messuages or Buildings, Land or Ground, which they may think proper to sell; and it shall be lawful for the said Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of such Public Offices, Lock-up Houses, or other Places

Power to provide Lock-up Houses, &c. and to purchase Lands for that Purpose, &c.

Places of Security, and for airing, warming, lighting, cleansing, and repairing the same, and for the Use and Management of any such Lands and Buildings, and to make such Allowance or Allowances to the Keepers or Persons having the Care or Superintendence of the same Offices, Lock-up Houses, Lands, Buildings, and Places, for their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the said Commissioners.

Commis-  
sioners to  
provide Fire  
Engines.

LXIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and build, maintain, or cause to be erected, built, maintained and kept in repair, One or more Fire Engine House or Houses within the said Town, and from Time to Time to provide and maintain One or more Fire Engine or Engines, together with all such Pipes, Buckets, and other Articles and Things as may be necessary for working and using the same for the Use of the Inhabitants of the said Town, and to pay and defray all Costs and Expenses attending the same respectively out of the Money to be raised by virtue of this Act.

Fire Plugs,  
&c. to be  
placed.

LXIV. And be it further enacted, That the said Commissioners shall and may from Time to Time order and appoint such and so many Fire Plugs to be put and placed into any Main or other Pipes laid or to be laid along any Part or Parts of the Streets within the said Town, and belonging to any Person or Persons, Proprietor or Proprietors whatsoever, for the better obtaining Water for the working of the Fire Engine or Engines, or otherwise extinguishing of Fires, they the said Commissioners giving Ten Days previous Notice of their Intention to put down Fire Plugs to the Owner of such Main or other Pipes, and doing as little Damage as may be to the said Main and other Pipes; and the Owners or Proprietors of any such Water Pipe or Water Pipes for the Time being shall, upon any Fire happening in the said Town, force up and supply in such Pipes all such Water as can or may be obtained and got along and into the same by means of the Water Engines or Works subsisting for conveying or bringing Water to the said Town for the Time being; and such Pavements so to be taken up, and such Pipes so to be broken into, shall be repaired and made good by the said Commissioners, out of the Rates and Monies to be raised as herein-after is mentioned.

Punishing  
Persons in-  
juring Fire  
Engines, &c.

LXV. And be it further enacted, That if any Person shall wilfully injure any of the Fire Engines, Buckets, Pipes, or Plugs or other Things provided or to be provided for the Purpose of extinguishing Fires as aforesaid, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, and shall also make such Recompence to the said Commissioners for the Injury to be so committed as by any One or more Justice or Justices of the Peace shall be ascertained and awarded in that Behalf; and if any Person shall negligently or accidentally injure or damage any of the said Fire Engines, Buckets, Pipes, Plugs, or other Things to be so provided for the extinguishing of Fires, every such Person shall, in like Manner, make Recompence for such Injury, to be ascertained and awarded as aforesaid.

LXVI. And



LXVI. And be it further enacted, That the Person or Persons appointed by the said Commissioners as Inspector or Inspectors of Markets and Fairs, and of Weights and Measures therein, shall and may and is and are hereby authorized and required to seize and publicly to destroy all unwholesome Flesh Meat or Fish which shall be brought in or offered for Sale in any Market or Fair to be held within the said Town, and all false and deficient Weights and Measures which shall be used or found therein.

Inspectors to seize unwholesome Meat and false Measures in the Markets and Fairs.

LXVII. And be it further enacted, That the said Commissioners shall and they are hereby vested with full Power to fix and ascertain the Rates and Prices of Cartage and Porterage, which shall from Time to Time be paid and payable to Carters, Carmen, and Porters plying and being within the said Town, for the carrying and conveying any Goods, Wares, and other Merchandise from the Pier or Shore near or adjoining to the said Town to any Part or Parts of the said Town, and from any Parts of the said Town to any other Parts thereof, in or upon any Cart, Sledge, Dray, or other Carriage, or upon any Barrow or otherwise, according to the Distances which the same shall be carried, as they the said Commissioners shall think proper, which said Rates and Prices of Cartage, and none other, shall from Time to Time be paid or payable to any of such Carters, Carmen, or Porters; and also the said Commissioners shall and may have and they are hereby invested with full Power to make and ordain such Orders, Rules, and Byelaws, for the better governing and regulating of all such Carters, Carmen, and Porters within the said Town, and the Manner of loading and unloading of all Carts, Waggon, Coaches, Chaises, and other Carriages used, and the Driver and Drivers thereof respectively, in all respects whatsoever, as shall appear fit and proper in the Judgment of such Commissioners; and to fix and appoint such Penalties for the Nonperformance or other Breach of all or any of such Rules, Orders, or Byelaws, or any Part thereof as they shall think proper, such Penalties to be levied and recovered by such Ways and Means as are herein-after mentioned; and all which Rates, Prices, Orders, Rules, and Byelaws, when reduced into Writing, and signed by the said Commissioners, and painted and affixed as herein-before directed, shall from Time to Time be final and binding to all Intents and Purposes.

Commissioners to ascertain the Rate of Cartage, and make Byelaws for regulating the Carmen and Porters.

LXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to constitute, ordain, and provide, from Time to Time, such Byelaws, Rules, and Orders as they shall think fit, for licensing and authorizing a sufficient Number of Hackney Coaches, Chariots, Cabriolets, Cars, or other public Carriages, and Sedan Chairs, to ply for Hire within and for Ten Miles round the said Town of *Ryde*, and for regulating and ordering such Hackney Coaches, Chariots, Cabriolets, and other public Carriages, and Sedan Chairs, and the Owners, Drivers, and Carriers thereof respectively, and also in what Manner such Hackney Coaches, Chariots, Cabriolets, Cars, Carriages, and Sedan Chairs shall be furnished and provided, and for ascertaining and fixing, altering and removing, the Stands from Time to Time, and for punishing the Misconduct and Misbehaviour

Commissioners may make Byelaws for licensing Hackney Coachmen, &c.

