



ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. lxxix.

An Act for continuing the Term and amending and enlarging the Powers of Three Acts of His Majesty King *George* the Third, for amending certain Mileways leading to *Oxford*, and making Improvements in the University and City of *Oxford*, the Suburbs thereof, and adjoining Parish of *Saint Clement*; and for other Purposes in the said Acts mentioned. [21st July 1835.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending certain of the Mileways leading to Oxford; for making a commodious Entrance through the Parish of Saint Clement; for rebuilding or repairing Magdalen Bridge; for making commodious Roads from the said Bridge through the University and City, and the Avenues leading thereto; for cleansing and lighting the Streets, Lanes, and Places within the said University and City, and the Suburbs thereof, and the said Parish of Saint Clement; for removing Nuisances and Annoyances therefrom and preventing the like for the future; for empowering Colleges and Corporations to alienate their Estates there; for removing, holding, and regulating Markets within the said City; and for other Purposes*: And whereas an Act was passed in the Twenty-first Year of the Reign of His said Majesty, intituled *An Act to amend and enlarge the Powers of an Act passed in the Eleventh Year of His present Majesty's Reign, for performing several Works and making Improvements*

[Local.]

ments within the University and City of Oxford and the Suburbs thereof, and in the adjoining Parish of Saint Clement: And whereas an Act was passed in the Fifty-second Year of the Reign of His said Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for amending certain Mileways leading to Oxford, and making Improvements in the University and City of Oxford, the Suburbs thereof, and adjoining Parish of Saint Clement, and for other Purposes*: And whereas a large Sum of Money remains due upon the Credit of the Tolls granted and continued by the said recited Acts, and the Terms for which the said Tolls were to have Continuance are nearly expired; and such Money cannot be paid off, nor the Mileways, Bridge, and Avenues repaired, cleansed, and lighted, unless the said Tolls are continued for a further Term of Years: And whereas further Provisions and Amendments are necessary to render the said Acts effectual: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Acts passed in the Eleventh, Twenty-first, and Fifty-second Years of His said late Majesty's Reign, as relates to the Tolls thereby respectively granted, and to the Mileways, Bridge, and Avenues thereto, shall, upon the passing of this Act, have Continuance for and during the Term hereinafter mentioned.

Recited Acts continued.

Power to widen Magdalen Bridge.

II. And be it further enacted, That the Commissioners appointed in or by virtue of the said recited Acts or this Act, or any Fifteen or more of them, shall have full Power and Authority to order and direct the said Bridge called *Magdalen Bridge* to be widened to such Extent as they may think necessary, and to pay and defray the Expences incurred by such widening by and out of the Tolls and Duties to be collected and received at the Turnpikes or Toll Houses erected or to be erected by virtue of the said recited Acts, or to borrow and take up at Interest upon the Credit of the said Tolls the Whole or such Part of the said Expences as they the said Commissioners, or any Fifteen or more of them, shall think fit, and may and are hereby empowered to demise or mortgage the said Tolls and Gates, Turnpike or Toll Houses, as a Security to any Person or Persons who shall advance such Expences or any Part thereof in the Form and Manner mentioned and contained in the said first-recited Act.

Mileways and Bridge to be watered and lighted.

III. And be it further enacted, That the said Commissioners shall have full Power and Authority to cause as well the said Mileways as also *Magdalen Bridge* to be watered and lighted by such Ways and Means and in such Manner as they shall think fit, and that the Expences attending the same shall be defrayed out of the Tolls and Duties which shall be collected by virtue of this and the said recited Acts.

Tolls not to be applied in widening Streets.

IV. Provided always, and be it further enacted, That from and after the passing of this Act none of the said Tolls shall be applied towards the widening of any of the Roads, Streets, or Ways within the said University or the said City, or Suburbs thereof.

County and City Magistrates to be

V. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County or City of *Oxford*, being duly qualified as required

quired by the Act of the Third Year of the Reign of His late Majesty King *George* the Fourth, in Cases of Persons acting as Trustees or Commissioners in execution of any Act for making, repairing, or maintaining any Turnpike Roads, shall be Commissioners for carrying into execution the said herein-before recited Acts and this Act so far as respects the said Tolls, Bridge, and Mileways.

Commissioners so far as regards the Tolls.

VI. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this or the said recited Acts until he shall at a Meeting to be held by virtue of this or the said recited Acts have taken and subscribed an Oath, or (being a Quaker) shall have made and subscribed an Affirmation, in the Form or to the Effect following; (that is to say,)

Commissioners to take Oath.

‘ I *A. B.* do swear [*or, being a Quaker, do solemnly declare and affirm,*] Form of Oath.
 ‘ That I will truly and impartially, according to the best of my Judgment, execute and perform the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled [*here set forth the Title of the Act*], and of another Act passed in the Fourth Year of the Reign of His said late Majesty, intituled [*here insert the Title of the Act*], and of Three several Acts passed in the Eleventh, Twenty-first, and Fifty-second Years of His Majesty King *George* the Third, for amending certain Mileways leading to *Oxford*, and making Improvements in the University and City of *Oxford*, the Suburbs thereof, and the Parish of *Saint Clement*, and for other Purposes, and also of an Act passed in the Sixth Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*].
 ‘ So help me GOD.’

VII. And be it further enacted, That if any Person shall act as a Commissioner without having taken and subscribed the Oath, or, being a Quaker, not having made and subscribed the Affirmation, herein-before mentioned, or shall take any Contract whilst he is a Commissioner under this or the said recited Acts, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same, by Action of Debt or on the Case, or by Bill, Suit, or Information.

Penalty on Persons acting as Commissioners without taking Oath.

VIII. And be it further enacted, That from and after the passing of this Act no Person shall be capable of acting as a Surveyor in the Execution of this and the said recited Acts until he shall have taken and subscribed an Oath or Affirmation (which any Commissioner is hereby authorized and empowered to administer at any General Meeting of the Commissioners) in the Form of Words following; (that is to say,)

Qualification of Surveyor.

‘ I *A. B.* do swear, [*or, being a Quaker, do solemnly declare and affirm,*] Oath.
 ‘ That I will faithfully, impartially, and honestly, according to the best of my Skill and Knowledge, execute and perform the several Powers and Authorities vested in me as a Surveyor in or by virtue of Three several Acts passed in the Eleventh, Twenty-first, and Fifty-second Years of the Reign of His Majesty King *George* the Third, for amending certain Mileways leading to *Oxford*, and making Improvements in the University
 ‘ and

‘ and City of *Oxford*, the Suburbs thereof, and the Parish of *Saint Clement*, and for other Purposes, and also of an Act passed in the Sixth Year of the Reign of His Majesty King *William* the Fourth, intituled [here set forth the Title of this Act], and without Favour or Affection, Prejudice or Malice, to any Person or Persons whatsoever.

‘ So help me GOD.’

Penalty for acting without taking the Oath.

And if any Person shall act as a Surveyor for any of the Purposes of this or the said recited Acts before he shall have taken and subscribed such Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, without any other Proof or Evidence on the Part of the Informer than that such Person hath acted as Surveyor in the Execution of this or the said recited Acts.

Streets, &c. may be widened.

IX. And whereas several Parts of the Streets, Lanes, Ways, Passages, and Places within the said University and City, the Suburbs thereof, and the Parish of *Saint Clement*, are narrow and incommodious, and it would be of great Benefit if the same were widened; be it therefore enacted, That it shall be lawful for the said Commissioners, or any Nine or more of them, to widen the narrow Parts of the said Streets, Lanes, Ways, Passages, and Places, so as to make the same commodious for Carriages and Passengers, and also to take down and remove all such Houses and Buildings as any Person or Persons shall be willing to sell, grant, or convey to the said Commissioners for such Purposes.

Commissioners may purchase Land for the Purpose.

X. And be it further enacted, That it shall be lawful for the said Commissioners to treat, contract, and agree with the Owners and Occupiers of and all other Persons interested in any Houses, Buildings, Lands, Tenements, or other Hereditaments within the said Streets, Lanes, Ways, Passages, and Places which they the said Commissioners, or any Nine or more of them, shall think right and proper to be taken or used for the Purpose of widening the same, for the absolute Purchase thereof, and to purchase the same accordingly, or to make Compensation for any Damage to be done thereto in the Execution of the Purposes aforesaid.

Power to enlarge the present Market, or erect and appropriate another.

XI. And whereas the said City of *Oxford* and its Neighbourhood have of late Years greatly increased and are still increasing in Population and Buildings, and there is Reason to apprehend that the Market established by virtue of the said recited Acts will soon become inadequate for the same; be it therefore enacted, That it shall be lawful for the Committee for the Time being appointed by the Chancellor, Masters, and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and Commonalty of the City of *Oxford* respectively, pursuant to the Provisions of the said recited Act of the Eleventh Year of the Reign of King *George* the Third, or any Five or more of them, and they are hereby authorized and empowered, when and as they shall think fit, to extend and enlarge the said present Market Place, or any Part or Parts thereof, and, if they shall deem it expedient, to appropriate and set apart a sufficient Space of Ground, if the same can be purchased or obtained, in some convenient Part of the said City of *Oxford* or the Suburbs thereof, as or for a second or additional Market for the Sale of all or any of the marketable Commodities now usually sold or exposed to Sale in the present Market of the said City.

XII. And

XII. And be it further enacted, That for the Purposes aforesaid it shall be lawful for the Committee for the Time being so appointed as aforesaid, or any Five or more of them, and they are hereby empowered, when they shall deem it necessary, on the Behalf of the Chancellor, Masters, and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and Commonalty of the said City of *Oxford*, and their respective Successors, to treat and agree for the Purchase of any Houses, Buildings, Lands, Tenements, or other Hereditaments adjoining the Site or Limits of the said present Market Place; which the said Committee, or any Five or more of them, shall think right and proper to be taken or used for enlarging the said present Market, or, if the said Committee for the Time being, or any Five or more of them, shall think proper, to treat and agree for the Purchase of any Houses, Buildings, Lands, Tenements, or other Hereditaments situate and being in any other Part of the City of *Oxford* or the Suburbs thereof, which the said Committee, or any Five or more of them, shall think right, convenient, and proper to be appropriated or set apart and used as and for a second or additional Market as aforesaid; and it shall be lawful for the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and their respective Successors, to hold all such Houses, Buildings, Lands, Tenements, or other Hereditaments to be so purchased as aforesaid, without becoming or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever: Provided always, that nothing herein contained shall authorize or empower the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or their respective Successors, to hold any greater Quantity of Land for the Purpose of a Market or Markets in *Oxford* or the Suburbs thereof than Six Statute Acres in the whole, including the Site or Limits of the said present Market Place.

Power to
Market Com-
mittee to
purchase
Houses, &c.

Not to hold
more than
Six Statute
Acres in the
whole.

XIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, Feoffees in Trust, and other Trustees whomsoever, for and on behalf of themselves, their Heirs and Successors, and for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and also for Femes Covert themselves, whether seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, or other Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for any of the Purposes of this Act (but under such Restrictions as to Quantity as respects the said Market as aforesaid), to treat, contract, and agree with the said Commissioners or with the said Market Committee for the Time being, or any Five or more of them (as the Case may be), for the Sale thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Commissioners, or to any Five or more of them, or to any Person or Persons in Trust for them, or to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and their respective Successors (as the Case may be), for the Purposes aforesaid; and all Contracts, Bargains, Sales, and Conveyances

Bodies Politic
empowered
to sell.

