



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

# VICTORIÆ REGINÆ.

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## Cap. ccxix.

An Act to repeal an “Act for better regulating the Poor within the City of *Oxford*,” and to grant further and more effectual Powers in lieu thereof, and also to provide for rating to the Relief of the Poor certain Hereditaments within the University of *Oxford*. [7th August 1854.]

**W**HEREAS by a certain Act of Parliament made and passed in the Eleventh Year of the Reign of King *George* the Third, intituled *An Act for better regulating the Poor* 11 G.3.c. 16. within the City of *Oxford*, certain Provisions were made for the Maintenance, Support, Regulation, and Employment of the Poor of several Parishes in the City of *Oxford*, (that is to say,) the Parish of *All Saints*, the Parish of *Saint Aldate* (with the Liberty of *Grandpont* in the County of *Berks*), the Parish of *Saint Ebbe*, the Parish of *Holywell* (otherwise called *Saint Cross*), the Parish of *Saint Martin*, the Parish of *Saint Mary Magdalen*, the Parish of *Saint Mary the Virgin*, the Parish of *Saint Michael*, the Parish of *Saint Peter le Bailey*, the Parish of *Saint Peter in the East*, and the Parish of *Saint Thomas*, under One Board of Guardians, consisting of

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the Mayor, Recorder, Aldermen, Assistants, Town Clerk, and Solicitor of the said City for the Time being, and also of certain Guardians elected by the Ratepayers of the said several Parishes in Vestry assembled, and which said Guardians were thereby incorporated by the Name of "The Guardians of the Poor within the City of *Oxford*:" And whereas the said several Parishes have ever since been united for the Relief and Maintenance of their Poor, and the Poor thereof have been and are maintained, supported, regulated, and employed under and by virtue of the Provisions of the said Act: And whereas the said Act does not contain any Provisions for the Assessment of the University of *Oxford* in respect of the Colleges and Halls or other Property of the said University to the Poor Rates authorized to be levied thereby, and the Members of the said University form a distinct and separate Body, possessing many special Rights and Privileges, and particularly the Privilege that in Cases of Taxation they shall be assessed by their own Officers, and not by the City: And whereas the ancient Sites of the several Colleges and Halls in the University have been reputed to be extra-parochial, and have hitherto been exempt from Rates for the Relief of the Poor; but Doubts have for some Time past existed as to the Validity of such Exemption, and Disputes have arisen between the said University and the said Guardians respecting the same: And whereas, for putting an end to such Disputes, it is agreed, by and between the Chancellor, Masters, and Scholars of the said University on behalf of themselves and of the Colleges and Halls herein-after mentioned, (that is to say,) the Colleges of *All Souls, Balliol, Brasenose, Exeter, Jesus, Lincoln, New, Oriel* (in respect of such Part thereof as is comprised within the Perambulations of the Parish of *Saint Mary the Virgin*), *Pembroke, Queen's, Saint John Baptist* (in respect of such Part thereof as is comprised within the Perambulations of the Parish of *Saint Mary Magdalen*), *Saint Mary Magdalen, Trinity, University, Wadham, and Worcester*, and the Halls of *New Inn, Saint Edmund, Saint Mary, and Saint Mary Magdalene*, of the one Part, and the Mayor, Aldermen, and Citizens of the City of *Oxford*, and the said several Parishes, by their present Guardians, of the other Part, that the Board of Guardians for the said Union shall hereafter consist of the whole Number of Guardians to be elected by or on behalf of each of the Parties aforesaid, in certain Proportions herein-after mentioned; and it is further agreed by the Parties aforesaid, that the rateable Property in the said University and in the said Colleges and Halls shall hereafter be rated to the Relief, Maintenance, and Employment of the Poor of the said Union: And whereas it is further agreed between the said Parties, that for the Purpose of carrying the said Agreement into effect it is deemed expedient that the said recited Act should be repealed, and other Provisions made instead thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice

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Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That the said recited Act shall from and after the Day on which this Act shall pass into a Law be and the same is hereby repealed. Recited Act repealed.

II. That hereafter there shall be elected for the City of *Oxford*, the several Parishes herein-before mentioned, and for the said University of *Oxford*, and for the said Colleges and Halls therein, in manner herein-after mentioned, Thirty-three Guardians of the Poor; (that is to say,) Eleven Guardians for the said City, who shall consist of the Mayor for the Time being and the Ten Aldermen of the said City for the Time being; Eleven Guardians for the said Parishes, One to be elected by each Parish; Three Guardians for the said University, consisting of the Vice-Chancellor for the Time being, and Two other Members of the said University, being Graduates thereof; and Eight Guardians to be elected by the said Colleges and Halls; provided nevertheless, that whenever the Mayor for the Time being shall be One of the said Aldermen it shall be lawful for the Council of the said City to elect a Member thereof for such Period as the said Mayor shall continue in Office, in order to make up the Eleven Guardians for the said City. Election of Guardians of the Poor.

III. That with respect to the Election of Guardians for the Colleges and Halls in the said University, it shall be lawful for the Governor or Head and Senior Bursar of each of the following Colleges, (that is to say,) the College of *All Souls, Balliol, Brasenose, Exeter, Jesus, Lincoln, New, Oriel, Pembroke, Queen's, Saint John Baptist, Saint Mary Magdalen, Trinity, University, Wadham, and Worcester* Colleges, and for the Governor or Head of each of the following Halls in the said University, (that is to say,) *New Inn, Saint Edmund, Saint Mary, and Saint Mary Magdalen* Halls, to meet together in such Place as the Vice-Chancellor of the said University shall for that Purpose appoint on the Third *Thursday* after the passing of this Act, or as soon after as conveniently may be, and the major Part of the Persons assembled for that Purpose shall proceed to elect Eight Members of the said University, being Graduates of the same, to be Guardians for such Colleges and Halls, and in case of an Equality of Votes in any such Election the Person presiding at the Meeting shall have the Casting Vote, and the Persons so elected shall continue to act and be Guardians for putting this Act in execution until the Twenty-fifth Day of *March* then next ensuing, or in case that Day shall be a *Sunday*, then until the Day following, and from thence until other Guardians shall be elected in their Stead; and in like Manner Guardians for the Colleges and Halls, how elected.