[*Local.*]

10 D

haviour

haviour of the Drivers of such public Carriages and Chairmen, within the said Town and Limits as aforesaid, and for ascertaining what Fares and Prices, as well for the Time as for the Distance, shall be allowed and taken by such Drivers and Chairmen, within the said Town and Limits as aforesaid, and the Rates and Fares to be taken for the same; and the said Commissioners may from Time to Time, as they shall think fit, repeal, alter, and amend such Byelaws, Rules, and Orders, or any of them, and shall ascertain and set down what pecuniary Penalties or Forfeitures shall be incurred by Persons breaking or evading the same or any of them; provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any One Offence; provided also, that all such Byelaws, Rules, Orders, and Regulations to be made by virtue of this Act be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to any of the Provisions and Directions in this Act contained, or any of them, and subject to Appeal as herein-after is mentioned.

Penalty on the Driver of Coaches, &c. offending.

LXIX. And be it further enacted, That if the Drivers of any such Carriage as aforesaid, or the Carrier or Carriers of any Sedan Chair, shall be found standing or plying for Hire, or using such Coach or other Carriage or Sedan Chair in the said Town and Limits as aforesaid, or having such Licence shall be found plying or standing for Hire, at a different Place or Standing, for which such Licence shall be granted, the Owner or Owners or Driver or Drivers of, or the Person or Persons driving or offering to drive, such Coach or other Carriage, and the Owner or Owners, Carrier or Carriers of such Sedan Chair, without or contrary to such Licence as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Remedy for Carter, &c. if any Person shall refuse to pay the Fare.

LXX. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay to any Carter, Carrier, Porter, Hackney Coachman, or Chairman, the Fares, Rates, or Sums which shall be ascertained or fixed by the said Commissioners as aforesaid, it shall be lawful for such Carters, Carriers, Porters, Hackney Coachmen, and Chairmen to recover the same by a Warrant or Warrants under the Hand of any Justice of the Peace of the said County of *Southampton*, in like Manner as the Fines, Penalties, and Forfeitures are in and by this Act authorized to be recovered.

Power to borrow Money on Mortgage of the Rates.

LXXI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money not exceeding the Sum of Five thousand Pounds, upon the Credit of the Tolls, Rates, or Assessments by this Act granted and made payable, or authorized to be collected or received for the Purposes of this Act; and by any Writing or Writings under their Hands and Seals to mortgage, demise, grant, or assign over the said Tolls, Rates, or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or to his or their Trustee or Trustees, as a Security or Securities for the Money borrowed, together with lawful Interest for the

the same ; and every such Mortgage or Assignment may be in the Words or to the Effect following ; (that is to say,)

‘ **B**Y virtue of an Act passed in the Tenth Year of the Reign of  
 ‘ His Majesty King George the Fourth, intituled [*here set forth* Form of  
 ‘ *the Title of this Act*], We, Five of the Commissioners appointed Mortgage.  
 ‘ by and in pursuance of the said Act, in consideration of the Sum  
 ‘ of advanced and lent by *A.B.*,  
 ‘ upon the Credit and for the Purposes of the said Act, do grant,  
 ‘ bargain, sell, and demise unto the said *A.B.*, his Executors, Ad-  
 ‘ ministrators, and Assigns, such Proportion of the Tolls, Rates, or  
 ‘ Assessments arising by virtue of the said Act as the said Sum  
 ‘ of doth or shall bear to the whole Sum  
 ‘ which may at any Time be borrowed or become due and owing or  
 ‘ charged upon the Credit of the said Act ; to be had and holden  
 ‘ from this Day of in the Year  
 ‘ until the said Sum of with  
 ‘ Interest at per Centum per Annum for the same,  
 ‘ shall be paid and satisfied.’

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law ; and all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Tolls, Rates, or Assessments, equally one with another, without any Preference in respect of the Priority of advancing any such Money, or the Dates of any such Mortgages or Assignments.

LXXII. And be it further enacted, That it shall be lawful for any Person or Persons entitled to any of the Securities aforesaid, at any Time, by Writing under his, her, or their Hand or Hands respectively, or by their last Wills in Writing, to assign, transfer, or demise such Securities to any Person or Persons whomsoever, and so *toties quoties* ; and such Assignments or Transfers may be made by Indorsement on the Back of their said respective Securities, in the Presence of One credible Witness, after they shall be respectively entered by the Clerk of the said Commissioners in manner herein-after mentioned, (which he is hereby required to do on receiving Five Shillings for every such Transfer,) and shall entitle the Person or Persons to whom the same shall be respectively made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred ; and such Assignment or Transfer shall be in the Words or the Effect following ; (that is to say,)

‘ **I** do transfer the within Mortgage, with all Form of  
 ‘ my Right and Title to the Principal Money thereby secured, and Transfer.  
 ‘ the Interest due or to grow due thereon, and all Arrears thereof  
 ‘ and all my Right and Title thereunto, unto  
 ‘ his Executors, Administrators, and Assigns. Dated this  
 ‘ Day of One thousand eight hundred  
 ‘ and .’

LXXIII. And

Securities to  
be entered in  
Books, &c.

LXXIII. And be it further enacted, That the Clerk to the said Commissioners for the Time being shall, before any Interest on any such Security shall be actually paid by the Treasurer, enter into a Book or Books to be prepared for that Purpose all Securities for Money borrowed by virtue or in pursuance of this Act, and all Assignments, and so much of such Wills as relate to the Bequests of any such Security, expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and other Descriptions of the Persons to whom the same shall be respectively granted, and the Days whereon the Interest shall be respectively payable, to which Book or Books any Person or Persons interested therein shall at all seasonable Times have Access and full Liberty to inspect the same without Fee or Reward.

Annual  
Payment of  
Sums bor-  
rowed.

LXXIV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, yearly and every Year, by and out of the Monies to be raised by virtue of this Act, to pay off and discharge One Twentieth Part at the least of all Monies due and to be borrowed under this Act.

Commis-  
sioners may  
borrow  
Money at a  
lower Rate to  
pay off Secu-  
rities at a  
higher Rate  
of Interest.

LXXV. Provided always, and be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money, for any of the Purposes of this Act, at a lower Rate of Interest than any Security or Securities which shall then be in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said respective Rates, or other Funds or Property, or any Part thereof, in such Manner and with such Restrictions as herein mentioned, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, to pay off and discharge any Security or Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Securities.