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which

which shall be so made by virtue and in pursuance of this Act shall, without any other Conveyances and Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Use, Property, Possibility, Claim, and Demand whatsoever of their said several Cestuique Trusts, and of all Persons whomsoever claiming or to claim by, from, or under him, her, or them, or any of them, or claiming or to claim in Remainder or Reversion, or expectant on any particular Estate, or by way of executory Devise or springing Use, and the same shall be deemed and considered to bar effectually all Dower of any such Person or Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of any Person or Persons claiming under them, any Law, Statute, or Usage, or any other Matter or Thing, to the contrary in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, and other Trustees, and all and every other Person and Persons, is and are and shall be indemnified for what he, she, or they shall do by virtue or in pursuance of this Act.

The Consent of Lessor to be obtained.

XIV: Provided always, and be it further enacted, That in all Cases of Tenants for a Term of Years at Rack Rent, or for Terms or Interests usually renewed on Payment of a Fine, Premium, or Foregift, the Consent in Writing of the Lessor or Lessors of such Houses, Buildings, Lands, Tenements, or other Hereditaments, or any Part thereof, shall be had or obtained previous to any Contract, Bargain, Sale, or Conveyance thereof to be made by virtue and in pursuance of this Act.

On Persons refusing to treat or to sell Houses, &c. on the Western Side of the present Market, Jury to be summoned to assess the Value.

XV. Provided always, and be it further enacted, That if any such Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, Feoffees in Trust, and other Trustees whomsoever, or any other Person or Persons, seised, possessed, or in anywise interested in all or any of the Houses, Buildings, Lands, Tenements, or Hereditaments situate on the Western Side of the said present Market, mentioned, described, or referred to in the Schedule to this Act annexed, required to be purchased and taken for the Enlargement thereof as aforesaid, or any Occupier or Occupiers thereof, sustaining any Loss, Injury, or Damage, (upon Notice to him or them given or left in Writing, signed by the Clerk or Clerks of the said Market Committee, at the Dwelling House or Houses or usual or last Place, or Places of Abode of such Person or Persons, or of the principal or head Officer or Officers of such Bodies Politic, Corporate, or Collegiate, or Corporation, or at the House of the Tenant or Tenants in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments intended to be purchased and taken for the Purposes last aforesaid,) shall, for the Space of Twenty-one Days next after such Notice given or left as aforesaid, neglect or refuse to treat and agree or shall not agree for the Sale of the said Premises, or by reason of Absence or Disability

Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in Possession of, or the Interest they claim therein, to the Satisfaction of the said Market Committee, then and in every such Case the said Market Committee shall cause the Value and Recompence to be made for such Houses, Buildings, Lands, Tenements, or Hereditaments to be inquired into and ascertained by a Jury of Twelve indifferent Men of the said County of *Oxford*; and for the summoning and returning such Jury the said Market Committee are hereby empowered from Time to Time to issue their Warrant or Warrants under the Hands of any Five or more of them to the Sheriff of the said County, thereby commanding and requiring him to impanel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve upon Juries at the Assizes of the said County, to appear before the said Sheriff, at such Time as in such Warrant or Warrants shall be appointed, at the Town Hall or at some other convenient Place within the said City; and the said Sheriff is hereby required to impanel, summon, and return such Number accordingly to attend at the Time and Place so appointed; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff is hereby empowered to swear Twelve to be the Jury for the Purposes aforesaid; and in default of such a Number of Jurymen appearing the said Sheriff shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is hereby also required and empowered from Time to Time, as Occasion shall be or require, to summon and call before the said Jury and examine upon Oath (which Oath the said Sheriff is hereby empowered to administer) all and every Person and Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises; and he shall also order and cause the said Jury to view the Places in question if there be Occasion, and use all lawful Ways and Means as well for his own as for the said Jury's better Information in the Premises as the said Sheriff shall think fit; and the said Jury shall assess the Damages and Recompence to be given for the Houses, Buildings, Lands, Tenements, or Hereditaments to the respective Owner or Owners and Occupier or Occupiers thereof according to their respective Interests therein, and shall give in their Verdict thereupon; and after the said Jury shall have inquired of and assessed such Damages and Recompence, and given in their Verdict, the said Sheriff shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the Person or Persons interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury: Provided always, that in such Inquiry the Person or Corporation claiming Compensation shall be Plaintiff, and shall have all such Rights and Privileges as Plaintiffs in Actions at Law are entitled to.

XVI. And be it further enacted, That such Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereupon so had and made, shall be final, binding, and conclusive to all Intents and Purposes against all Tenants for Life, Tenants in Tail, and all Infants, Issue un-

Verdict of
Jury to be
final.

unborn,

unborn, Idiots, Lunatics, Femés Covert, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder, or Expectancy, or otherwise, and against their several and respective Heirs, Successors, Executors, or Administrators, and against all other Person or Persons whomsoever; and all and every such Owners, Occupiers, and other Persons in anywise interested in such Houses, Buildings, Lands, Tenements, or Hereditaments shall thereby, on Payment or legal Tender of the Money contracted or agreed or assessed to be paid for the Purchase thereof, as herein provided, be from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Remainder, Reversion, Interest, or Property of, in, to, or out of the same; and on Payment of the Money so assessed to the respective Persons entitled thereto or their Agents, or upon paying the same into the Bank of *England* in manner by this Act directed, and after such Payment, it shall and may be lawful for the said Sheriff to cause the Premises in respect whereof such Money shall be assessed to be disposed of, and such Acts to be done thereto, as if the Purchase thereof had been agreed upon and completed, and the said respective Premises were untenanted, and the Purchase or Consideration Money had been received by the Person or Persons entitled thereto; and thereupon the Premises shall absolutely vest in the said Chancellor, Masters, and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and Commonalty of the City of *Oxford* respectively, and they shall be and be deemed to be in the actual Seizin and Possession thereof to all Intents and Purposes whatsoever; and every Verdict and Judgment thereupon as aforesaid shall be transmitted to and be fairly entered and kept amongst the Records of the Quarter Sessions of the Peace of the said County, and a Duplicate of such Verdict and Judgment shall be transmitted to and kept by the Clerk or Clerks of the said Market Committee, and the same or true Copies thereof shall be admitted, received, and taken in Evidence and Proof in all Courts of Law or Equity and all Places whatsoever; and all Persons shall have recourse to them *gratis*, and may take Copies thereof, paying Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words; and the said Sheriff acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines on any of the Persons who shall be summoned and returned on such Jury and shall not appear without some sufficient Excuse, or who shall refuse to be sworn on such Jury, or being so sworn shall refuse to give or shall not join in giving his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons who, being summoned to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, without some sufficient Excuse, or appearing shall refuse to be sworn or give Evidence, so as such Fine to be imposed on any Jurymen or Witness shall not exceed the Sum of Five Pounds for One Offence.

Expences of
Jury how to
be paid.

XVII. And be it further enacted, That in case such Jury shall give in or deliver a Verdict or Assessment for more Money as a Recompence or Satisfaction for the Right, Interest, or Property of any Person or Persons, Bodies Politic, Corporate, or Collegiate, in or to such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or for

for any such Damages or Injury as aforesaid, than shall have been offered or tendered by the said Market Committee before the summoning or returning of such Jury, then the Costs and Expences of such Notice or Notices, Precept or Precepts, and of summoning and returning such Jury and Witnesses, and also of the said Inquest, (such Costs and Expences to be settled and allowed by any Justice of the Peace for the said County of *Oxford*, not being one of the said Market Committee, nor a Person interested,) shall be borne and paid by the said Market Committee out of the Money arising by virtue of this Act for the Purposes of the said Market, and shall and may be recovered by the Person or Persons entitled thereto by Distress and Sale of the Goods and Chattels of the said Market Committee, in like Manner as Rents may be recovered by Landlords; but if any Jury shall give in and deliver a Verdict or Assessment for no more or for less Money as a Recompence or Satisfaction as aforesaid than shall have been offered or tendered by the said Market Committee before the summoning or returning of the said Jury or Juries as aforesaid, then the Costs and Expences aforesaid shall be borne and paid by the Person or Persons, Bodies Politic, Corporate, or Collegiate, with whom the said Market Committee shall have had any Controversy or Dispute, and shall be recovered in the same Manner as any Penalties and Forfeitures are herein-after directed to be recovered, and be recovered by Distress and Sale in manner aforesaid; but in Cases where Parties, by reason of Absence or Disability, shall have been prevented from treating and agreeing, such Costs and Expences shall be paid and borne by the said Market Committee out of the Money arising by virtue of this Act for the Purposes of the said Market, and be recovered by Distress and Sale in manner aforesaid.

XVIII. And be it further enacted, That all Persons in Possession of any Houses, Buildings, Lands, Tenements, or other Hereditaments mentioned in the Schedule to this Act, which shall be purchased or taken for the Purposes last aforesaid, and who shall have no greater Interest than as Tenants at Will or Lessees for a Year, or as Tenants from Year to Year, shall respectively deliver up Possession of such Premises to the said Market Committee, or to such Person or Persons as the said Market Committee shall appoint to take possession of the same, upon having Six Calendar Months Notice from the said Market Committee, or the Person or Persons so appointed by them, to quit the same at such Time or Times as shall be required by such Notice, they the said Market Committee making such Satisfaction and Compensation to every such Tenant, Lessee, or other Person aforesaid (except a Mortgagee), in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term or Interest in the Premises, as the said Market Committee shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be ascertained and settled by a Jury in such and the like Manner as the Satisfaction and Compensation to be made by the said Market Committee for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments is and are herein directed to be ascertained and settled in case of any Dispute or Difference about the same; and such Lessee, Tenant, or other Person aforesaid in Possession shall, at such Time or Times as he, she, or they shall be required by the said Market Committee, peaceably and quietly deliver up the Possession of the

Lessees and Tenants at Will to deliver Possession on Six Months Notice.

said Premises to the said Market Committee, or to the Person or Persons authorized by the said Market Committee to take possession thereof as aforesaid; and if any such Lessee, Tenant, or other Person aforesaid so in Possession as aforesaid shall refuse or neglect to deliver up such Possession, then and in every such Case it shall be lawful for the said Market Committee to issue their Precept or Precepts under the Hands of any Five or more of them to the said Sheriff to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the issuing or Execution of such Precept or Precepts on the Person or Persons so refusing to deliver up Possession as aforesaid by Distress and Sale of his, her, or their Goods and Chattels.

Persons holding under Leases to produce the same.

XIX. And be it further enacted, That in all Cases in which any Party shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he or she shall claim to be possessed of or be entitled unto in any Houses, Buildings, Lands, Tenements, or Hereditaments to be taken or used under the Authority of this Act, under or by virtue of any Demise, Lease, or Grant thereof, the said Market Committee may, on One Month's Notice in Writing under the Hand or Hands of their Clerk or Clerks, require such Party to produce or show to such Market Committee the Demise, Lease, or Grant in respect of which such Claim to Satisfaction or Compensation shall be made, and if such Demise, Lease, or Grant shall not be so produced or shown, the Party claiming such Satisfaction or Compensation shall be considered as holding only from Year to Year.