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Manner the Governors or Heads and Senior Bursars of the said Colleges, and the Governors or Heads of the said Halls, shall meet on the said Twenty-fifth Day of *March*, or the Day following, as the Case may be, and on the like Day in every succeeding Year, or as soon after as conveniently may be, to elect Guardians for such Colleges and Halls, to serve as such until the Twenty-fifth Day of *March* in the Year next following, and from thence until other Guardians shall be elected in their Stead.

Guardians for the University, how elected.

IV. That with respect to the Election of Guardians for the University, it shall be lawful for the Chancellor, Masters, and Scholars of the said University, in a Convocation to be held on the Third *Thursday* after the passing of this Act, or as soon after as conveniently may be, and afterwards annually on the Twenty-fifth Day of *March*, or in case that Day shall be a *Sunday* then on the Day following, or as soon after as conveniently may be in every succeeding Year, to elect Two Persons, being Members of the said University and Graduates of the same, to be Guardians, together with the Vice-Chancellor for the Time being, for and on behalf of the University, in putting this Act into execution, for the same Time as Guardians for the Colleges and

Qualification.

Halls are herein-before directed to be elected; and all Members of the University, being Graduates of the same, who shall be appointed Guardians under this Act, whether by and for and on behalf of the Chancellor, Masters, and Scholars of the said University, or by or for and on behalf of the said Colleges and Halls respectively, shall be Guardians to all Intents and Purposes, without showing or proving, or being liable to show or prove, any other Qualification whatsoever.

Guardians for the Parishes already elected to remain in Office till others elected.

V. And with respect to the Election of Guardians for the several Parishes aforesaid, it is enacted, That the Guardians of the Poor already elected and acting for the several Parishes aforesaid shall continue to act as such Guardians, and shall perform all the Duties, and enjoy and exercise all the Authority and Power assigned or given to the Guardians of the Poor for the said Parishes by this Act, until the Third *Thursday* after the passing of this Act, or until other Guardians shall be elected in their Stead.

Time when Election shall take place.

VI. That on the Third *Thursday* after the passing of this Act, or within Ten Days thereof, the Ratepayers of each of the said Parishes, or any Seven or more of them, who shall then by Law have Power to vote at a Vestry Meeting of the said Parish, shall and may meet in Vestry, and elect One Ratepayer of the said Parish to serve as Guardian, and represent the said Parish at the Board of Guardians, until the Twenty-fifth Day of *March* then next following, and from thence until another shall be elected in his Stead, as hereafter mentioned; and on the Twenty-fifth Day of *March* in each and every Year, or on some other

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other Day within Ten Days next after the said Twenty-fifth Day of *March*, the said Ratepayers shall and may meet in Vestry, and elect One Ratepayer of the said Parish to serve as Guardian, and represent the said Parish at the said Board of Guardians, until the Twenty-fifth Day of *March* in the next following Year, and from thence until another shall be elected in his Stead; provided, that nothing herein shall be construed to prevent the said Electors at such Vestry Meeting from re-electing any Person, with his Consent, who may have served the Office of Guardian for the previous Year; and provided, that no Member of the said University entitled to vote for any Guardian of any College or Hall shall vote at such Election of Guardians for any of the said Parishes.

VII. That if any Person so elected as Guardian for any One of the said Parishes shall die, or resign, or refuse to act as such Guardian, or shall become disqualified, during the Year for which he shall have been elected, or in case the full Number of Guardians shall not be elected at the annual Election, the Ratepayers of the Parish for which there is any such Vacancy may elect a qualified Person to supply the Vacancy for the said Parish until the Twenty-fifth Day of *March* next following, and from thence until some other Person shall be elected in his Stead.

Elections in  
case of Va-  
cancy.

VIII. That previous to an Election of Guardians for any of the said Parishes the Churchwardens of the Parish where such Election is to be had shall call a Vestry Meeting for the Purpose of such Election, by giving public Notice of the Time and Place of holding the same, and of the special Purpose thereof, by affixing a Notice on or near the Door of the Church of such Parish before the Commencement of Divine Service on a *Sunday* which shall be at least Seven Days next before the Day appointed for such Meeting, and if either of the Churchwardens shall wilfully neglect or refuse to call such Meeting every such Churchwarden shall forfeit a Sum not exceeding Five Pounds.

Notice of  
Meeting to  
elect.

IX. That no Person shall be capable of being elected or of acting as a Guardian under this Act for any of the said Parishes unless he shall be rated to the Poor for some Building or Land in his Occupation in the Parish for which he is chosen Guardian, nor shall any Person having or being concerned in any Contract with the Guardians in any way relating to the Poor or their Management be capable of being elected or of acting as Guardian so long as he shall be concerned in such Contract.

Qualification  
of Guardians  
for Parishes.

X. Provided, That no Person elected Guardian for any of the said Parishes, and duly serving the Office, shall be liable to serve the

Exemptions.

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said Office within the Space of Five Years from the Period of his former Election, though he be re-elected, nor shall he be subject to any Penalty or Forfeiture for neglecting or refusing to serve upon such Second Election ; and no Person of the Age of Sixty Years or upwards shall be compellable to serve the said Office.

Penalty for  
not serving.

XI. That if any Person duly elected a Guardian as aforesaid for any of the said Parishes shall, without lawful Excuse, neglect or refuse to take upon himself the said Office, or to perform the Duties thereof, having due Notice from the Chairman or the Clerk for the Time being to the Board of his being elected, served either personally upon him, or left for him at his usual Place of Abode, he shall forfeit a Sum not exceeding Ten Pounds.

Weekly  
Meetings of  
Guardians.

XII. And with respect to the Meetings of the said Guardians, it is enacted, That the Guardians for the Time being shall on *Thursday* in every Week meet at the Board Room of the Guardians, or at such other Place as by them shall be appointed, to hold a Court or Assembly for the Purposes of this Act, provided that such Court shall not consist of less than Five Members.

Special  
Courts  
monthly.

XIII. That the Guardians to the Number of Five at the least (whereof the Chairman or One of the Vice-Chairmen shall be One) shall meet on the First *Thursday* in every Month at the Board Room, or at such other Place as the said Guardians shall appoint, to hold a Special Court or Assembly, to be called a General Board.

Special  
Courts  
at other  
times.