Power to  
purchase.

LXXVI. And be it further enacted, That the said Commissioners shall have and they are hereby invested with full Power and Authority to contract and agree with the Owner or Owners, Occupier or Occupiers of all such Messuages, Tenements, Lands, Grounds, and Hereditaments within the said Town, for the absolute Purchase or for a Lease for any Time or Term of Years of any such Messuages, Tenements, Lands, Grounds, and Hereditaments, or of such Part or Parts thereof as they shall think necessary and proper to purchase or rent, for the Purpose of erecting a Market House and other Buildings hereby authorized to be erected, and for making a Market Place, and for widening and improving the said Highways, Streets, and Passages, and for any other of the Purposes of this Act: Provided always, that if the said Commissioners shall not within the Space of Five Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as herein-after mentioned, such Messuages, Tenements, Lands, Grounds, and Hereditaments as aforesaid, or so much thereof as they shall deem necessary or proper, for the Purpose of erecting a Market House and other Buildings,

Limited to  
Five Years  
in certain  
Cases.

Buildings, and making a Market Place, as aforesaid, then and from thenceforth the Powers and Authorities hereby granted to them, as respects such Purposes only, shall cease, determine, and be utterly void, save and except with the Consent in Writing of the Owners and Occupiers thereof respectively.

LXXVII. 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, Husbands, 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, or Femes Covert, who are or shall be seised, possessed of, or interested in any such Messuages, Tenements, Land, Grounds, and Hereditaments, to contract for, sell, and convey or demise the same, and every Part thereof, unto the said Commissioners; and all such Contracts, Agreements, Sales, Conveyances, Leases, 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 whosoever, 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, Leases, and Assurances shall be made at the Expense of the said Commissioners; and such of them as shall be made of any Messuages, Lands, or other Hereditaments to the said Commissioners shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

Power for  
incapacitated  
Persons to  
sell.

‘ I of in con-  
 ‘ sideration of the Sum of to me paid  
 ‘ by “The Commissioners for improving the Town of Ryde in the  
 ‘ Isle of Wight,” do hereby grant and release to the said Commis-  
 ‘ sioners 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 Commissioners, their Successors and  
 ‘ Assigns for ever, [*or for the Term of* at the  
 ‘ Rent of payable quarterly,] by  
 ‘ virtue and according to the true Intent and Meaning of an Act  
 ‘ passed in the Tenth Year of the Reign of His Majesty King  
 ‘ George the Fourth, 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.

And all such Conveyances, Leases, and Assurances shall be valid and effectual Conveyances, Leases, and Assurances of the Hereditaments therein described, and of the whole Fee Simple and Inheritance thereof, or of such Interest as shall be agreed or required by the said Commissioners to be conveyed or demised to them, to all Intents and

[*Local.*]

10 E

Purposes,

Purposes, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, and Interests whatsoever.

For settling  
Differences  
as to the  
Amount of  
Purchase  
Monies.

LXXVIII. And, for settling all Differences which may arise between the said Commissioners 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 by this Act granted, be it further enacted, That if any Bodies 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 for any Lands or Hereditaments, or a Compensation for any Damage or Injury done in carrying this Act into execution, as shall be offered by the said Commissioners 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 Commissioners, within Twenty-one Days next after such Offer shall have been made, and the Party or Parties giving 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, seised 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 Commissioners, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interest 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 Commissioners or the Person or Persons authorized by them; then and in every such Case the said Commissioners shall and they are hereby empowered and required from Time to Time to issue a Warrant under their Hands to the Steward to the Governor of the said *Isle of Wight*, commanding such Steward (and the said Steward is hereby empowered and required) to impanel, summon, and return not less than Twenty-four nor more than Forty-eight 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 said Steward or his Deputy at some Place in the said *Isle of Wight* at such Time as shall be specified in such Warrant, and to attend such Steward or his Deputy at the said Place until discharged by the said Steward or his Deputy; and out of such Persons so to be impanelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Steward 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 Place appointed as aforesaid, the said Steward 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;

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 Steward is hereby empowered and required to summon and call before him any Witness or Witnesses touching the Matters in question, and may order and authorize the said Jury, or any Six 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 Witness or Witnesses, the said Steward or his Deputy is 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 or Demise of such Lands, Grounds, and other Hereditaments ; and the said Steward 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 Ten Days Notice in Writing at 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, in case such Person or Persons can be found before the Time of the Meeting of the said Steward 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.

LXXIX. And be it further enacted, That 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 Commissioners 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 who may be legally capacitated to contract with and make Conveyances to the said Commissioners as herein-before mentioned, then and in all such Cases all the reasonable Expenses of causing such Value to be assessed and awarded as aforesaid shall be settled by the said Steward or his Deputy, and be defrayed by the said Commissioners ; 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 Commissioners, or in case of such Refusal to treat with or make a Conveyance to the said Commissioners 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 Expenses shall be borne and paid by the said Commissioners,) the reasonable Costs and Expenses of causing such Value to be assessed and awarded as aforesaid shall be borne and paid in the Manner following ; that is to say, one Moiety or Half Part of such said Costs and Expenses shall be borne and paid by the said Commissioners, and the other Moiety  
by

By whom  
Expenses of  
Juries shall  
be paid.

by the Body or Bodies Politic, Corporate, or Collegiate, or by the Person or Persons, with whom the said Commissioners shall have such Concerns, Controversies, or Disputes; which said last-mentioned Moiety of the said Costs and Expenses 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 a Jury to enter into Bonds to prosecute the Complaints.

LXXX. 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 Commissioners shall issue their Warrant for that Purpose, enter into a Bond, with Two sufficient Sureties, to the Treasurer of the said Commissioners, in a Sum or Penalty of Two hundred Pounds, with Condition to prosecute his, her, or their said Complaint, and to pay and bear his, her, or their Proportion of the Costs and Expenses of summoning such Jury and taking such Verdict, in case the same shall be given for no greater or less Sum or Rent than had been offered by or on behalf of the said Commissioners before the summoning and returning of the said Jury or Juries, for the Purchase of or as a Recompence for Lands, Grounds, or Hereditaments.