If Land not contracted for within Three Years, Power to take Property on Compulsion to cease.

XX. And be it further enacted, That unless the said Market Committee shall within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in this Act is mentioned, the Houses, Buildings, Lands, Tenements, or Hereditaments which they are by this Act empowered to take or use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purposes of the said Market, then and from thenceforth the Powers which are hereby granted to them for taking or using the same shall cease and be utterly void (save and except with the Consent in Writing of the Owners and Occupiers thereof respectively).

Application of Purchase Money when amounting to 200*l.* and upwards.

XXI. And be it further enacted, That if any Money shall be contracted or assessed to be paid for any Houses, Buildings, Lands, Tenements, or other Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for any of the Purposes aforesaid, which shall belong to any Body Politic or Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Fee Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, 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 *ex parte* "The Commissioners of the *Oxford Paving Acts*," or *ex parte* "The *Oxford Market Committee*," (as the Case may be,) to the Intent that such Money shall

shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order to be made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid, affecting the said Houses, Buildings, Lands, Tenements, or other Hereditaments, or affecting other Hereditaments standing and being settled therewith to the same or the like Uses, Intents, and Purposes, or in the Improvement of the other or remaining Parts of the said Houses, Buildings, Lands, Tenements, or other Hereditaments; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with 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 Houses, Buildings, Lands, Tenements, or other Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be subsisting 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 of Exchequer upon Application made thereto as aforesaid, 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 and 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 Houses, Buildings, Lands, Tenements, or other Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement thereof were then actually made.

XXII. Provided always, and be it further enacted, That if any Money so to be paid for any Houses, Buildings, Lands, Tenements, or other Hereditaments to be purchased, taken, or used for the Purposes of this Act, or any of them, and belonging to any Body Politic or Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than Two hundred Pounds and shall exceed 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 Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy, 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 Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid; in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved of by the said Commissioners, or

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

any

any Five or more of them, or by Five or more of the said Market Committee for the Time being, as the Case may be, (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 to arise thereon or the Interest thereof, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When not exceeding 20*l*.

XXIII. And be it further enacted, That where such Purchase Money so to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall belong absolutely and be paid to the Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or other Hereditaments so to be purchased, taken, or used for the Purposes of this Act as aforesaid, in such Manner as the said Commissioners or any Five or more of them, or the said Market Committee or any Five or more of them (as the Case may be), shall think fit, or in Cases of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person and Persons so entitled respectively.

In case of not making out Titles.

XXIV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or other Hereditaments, or of any Estate, Right, or Interest therein, or to any Bank Annuities to be purchased with any such Money, or to the Interest or Dividends of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or other Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or other Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; 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 to 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 Houses, Buildings, Lands, Tenements, or other Hereditaments, or to some Estate or Interest therein.

Expences of Purchases to be allowed by the Court.

XXV. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, Body or Bodies, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or other Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and to be applied in the Purchase of other Hereditaments to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the Court of Exchequer to order the Expence of all such Purchases from Time to Time to be made, or so much of such Expences as to the said Court shall

shall seem reasonable, to be paid by the said Commissioners or by the said Market Committee for the Time being, as the Case may be, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXVI. And be it further enacted, That upon Payment or legal Tender of the Money so contracted or agreed or assessed to be paid as aforesaid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments by the said Commissioners or the said Market Committee, or by way of Compensation for any Damage done thereto, to the Party or Parties, Person or Persons, respectively entitled to such Money, or their Agents, within One Calendar Month after the same shall have been so agreed upon or assessed; or if the Parties so entitled cannot be found, or shall be absent from *England*, or shall refuse to receive such Money as aforesaid, or shall refuse or neglect or be unable to make a good Title to such Houses, Buildings, Lands, Tenements, and Hereditaments to the Satisfaction of the said Commissioners or Market Committee, as the Case may be, or if any Party entitled to or hereby capacitated to convey such Houses, Buildings, Lands, Tenements, or Hereditaments shall not be known, or shall be absent from *England*, or shall refuse to convey the same, then upon Payment into the Bank of *England*, as herein-before directed, to the Credit of the Parties interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, or if any such Money shall have been agreed or assessed to be paid for the Purchase of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or for such Compensation as aforesaid, which any Person under Disability is hereby capacitated to convey, then upon Payment of such Money into the Bank of *England*, as herein-before directed, to an Account *ex parte* the Commissioners of the *Oxford* Paving Acts, or *ex parte* the *Oxford* Market Committee, as the Case may be, or in such other Manner as such Money is herein-before directed to be paid; it shall be lawful for the said Commissioners or the said Market Committee, as the Case may be, immediately to enter upon such Houses, Buildings, Lands, Tenements, or Hereditaments, and the Estate and Interest of the said several Parties therein, and also all the Right, Estate, Use, Property, Possibility, Claim, and Demand whatsoever of their several Cestuique Trusts, and of all Persons whomsoever claiming or to claim by, from, or under them, or by way of executory Devise or springing Use, shall thenceforth become vested in and be the sole Property of the said Commissioners, or of the said Chancellor, Masters, and Scholars, and Mayor, Bailiffs, and Commonalty, as the Case may be (and so far as relates to such Purchases for the Purposes of the said Market, in such and the same Manner, and be subject to the same Control and Enjoyment in all respects, as far as Circumstances will admit, as the said present Market and the Site thereof is now subject to by virtue of and under the Provisions contained in the said recited Acts); and such Payment or Tender and Conveyance, or such Deposit in the Bank of *England* as aforesaid, shall operate to merge all outstanding or other Terms of Years, and to bar and destroy all Dower, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issues of any Person or Persons claiming under them: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid it shall not be lawful for the said Commissioners or the said Market Committee to enter upon such Houses, Buildings,

On Payment of Purchase Money, Premises to vest in Commissioners, &c.

Lands, Tenements, or Hereditaments for any of the Purposes of this Act, save for the Purpose of ascertaining and setting out the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

Power to
Market Com-
mittee to
appropriate
10,000*l.* of
the Savings;

XXVII. And be it further enacted, That notwithstanding any thing in the said recited Acts or this Act mentioned or contained the said Market Committee for the Time being, or any Five or more of them, shall, after all the Monies already borrowed under the said recited Acts shall have been paid off, discharged, or satisfied, have full Power and Authority to apply, lay out, and expend, out of the Rents and Profits which may from Time to Time arise from the said present or extended Market, or any new or additional Market, and out of the Savings which may from Time to Time be made by the falling in of Annuities, any Sum not exceeding Ten thousand Pounds in, about, and towards the Improvement of the said present or extended Market, or the building, erecting, or Improvement of any new or additional Market that may be made as aforesaid, in such Manner and at such Times as the said Committee for the Time being, or any Five or more of them, shall deem expedient.

and to
contribute
4,000*l.*
towards
widening
Jesus College.

XXVIII. And be it further enacted, That it shall be lawful for the said Market Committee for the Time being, or any Five or more of them, from and out of the said Rents and Profits and Savings as aforesaid, to contribute and apply any Sum not exceeding Four thousand Pounds towards the Costs and Expences of widening a certain Street or Lane in the said City called *Jesus College Lane*, running from the Corn Market into the *Turl*.

Form of
Conveyance.

XXIX. And be it further enacted, That all Conveyances and Assurances of any Houses, Buildings, Lands, Tenements, or other Hereditaments to be made for the Purposes of this Act may be in the Form or to the Effect following, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

‘ I [or We, as the Case may be,] of _____ in con-
sideration of the Sum of _____ to me [or us] paid by the
Chancellor, Masters, and Scholars of the University of *Oxford*, and the
Mayor, Bailiffs, and Commonalty of the City of *Oxford*, or the Com-
mittee by them respectively deputed or appointed, pursuant to an Act
passed in the Eleventh Year of the Reign of King *George* the Third,
for (amongst other Things) holding and regulating Markets within the
said City [or the Commissioners for amending, &c., as the Case may be,]
do hereby and by virtue of an Act passed in the Sixth Year of the
Reign of King *William* the Fourth, intituled [here insert the Title of this
Act], grant and release [or assign, as the Case may be,] to the said
Chancellor, Masters, and Scholars, and Mayor, Bailiffs, and Commo-
nalty, and their Successors, [or to the Commissioners for amending, &c.,
or their Trustees, as the Case may be,] all [here describe the Premises to
be conveyed], and all my [or our] Right, Title, Estate, and Interest in and
to the same and every Part thereof, to hold to the said Chancellor,
Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty,
and their respective Successors and Assigns, [or to the said Commis-
sioners for amending, &c., or their Trustees,] for ever [or, as the
Case may be, during all the Remainder of my [or our] Term,
Estate, and Interest in the said Premises.] In witness whereof I [or we]
‘ have

have hereunto set my Hand and Seal [or our Hands and Seals, or our Common Seal, as the Case may be,] this Day of

XXX. And be it further enacted, That if any of the Works to be effected under the Powers of this or the said recited Acts, for which any Houses, Buildings, Lands, Tenements, or Hereditaments may, from and after the passing of this Act, be purchased or taken by the said Commissioners or the said Market Committee, shall at any Time be abandoned or given up, or after the same shall have been completed shall for the Space of Five Years cease to be used for the Purposes of this Act, then and in either of such Cases the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased or taken, or otherwise the Parts thereof with respect to which the said Works shall be so abandoned or given up by the said Commissioners or Market Committee, and which shall not have been sold or disposed of, shall vest in the Persons who would at the Time have been entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, if the same had not been purchased by the said Commissioners or Market Committee.

If Works are abandoned, Lands, &c. to revert to the original Owners.

XXXI. And be it further enacted, That nothing in this or the said recited Acts, or in any Deed, Contract, or other Instrument authorized to be entered into or made by the said Commissioners or any of them, or by the said Market Committee or any of them, shall extend to charge the Person or Persons of all or any of the Commissioners or Market Committee executing any such Deed, Contract, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners or Market Committee, or any of them, or their or any of their own proper Lands and Tenements, Goods and Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Deed, Contract, or other Instrument contained on the Part of the same Commissioners or Market Committee, or any of them; but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or Equity against them the said Commissioners or Market Committee, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed, Contract, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners or Market Committee shall bear, pay, expend, or be put to, or which shall be occasioned to them, for or by reason or means of any such Deed, Contract, Agreement, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by or out of the Monies to be raised or to arise and be received by virtue of this or the said recited Acts, or by and out of the Rents arising from the said Market, in such Manner, Shares, and Proportions as the said Commissioners or any Five or more of them, or the said Market Committee or any Five or more of them, shall direct.

Commissioners exempted from personal Responsibility in Contracts, &c.