XIV. That the Chairman for the Time being, or the Vice-Chairmen, or either of them, may at any other Time summon the Guardians to meet at the said Board Room or other Place to hold a Special Court, of which Meeting a Notice in Writing under the Hand of the Chairman, or the Hands of the Vice-Chairmen, calling the same, shall be given to each of the Guardians, by sending the same through the General Post Office, or causing the same to be left for him at his Place of Residence or Business, Two clear Days before the Day appointed for such Meeting ; and if any Case of Emergency arise requiring that a Meeting of the Guardians should immediately take place, they, or any Five of them, may meet at the ordinary Place of Meeting, and take such Case into consideration, and may make such Order thereon as shall appear to them to be requisite ; and if at any Time Five of the Guardians for the Time being shall signify under their Hands to the Chairman, or in his Absence from the said City to either of the Vice-Chairmen, their Desire that an Extraordinary Court or Assembly of the said Corporation should be called and held, then the said Chairman, or in his Absence One of the said Vice-Chairmen, is hereby enjoined and required to summon, call, and hold such  
Court,

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Court, and upon the Neglect or Refusal of the said Chairman or Vice-Chairmen to call and hold such Court, then it shall be lawful for the said Five Guardians, under their Hands, to summon, assemble, and hold such Court, or assemble at such Time within Seven Days next following such Neglect or Refusal of the said Chairman or Vice-Chairman as they shall appoint.

XV. That at all such weekly, monthly, or other Courts the Chairman, if present, or in his Absence One of the Vice-Chairmen, or in case of the Absence or Refusal of the Chairman and the Vice-Chairmen, then any Guardian present, and chosen for the Purpose by a Majority of the Members present, shall preside at such Court, and take the Chair as President thereof; and where at such Court any Matter shall be put to the Vote, and there shall be an Equality of Votes, such President or Chairman, besides his Vote as Guardian, shall also have another and the Casting Vote. Who shall  
preside.

XVI. That at the First Meeting of the Guardians after Election, and before they take upon themselves the Execution of any of the Powers or Authorities hereby given, and before they shall be capable of acting as such (except in administering the Declaration hereinafter contained), each such Guardian shall make and subscribe (before any Two Guardians) a Declaration in the Words or to the Effect following; (that is to say,) Declaration  
to be made  
before act-  
ing.

‘ I *A. B.*, having been elected One of the Guardians of the Poor  
‘ for the City of Oxford, do hereby declare That I will, without  
‘ Favour or Affection, Hatred or Malice, truly and impartially,  
‘ according to the best of my Skill and Knowledge, execute and per-  
‘ form all and every the Trusts, Powers, and Authorities as a  
‘ Guardian, [and also of the Office of Chairman, or Vice-Chairman,  
‘ *as the Case may be,*] appointed in pursuance of an Act passed in  
‘ the Session of Parliament holden in the Seventeenth and Eighteenth  
‘ Years of the Reign of Queen Victoria, intituled “ An Act to  
‘ repeal ‘ An Act for better regulating the Poor within the City of  
‘ Oxford,’ and to grant further and more effectual Powers in lieu  
‘ thereof, and also to provide for rating to the Relief of the Poor  
‘ certain Hereditaments within the University of Oxford.”’

And if any Guardian shall not attend such First Meeting, then at the First Meeting at which he shall attend he shall make and subscribe the above Declaration, in the Presence of and to be attested by any Two Guardians, before he acts or takes part in any of the Business to be transacted at such Meeting.

XVII. With respect to the Appointment of Officers, it is enacted, That all Officers, Assistants, or Servants who shall hold any Office, Present  
Officers to  
continue.  
Place,

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Place, or Employment under the said Guardians at the Time of the passing of this Act shall continue to hold the same, upon the same Terms, for the same Period, subject to the same Liabilities, and entitled to the same Rights as though this Act had not passed.

Chairman  
and Vice-  
Chairmen  
elected.

XVIII. That at the First Meeting of the Guardians after Election, and after such of them as are then present shall have subscribed to and made the Declaration as aforesaid, they shall proceed to elect out of and from among themselves One Chairman and Two Vice-Chairmen (and shall determine at that Time the Precedence of such Vice-Chairmen), who shall continue in their respective Offices and hold the same until the Twenty-fifth Day of *March* then next following, and from thence until some Person shall be elected to such Office, or until some other Person shall sooner be elected in his Stead; and if any of the said Officers should die or be incapable of acting before the Expiration of the Year for which he shall have been elected, the said Guardians, or any Five or more of them, shall elect from among themselves some other Person to the Office in his Stead, to continue to hold the same for the Remainder of the Time such deceased or incapable Person would have holden the same; provided, that after the passing of this Act, and until the next Election of Guardians, the Officers now executing the several Offices above mentioned shall continue to hold and execute the same as if they had been elected under and by virtue of this Act.

Treasurer,  
Clerk, &c.

XIX. That the Guardians, or any Five or more of them, shall have Power and Authority, in any of their Special Courts or Assemblies, to appoint and employ from Time to Time such Person and Persons as they shall think proper to be and officiate as their Treasurer or Clerk, or in any other Office or Place which shall be thought needful by the said Guardians, and from Time to Time to remove and displace any such Persons, if they shall see Cause to do so, and upon the Death or Removal of any of them to appoint another in his or her Place; and the Guardians may pay and allow the said Treasurer, Clerk, and other Persons so appointed such reasonable Salary or Allowance as to them shall seem fit out of the Funds of the said Corporation.

Treasurer to  
find Secu-  
rity.

XX. That every Person elected a Treasurer as aforesaid shall, before he acts as such, give a Bond, with Two Sureties, conditioned duly to account with the said Corporation for all Sums which he shall receive on their Behalf, and to pay over to them such Balance as he may owe them, when required so to do, and otherwise to act in such Office according to the Tenor of the Trust reposed in him: Provided, that the Guardians may, if they think fit, take the Security of any Society or Company expressly authorized by Statute to guarantee or secure the faithful Discharge of the Duties of such Officer.

XXI. With



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XXI. With respect to the Duties of the Guardians as to the Relief and Maintenance of the Poor, it is enacted, That the ordering, governing, and directing of all the Relief of the Poor in the several Parishes aforesaid, and the Government, Management, and Control of the Workhouse or Workhouses, House of Industry, and Industrial School, and the Apprenticeship of poor Children belonging to the said several Parishes, shall henceforth appertain and belong exclusively to the said Guardians, who shall have, exercise, and perform all such Rights, Powers, Privileges, and Authorities, Duties, Immunities, Protections, and Remedies as have been given to or imposed upon Guardians of the Poor in and by the Act of the Fourth and Fifth Years of His late Majesty King *William* the Fourth, Chapter Seventy-six, or by any subsequent Act, save and except so far as they may be inconsistent with the Provisions of this Act.