Penalty on Juries refusing to serve.

LXXXI. And be it further enacted, That if the Steward 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 Fifty 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, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expenses, 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 Steward, 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 the said Steward or his Deputy, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty so recovered from any Person who shall have been so summoned to appear or to give Evidence as aforesaid shall go and be paid to the Party who shall appear to the said Steward to be injured by the Default of such Person.

Penalty on Persons guilty of Perjury.

LXXXII. 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 such Steward or his Deputy, or such Jury, or any Justice



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.

LXXXIII. 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, within One Calendar Month after the same shall have been so contracted or agreed for, or determined on or adjudged as 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, or 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 Commissioners, or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purpose of this Act, then, upon the Payment of the said Sum or Sums of Money into the Bank of *England*, as herein-after directed, for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners, and their Agents, Stewards, 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 Estates, Use, Trust, and Interest of any Person or Persons therein, shall from henceforth be and become the sole Property of the said Commissioners to and for the Purpose of this Act for ever; and such Tender, Payment, or Investiture shall not only bar all Right, 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 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 Tender, Payment, or Investment as aforesaid, it shall not be lawful for the said Commissioners, or any Person acting under their Authority, to enter upon such Lands or Grounds for the Purposes of this Act, without Leave of the respective Occupiers thereof.

Upon Payment or Tender of Purchase Monies, the Commissioners to enter upon Lands.

LXXXIV. 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 Commissioners, or to such Person or Persons as they shall appoint to take possession of the same, upon having Six Calendar Months Notice to quit such Premises from the Clerk or Solicitor to the said Commissioners, or from the Person or Persons so authorized by them to take possession; and such Person

Tenants at Will to deliver Possession &c.

[*Local.*]

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or

or Persons in possession shall at the End of Six Calendar Months, whether such Notice be given with reference to the Time or Times of such Tenant's holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to such Person or Persons authorized by them to take possession thereof, such Authority being signified under the Hands of the said Commissioners; 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 said Steward of the *Isle of Wight* or his Deputy to issue his Precept or Precepts to the High Constables of the Hundred of the *East Medene* in the said *Isle of Wight*, 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 Constables are 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 the said Steward of the said *Isle of Wight*.

Verdicts to  
be recorded.

LXXXV. And be it further enacted, That all the said Judgments and Verdicts (being first signed by the said Steward or his Deputy present at the taking of such Verdicts and pronouncing such Judgment respectively) shall be kept by the said Steward among the Records of the *Knighton Court* for the *Isle of Wight*, 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 the Sum of Eightpence for every One hundred Words.

Application  
of Compen-  
sation when  
amounting to  
200*l.*

1 G. 4. c. 35.

LXXXVI. 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 herein-before 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 Court of Exchequer, to be placed to his Account there *ex parte* the Commissioners for improving the Town of *Ryde* in the *Isle of Wight*, pursuant to an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better*

*better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court and for other Purposes, and the General Orders of the said Court, and without Fee or Reward; 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 or on behalf of 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 meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court 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 meantime, 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.*

LXXXVII. 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 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 said Court, and be placed to his Account as aforesaid,

When less than 200*l.* and exceeding 20*l.*

in

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 Five or more of the said Commissioners, (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 may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When less than 20*l.*

LXXXVIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as 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 Commissioners, or any Five 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.

LXXXIX. 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 out a good Title to the Premises to the Satisfaction of the said Commissioners, or any Five or more 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 Commissioners, or any Five 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 said Accountant General, 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, Control, and Disposition of the said Court ; which said Court, on the Application of any Person or Persons making claim to any 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 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, mentioned and specified for what and for whose Use the same is or are received, to such Person  
or

or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XC. 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 said Court 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 under the Possession of any 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 shown; 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 or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to whom Money is to be paid, &c.

XCI. 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 Bank, 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 Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expenses as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the Person obtaining the same, 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 Expenses of Purchases to be paid by the Commissioners.

XCII. And for the carrying into execution the several Purposes of this Act, and for defraying the Expense of procuring and passing of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and required, from Time to Time, to make or cause to be made a Rate or Assessment, Rates or Assessments, on all and every the Occupiers and Occupier of Messuages, Lands, Tenements, Tithes, and Hereditaments whatsoever, within the said Town and the Limits and Boundaries thereof, as described by this Act, according to the annual Assessment of the said Messuages, Lands, Tenements, Tithes, and Hereditaments, to the Rates made and from Time to

Power to make Rates for the Purposes of this Act.

[*Local.*]

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Time

Time to be made under and by virtue of the said Act passed in the  
 55 G.3. c. 92. Fifty-third Year of His said late Majesty's Reign, intituled *An Act  
 for amending the Roads and Highways in the Isle of Wight*, at such  
 Rate or Rates in the Pound as the said Commissioners in their Dis-  
 cretion shall think proper, so that no Rate or Rates do in any One  
 Year exceed the Rate of Two Shillings and Sixpence in the Pound in  
 the whole on such annual Assessment; and the Monies to be raised and  
 collected by such Rates shall be applied for the several and respective  
 Purposes for which the same are hereby authorized to be levied.

Rates may be  
 levied.

XCIII. And be it further enacted, That when and as soon and as  
 often as any Rate or Assessment shall have been made and signed  
 by the said Commissioners, or any Five of them, the Collector or  
 Collectors appointed by the said Commissioners shall and he and they  
 is and are hereby required to collect the same accordingly; and in  
 case any Person or Persons who shall be rated or assessed, or subject  
 or liable to the Payment of any Rate or Assessment to be made or  
 laid or made payable by virtue of this Act, shall refuse or neglect to  
 pay such Rate or Assessment to any Collector to be appointed as  
 aforesaid for the Space of Thirty Days next after personal Demand  
 made by the Collector or Collectors thereof, on Demand in Writing,  
 under the Hand of such Collector, left at the last or usual Place of  
 Abode of the Person or Persons refusing or neglecting to pay as  
 aforesaid, or on the Premises so charged with such Rate or Assess-  
 ment, then and in every such Case the same shall be levied and  
 recovered on all and every such Person or Persons so neglecting or  
 refusing, by Distress and Sale of his, her, or their Goods and Chattels  
 by Warrant under the Hand and Seal of any One Justice of the  
 Peace acting for the said County of *Southampton*, rendering the  
 Overplus (if any) to the Owner or Owners of the Goods or Chattels  
 to be distrained, on Demand, after deducting the Costs and Charges  
 of recovering the same, and of such Distress and Sale; or it shall be  
 lawful for the said Commissioners to recover any such Rate or Assess-  
 ment, so due and payable by virtue of this Act, by Action of Debt or  
 on the Case, in any of His Majesty's Courts of Record at *Westminster*  
 or elsewhere, wherein no Essoign, Protection, Wager of Law, nor  
 more than One Imparlance, shall be allowed.