XXXII. And be it further enacted, That the Sum or Sums of Money necessary for carrying into effect the several Purposes of this Act by the said

For raising Money.

said Commissioners (except as respects the said Mileways, Bridge, and Avenues,) shall be annually ascertained, together with the Sums directed by the last herein recited Act to be ascertained for new-paving and pitching and for repairing, lighting, and cleansing, the several public Streets, Lanes, Ways, Passages, and Places within the said University, City, Suburbs, and Parish of *Saint Clement*; and that Two Fifth Parts of the whole of such Sums shall be paid by the said University in the Manner directed by the secondly herein recited Act; and the remaining Three Fifths thereof shall be raised by Rates or Assessments to be made by the said Commissioners, or any Seven or more of them, in such Proportions as they shall think fit, to be laid by Pound Rates upon the Owners and Occupiers of all Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments within the said University and City, and the Suburbs of the said City, and the said Parish of *Saint Clement*, as directed by the said last herein recited Act, not exceeding the Sums therein mentioned, and to be collected, levied, and recovered in such and the same Manner, and subject to the several and respective Powers, Provisions, and Regulations, as the Rates and Assessments mentioned in the said last herein recited Act are directed to be made, laid, collected, levied, and recovered.

Rates for repairing, lighting, and cleansing, not exceeding 7s. 6d. per Annum, to be charged on and paid by the Owners. Exception.

XXXIII. And be it further enacted, That the Rates or Assessments to be made under or by virtue of the said last-recited Act or of this Act on the Occupiers of Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments within the said University and City, Suburbs, and Parish of *Saint Clement*, for repairing, lighting, and cleansing the several public Streets, Lanes, Ways, Passages, and Places within the said University, City, Suburbs, and Parish, or for the Purposes of this Act, shall in all Cases (except where such Occupier shall not be charged upon, or shall, on account of Poverty, be excused from the Payment of Poor Rates,) where the Rate or Assessment on such Occupier would not exceed the Sum of Seven Shillings and Sixpence for One Year, be made on and ultimately paid by the Owners and Proprietors of such Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, and the same shall be collected, levied, and recovered in such and the same Manner and under the several and respective Powers and Regulations as are by the said first-recited Act provided and directed, and the respective Tenants or Occupiers thereof shall be at liberty and are hereby empowered to deduct and retain the same out of his, her, or their Rent or Rents to be paid to such Owners or Proprietors, who are hereby required to allow such Deduction and Payments upon the Receipt of the Residue of such Rents, in the same Manner as directed by the said first-recited Act.

Owner may be rated without naming, if not known.

XXXIV. And be it further enacted, That whenever the Name of the Owner of any such Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments shall not be known to the said Commissioners, or to the Person making any Rate for the Purposes of this Act, it shall be sufficient to rate such Owner in the Rate Book of the said Commissioners as the Owner of such Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, within the Meaning and for the Purposes of this Act, by the Title or Designation of "the Owner," without stating the Name of such Owner; and the Person so rated by such Title or Designation shall be liable to pay and shall pay such Rate.

XXXV. And

XXXV. And in order to prevent any Dispute touching the Meaning of the Word "Owner" in this Act, be it further enacted, That the Person receiving or authorized to receive the Rents of any Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments from the immediate Occupier thereof, either on his own Account or as the Agent of any Person, or the Mortgagee receiving the Rents of such Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, shall be deemed the Owner of the same for the Purposes of this Act.

Defining Owners for the Purposes of the Act.

XXXVI. And be it further enacted, That from and after the passing of this Act the Treasurer of the said Commissioners for the Time being shall, in every Year between the First Day of *January* and the Twenty-fifth Day of *March*, and at other Times if required, have the Accounts of all and singular his Receipts and Payments on account or in pursuance of this Act or the said recited Acts audited and passed and allowed by the said Commissioners, or any Seven or more of them.

Treasurer's Accounts to be audited.

XXXVII. And be it further enacted, That so much of the said first-recited Act as empowers the Committee appointed by the said Chancellor, Masters, and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and Commonalty of the said City of *Oxford*, to raise, borrow, take, and receive any Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds, for the Purposes in the said recited Act mentioned, and also so much of the same Act as empowers the said University or City to let out the Ground or Site of the said present Market Place upon a Building Lease or Leases as therein mentioned, and so much of the same Act as empowers the said Market Committee for the Time being to raise Money for the Purposes of the said Act, so far as regards the said Market, by the Sale or Grant of Annuities as therein mentioned, shall be and is hereby repealed.

Repealing Powers of 11 G. 3. as to borrowing Money for the Market.

XXXVIII. And be it further enacted, That for the more speedy and effectual raising such Sum and Sums of Money as shall be necessary and sufficient for the Purchase of any Houses, Buildings, Lands, Tenements, or other Hereditaments for the Purposes of the said Market under the Authority of this Act, it shall be lawful for the Committee for the Time being appointed or to be appointed by the said Chancellor, Masters, and Scholars of the University of *Oxford*, and the said Mayor, Bailiffs, and Commonalty of the City of *Oxford*, and they are hereby empowered, from Time to Time (subject as herein-after is mentioned) to borrow and take up at Interest upon the Credit of the Rents and Stallages or Sums of Money arising from the said Markets, or payable and to be paid by the several Persons who shall rent, use, or hire any Shop, Stall, Standing, Place, or Convenience within the Market established by the said recited Acts, or any Enlargement thereof or Addition which may hereafter be made thereto, or any new or additional Market to be purchased and established by virtue of this Act, and upon the Market Houses, Offices, Buildings, Shops, Stalls, Standings, Shambles, and Conveniences within, or standing and being upon the Site of the same Market or respective Markets, such Sum and Sums of Money as shall be necessary, and as the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, shall by Writing under their respective Hands and Seals authorize to be borrowed and taken up at Interest thereon, not exceeding in the whole the Sum of

Power to borrow Money.

Twenty thousand Pounds, and the said Committee for the Time being shall and may, by Writing under their Hands and Seals, or under the Hands and Seals of any Five or more of them, mortgage or assign over all or any Part of the Rents, Stallages, and Sums of Money aforesaid, or of the Market Houses, Offices, Buildings, Shops, Stalls, Standings, Shambles, and Conveniences aforesaid, to the Person or Persons who shall lend or advance the said Money, or to his, her, or their Trustee or Trustees, as a Security for the Money so to be borrowed, with Interest for the same, together with such other Security as shall be agreed on between the Parties, either in the Form herein-after mentioned, or in such other Manner or Form as shall be agreed upon; and the Charges and Expences of such Mortgages and Assignments shall be from Time to Time defrayed and paid out of the Money so borrowed; and every such Mortgage or Assignment may be in the Words or to the Effect following; (that is to say,)

Form of
Mortgage.

WE, the undersigned, being _____ or more of the *Oxford*
Market Committee, duly appointed by the Chancellor, Masters,
and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and
Commonalty of the City of *Oxford* respectively, acting in pursuance of
an Act passed in the Sixth Year of the Reign of His Majesty King
William the Fourth, intituled [*here set forth the Title of this Act*], in con-
sideration of the Sum of _____ advanced and lent by
of _____ upon the Credit of this Act, and for the Purposes of
the *Oxford* Market, as therein mentioned, do hereby grant and assign
unto the said _____ [*or to his, her, or their Trustee or Trustees,*
as the Case may be,] his [*her or their*] Executors, Administrators, or
Assigns, such Proportion of the Rents, Stallages, and Sums of Money
arising or payable and to be paid by the several Persons who shall rent, use,
or hire any Shop, Stall, Standing Place, or Convenience within the
Market established and now holden in the City of *Oxford* by virtue and
under the Authority of certain Acts passed in the Eleventh and Twenty-
first Years of the Reign of King *George* the Third, and also of the Market
Houses, Offices, Buildings, Shops, Stalls, Standings, Shambles, and
Conveniences within or standing and being upon the Site of the same
Market or Market Place, as the said Sum of _____ doth or shall
bear to the whole Sum or Sums of Money which may at any Time be
borrowed, or become due and owing, or to be charged upon the Credit of
the said Rents, Stallages, and Sums of Money, Hereditaments and Pre-
mises, to be had and holden from this Day until the said Sum of
together with Interest for the same at the Rate of _____ *per*
Centum per Annum, to be paid _____ shall be fully paid and
satisfied, nevertheless subject and without Prejudice to any subsisting
Mortgage or Charge, Mortgages or Charges, Lease or Leases, Annuity
or Annuities, or Securities respectively made, granted, or executed of,
upon, or affecting the said Rents, Stallages, and Sums of Money, Here-
ditaments and Premises, by virtue of or under the Powers contained in
the said recited Act of the Eleventh Year of the Reign of King *George*
the Third. In witness whereof we have hereunto set our Hands and
Seals the _____ Day of _____ in the Year of our
Lord _____

And every such Mortgage or Assignment shall be good, valid, and effectual
in the Law.

XXXIX. And

XXXIX. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed as aforesaid, by Writing under their Hands, to sell and transfer the same respectively, at their own Expence, to any Persons whomsoever, according to the Form following, or in any other Form of Words to the like Purpose or Effect ; (that is to say,)

Mode of transferring Securities.

‘ I *A. B.* of _____ in consideration of _____
 ‘ paid by *C. D.* of _____ do hereby transfer to the said *C. D.*,
 ‘ his Executors, Administrators, and Assigns, a certain Mortgage, Number
 ‘ _____ made by the *Oxford* Market Committee of the Market Place
 ‘ and Buildings, and the Rents, Stallages, and Profits thereof, to
 ‘ bearing Date the _____ Day of _____ for securing the
 ‘ Sum of _____ and Interest, and all my Right, Estate, and
 ‘ Interest in and to the Money thereby secured, and in and to the Property
 ‘ thereby assigned. Dated this _____ Day of _____ in
 ‘ the Year of our Lord _____

And Entries or Memorials of all such Assignments or Mortgages which shall be made in pursuance of this Act, and of all Transfers thereof, expressing in Words at Length the Names, Additions, and Places of Abode, and other necessary Descriptions of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest thereby secured, shall be entered in Books to be kept for that Purpose by the Clerk or Clerks of the said Market Committee, which Books any Person interested shall at all seasonable Times have free Liberty to inspect and peruse without Fee or Reward ; and for the Entry of every such Mortgage or Assignment the said Clerks shall be paid the Sum of Five Shillings, and no. more ; and every such Mortgage or Assignment, after such Entry thereof as aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security thereby made and transferred ; and all Persons to whom such Mortgage or Assignment shall be made, or who shall be entitled to the Monies thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Market Rents, Stallages, and Sums of Money, Market Houses, Offices, Buildings, Shops, Stalls, Standings, Shambles, Conveniences, and Property aforesaid, equally one with another, without any Preference in respect of the Priority of advancing such Monies or the Dates of any such Mortgages or Assignments respectively.

Entries to be made of Securities.

XL. And be it further enacted, That it shall be lawful for the said Committee, or any Five or more of them, and they are hereby empowered, to raise, by way of any repurchaseable Annuities or Annuity for Life or Lives, or for Periods not exceeding Forty Years, any Part of the said Sum of Twenty thousand Pounds, and such Annuities shall be charged upon the Rents and Stallages or Sums of Money arising from the said Markets, or payable and to be paid by the several Persons who shall rent, use, or hire any Shop, Stall, Standing Place, or Convenience within the Market established by the said recited Acts, or any Enlargement thereof or Addition which may hereafter be made thereto, or any new or additional Market to be purchased and established by virtue of this Act, and upon the Market Houses, Offices, Buildings, Shops, Stalls, Standings, Shambles, and Conveniences within or standing and being upon the Site of the same Market

Power to raise Money by Annuity.