House of Industry and the Poor under the Management of the Guardians.

XXII. That the said Guardians, or any Five or more of them, may, and they are hereby authorized, at any Court to be holden as aforesaid, by any Writing under their Common Seal, to assign or turn over any Apprentice bound by them, or wholly to release and discharge him from his or her said Apprenticeship.

Assignment or Discharge of Apprentices.

XXIII. That all Notices relating to Marriages of Persons resident within any of the aforesaid Eleven Parishes before the Superintendent Registrar of Births, Deaths, and Marriages shall be read and published at the weekly Meetings of the Guardians to be held by virtue of this Act, for the like Number of Times and in the same Manner in all respects as such Notices are required to be read and published in and by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, Chapter Eighty-five, intituled *An Act for Marriages in England*, or by any subsequent Act.

As to Notices relating to Marriages.

6 & 7 W. 4. c. 85.

XXIV. With respect to the Powers and Authorities of the said Guardians, it is enacted, That the Guardians so elected and appointed as aforesaid shall be and are hereby declared to be incorporated, and shall for ever be One Body Corporate to all Intents and Purposes, and shall have a perpetual Succession and a Common Seal, and shall be and be called "The Guardians of the Poor within the City of *Oxford*," and may sue and be sued by that Name in all Courts and Places of Judicature within that Part of the United Kingdom called *England*, and by that Name may and are hereby empowered to convey, assign, release, transfer, or dispose of any Lands, Tenements, or Hereditaments, Money, Goods, or Chattels, for the Benefit and Use of the said Corporation, as there shall be Occasion.

Guardians a Corporation.

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Property in  
Goods, &c.  
vested in  
Guardians;  
Penalty for  
embezzling  
it.

XXV. That the Property in all Goods, Chattels, Cattle, Furniture, Provisions, Clothes, Linen, and Wearing Apparel, and all Tools, Utensils, and Materials whatsoever, to be from Time to Time had, bought, or procured by the said Corporation for the Purposes of this Act, and also the Property in all Debts which from Time to Time shall be due and owing to the said Corporation, shall be and are hereby absolutely vested in the said Corporation, who may sue in respect of the same in their corporate Name, and in any Information or Indictment respecting the said Goods, or other Matters above mentioned, the said Corporation may state them to be their Property; and if any Person shall receive or have in his or her Possession any such Goods, Chattels, or other Matters, which shall have been purloined, embezzled, or misapplied by any Overseer, Assistant Overseer, or other Officer, or purloined, embezzled, or misapplied by any Pauper or other Person maintained or employed by the said Corporation, such Person receiving or having the same, knowing the same to have been so purloined, embezzled, or misapplied, upon Conviction before any Two Justices of the Peace, shall (besides and in addition to such Pains and Penalties as he may be liable to independently of this Act) forfeit and pay a Sum not exceeding Thirty Pounds, and also treble the Value of the Goods, Chattels, or other Matter so knowingly received or had by him.

Property  
vested in  
former Cor-  
poration to  
vest in this.

XXVI. That the Lands, Houses, Tenements, and Property, as well real as personal, vested in, belonging to, or held in trust for the Guardians of the Poor of the said City at the Time of the passing of this Act, shall belong to, and vest in, or be held in trust for the Guardians to be appointed under the Authority of this Act, and all Contracts, Bonds, Securities, and Rights whatsoever entered into, claimed, or enjoyed by or on behalf of the said first-mentioned Guardians shall in like Manner be transferred by virtue of this Act to or be enforced against the said last-mentioned Guardians in all respects as though they had been the Parties thereto, and all Proceedings by or against the said first-mentioned Guardians may be continued by or against the said last-mentioned Guardians.

Poor Rates  
already made  
and Sums  
due, &c. to  
be collected.

XXVII. That all Poor Rates and Assessments which shall have been ordered to be made and collected, and all Costs and Sums of Money which shall have been payable in respect of the Poor of the Parishes aforesaid, or become due before the Commencement of this Act, and which shall remain uncollected or in arrear, unpaid or not recovered, at the Time of the Election of the Guardians under this Act, shall be collected, received, recovered, and paid in the same Manner as if the same had been incurred and had become due after the passing hereof.

XXVIII. That

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XXVIII. That the said Guardians are hereby authorized, at any Special Court holden as aforesaid, to make and ordain such Byelaws or Rules as by such Guardians or the major Part of them present at such Court shall be deemed proper, for the better governing of the said Corporation, for regulating their Proceedings, for declaring, specifying, regulating, and enforcing the Duties of the several Officers elected or appointed or employed by the said Corporation, and that all Byelaws heretofore made in pursuance of the Act of Parliament hereby repealed, and now legally in force upon these or any of these subjects, shall be deemed valid and in force upon the Guardians and others acting under this Act until the same shall be altered or repealed; and it shall be lawful for the said Corporation, at any Special Court as aforesaid, to alter any of such Byelaws now or hereafter to be made, or to repeal the same or any Part thereof; and that all Byelaws or Rules, when so made or ordained as aforesaid, and every Alteration or Repeal of the same, shall be forthwith entered in a Book to be kept for that Purpose, to be called the Book of Statutes; and all such Byelaws and Rules, when so made or altered, shall be binding on all Parties intended to be affected by the same.

Guardians  
may make  
Byelaws.