Warrant of  
 Distress.

XCIV. And be it further enacted, That every Warrant of Distress  
 for Nonpayment of any Rates or Assessments authorized and directed  
 to be granted and issued by virtue of this Act may include One or  
 more Person or Persons, and shall or may be in the Form or to the  
 Effect following; (that is to say,)

‘ Southampton } To the Collectors of the Rates of the Town  
 ‘ to wit. } of Ryde in the County of Southampton, and  
 ‘ to all Constables and other Peace Officers of the said  
 ‘ Town :

‘ WHEREAS the under-mentioned Person [*or Persons, if more*  
 ‘ *than One,*] now or late a Lessor, Landlord, Owner, or Occu-  
 ‘ pier [*or Lessors, Landlords, Owners, or Occupiers, if more than*  
 ‘ *One,*] of the Tenement [*or Tenements, if more than One Person be*  
 ‘ *included*

‘ included in the Warrant,] or other Hereditament within the said  
 ‘ Town, was and is [or were and are, as the Case may be,] liable to  
 ‘ the Payment of the Sum or Sums of Money set opposite to his, her,  
 ‘ or their respective Name or Names [as the Case may be] herein-after  
 ‘ written, by virtue of a Rate or Rates duly made under and by  
 ‘ virtue of an Act passed in the Tenth Year of the Reign of His  
 ‘ Majesty King George the Fourth, intituled [here set forth the Title  
 ‘ of this Act]: And whereas it duly appears upon Oath unto me,  
 ‘ One of His Majesty’s Justices of the Peace for the said County,  
 ‘ [as the Case may be,] that the said Person or Persons [as the Case  
 ‘ may be] has or have neglected or refused to pay the Sum or several  
 ‘ Sums of Money set opposite to his, her, or their Name or Names  
 ‘ [as the Case may be], herein-after written, due from him, her, or them  
 ‘ by virtue of such Rate or Rates [as the Case may be], and that the  
 ‘ said Sum or Sums of Money [as the Case may be] still remains due  
 ‘ and unpaid: And whereas it also duly appeareth unto me the said  
 ‘ Justice [as the Case may be] upon Oath, that the said Person or  
 ‘ Persons [as the Case may be] hath or have been duly summoned to  
 ‘ appear to answer the Premises, and they nor any of them [as the  
 ‘ Case may be] having shown sufficient Cause why such Sum or Sums  
 ‘ of Money should not be paid by them respectively [as the Case may  
 ‘ be]; these are therefore, in His Majesty’s Name, to will and require  
 ‘ you or either of you forthwith to levy the said Sum or severa  
 ‘ Sums of Money [as the Case may be] due from the said Person or  
 ‘ Persons, and hereunder set opposite to his, her, or their Name or  
 ‘ Names respectively, [as the Case may be,] and also such further  
 ‘ Sum or Sums of Money for Costs as is or are also set opposite to  
 ‘ his, her, or their Name or Names respectively, [as the Case may be,]  
 ‘ by Distress and Sale of his, her, or their respective Goods and  
 ‘ Chattels, [as the Case may be,] such Goods and Chattels being kept  
 ‘ for the Space of Five Days before the same are sold, rendering to  
 ‘ him, her, or them respectively [as the Case may be] the Overplus  
 ‘ (if any), on Demand, the reasonable Charges of such Distress, and of  
 ‘ any Removal, or keeping Possession, Appraisement, and Sale, being  
 ‘ first deducted; and if no sufficient Distress can be had or taken,  
 ‘ then that you certify the same to me, to the end that such Pro-  
 ‘ ceedings may be had therein as to Law doth appertain: And I do  
 ‘ hereby strictly charge all and singular the Constables and other  
 ‘ His Majesty’s Peace Officers, for the said County [as the Case  
 ‘ may be] to be aiding and assisting in all things relating to the  
 ‘ Premises. Given under my Hand and Seal, this Day  
 ‘ of in the Year of our Lord

	Sums due.	Costs.	Total.
‘ A. B. Occupier - - - -			
‘ C. D. Landlord or Owner - -			
‘ E. F. For a House let or offered to be ‘ let in separate Tenements - -			
‘ G. H. For a House let or offered to be ‘ let ready furnished - -			
‘ I. K. - - - -			

XCV. And whereas certain Houses within the said Town may be. Landlords  
 by the Landlords or Owners thereof, let out into Lodgings or Tene- of Lodging  
 ments Houses to be

considered as  
Occupiers.

ments to divers Tenants, whereby it may be difficult or inconvenient to rate such Houses, and to recover such Rates and Assessments when made; for Remedy whereof be it further enacted, That the said Commissioners shall and may rate and assess the Landlord or Owner of any House which shall be let as a Lodging House, or which shall be let to or occupied by Two or more Tenants, or which shall be assessed on a Rent or annual Value not amounting to Five Pounds, and the Landlord or Owner of every such House shall pay the same accordingly.

Unoccupied  
Houses to  
pay.

XCVI. Provided always, and be it further enacted, That the Landlord or Landlords shall be liable to pay any Rate or Assessment to be made under the Authority of this Act for or in respect of any dwelling House, Building, Yard, Garden, and Offices, Tenements, or Hereditaments, which shall be unoccupied, during so long Time as the same shall remain so unoccupied, provided the same shall have been occupied during any Portion of the Year as a furnished House or Lodgings.

Commis-  
sioners em-  
powered to  
reduce Rates.