Market or respective Markets ; and if the same shall prove deficient to pay the Annuities charged thereupon as aforesaid, then and in such Case the said Deficiency shall from Time to Time be equally paid and supplied by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty.

Form of
Grant of
Annuity.

XLI. And be it further enacted, That all Grants of Annuity to be made by virtue of this Act shall or may be made in the Words or to the Effect following ; (that is to say,)

WE the undersigned, being Five or more of the *Oxford* Market Committee duly appointed by the Chancellor, Masters, and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and Commonalty of the City of *Oxford* respectively, acting in pursuance of an Act passed in the Sixth Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*], in consideration of the Sum of _____ advanced to us for the Purposes of the said Act by _____ of _____ do hereby grant unto the said _____ his Executors, Administrators, or Assigns, an Annuity or yearly Sum of _____ to be paid by equal half-yearly Payments on the _____ Day of _____ and the _____ Day of _____ in every Year during the Term of _____ Years, to commence from the Day of the Date of these Presents [*or (if the said Annuity shall be granted for a Life or Lives)*] during the Life or Lives of _____ and _____ and the Survivors and Survivor of them,] the first half-yearly Payment to be made on the _____ Day of _____ now next ensuing if the said _____ (or any of them) shall be then living, and in case the said _____ or the Survivor of them shall die before the said _____ Day of _____ next, or shall survive the said _____ Day of _____ next, and die on any other Day than one of the said half-yearly Days of Payment, a proportionate Part of the said Annuity to be immediately paid for the Time which shall have elapsed of the current Half Year ; and we the said undersigned, being _____ or more of the said Market Committee, do hereby charge the said Annuity (and proportionable Part) on the Rents and Stallages and Sums of Money arising from the said Markets in the said Act mentioned : Provided always, that the said Annuity hereby granted shall always be repurchaseable on Three Months Notice in Writing being given of such Intention by the said Market Committee, or any Five or more of them, at any Meeting of the said Committee convened for that Purpose, acting in the Execution of the said Act, at the said Sum of _____ being the Consideration Money paid for the same as aforesaid, and a Proportion of the said Annuity due up to the Time of such Repurchase. In witness whereof we have hereunto set our Hands and Seals this _____ Day of _____ in the Year of our Lord _____

Restriction
as to Grants
of Annuities.

XLII. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and at the Rate and not exceeding by more than

One Fifth the Rate prescribed by any Act or Acts for the Time being in force for granting Annuities on Government Securities.

XLIII. And be it further enacted, That in case the said Committee, or any Five or more of them, can at any Time borrow or take up any Sum of Money at a lower Rate of Interest than the Securities which shall be then in force shall bear, it shall be lawful for the said Committee, or any Five or more of them from Time to Time to charge the said Rents and Stallages and Sums of Money in manner aforesaid with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, and to pay off and discharge the Securities bearing a higher Rate of Interest according to the Time or Times of Payment, as shall be agreed upon as aforesaid.

Committee may borrow at a lower Rate to pay off Securities at a higher Rate of Interest.

XLIV. And be it further enacted, That it shall be lawful for the several Persons for the Time being entitled to any of the Annuities to be made or granted in pursuance of this Act from Time to Time, by Writing under their Hands and Seals, to transfer such Annuities and the full Benefit thereof to any Person or Persons whomsoever; and such Transfer shall or may be made in the Words or to the Effect following; (that is to say,)

Annuities may be transferred.

I being entitled to an Annuity of _____ by
 virtue of a Charge or Grant of Annuity bearing Date the _____
 Day of _____ under the Hands and Seals of _____
 being Five or more of the Market Committee appointed under and by
 virtue of certain Acts of Parliament mentioned and recited in an Act
 passed in the Sixth Year of the Reign of King *William* the Fourth,
 intituled *An Act [here set forth the Title of this Act]*, do hereby
 transfer all my Right, Title, and Interest in and to the same Annuity,
 and all Payments due and to become due thereon, unto
 his Executors, Administrators, and Assigns, in consideration of the Sum
 of _____ to me paid by the said _____ in full for
 the Transfer thereof [or otherwise, as the Case may require]. As
 witness my Hand this _____ Day of _____ in the Year
 of our Lord _____

Forms of Transfer.

XLV. And be it further enacted, That the Copy of every Grant of Annuity, and an Extract or Memorial of every Transfer thereof, specifying the Date, Parties, and Subject Matter of such Transfer, shall be from Time to Time entered in a Book or Books to be provided and kept for that Purpose by the Clerk for the Time being of the said Market Committee, to which Book or Books any Person interested shall at all reasonable Times have Access for the Purpose of inspecting the same without Fee or Reward; and for the Entry of every such Charge or Grant of Annuity the said Clerk shall be entitled to the Sum of Two Shillings and Sixpence, and no more, and for the Entry of every such Transfer the Sum of One Shilling, and no more.

Annuities to be registered.

XLVI. Provided always, and be it further enacted, That no Mortgage or Grant of Annuity, Bond or other Security, made or issued or to be made or issued by the said Commissioners or the said Market Committee respectively, under the Authority of any former Act or of this Act, shall be assigned or transferree except by Deed or Instrument in Writing duly stamped, according

Securities not to be assigned except by Instrument in Writing duly stamped.

to the Laws in force, in which Deed or Instrument the Consideration for the Assignments or Transfers respectively shall be truly specified and set forth.

Mortgages, Annuities, &c. under recited Act of 11 G. 3. not to be affected by this Act.

XLVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, defeat, make void, diminish, or effect any Mortgages or Charges, Leases, Annuities, or Securities whatsoever, which before the passing of this Act may have been given, made, or executed by virtue or under the Provisions of the said Act of the Eleventh Year of the Reign of King *George* the Third, but all and every such Mortgages, Charges, Leases, Annuities, and Securities shall be and continue as good, valid, and effectual in all respects as if this Act had not been passed, any thing herein contained to the contrary thereof notwithstanding.

If a second Market should be appropriated under the Powers of this Act, Notice to be given thereof.

XLVIII. And be it further enacted, That if the said Market Committee for the Time being; or any Five or more of them, shall, under the Authority of this Act, purchase, appropriate, and set apart a sufficient Space of Ground within the said City of *Oxford*, or the Suburbs thereof, as and for a separate and additional Market Place, then it shall be lawful for the said Committee for the Time being, or any Five or more of them, and they are hereby empowered, to build, erect, construct, and put up in such Manner as they shall think fit such Buildings, Shops, Stalls, Standings, Sheds, and other Erections and Conveniences upon the same, as they shall consider necessary, proper, or advisable for the Establishment of such second or additional Market; and it shall and may be lawful for the said Committee for the Time being, or any Five or more of them, by Writing under their Hands to order, determine, and appoint what Description of marketable Goods or Commodities theretofore used and accustomed to be sold or exposed for Sale in the present Market Place of the said City shall be removed into the said new or additional Market, and thereupon the said Committee shall and they are hereby required to give Notice of such their Order and Determination by Advertisement in some Newspaper published or circulated in the said City of *Oxford*, and from and after the Expiration of Twenty-one Days from the Day on which such Notice shall have been first published in manner aforesaid it shall and may be lawful to hold and keep an open and public Market in and upon the Space of Ground so purchased, appropriated, and set apart as a separate or additional Market Place as aforesaid, for the Sale of all such marketable Articles, Goods, and Commodities, but for such only, as shall be specified or described in the Order or Determination of the said Committee or any Five or more of them as aforesaid, and the Notice thereof so published by them as aforesaid, nevertheless under and subject to such Rules and Regulations as in and by this Act are authorized to be made and established.

Penalty on Persons exposing for Sale marketable Commodities specified in Notice other than in new Market Place.

XLIX. And be it further enacted, That from and after such separate or additional Market shall have been established under the Authority of this Act for the Purpose aforesaid, and such Notice thereof given and published as herein-before is mentioned, if any Person or Persons shall vend or expose to Sale any Articles, Goods, or Commodities which shall be expressed or described in the said Notice as Articles, Goods, or Commodities ordered and required to be exposed for Sale in such new or additional Market, in any other Place whatsoever within the said University and City, or the Suburbs thereof, and Parish of *Saint Clement*, than in the new or additional Market established under the Authority of this Act, every Person so

offending shall for every such Offence, on Conviction before any One or more Justice or Justices of the Peace for the said City of *Oxford*, forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as herein-after mentioned.

L. And whereas it is expedient that Power should be given to the Committee appointed by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and their respective Successors, to let the several Shops, Stalls, Standings, Places, Shambles, and other Conveniences erected or set up in the said present Market Place, or to be erected or put up therein or in any new or additional Market Place to be purchased and appropriated under the Powers of this Act, and that special Powers should also be given to them for Recovery of the Rents, Stallages, and Sum or Sums of Money to be taken for or in respect of such Shops, Stalls, Standings, Places, Shambles, and Conveniences, from the Persons who may hire or rent the same; be it therefore further enacted, That it shall be lawful for the said Committee for the Time being, or any Five or more of them, from Time to Time to let any of the Shops, Stalls, Standings, Shambles, or other Conveniences already erected, set, or placed up in the said present Market, or hereafter to be erected, set, or placed up therein or in any new or additional Market Place to be purchased and appropriated under the Powers of this Act, to any Person or Persons who shall or may be willing or desirous to take the same by the Year, Half Year, or Quarter of a Year, or for any shorter Period, at and for the several Rents or Stallage, Sum and Sums of Money, which shall at any Time or Times be fixed and appointed by the said Committee, or any Five or more of them, to be paid for the same respectively, and either in advance or otherwise, as to the said Committee, or any Five or more of them, may seem expedient, and as they shall order and direct: Provided always, that nothing herein contained shall extend to prejudice or vacate any Letting or subsisting Agreement to rent or hire any Shop, Stall, Standing, or other Convenience in the present Market of the said City, made or entered into before the passing of this Act between the said Market Committee and any Person or Persons renting, holding, using, or occupying any such Shop, Stall, Standing, or Convenience as aforesaid.

Power to let Shops, Stalls, &c. in the present Market and in any new Market to be established under this Act.