XXIX. And for the Purpose of assessing the rateable Property in the said several Parishes, and in the said University, and the Colleges and Halls thereof aforesaid, it is enacted, That immediately after the passing of this Act, or as soon thereafter as conveniently may be, a Valuation shall be made of the annual Value of all Lands, Houses, and other Property by Law rateable to the Relief of the Poor, situate within the said several Parishes, and within the said University and the Colleges and Halls thereof aforesaid; and for the Purpose of making such Valuation, the Vice-Chancellor of the said University (acting for and on behalf of the said University and of the said Colleges and Halls) of the one Part, and the Guardians of the Poor elected or to be elected for the City and the several Parishes aforesaid of the other Part, shall procure the Poor Law Board to appoint a Valuer to value the same, and which Valuer shall be paid for his Labour and Trouble in that Behalf out of the first Monies to be raised by virtue of this Act; and the said Vice-Chancellor shall appoint One Person, and the said Guardians shall appoint another, to be paid by them respectively, to represent respectively the said University, Colleges, and Halls, and the said several Parishes, before the said Valuer, and who shall attend and assist the said Valuer in his Valuation of the rateable Property aforesaid; and the said Valuer shall have full Power and Authority to receive Evidence from either or both of the said Parties, and to make a particular Survey and Valuation of the whole of such rateable Property, or of any Part thereof, if necessary, or if he shall think fit so to do; and the Valuation to be made by such Valuer

Property in  
Parishes, &c.  
in the Col-  
leges and  
Halls to be  
valued.

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Valuer shall be deemed binding and conclusive on the said University and the Colleges and Halls thereof as aforesaid, and on the several Parishes herein-before mentioned, until some other Valuation of such Properties shall afterwards be made in the Manner aforesaid; and the like Valuation shall be made from Time to Time at the End of every Ten Years, upon the Requisition of either of the said Parties: Provided nevertheless, that if the Persons so appointed to assist the said Valuer shall themselves agree in the Valuation of the whole or any Part of the said Properties without the Interference of such Valuer, such Valuation shall be deemed valid, binding, and conclusive, as if the same had been made by the said Valuer.

Contributions to the Rate in the meantime, by the Colleges and Halls.

XXX. Provided nevertheless, That, until such first Valuation shall be made as aforesaid, the Vice-Chancellor of the said University, immediately after Notice under the Hand of the Chairman or Clerk of the Guardians of the Sum necessary to be raised for the Relief and Maintenance of the Poor shall have been delivered to him or left at his Place of Abode as herein-after mentioned, shall, on behalf of the said University, Colleges, and Halls, pay unto the Treasurer of the said Guardians a Sum equal to Twenty *per Centum* of the Sum so required to be raised; and he shall from Time to Time make the like Payment, upon being served with such Notice as aforesaid, until such Time as such first Valuation shall be made and completed: Provided always, that if, upon such Valuation being made and completed, it shall appear that the Sum, or any of the Sums so paid by the said Vice-Chancellor exceed the Sum which would have been produced by a Rate upon the rateable Property of such University, Colleges, and Halls, according to the Valuation thereof in and by the said Valuation, then the Excess of such Sum so paid, beyond what would have been so produced by the Rate, shall be repaid to the said Vice-Chancellor by the Board of Guardians; or if it shall appear that the Sum so paid by the Vice-Chancellor is less than that which would have been produced by a Rate upon the University, Colleges, and Halls according to such Valuation, then and in such Case the said Vice-Chancellor shall immediately pay to the Treasurer of the said Guardians such Sum or Sums as, together with the Sum or Sums which shall have been already paid by him, shall amount to the Sum or Sums which would have been so produced by such Rate or Rates.

Exemptions from Rate claimed, how to be decided.

XXXI. And whereas the said University, and the said Colleges and Halls thereof, claim that certain Land and Buildings within or appertaining to the same are exempted by Law from being rated to the Relief of the Poor, and the Vice-Chancellor of the said University of the one Part, and the Guardians of the Poor of the several Parishes aforesaid

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aforesaid of the other Part, have agreed that a Case shall be stated (to be prepared by their respective Solicitors, and settled, if there should be any Difficulty or Disagreement, by some Barrister-at-Law to be chosen by them for that Purpose) for the Purpose of obtaining the Opinion of Her Majesty's Court of Queen's Bench whether by Law the same, or any and which of them, are or ought to be exempt from being rated to the Relief of the Poor: Be it enacted, That; upon such Case being so stated as aforesaid, it shall be lawful for the said Court to receive and determine such Case, although no Appeal against any Rate shall then be pending, and the Decision of such Court thereupon shall be final and binding upon the Parties aforesaid, and the Costs attending the same shall be borne by the respective Parties, and those incurred by the University, Colleges, and Halls shall be paid by them, and those incurred by the said Guardians shall, when duly taxed, be paid out of the Funds under their Control.

XXXII. With respect to the Amount of Poor Rate to be made on the said several Parishes, and on the Colleges and Halls, and to that Portion in the said University, it is enacted, That the Guardians shall, as often as Occasion shall require, at special Courts or Assemblies to be called for that Purpose, ascertain the Sum which they shall judge necessary to be raised for the Relief and Maintenance of the Poor of the said several Parishes, and for the other Purposes of this Act, and shall, within Three Days after such Sum shall be so ascertained and agreed upon, give Notice thereof to the Vice-Chancellor of the University in Writing, under the Hand of the Chairman or Clerk to the Guardians, such Notice to be delivered to the Vice-Chancellor or left at his Place of Abode; and which Sum, together with the Amount of the Expenses of collecting the same, shall be raised by equal Pound Rates or Assessments on the rateable Property in the said several Parishes within the Limits of this Act, and on the rateable Property within the said University, and the Colleges and Halls aforesaid, in manner herein-after mentioned.

XXXIII. That the Vice-Chancellor of the University for the Time being, for the Purpose of assessing the rateable Property within the said University, Colleges, and Halls as aforesaid, shall and he is hereby empowered and required from Time to Time, immediately on the Receipt of the Notice from the Clerk to the Guardians or the Chairman of the Sum required by the Guardians, and of the Rate in the Pound at which it is to be raised and levied, to rate and assess the several Properties in the Occupation of the University, and the several Colleges and Halls aforesaid, according to the full rateable Value of such Properties, in such Manner as Rates are directed to be made under the Act of the Sixth and Seventh of *William* the Fourth,

How Rate to be assessed for the Colleges and Halls.

*Oxford Poor Rate.*6 & 7 W. 4.  
c. 96.