XCVII. Provided always, and be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, to be made in pursuance of this Act, such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, may, by himself, herself, or themselves, or by his, her, or their Agent or Agents, apply to the said Commissioners at any of their said Meetings; and it shall and may be lawful for the said Commissioners, on such Application, to mitigate or reduce such Rate or Rates, Assessment or Assessments, and to give such Relief in the Premises as to them the said Commissioners shall seem just and reasonable; and it shall and may be lawful for the said Commissioners upon the Appeal or Complaint of any Person or Persons subject and liable to the Payment of any Rate or Rates, Assessment or Assessments, by virtue of this Act, to mitigate, reduce, or lessen such Rates or Assessments, and also to excuse or remit the Payment thereof by reason of the Inability of such Person or Persons to pay the same.

Persons re-  
moving be-  
fore Rates  
are paid.

XCVIII. Provided also, and be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any House, Building, Garden, Lands, Tenements, or Hereditaments, for or in respect of which he, she, or they shall have been rated or assessed, or is or are liable to be rated or assessed, by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment in proportion to the Time that he, she, or they occupied the same respectively, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any House, Building, Garden, Lands, Tenements, or Hereditaments, for or in respect of which any Person or Persons shall have been rated or assessed, or be liable to be rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall have removed, or which at the Time of making such Rate or  
Assessment



Assessment was empty or unoccupied, the Person or Persons coming into or occupying the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons shall have occupied the same, in like Manner as if he, she, or they had been originally rated or assessed for such House, Building, Garden, Lands, Tenements, or Hereditaments; which said respective Portions, in case of Dispute, shall be settled and ascertained by the said Commissioners, or by any Two or more of His Majesty's Justices of the Peace for the said County of *Southampton* acting within and for the Division of the said *Isle of Wight*.

XCIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Person or Persons by them authorized, from Time to Time to inspect all and every or any of the Poor Rates for the said Parish of *Newchurch*, and of the Highway Rates of the said *Isle of Wight*, and the Assessments by which the same are respectively regulated and made, and to take Copies of or Extracts therefrom respectively, which the Overseer and Overseers, and other Person or Persons having the Custody thereof respectively, are hereby required to permit and suffer to be made and taken, without Fee or Reward, and on Refusal thereof he or they so refusing shall forfeit and pay for every Offence any Sum not exceeding Forty Shillings.

Commissioners may inspect Poor Rates and Highway Rates.

C. And be it further enacted, That it shall be lawful for the said Commissioners, either on the Application of any Person aggrieved or without, from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been or to be then rated, or by striking out the Name or Names of any Person or Persons who ought not to have been rated therein, or by making such other Amendments or Alterations therein as shall, in the Judgment of the said Commissioners, make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and no such Amendment so to be made by the said Commissioners shall be held to vitiate the same, or render it less operative.

Amendments of Rates by Commissioners.

CI. And be it further enacted, That Duplicates of all Rates and Assessments made or assessed by virtue of this Act shall be deposited with the Clerk to the said Commissioners, who shall permit any Person included therein, or any Mortgagee of such Rates or Assessments, to inspect the same or to take Copies thereof, upon Payment of One Shilling, and such Clerk shall within Five Days after Demand deliver a true Copy of such Rates and Assessments, or any Portion thereof, to such Person or Mortgagee as aforesaid, having been first paid for the making of such Copy at the Rate of Sixpence for every One hundred Words; and in case such Clerk shall refuse to permit or shall not permit every such Person or Mortgagee to inspect the same, or to take Copies thereof, or shall refuse or neglect to deliver such Copy within the said Five Days or at the Rate aforesaid, then and in every

Rates may be inspected and Copies taken.

[Local.]

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such

such Case every such Clerk shall forfeit and pay any Sum not exceeding Ten Pounds.

Compensation for Damages, how to be recovered.

CII. And be it further enacted, That when as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such Commissioners or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the Clerk to the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Commissioners, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain, after Payment of such Sum or Sums of Money, and the Costs and Expenses of hearing and determining the Matter in dispute, and also the Costs and Expenses of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expenses as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Justices may proceed by Summons in the Recovery of Penalties.

CIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information, it shall be lawful for the Justice or Justices to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

CIV. And

CIV. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons or Party or Parties to serve any Notice or Notices upon the said Commissioners, or any Writ or Writs or other legal Proceedings, the Service thereof upon the Clerk of the said Commissioners, or at any of the Offices of the said Commissioners, or left at the last or usual Place of Abode of the Clerk to the said Commissioners, and in case the Residence of the said Clerk be not known, then Service upon any Agent or other Officer employed by the said Commissioners, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Directing what shall be deemed a Service of Notice, &c. on the Commissioners.

CV. And be it further enacted, That all Complaints and Informations of and for Offences against this Act, or against any Rule, Order, or Byelaw to be made in pursuance thereof, (except in Cases where the Manner of hearing and determining the same is hereinbefore otherwise directed,) shall and may be made before One or more Justice or Justices of the Peace for the County or Place wherein the Offence shall be committed; and such Justice or Justices is and are hereby empowered and authorized to take cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, or upon Complaint, upon Oath or Affirmation, to issue his or their Warrant or Warrants for the Apprehension of any such Person or Persons, and upon the Appearance or Nonappearance of any such Person or Persons pursuant to any such Summons, or upon such Person or Persons being apprehended with such Warrant, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses, upon Oath or Affirmation, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person such Justice or Justices shall and may issue a Warrant under his and their Hand and Seal or Hands and Seals, for levying the Penalty or Forfeiture, by virtue of this Act, or of any Byelaw made in pursuance thereof, imposed for any such Offence, together with the Costs of Conviction, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so convicted; and in case such Penalty or Forfeiture shall not be forthwith paid it shall and may be lawful for any such Justice or Justices to order any Person so convicted to be detained and kept in safe Custody until Return can be made to such Warrant and Distress, unless the Offender or Offenders can give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice, or before some other Justice of the Peace for the same County or Place in which such Offence shall be committed, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, (such Day or Days not being more than Seven Days from the taking of any such Security,) and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the Penalty or Forfeiture, and Costs, as aforesaid, and such Penalty or Forfeiture, and Costs, shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the  
Offender

For Recovery of Penalties.

Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction of or for the said County, there to remain for any Term not exceeding Six Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and all such Fines, Penalties, and Forfeitures, when recovered, shall, where the Application is not otherwise directed by this Act, be paid into the Hands of the Treasurer of the said Commissioners, and shall be applied and disposed of towards the Purposes of this Act; and the Overplus, if any, arising from such Distress and Sale, after Payment of the Penalty, and Costs and Charges attending the same, shall be returned, upon Demand, to the Owner of the Goods and Chattels so distrained.

For Apprehension and Commitment of Offenders in certain Cases.

CVI. And be it further enacted, That it shall be lawful for any Person or Persons who shall see any Offence committed against the Provisions of this Act, by any Person destroying or doing any wilful Damage to any of the Works by this Act authorized to be made, or otherwise, contrary to any of the Provisions herein-before contained, to apprehend and detain any such Offender, without any Warrant or other Authority than this Act, and to convey such Offender, or cause him to be conveyed, by some Constable or other Peace Officer, before any Justice of the Peace for the County in or near the Place in which the Offence shall be committed, who shall forthwith proceed against such Offender according to Law, and according to the Provisions in this Act contained.

Form of Conviction.

CVII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, as the Case shall happen, or in any Form of Words to the same Effect; (that is to say,)

‘ **B**E it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_  
 ‘ \_\_\_\_\_ in the \_\_\_\_\_ Year of His Majesty’s  
 ‘ \_\_\_\_\_ Reign \_\_\_\_\_ is convicted before \_\_\_\_\_ of  
 ‘ His Majesty’s Justices of the Peace for the County of Southampton  
 ‘ acting within and for the Division of the Isle of Wight, [*specifying*  
 ‘ *the Offence, and Time and Place when and where the same was*  
 ‘ *committed, as the Case may be*]. Given under my Hand [*or our*  
 ‘ Hands and Seals], the Day and Year aforesaid.’

Distress not unlawful for Want of Form.

CVIII. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings

Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed for Want of Form, 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*; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made by or on the Behalf of the Party distraining before such Action brought.

CIX. And be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for anything done in pursuance of this Act, until Twenty-one Days Notice thereof shall be given to the Clerk to the said Commissioners, nor after a sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought, or tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every Action or Suit may, at his, her, or their Election, plead especially, or 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 the same shall appear to be so done, or that such Action or Suit shall be brought before such Notice thereof shall be given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be brought after the Time limited for bringing the same as aforesaid, or in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue 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, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for Recovery of the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

Limitation  
of Actions.

CX. And be it further enacted, That the said Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third, for amending the Roads and Highways within the *Isle of Wight*, and all and every the Public General Statutes now in force for the Amendment and Preservation of the Highways, and all and every the Regulations and Enactments in the same Statutes respectively contained,

Recited Act  
53 G. 3. and  
the General  
Highway  
Acts to  
extend to  
this Act.

[*Local.*]

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tained,

tained, (except so far as the same are hereby varied or altered,) shall be in force, and, where necessary, shall be applicable and applied to this Act; anything herein contained to the contrary notwithstanding.

Power of  
Appeal.

CXI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Rate or Assessment made or by anything done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, or in pursuance of any Byelaw, Rule, Order, or Regulation, Warrant or Conviction, to be made under or by virtue of this Act, such Person may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be held in and for the Borough of *Newport* in the said *Isle of Wight*, within Three Calendar Months next after such Cause of Complaint shall arise, such Appellant first giving or causing to be given Seven Days Notice at least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Commissioners, and within Two Days after such Notice entering into a Recognizance before some Justice of the Peace for the said Borough, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at such General or Quarter Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such General or Quarter Sessions shall be final, binding, and conclusive to all Intents and Purposes.

Justices on  
Appeal may  
alter or quash  
Rates.

CXII. Provided always, and be it further enacted, That on any Appeal from or against any Rate or Assessment to be made in pursuance of or for any of the Purposes mentioned in this Act, the Justices of the Peace at the General or Quarter Sessions of the Peace to which such Appeal shall happen to be made may alter and amend any such Rate or Assessment in such Manner as they shall think necessary for giving Relief to any Party or Parties injured or aggrieved thereby, without quashing or altering any such Rate or Assessment with respect to any other Persons mentioned in the same; but if upon any such Appeal it shall by such Justices be thought necessary to set aside the whole Rate or Assessment, then and in such Case it shall be lawful for such Justices so to do, and to order a new Rate or Assessment to be made in the Manner herein-before directed.

Inhabitants  
not deemed  
incompetent  
Witnesses.

CXIII. And be it further enacted, That in all Actions, Prosecutions, Informations, and Proceedings whatsoever relating to or concerning the Execution of this Act, or the Recovery of any Rates, Tolls, Penalties, or Sums imposed or made payable by virtue of this Act, no Person residing within the Limits of the said Town, as fixed by this Act, shall be deemed incompetent to give Evidence by reason of such Person being charged with or liable to pay any Toll, Rate, or Assessment by virtue thereof, or by reason of such Person being  
as

as such Inhabitant benefited by any Penalty to be levied under this Act.

CXIV. And be it further enacted, That the several Persons who have subscribed or who shall subscribe any Sum or Sums of Money for or towards defraying the Expenses of obtaining and passing of this Act, and carrying the same into execution, and their respective Heirs, Executors, or Administrators, shall and they are hereby required to pay the respective Sums so subscribed to the Treasurer or Treasurers to the said Commissioners, within such Time or Times, and in such Parts and Proportions, as the said Commissioners shall order and direct, and in default thereof it shall be lawful for the said Commissioners to sue for and recover the same, in the Name of the Clerk, in any of His Majesty's Courts of Record, by Action of Debt or on the Case; and all such Monies shall be and are declared to be vested in the said Commissioners.

Power to compel Payment of Subscription.