LI. And for the more easy Recovery of all such Rents or Stallages, Sum and Sums of Money, as the said Committee, or any Five or more of them, shall from Time to Time fix or appoint to be taken for or in respect of the Shops, Stalls, Standings, Shambles, or other Conveniences in the said Market or respective Markets, as the Case may be; be it further enacted, That it shall be lawful for the Collector or other Person or Persons authorized and appointed by the said Committee, or any Five or more of them, to demand of and from the several Persons renting, holding, using, or occupying any of the Shops, Stalls, Standings, Shambles, or Conveniences in the said present Market, or in any new and additional Market to be purchased and appropriated under the Powers and Provisions of this Act, or either of them, or who shall bring or place or expose or offer for Sale in the same Markets respectively any Meat or other raw Victuals, Fish, Poultry, Herbs, Roots, Vegetables, Fruit, or other Article or Thing whatsoever, the several Rents, Stallages, and Sums of Money which from Time to Time shall be fixed and appointed by the said Committee, or any Five or more of them, to be paid, and as shall have become due

For recovering the Market Rents, &c.

due in respect of the Premises ; and in case of Neglect or Refusal by any or either of the Persons aforesaid, upon Demand thereof made as aforesaid, to pay the Rent or Rents, Stallages, Sum and Sums of Money which may be due from or by them, him, or her in respect of the Premises, or in case any Dispute shall happen about the Amount of the Rents, Stallage, or Sum of Money demanded or due, it shall be lawful for the said Collector, or other Person or Persons authorized and appointed to collect and receive the said Rents, Stallages, and Sums of Money, either by himself or his Assistants, to seize and detain such Article, Matter, or Thing until the Amount of the Rent, Stallage, or Sum or Sums of Money due, and the Charges of keeping such Article, Matter, or Thing, shall be ascertained by One or more Justice or Justices of the Peace for the said City of *Oxford*, who, upon Application made to him or them for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses (which Oath such Justice or Justices is and are hereby authorized to administer), and shall determine the Amount of the Rents, Stallage, Sum or Sums of Money due, and the Charges of keeping the same, and shall award such Costs and Charges to either Party as to the said Justice or Justices shall appear right and proper ; all which Rents, Stallages, Sum and Sums of Money, Costs and Charges, shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus (if any), on Demand, after deducting the Costs and Charges of making and keeping such Distress and Sale, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

No Cattle to be slaughtered or dressed in any Shop, &c. in the Markets.

LII. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons to kill or slaughter, or cause to be killed or slaughtered, any Beast, Swine, Calf, Sheep, or other Cattle in any Shop, Stall, Standing, or other Place in the said present Market, nor in any Place to be purchased or appropriated as an additional Market under the Powers of this Act ; and if any Person or Persons shall offend in any such Cases such Person or Persons so offending shall forfeit and pay for every such Offence, on Conviction before One or more Justice or Justices of the Peace for the said City of *Oxford*, any Sum not exceeding Five Pounds, to be levied, recovered, and applied as herein-after mentioned.

Power to make Bye Laws.

LIII. And be it further enacted, That for the better regulating and managing the said present Market, and any Extension or Enlargement thereof, and any new or additional Market Place in case and when the same shall be made and established under the Provisions of this Act, it shall be lawful for the said Market Committee, or any Five or more of them (with the Consent and Approbation of the Vice Chancellor of the University of *Oxford* for the Time being by Writing under his Hand), and they are hereby authorized, from Time to Time to make, provide, constitute, and ordain such Rules, Regulations, Orders, and Bye Laws as they shall think fit and necessary for the better regulating, cleansing, letting, occupying, and using the said present or the said additional Market Place and Market when established, or any Part or Parts thereof respectively, and also for the regulating, setting out, and fixing up and Removal

removal of all Blocks, Trustles, and other Articles used by Butchers and others exposing Meat, Provisions, and other Commodities in and during the Time of the said Market or Markets, and for regulating, ordering, and governing all Persons, both Buyers and Sellers, and all others thereto coming and resorting, in all Matters which do or may concern or relate to the said Market or Markets respectively, and for the preventing the Sale of or exposing to Sale any unwholesome Meat, Fish, or other Provisions in the said Market or Markets, and likewise for regulating and ordering all other Matters and Things which do or may concern or relate to the said Market or Markets respectively; and the said Committee for the Time being, or any Five or more of them, may, by and with such Consent as aforesaid, from Time to Time as they shall think fit repeal, alter, add to, or amend such Rules, Regulations, Orders, and Bye Laws, or any of them, and shall ascertain and therein set down what pecuniary and other Penalties and Forfeitures shall be incurred by Persons breaking or evading such Rules, Regulations, Orders, and Bye Laws, or any of them; provided that no pecuniary Penalties shall exceed the Sum of Forty Shillings for any One Offence: Provided always, that such Rules, Regulations, Orders, and Bye Laws shall not be repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or to the Provisions of the said recited Acts or of this Act, or any or either of them; and all such Rules, Regulations, Orders, and Bye Laws, being published in the Manner herein-after mentioned, shall be good and binding upon and observed by all Persons so as aforesaid coming or resorting to the said Market or Markets respectively.

Bye Laws not to be repugnant to the Laws of this Realm, &c.

LIV. And be it further enacted, That Copies of the several Rules, Regulations, Orders, and Bye Laws by this Act authorized to be made shall be signed by the respective Persons making the same, and shall be printed and published in such Manner as they shall from Time to Time order and direct, and shall be painted on Boards in legible Characters, and such Boards shall be affixed in some conspicuous Place in the said Markets respectively.

Bye Laws to be printed and published.

LV. And be it further enacted, That in all Cases of Prosecutions for Offences against the Rules, Regulations, Orders, or Bye Laws by this Act authorized to be made, the Production of a written or printed Paper, purporting to be Rules, Regulations, Orders, or Bye Laws made under the Authority of this Act, and authenticated by the Signature of the respective Persons making the same, shall be Evidence of the Existence of such Rules, Regulations, Orders, or Bye Laws respectively; and it shall be sufficient to prove that a painted Board, containing a Copy of such of the Rules, Regulations, Orders, or Bye Laws as shall subject any Person to any Fine or Penalty, hath been affixed and published in manner by this Act directed.

Authenticated Bye Laws relating to the Market to be Evidence.

LVI. Provided always, and be it further enacted, That if any Person or Persons shall think himself or themselves aggrieved by any thing done under or by virtue or in pursuance of any of the said Rules, Regulations, Orders, or Bye Laws, such Person or Persons may appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be holden for the County or Place wherein the Cause of Complaint shall arise, provided the same shall not be holden within One Calendar Month after such Cause of Complaint shall have arisen, but if the same

Power of Appeal against Bye Laws.

[Local.]

23 L

shall

shall be holden within that Time, then at the next following General Quarter Sessions of the Peace for the said County or Place, the Person or Persons appealing or intending to appeal, within Seven Days after such Cause of Complaint or Grievance happening, entering into a Recognizance before some Justice of the Peace for the said County or Place, 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 Sessions, and giving to the Clerk or Clerks to the said Committee for the Time being Twenty-one Days Notice at the least in Writing of such intended Appeal and the Matter thereof previous to the Sessions at which the same is to be heard; and the Justices at such Sessions, upon due Proof of such Notice having been given and Recognizance as aforesaid entered into, shall hear and finally determine every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as the said Justices shall think proper; and the Determination of the said Justices at such Sessions shall be final, binding, and conclusive to all Intents and Purposes whatsoever.

Power to
the Market
Committee
to appoint
Officers.

LVII. And be it further enacted, That it shall be lawful for the said Committee for the Time being, or any Five or more of them, from Time to Time, as Occasion shall require, to elect and choose a Treasurer or Treasurers, Clerk or Clerks, to the said Committee, Collector or Beadle, and such other Person or Persons as may be necessary to carry into effect any Rule, Regulation, Order, or Bye Law made under the Authority hereof, and the general Purposes of this Act, so far as respects the said Market or Markets respectively, and to remove any such Treasurer or Treasurers, Clerk or Clerks, Collector, Beadle, or other Persons so to be appointed as aforesaid, as they shall think proper, and appoint others in the Room or Stead of any such Officers so removed, or dying, or declining to act; and the Committee for the Time being shall and may, out of the Monies to arise or be received from the Rents and Profits or the annual or other Income of the said Market or Markets under the Powers of the said recited Acts or of this Act, make such Allowances to such Person or Persons respectively as they shall judge to be a reasonable Compensation for their respective Trouble and Services; and the said Committee, or any Five or more of them, shall and may, if they think proper, require and take such Security from the Treasurer or any other Officers to be appointed under or by virtue of this Act for the faithful Execution of his and their Offices, and for the Payment of all Monies received by him or them respectively, and otherwise, as the said Committee, or any Five or more of them, shall think necessary.

Same Person
not to be both
Clerk and
Treasurer.

LVIII. And be it further enacted, That it shall not be lawful for the said Commissioners or Market Committee to continue or appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, nor to continue or appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk for the Purposes of this Act; 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 such Clerk, or in the Service or Employ of such Clerk or of his

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 Treasurer or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk; or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer receiving any Salary or other Remuneration from the said Commissioners or Market Committee shall hold any Place of Profit or Trust under the said Commissioners or Market Committee respectively other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person 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*.

LIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any Manner to abridge or rescind the Rights which the said Chancellor, Masters, and Scholars now enjoy of appointing or nominating One or more Clerk or Clerks of the said present or of any new or additional Market, and of otherwise governing, regulating, and superintending the same as heretofore accustomed, according to the Saving and Reservation in this respect contained in the said Act of the Eleventh Year of the Reign of His Majesty King *George* the Third; nor shall any thing in this Act contained extend or be construed to prejudice or affect any of the Remedies now by Law given to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, for the Recovery of the said Rents, Stallages, Sum or Sums of Money, or extend to take away the Right of the said Mayor, Bailiffs, and Commonalty to such Pitching-pence or Tolls as before the passing of the said last-mentioned Act were paid to them or their Toll Gatherer by Butchers, Gardeners, and others, but that the same Rights respectively shall remain and belong to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty respectively, as they had before the passing of this Act.

The ancient Rights of the University and City, with reference to the Markets, reserved.

LX. And be it further enacted, That if any Person shall assault, hinder, or obstruct any Officer or Person appointed or employed as Clerk of the said Market or Markets, or Collector of the Rents or Stallages, Sum or Sums of Money, due or payable for the Hire or Use of any Shop, Stall, Standing, Place, or other Convenience in the said Market or Markets respectively, or any Person appointed or employed to carry into effect any Rule, Regulation, Order, or Bye Law made under the Authority of this Act; or if any Person shall wilfully destroy, deface, injure, remove, pull down, or take away any Building, Shambles, Wall, Fence, Post, Rail, or Chain, or any Shed, Stall, Standing, Block, Trundle, or other Erection or Convenience set up or placed or to be set up or placed in the said Market under or by the Authority of the said Committee, or any Five or more of them, for the Use, Purpose, or Convenience of the said Market or Markets respectively, or any Board, Notice, or Inscription to be affixed by the like Authority in or near to the said Market or Markets respectively; every Person offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, to be recoverable and payable in the same Manner as herein-before is directed concerning other Penalties to be incurred by virtue of this Act.

Penalty on obstructing Market Officers, &c.

LXI. And

Powers and Provisions of former Acts (except where varied or altered by this Act) to extend to the enlarged or additional Market.