Chapter Ninety-six, intituled *An Act to regulate Parochial Assessments*, and in and by the Rates and Assessments which shall be so made to direct the Time within which the Monies to be raised thereby shall be paid to the Vice-Chancellor or to the University Bailiff for the Time being, or such other Person or Persons as the Vice-Chancellor shall appoint to collect or receive the same; and the Rates upon the Colleges shall be paid by the Bursars for the Time being, or other Officers employed in or usually receiving the Rents of their Estates; and the Rates upon the Halls shall be paid by the Principals of the said Halls for the Time being; and in case of Non-payment of the Rates by any of the said Parties within the Time appointed, the same shall be recovered by the Vice-Chancellor for the Time being, after Demand made of such Rate by the Bailiff or other Person appointed to receive the Rates, by Distress and Sale of the Goods, Chattels, and Effects of the College or Hall, or other Party making default, or the same may be sued for and recovered by the Vice-Chancellor, Masters, and Scholars of the University by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*, or in the Courts of the said University; and the Sums received from such Rates shall be paid, by the Vice-Chancellor of the University for the Time being, to the Treasurer of the Guardians, on or before the Expiration of Eight Weeks from the Time that Notice of the Ascertainment of the Sum required shall have been given as herein-before provided; and in default of Payment of any such Sum within the Time herein-before limited for that Purpose, the same, or such Part thereof as shall be due and unpaid, shall and may be recovered of and from the Vice-Chancellor, or the Chancellor, Masters, and Scholars of the said University, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*, to be commenced and prosecuted by and in the Name of the Corporation aforesaid.

Who to be  
rated.

XXXIV. That in the making of any Rate or Assessment by the Vice-Chancellor as aforesaid it shall be sufficient to rate and assess the following Parties; (that is to say,) the Chancellor, Masters, and Scholars of the University of *Oxford* in respect of the *Clarendon* Buildings and the University Press, the Superintendents or other Occupiers for the Time being of the Houses within the Quadrangle of the Press, the Occupiers for the Time being of the Houses and Rooms of the Professors and others in the Botanic Garden, *Ashmolean* Museum, and in the *Taylor* Institution and University Galleries; and in the Colleges and Halls it shall be sufficient to rate and assess the Head of each College and Hall in respect of his House in or attached to the same; and in the Colleges to rate the Bursar for the Time being (without further naming him) in respect of the Rooms and other rateable Parts of each College; and in the Halls to rate the  
Principal

*Oxford Poor Rate.*

Principal of each Hall (in a separate Sum) in respect of the Rooms and other the rateable Property of the Hall.

XXXV. That every Rate or Assessment that shall be made by the Vice-Chancellor of the University under the Authority of this Act shall be signed by him, and shall be deposited with the Registrar of the University for the Time being; and every such Rate or Assessment shall at all reasonable Times be open to the Inspection of every Person therein rated or assessed, and of the Members of the several Colleges and Halls, who may take Copies of or Extracts from such Rate or Assessment.

Inspection  
of University  
Rate.

XXXVI. That if any College or Hall, or other Party charged or assessed by the Vice-Chancellor to any such Rate or Assessment, shall feel themselves or himself aggrieved by any such Rate or Assessment, such College, Hall, or Party shall state in Writing the Grounds of such Dissatisfaction, and deliver the same to the Vice-Chancellor; and if the Vice-Chancellor shall refuse or omit to amend the Rate, then such College, Hall, or Party, after paying the Amount charged in such Rate or Assessment, may, within Two Months after the making of such Rate or Assessment, appeal against the same to the Delegates of Appeal, to be appointed as herein-after mentioned.

Appeal  
against Uni-  
versity Rate.

XXXVII. That, annually, in the same Convocation which shall be held for the Appointment of Guardians by the Chancellor, Masters, and Scholars as herein-before is provided, the Proctors of the University for the Time being shall nominate Persons, being Masters of Arts or of some superior academical Degree in the University, who shall be called "Delegates of Appeal in Cases of Poor Rates," who shall have Power to hear and determine throughout the Year following all such Cases of Appeal as aforesaid, and their Determination thereof shall be final.

Delegates of  
Appeal, how  
appointed.

With respect to the Poor Rate payable by the several Parishes aforesaid, it is enacted—

XXXVIII. That so soon as the said Guardians shall have ascertained the Amount that will be required for the maintaining and employing the Poor, and for other the Uses and Purposes of the said Corporation, and shall have ascertained as nearly as they conveniently may, from Inspection of former Rates or otherwise, what Sum in the Pound upon the rateable Property within the said several Parishes, University, Colleges, and Halls is, together with the Sum to be raised by the Vice-Chancellor, sufficient to produce the said Amount, together with the Costs of Collection and other Expenses, they shall, at the same or some other special Court by them to be holden, direct their

Poor Rate on  
the Parishes.

Precepts

*Oxford Poor Rate.*

Precepts to the Churchwardens and Overseers of the Poor of each of the several Parishes aforesaid, requiring them to assess and rate all the Occupiers of rateable Property and others liable to be rated within their respective Parishes at such certain Sum in the Pound of the rateable Value of such Property, and thereupon the Churchwardens and Overseers of each of the said Parishes respectively, or the major Part of them, shall forthwith make a Rate and Assessment, in such Form as is required by the Statute of the Sixth and Seventh of *William* the Fourth, Chapter Ninety-six, herein-before mentioned, upon all Occupiers of Land, Houses, and Buildings, Tithes impropriate, and Propriations of Tithes, within such Parish, at the Sum in the Pound mentioned in such Precept; and they shall rate each of the said Persons upon a Value equal to the Rent at which his or her rateable Property might reasonably be expected to let to a Tenant from Year to Year, such Tenant paying all the usual Rates and Taxes, and the Tithe Commutation Rentcharge, if any, but deducting therefrom the probable average annual Costs of Repairs, Insurance, and other Expenses, if any, necessary to maintain it in a State to command such Rent; and after each such Rate or Assessment shall have been allowed and published in manner required by Law in respect of a Poor Rate made by the Churchwardens and Overseers of the Poor of any other Parish not subject to the Provisions of this Act, the Churchwardens and Overseers of each of the said Parishes shall, in the event of the Non-appointment of Collectors or Collector by the Board and not otherwise, cause the Sums therein assessed to be collected, and in case Default be made in Payment shall cause the same to be levied in manner by Law directed.

Rate on Houses let out in Apartments or ready furnished.

XXXIX. That where a House within any of the said Parishes is let out in separate Apartments, or ready furnished; the Party letting the same shall be deemed the Occupier thereof, and shall be rated for the same accordingly: Provided always, that the Goods and Chattels of every Person renting a separate Apartment or Apartments, or a House ready furnished, shall be liable to be distrained for the Sum at which his Landlord shall have been so rated in case his Landlord make default in Payment of the same, and any Sum which shall be paid by such Tenant for or on account of such Rate he may deduct from the next Rent due and payable from him to his said Landlord.