CXV. And be it further enacted, That all the Costs, Charges, and Expenses incident to and attending the obtaining and passing of this Act shall be paid and discharged by the said Commissioners out of the first Monies received or to be received by virtue of this Act, in preference to all other Payments whatsoever; and in case any Person or Persons shall advance and pay any Money for the Expenses of obtaining and passing this Act, such Person or Persons shall be repaid the same, together with lawful Interest thereon from the Time of advancing such Money.

For paying the Expenses of this Act.

CXVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter a certain Act passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making a Pier and Landing Place at Ryde in the Isle of Wight*, or the said Act passed in the Fifty-third Year of His said late Majesty's Reign, intituled *An Act for amending the Roads and Highways in the Isle of Wight*, or either of them, or in any way to lessen the Powers of the Commissioners acting under the said last-mentioned Act within the said Town of *Ryde*, except so far as the same are hereby expressly varied and altered.

Not to repeal certain Acts.  
52G. 3. c. 196.  
53G. 3. c. 92.

CXVII. And be it further enacted, That the Word "Owner" shall throughout this Act be construed to mean, not only a Person seised in Fee, but also a Person holding any Lease or Leases for any Term determinable with any Life or Lives.

Definition of Word "Owner."

CXVIII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to prejudice or affect the Lord or Lady of the Manor of *Ashey* and *Ryde* for the Time being, in respect of any Rights or Emoluments belonging to or in anywise appertaining to him or her as such Lord or Lady of the said Manor.

Not to prejudice Lord of the Manor.

CXIX. And

Public Act.

CXIX. And be it further enacted, That this Act shall be deemed 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 referred to by the foregoing Act.

	£	s.	d.
For every Stall or Shed used by a Butcher for selling Flesh Meat, being actually his own Property, per Day - - - - -	0	1	0
For each Stall or Shed used by a Person for exposing to Sale Cheese, Bacon, or Pickled Pork, per Day - - - - -	0	1	0
For every Basket, Parcel, or Quantity of Butter, not exceeding Twelve Pounds - - - - -	0	0	2
For - Ditto - exceeding Twelve Pounds, and not exceeding One and a Half Dozen Pounds - - - - -	0	0	3
For every Basket, Parcel, or Quantity of Butter, exceeding One and a Half Dozen Pounds, and not exceeding Two Dozen Pounds - - - - -	0	0	4
For - Ditto - exceeding Two Dozen Pounds, per Dozen - - - - -	0	0	1
For Poultry, including Fowls, Chickens, and Ducks, Wild Fowl, and Rabbits, not exceeding Half a Dozen - - - - -	0	0	3
- - Ditto - - not exceeding One Dozen - - - - -	0	0	6
- - Ditto - - not exceeding Two Dozen - - - - -	0	0	9
- - Ditto - - not exceeding Three Dozen - - - - -	0	1	0
- - Ditto - - not exceeding Four Dozen - - - - -	0	1	3
For every Dozen exceeding Four Dozen - - - - -	0	0	3
For every Goose or Turkey - - - - -	0	0	2
For every Dozen or under One Dozen of Pigeons - - - - -	0	0	2
For every One Dozen, and not exceeding One and a Half Dozen - - - - -	0	0	4
Not exceeding Two Dozen - - - - -	0	0	6
For every Dozen, exceeding Two Dozen, per Dozen - - - - -	0	0	2
For every Basket, Parcel, or Quantity of Eggs, under Two Dozen - - - - -	0	0	2
For every Dozen above Two Dozen - - - - -	0	0	1
Every Person selling Fish, except Lobsters, Crawfish, Crabs, Prawns, Shrimps, Cockles or Muscles, to pay for each Basket, Hamper, Parcel, or Quantity, not containing more than Two Gallons - - - - -	0	0	4
For every Basket, Hamper, Parcel, or Quantity, not exceeding more than Half a Bushel - - - - -	0	0	8
For every Basket, Hamper, Parcel, or Quantity, not containing more than One Bushel - - - - -	0	1	3
For every Basket, Hamper, Parcel, or Quantity, containing more than One Bushel - - - - -	0	2	0
For every Gallon of Cockles or Muscles - - - - -	0	0	1
For every Basket, Hamper, Parcel, or Quantity of Fruit, not exceeding Half a Bushel - - - - -	0	0	2
- Ditto - - not exceeding a Bushel - - - - -	0	0	3
For every Basket, Parcel, or Quantity of Roots; (that is to say,) Potatoes, Turnips, Carrots, Parsnips, or Onions, not exceeding a Bushel - - - - -	0	0	2
For every Basket, Parcel, or Quantity of other Vegetables, not exceeding a Bushel - - - - -	0	0	1½
For every Basket, Parcel, or Quantity of Potatoes, and other Roots or Vegetables, exceeding a Bushel, per Bushel - - - - -	0	0	1
For every live or dead Sucking Pig - - - - -	0	0	2

[Local.]

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	£	s.	d.
For Lobsters and Crawfish, not exceeding in Weight Half a Dozen Pounds	0	0	3
For - - Ditto - - not exceeding a Dozen Pounds	0	0	4
For every Half a Dozen Pounds of Ditto above One Dozen Pounds	0	0	3
For Crabs, not exceeding in Weight Half a Dozen Pounds	0	0	1
For Ditto, not exceeding in Weight One Dozen Pounds	0	0	1½
For every Half a Dozen Pounds above One Dozen Pounds	0	0	1
For every Hundred Prawns	0	0	2
For every Hundred of Shrimps	0	0	0½
For every Hog or Porker	0	0	4
For Fresh Pork, not exceeding in Weight Half a Dozen Pounds	0	0	1
For - Ditto - not exceeding One Dozen Pounds	0	0	2
For - Ditto - not exceeding a Dozen Pounds above One Dozen Pounds	0	0	1
For every Ox, Bull, Cow, or Heifer	0	2	6
For Sheep, per Score	0	2	6
For Pigs, each	0	0	6
For every other Cattle, per Head	0	1	0
For every Horse, Mare, or Gelding	0	2	6
And every Person, having or using a Stall or Shed for selling any Articles or Things which are not included in this Table, or for selling any Article or Thing, to pay for such Stall, Place, or Shed, per Day	0	1	0
And every Person selling any Article or Thing in the Market, not specified in this Schedule, per Day	0	1	0

## LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1853.