LXI. And be it further enacted, That, except where otherwise provided by this Act, and except and subject to the Alterations, Variations, and Additions herein-before contained, all the Powers, Provisions, Directions, Clauses, Penalties, Forfeitures, Payments, Remedies, Matters, and Things mentioned or contained in the said recited Acts of the Eleventh and Twenty-first Years of the Reign of His Majesty King *George* the Third, so far as the same respectively relate to or in anywise concern the present Market in the said City of *Oxford*, shall extend and apply to any Enlargement of the Site or Limits of the same Market, or any new or additional Market to be made or established under the Powers of this Act, so far as such Powers, Provisions, Directions, Clauses, Penalties, Forfeitures, Payments, Remedies, Matters, and Things are applicable or can or may be applied; and the Justices of the Peace for the said City of *Oxford* are hereby authorized and empowered to enforce all Penalties and Forfeitures for Offences under the said recited Acts or either of them with reference to the said extended or new or additional Market when the same shall be established under the Powers of this Act, in like Manner in all respects as by the said recited Acts or this Act, or either of them, are or is authorized and directed with respect to Offences committed within or in any Manner relating to the said present Market.

Committee may sue and be sued in the Name of their Clerk.

LXII. And be it further enacted, That the said Market Committee shall and may sue and be sued and otherwise proceed and be proceeded against at Law in the Name or Names of the Clerk or Clerks for the Time being to the said Committee, or any Member of the said Committee; and all Actions or Suits which shall be brought or defended for or in respect of any Matter or Thing relating to or by virtue of this or the said recited Acts, so far as respects the said Committee, shall be brought and prosecuted or defended in the Name or Names of the said Clerk or Clerks, or of some Member of the said Committee for the Time being; and that no Action or Actions which shall be brought, commenced, prosecuted, or defended by or against the said Committee or any of them, by virtue or on account of this or any of the said recited Acts, in the Name or Names of their Clerk or Clerks or of some Member of the said Committee, shall abate or be discontinued by the Suspension, Removal, or Death of such Clerk or Clerks, or any of them, or of such Member of the said Committee, but the Clerk or Clerks to the said Committee for the Time being, or such Member of the said Committee, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, Party or Parties, as the Case may require, in such Actions, Suits, or Proceedings: Provided always, that every such Clerk or Clerks, or such Member of the said Committee, in whose Name or Names any Action, Suit, or other Proceeding shall be commenced, prosecuted, defended, or instituted in pursuance of this Act or any of the said recited Acts, shall be reimbursed and paid, out of the Monies to be raised by virtue of this or the said recited Acts for the Purposes of the said Market, all such reasonable Costs, Charges, and Expences as he or they shall sustain or be put unto or become chargeable with by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants, Party or Parties therein; and such Clerk or Clerks, or Member of the said Committee, shall not be personally answerable or liable for the Payment of the same or any Part thereof unless such Action or Suit shall arise in consequence of his or their own Neglect or Default, and unless it shall have have been brought, commenced,

menced, prosecuted, or defended without the Order or Direction of Five or more of the said Committee.

LXIII. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may and they are hereby empowered to permit and allow any Waggon, Carts, or Carriages wherein any Meat, Fish, Poultry, Eggs, Butter, Vegetables, Fruit, and other Provisions, or any Goods, Wares, or Merchandizes, Commodities, Articles, and Things, shall be brought for Sale in the said new Market erected by virtue of the said first-recited Act, or in any additional or other Market made or established by virtue of this Act, to be placed and to stand in such Parts of the Streets, Lanes, Ways, and public Places within the said City and Suburbs, and on such Days and Times, and under such Regulations, as well in respect to loading or unloading as in all other respects, as they the said Commissioners, or any Five or more of them, shall and may from Time to Time direct, order, and appoint; any thing in this or the said recited Acts to the contrary thereof notwithstanding.

Commissioners may allow Market Carts to stand in the Streets.

LXIV. And be it further enacted, That the Penalties and Forfeitures imposed by the said second-recited Act for any common Stage Waggon or Stage Cart or any Post Chaise used in travelling for Hire, left standing or continuing in any Street, Lane, or public Way or Place within the said University or City of *Oxford*, or the Suburbs thereof, or the said Parish of *Saint Clement*, or in any Part or Parts thereof, with or without Horses or other Cattle, longer than the Space of One Hour at any One Time, shall, from and after the passing of this Act, extend and be put in force against the Owner or Owners of any private Coach, Post Chaise, or Chariot, or any public Stage Coach or Fly, or any other Carriage whatsoever, whether let to Hire or not, which shall be left so standing or continuing as aforesaid for a longer Period than the Space of One Hour at any One Time, and against the Owner or Owners of any Waggon, Cart, or Carriage wherein any Provisions, Goods, Wares, or Merchandizes shall be brought as aforesaid to or taken away from the said Markets, which shall be placed or shall stand in any of the said Streets, Lanes, Ways, or public Places, without the Permission or Allowance of the said Commissioners, or which shall be loaded or unloaded, or otherwise regulated or managed, in any respect contrary to the Regulations of the said Commissioners, or any Five or more of them; and the said private Coaches, Post Chaises, or Chariots, and public Stage Coaches, Flys, Waggons, Carts, or other Carriages, shall be disposed of and dealt with in such Manner as by the said second-recited Act is directed with respect to common Stage Waggons or Stage Carts or Post Chaises used in travelling for Hire.

Penalties for Stage Waggons, Carts, and Post Chaises left standing in the Streets above One Hour extended to all Carriages whatsoever.

LXV. And be it further enacted, That the Penalty and Forfeiture imposed by the said last-recited Act on Persons making, altering, or repairing any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may require immediate Repair from any sudden Accident on the Spot, and which cannot be conveniently removed until repaired,) or who shall beat any Carpet, in any Street, Lane, Way, public Passage or Place within the said University, City, Suburbs, or Parish of *Saint Clement*, shall, from and after the passing of this Act, extend and be put in force against any Person or Persons who shall wash or clean any such Carriage, or beat or

Penalty for beating Carpets extended to Rugs and Mats.

[Local.]

shake Dust out of any Carpet, or out of any Rug or Mat, in any of the said Streets, Lanes, Ways, public Passages or Places.

Dung not to be placed in Streets for Removal except between certain Hours.

LXVI. And be it further enacted, That if any Person or Persons shall lay or place in any of the said Streets, Lanes, Ways, Passages, or Places within the said University, City, Suburbs, and Parish of *Saint Clement*, for the Purpose of Removal, any Soil, Dung, or Rubbish whatsoever, except between the Hours of Twelve of the Clock at Night and Eight of the Clock in the Morning from *Lady Day* to *Michaelmas*, and Twelve of the Clock at Night and Nine of the Clock in the Morning from *Michaelmas* to *Lady Day*, and the same shall, on Complaint to the said Commissioners, or any Five or more of them, be deemed by them to be a Nuisance, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty for not removing Lime or Soot after Notice.

LXVII. And be it further enacted, That if any Person or Persons shall deposit and keep, or cause to be deposited and kept, any Lime or Soot contiguous to or near any Street, Lane, or public Way or Passage within the Limits of this Act, which, on the Complaint of any Inhabitant and on Examination by Five of the said Commissioners, shall be deemed by them to be a Nuisance, and if such Lime or Soot shall not be removed and taken away within Three Days after Notice thereof under the Hands of the said Five Commissioners, or the Clerk to the said Commissioners, every Person so offending shall forfeit and pay the Sum of Five Shillings daily for every Day such Lime or Soot shall continue unremoved after the Expiration of the said Three Days; and if any Person or Persons shall remove or cause to be removed through or along any Street, Lane, Way, public Passage or Place within the said University, City, or Suburbs, or the said Parish of *Saint Clement*, any such Lime or Soot otherwise than in Bags or Sacks, and the same shall, on Complaint to the said Commissioners or any Five of them, be deemed by them to be a Nuisance, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Lime and Soot to be removed in Sacks or Bags.

No Scaffolding to be erected without Notice to Commissioners Surveyor.

LXVIII. And be it further enacted, That if any Builder or Workman, or other Person or Persons whomsoever, shall erect or put up any Scaffolding for the Purpose of new-building or repairing any House or Tenement or other Erection, without giving Two Days previous Notice to the Surveyor of the said Commissioners, or shall not conform to such Rules and Regulations as the said Commissioners, or any Five or more of them, shall prescribe and direct, every such Builder or Workman, or other Person or Persons so offending, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Penalty on making any Excavations without Consent.

LXIX. And be it further enacted, That if any Person or Persons shall dig or break up the Foot Pavements or Carriageways in any of the Streets, Lanes, Ways, public Passages or Places within the said University, City, Suburbs, and Parish of *Saint Clement*, or shall dig or excavate the Ground under the same, for any Purpose whatsoever, without the previous Consent of the said Commissioners assembled at a public Meeting, every such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds nor less than Forty Shillings,

Shillings, and the further Sum of Ten Shillings for every Day such Offence shall continue after Notice in Writing given to him, her, or them under the Hands of any Five of the said Commissioners or of their Clerk, left at the Dwelling House or usual Place of Abode of such Person or Persons, to reinstate the said Foot Pavements or Carriageways, or to fill up and reinstate the Ground under the same, as the Case may be; and it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to cause the said Foot Pavements or Carriageways to be reinstated and made good, and such Excavations to be reinstated, filled up, altered, or regulated, in such Manner as they, or any Five or more of them, shall think proper, and to recover the Charges and Expences attending the same of the Person or Persons so offending, in the same Manner as the Penalties and Forfeitures imposed by this or the said recited Acts are made recoverable.

LXX. And be it further enacted, That the said Commissioners at any of their Meetings shall and may, if they shall deem it expedient; order and cause to be placed on some conspicuous Part of some House or Building at or near each End, Corner, or Entrance of the several Streets, Lanes, and other public Passages already erected or made, or hereafter to be erected or made within the said University and City, the Suburbs thereof, and the Parish of *Saint Clement*, the Name by which every Street, Lane, or public Passage or Place is usually or shall be called or known, and also shall and may cause every House, Shop, Warehouse, or Building (not being Part of a College or Hall, Church or Chapel, or other public Edifice or Building,) to be marked and numbered in such Manner as they shall think most proper for distinguishing the same; and if any Person or Persons shall wilfully or maliciously destroy, pull down, injure, obliterate, or deface any such Name, Mark, or Number, or any Part thereof, or cause or procure the same to be done, every such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Names of the Streets to be set up, and Houses numbered.

LXXI. And be it further enacted, That when any such Number or Numbers painted or put on any House, Tenement, and other Premises within the said University, City, Suburbs, or Parish shall be defaced or rubbed out, the Owner or Owners, Occupier or Occupiers of such House, Tenement, or other Premises where the Number or Numbers shall be so defaced or rubbed out shall, upon personal Notice given to him, her, or them, or upon Notice in Writing signed by the Clerk to the said Commissioners, and left with some Inmate at such House, Tenement, or other Premises, cause the same Number or Numbers to be in the same or like Manner painted or put on such House, Tenement, or other Premises within Seven Days 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 Forty Shillings.

Penalty on not restoring Numbers defaced.

LXXII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to provide and keep in repair One or more Fire Engine or Fire Engines, together with all such Pipes, Buckets, and other Articles and Things as may be necessary for working and using the same, and also from Time to Time to provide and maintain proper and convenient Houses or other Places within the Limits of the said University,

Commissioners may provide Fire Engines.

versity, City, Suburbs, and Parish for the keeping of such Engine or Engines.

Penalties
on certain
Nuisances.