Overseers to pay over the Amount to the Treasurer.

XL. That, upon the Churchwardens and Overseers causing the said Rate to be collected and levied, they shall from Time to Time pay to the Treasurer of the Corporation the Sums they shall receive on account of the said Rate, and obtain a Receipt for the same; and so soon as they shall have completed the Collection and levying of the Rate as far as may be, they shall deliver the said Rate, with an  
Account



*Oxford Poor Rate.*

Account of the Sums received, and of the Sums still owing, and the Names and Residences of the Defaulters, to the Guardians, at some Court to be holden by them as aforesaid.

XLI. That every Churchwarden or Overseer who shall neglect or refuse to make or join in making such Rate or Assessment as aforesaid, or cause the same to be allowed or published, or shall neglect or refuse to cause any Sum therein to be collected or levied, or to return to the Guardians the Rate and Account aforesaid, shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Penalty for  
default of  
Overseers.

XLII. That if any such Churchwarden or Overseer shall die having then received Money on account of any such Rate or Rates as aforesaid which he may not have paid over to the said Treasurer, the same shall be a Lien and first Charge upon any Property, real or personal, which he may have died possessed of; and his Heir, Executors, or Administrator, or other his Representative, shall within Ten Days after his Death pay over the Amount thereof to the said Treasurer, otherwise it shall be lawful for the said Guardians, in their corporate Name, to commence and prosecute an Action at Law for the Recovery thereof.

Remedy in  
case of  
Death.

XLIII. That every Collector of Poor Rates appointed by the Guardians to assist the Churchwardens and Overseers in the Collection of the Poor Rates shall pay all Moneys received by him by virtue of his Office as such Collector to the Treasurer of the said Guardians, and shall be empowered by the Authority of the said Guardians to take all such Means and conduct and prosecute all such Proceedings before Justices or otherwise for the Recovery of the Arrears of Poor Rates within the Parishes comprised within his District as Overseers of the Poor can now take and prosecute, and the Complaint of any such Collector of the Nonpayment of Poor Rates shall be available to the same Extent as that of an Overseer.

Collectors to  
have same  
Power as  
Overseers.

XLIV. That the Acts of the Seventeenth of *George* the Second, Chapter Three, Sections Two and Three, and the Seventh of *William* the Fourth, Chapter Ninety-six, Section Five, shall apply to the Rate to be made under the Authority of this Act.

Inspection of  
Parish Rate.

XLV. That if any Person or Persons shall think himself, herself, or themselves aggrieved by any such Rate or Assessment as aforesaid, or shall have any material Objection to any Person or Persons being put into or left out of such Rate or Assessment, or to the Sum charged on any Person therein, it shall be lawful for him, her, or them to appeal

Appeal  
against a  
Parish Rate.

[*Local.*]

41 P

to

*Oxford Poor Rate.*

to the next Court of General or Quarter Sessions for the said City of *Oxford*, giving such Notice and Grounds of Appeal, and proceeding in such Manner as is or at any Time hereafter shall be by Law required in ordinary Cases of an Appeal against a Poor Rate; or if his Objection be only to the Inequality of the Rate, or to the Unfairness or Incorrectness in the Valuation of any Hereditament included therein, he may appeal to the Justices in Special Sessions in manner as provided by Statute Six and Seven of *William* the Fourth, Chapter Ninety-six, Section Six, and the Decision of such Justices thereon shall be final, unless the Party impugning it shall give Notice of appealing against it, and enter into a Recognizance in manner and within the Time mentioned and provided in and by the said Act.

Proviso as to  
old Debt of  
Corporation.

XLVI. That the Monies which shall be in the Hands of the Guardians or their Treasurer, or which shall be due to the Guardians at the Time of the passing of this Act, and all Rates or Assessments herein-after made, shall be liable to the Payment of all Debts of the said Corporation heretofore incurred as fully as if this Act had not passed.

Overseers  
may make  
Rates for  
statutable  
Purposes.

XLVII. That in all Cases where Churchwardens or Overseers are or shall be directed by any Statute to raise any Money for other Purposes than for the Poor by Taxation of the Inhabitants or Ratepayers of a Parish, the Churchwardens and Overseers of the Poor of the said several Parishes may still continue to do so without any Precept directed to them in that Behalf by the said Guardians: Provided nevertheless, that the Guardians may, if they shall so think fit, pay out of the Monies raised by the Rates to be levied under the Authority of this Act such Expenses legally chargeable upon any Parish or Parishes within the said City as to the said Guardians shall appear to be too small in Amount to justify the same being raised by a separate Rate.

With respect to Proceedings for Penalties and other Matters, it is enacted—

Proceedings  
for Penalties.

XLVIII. That all pecuniary Penalties and Forfeitures by this Act inflicted or authorized to be imposed shall be recovered, with Costs, and levied, or the Offender punished, in the Manner described and provided for by Statute Eleven and Twelve of *Victoria*, Chapter Forty-three, and all Monies recovered thereby shall be paid to the Treasurer of the said Corporation, to be applied for the Purposes of this Act; provided, that it shall be lawful for the said Guardians, if they shall think fit, to give any Portion of such Penalty or Forfeiture to the Informer who shall have prosecuted for the same; provided also, that  
all

*Oxford Poor Rate.*

all Penalties heretofore incurred for anything done contrary to the former Act hereby repealed may be recovered or the Offender punished, notwithstanding such Repeal, in such Manner as if this Act had not passed.

XLIX. That all pecuniary Penalties and Forfeitures inflicted by any Byelaw already made by the Guardians under the Authority of the Act hereby repealed, or to be made by the Guardians under the present Act, shall be recoverable in like Manner as Penalties and Forfeitures inflicted by this Act are recoverable as aforesaid, except that in the Information (if in Writing) and in the Conviction and other Proceedings where, in ordinary Cases, the Words "contrary to the Form of the Statute in such Case made and provided" occur, the Words following shall be inserted (that is to say): "contrary to the Byelaw of the Corporation of Guardians of the Poor within the City of *Oxford*, whereby it was ordered that," setting out the Byelaw on which the Information shall be framed.

Recovery of  
Penalty in-  
curred under  
Byelaw.

L. That no Order, Conviction, or other Proceedings herein mentioned shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari or other Writ, save and except that where the Court of Quarter Sessions shall confirm, or quash, or amend a Poor Rate, subject to a Case for the Opinion of Her Majesty's Court of Queen's Bench, it shall be lawful to remove the Order of such Court of Quarter Sessions with such Case into the said Court of Queen's Bench, there to be dealt with as such Court shall deem fit and just.

No Certio-  
rari, except,  
&c.

LI. Provided that this Act, or anything herein contained, shall not be deemed or construed to affect or interfere with the Rights or Privileges of the said University, or with the Rights and Privileges of the said City of *Oxford*, except as in and by this Act is enacted.

Act not to  
affect the  
Privileges of  
the Univer-  
sity or City.

LII. Provided that this Act shall not be deemed or construed to vary or alter the Limits of the said several Parishes, or the Mode of appointing the Churchwardens or Overseers for the same respectively.

Act not to  
alter the  
Limits of  
Parishes, or  
the Mode of  
appointing  
Overseers.

LIII. Provided that nothing herein contained shall rescind, repeal, or in any respect impeach the Power, Authority, or Control of the Poor Law Board in respect of the Administration of the Laws for the Relief of the Poor in the said City, and the Parishes comprised therein, or over the said Guardians or their Officers, or over the Churchwardens

Act not to  
abridge the  
Power of the  
Poor Law  
Board.

*Oxford Poor Rate.*

Churchwardens and Overseers of the said several Parishes, and that all Orders, Rules, and Regulations heretofore issued by the Poor Law Commissioners, or the Poor Law Board, to the Guardians of the Poor of the said City, or to the Overseers of the said several Parishes, or to any of their Officers, and not altered or rescinded, shall continue in full Force and Operation in the said City, notwithstanding the Repeal of the said first-mentioned Act.

Expenses of  
the Act.

LIV. That all Charges and Expenses incurred in and about the procuring and passing of this Act shall, when taxed by the proper Officers, be paid as soon as may be out of the Monies which shall arise by virtue of this Act.

With respect to Actions against Persons for anything done under this Act, it is enacted—

Limitation of  
Actions.

LV. That no Action shall be brought against the said Corporation, or any of the said Guardians, or any Officer elected or appointed by them, or against any Churchwarden or Overseer of any of the said Parishes, or any Person employed by them, for anything done by them respectively in pursuance of this Act, unless the same be commenced within Two Years after the Act complained of shall have been committed.

Notice of  
Action.

LVI. That no such Action shall be commenced until One Month at least after a Notice in Writing of such intended Action shall have been delivered to the Party complained of, or left for him at his usual Place of Abode by the Party intending to commence such Action, or by his Attorney or Agent, in which said Notice the Cause of Action, and the Court in which the same is intended to be brought, shall be clearly and explicitly stated; and at the Back thereof shall be endorsed the Name and Place of Abode of the Party so intending to sue, and also the Name and Place of Abode or of Business of the said Attorney or Agent, if such Notice have been served by such Attorney or Agent.

Venue, Plea.

LVII. That in every such Action the Venue shall be laid in the County where the Act complained of was committed, or in Actions in the County Court the Action must be brought in the Court within the District of which the Act complained of was committed; provided always, that no Action shall be brought in any such County Court against a Guardian or Officer aforesaid for anything done by him in the Execution of his Office if such Guardian or Officer shall object thereto; and if within Six Days after being served with a Summons in any Action such Guardian or Officer, or his Attorney or Agent, shall give a written Notice to the Plaintiff in such Action that he  
objects

*Oxford Poor Rate.*

objects to being sued in such County Court for such Cause of Action, all Proceedings afterwards had in such County Court in any such Action shall be null and void.

LVIII. That in every such Case, after Notice of Action shall be given as aforesaid and before such Action shall be commenced, such Guardian or Officer to whom such Notice shall be given may tender to the Party complaining, or to his Attorney or Agent, such Sum of Money as he may think fit as Amends for the Injury complained of in such Notice; and after such Action shall have been commenced, and at any Time before Issue joined therein, such Defendant, if he have not made such Tender, or in addition to such Tender, shall be at liberty to pay into Court such Sum of Money as he may think fit; and which said Tender and Payment of Money into Court or either of them may afterwards be given in Evidence by the Defendant at the Trial, under the General Issue aforesaid; and if the Jury at the Trial shall be of opinion that the Plaintiff is not entitled to Damages beyond the Sum so tendered or paid into Court, then they shall give a Verdict for the Defendant, and the Plaintiff shall not be at liberty to elect to be nonsuit; and the Sum of Money, if any, so paid into Court, or so much thereof as shall be sufficient to pay or satisfy the Defendant's Costs in that Behalf, shall thereupon be paid out of Court to him, and the Residue, if any, shall be paid to the Plaintiff; or if where Money is so paid into Court in any such Action the Plaintiff shall elect to accept the same in satisfaction of his Damages in the said Action, he may obtain from any Judge of the Court in which such Action shall be brought an Order that such Money shall be paid out of Court to him, and that the Defendant shall pay him his Costs, to be taxed; and thereupon the said Action shall be determined, and such Order shall be a Bar to any other Action for the same Cause.

Tender for  
Payment of  
Money into  
Court.

LIX. That if at the Trial of any such Action the Plaintiff shall not prove that such Action was brought within the Time herein-before limited in that Behalf, or that such Notice as aforesaid was given One Calendar Month before such Action was commenced, or if he shall not prove that such Cause of Action arose in the County or Place laid as Venue in the Margin of the Declaration, or (when such Plaintiff shall sue in the County Court) within the District for which such Court is holden, then and in every such Case such Plaintiff shall be nonsuit, or the Jury shall give a Verdict for the Defendant.

Evidence,  
Nonsuit, &c.

LX. That in any such Action, if the Defendant shall obtain Judgment upon Verdict or otherwise, he shall be entitled to his full Costs in that Behalf, to be taxed as between Attorney and Client.

Costs.

[*Local.*]

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LXI. That

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*Oxford Poor Rate.*

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Public Act.

LXI. That this Act shall be a Public Act, and deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and other Persons whatsoever, without being specially pleaded.

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