LXXIII. And be it further enacted, That if any Person or Persons, being the Driver or Conductor or for the Time being having the Conduct or Management of any Waggon, Dray, Cart, Sledge, or other Carriage, shall, in any of the present or future Streets, Lanes, Ways, Passages, and Places within the University, City, and Suburbs, and Parish of *Saint Clement*, ride upon any such Waggon, Dray, Cart, Sledge, or other Carriage, or on any of the Horses, Asses, or other Cattle or Beast drawing the same, without holding the Reins of such Horses, Asses, or other Cattle or Beast, or shall be at such a Distance from the same as not to possess the complete Direction and Management of them, or, whether holding the Reins or not, shall ride upon the Shafts of any Waggon, Dray, Cart, or other such like Carriage, or when driving the same shall refuse or neglect to turn aside and make way for any Coach, Chaise, or loaded Carriage of any Description, or shall not, on meeting or being passed by Horses or other Cattle or Beasts, or Carriages, promptly turn out of the Way so as to keep as nearly as may be on his Left or Near Side of the Road, Street, or Way, and so as to leave proper and sufficient Quarter for such Horses, Cattle, Beasts, and Carriages, or, when driving any Sort of Carriage whatsoever, and meeting any other Carriage, shall not keep his Carriage on the Left or Near Side of the Road, Street, or Way, or being the hindermost of Two or more Coaches, Waggons, Carts, or other Carriages travelling in the same Course or Direction, shall attempt to pass the foremost Coach, Waggon, Cart, or Carriage, or any of them, so as to impede or obstruct the Passage of any Coach, Waggon, Cart, or Carriage, or any Horse or Horses coming from the opposite Direction and being on their proper or Left Side of the Road, Street, or Way, or shall in any Manner wilfully prevent any other Person from passing him or any Carriage under his Care, or by Negligence or Misbehaviour shall prevent or interrupt the free Passage of any Carriage or of any of His Majesty's Subjects within any such Road, Street, or Way; or if any Person or Persons whomsoever, when riding any Horse or Beast, or when driving any Carriage of any Kind, shall ride or drive the same furiously, or so as to endanger or excite a reasonable Apprehension of Danger to the Person of any one, or shall drive the same against and injure or damage any Curbstone, Pavement, Footpath, or public Walk, or the Posts, Rails, or Fences thereof, or any public or private Property; or if any Person or Persons shall drive any Break or Carriage for the Purpose of breaking, exercising, or trying any Horse or other Cattle or Beast in any of the said Streets, Lanes, Ways, Passages, or Places; or shall wilfully pull down or damage any Building, Bridge, Wall, Fence, or other Erection of the said Commissioners; or shall draw any Timber, Stone, Metal, or other heavy Material (except the same be wholly in or upon some Carriage with Wheels); or shall play at Cricket, Hockey, or any Game, or throw any Snowball, to the Annoyance of any Inhabitant or Passenger; or shall slide or skate on any Carriageway, or on any Pavement or Footway; or wilfully break any Glass Panes or Windows, or abet or assist in breaking the same; or shall burn any Wood or other Material, or sell by Auction or public Sale, in the open Street any Goods, Wares, Merchandize, or other Property or Effects whatsoever; or shall erect, fix, or place any Blind, Shutter, Door, Line, Chain, Rope, Cord, or other Thing so as to obstruct or incommode the Passage of any

any Person or Carriage; or shall fix up any Flower-pot or other Pot at any Window without sufficiently guarding the same so as to prevent its being blown or thrown down; or shall throw, cast down, or permit any Blood, Offal, Filth, or other offensive Matter to run into, or sift any Ashes, Gravel, or Sand in, any of the Streets, Lanes, Ways, Passages, or Places; or shall bait any Bull, Bear, or other Animal within the Limits of the said University, City, Suburbs, and Parish; or shall wilfully annoy or insult by indecent Language or otherwise, or jostle, any Person, or indecently expose the Person; or write or describe any obscene or indecent Language or Figure on any House, Wall, Door, or Place, or write upon or otherwise deface or mark any Dwelling House, Wall, or Building by means of Chalk, Paint, or otherwise howsoever; or fix up any Handbill, or other Paper or Notice, other than such Notices as may be directed by Parliament or other lawful Authority, against any Church or Chapel or other Place licensed for Public Worship, or against any Churchyard or Burial Ground, or against any College, Hall, School, or public Building, or any Dwelling House, or shall deposit any Filth or commit any other Nuisance in, upon, about, or against the same; or if any Person in or near to any Street within the said University, City, Suburbs, and Parish shall burn any Rags or Bones or other Matter, or cause any Stench or Smoke, which shall be offensive to any Inhabitant, and on Complaint thereof shall be deemed by any Five of the said Commissioners to be a Nuisance; every Person so offending in any respect as aforesaid, or the Owner or Proprietor of any such Horse, Ass, or Cattle, Carriage, Goods, Article, Matters, or Things as aforesaid, in any Case where the Person actually offending cannot be found or discovered, or the Person causing any such Offences to be committed, shall forfeit and pay any Sum not exceeding Forty Shillings for the first Offence, and not exceeding Five Pounds for every subsequent Offence committed within the Period of Twelve Calendar Months after the Commission of such first Offence, together with the Costs and Expences attending the suing for, levying, and recovering such Penalties.

LXXIV. And be it further enacted, That it shall be lawful for the said Commissioners (in case they shall deem it expedient to light the said Streets, Lanes, Ways, public Passages and Places within the said University, City, Suburbs, and Parish with Gas or Inflammable Air, without contracting for the same,) to set up and establish a Manufactory of Gas within the said University, City, Suburbs, and Parish, with all necessary Boilers, Gasometers, Works, and Apparatus requisite for the same, and to purchase or rent from any Person or Persons, Body or Bodies Politic or Corporate, who shall be willing to sell or let the same, any Buildings, Lands, Tenements, Hereditaments, or Premises whatsoever within the Limits of the said University, City, Suburbs, and Parish, not exceeding Two Statute Acres of superficial Content, for the Purpose of erecting and making suitable and necessary Erections, Buildings, Works, and Apparatus for the manufacturing or preparing of Gas; and when and as often as the same may be necessary it shall be lawful for the said Commissioners to break up the Soil or Pavement of any of the Footways or Carriage-ways of any of the said Streets, Lanes, Ways, public Passages and Places, and also to cause Mains or Pipes for the Conveyance of Gas to be laid and carried, altered and renewed, as may be necessary, along, through, and

Commis-
sioners may
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Gas them-
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and may lay
Pipes for the
Conveyance
of it.

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under

under the said Streets, Lanes, Ways, public Passages and Places, or any of them, the said Commissioners doing as little Damage as may be to the Soil or Pavements of the Carriageways or Footpaths which it may be necessary to break or take up, and immediately, or as soon after as may be, filling up the Trenches, and reinstating and making good such Carriageways and Footpaths, and carrying away the surplus Earth, Filth, and Rubbish, and during the Time that such Works are carrying on, and until such Ground, Soil, or Pavements shall be reinstated and made good, fencing and guarding and affixing Lights during the Night at or near the Place where any such Ground shall be opened, in such Manner as to prevent Accidents, Damage, or Inconvenience to Passengers, Cattle, or Carriages: Provided always, that nothing herein contained shall authorize and empower the said Commissioners to carry, lay, or affix any Pipe or Pipes through, into, or against any Dwelling House, Manufactory, public or private Buildings, or any private Yards or Ground, or to continue the same, against the Will of the Owner or Occupier or the Person for the Time being having the Superintendence or Control thereof respectively expressed by Writing under his Hand; and if any Injury or Damage shall be occasioned to any Post, Rail, Palisade, Building, or Wall by the affixing or setting up, taking down, altering, removing, or renewing of any Lamp or Lamp Iron, or any Fastener thereof, the said Commissioners, or the Person or Persons by whom or by whose Direction the same shall have been done, shall immediately cause the same to be well and sufficiently made good and repaired: Provided also, that in laying down any Pipe or other Apparatus for conveying Gas over, across, or upon any public Bridge within the said University, City, Suburbs, and Parish, or adjoining thereto, or within or under the Roads belonging thereto, such Pipe or other Apparatus shall be conveyed under the Footpaths over such Bridge, and within Brick or Stone Soughs set in Lime Mortar, and covered with sufficient Flags to form the Surface of such Footpaths.

No Pipes to be laid against any Buildings, &c. without Consent.

Injury done to Walls to be repaired.

Pipes to be removed from Dwelling Houses.

LXXV. Provided always, and be it further enacted, That in case any Pipe, Cock, or Branch shall be carried or laid from any Main or Pipe of the said Commissioners into or through or against any private Dwelling House, Manufactory, Warehouse, Building, Yard, or Ground, in pursuance and conformable to the Powers and Authorities in this Act contained, and the Owner or Occupier of any such private Dwelling House, Manufactory, Warehouse, Building, Yard, or Ground into or through or against which such Pipe, Cock, or Branch shall be laid shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such his or their Desire shall give Notice in Writing to the said Commissioners, then and in every such Case the said Commissioners shall, within Seven Days after the Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any of such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon from any such Main of the said Commissioners; and in default thereof it shall and may be lawful to and for such Owner, Occupier, or any other Person or Persons acting under his or her Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require; and the Costs and Expences of such Removal shall be recovered from the said Commissioners on Complaint before a Justice of the Peace for the said City or County of *Oxford*, in such

such and the same Manner as any Penalty is recoverable under this or the said recited Acts, if the same be not paid, on Demand, by such Commissioners.

LXXVI. And be it further enacted, That in case the said Commissioners shall deem it expedient to erect such Gas Apparatus, and to light the said Streets, Lanes, Ways, public Passages and Places within the said University, City, Suburbs, and Parish with Gas or Inflammable Air, without contracting for the same as aforesaid, it shall and may be lawful for the said Commissioners, after sufficiently lighting the said Streets, Lanes, Ways, public Passages and Places, to let out or grant to any Person or Persons whomsoever who shall be willing to take the same any Light or Lights, Argand, Cockspur, Batwing, or any other Kind of Burner, and to supply the same with Gas, upon such Terms and Conditions, and at such annual and other Rents for the same, and in such Manner, as they the said Commissioners shall from Time to Time think proper: Provided nevertheless, that all Monies to proceed therefrom or arise thereby, or by the Sale of any Coke, Tar, or other Product of Coal, shall be, in the first place, applied to defray the Expence of the Gas Apparatus and other Things connected therewith, and of maintaining the same, and of the Manufactory of Gas; and if there shall be any Surplus, then the same shall be applied in aid of the Rates for repairing, lighting, and cleansing, as herein-before mentioned.

Commissioners empowered to let out Gas Lights in case they light the Streets themselves.

LXXVII. And be it further enacted, That no Person shall lay any Pipe to communicate with any Main or other Pipe, nor fit or alter any of the Fittings of any Pipes or Lamps belonging to the said Commissioners, without their Consent in Writing first had and obtained, on pain of forfeiting to the said Commissioners the Sum of Forty Shillings *per* Day for every Day such Pipe shall so remain, or such Fittings remain altered.

No Pipes of Communication to be laid without the Consent of the Commissioners.

LXXVIII. And be it further enacted, That the Branch or Service Pipes which shall be put down for lighting the said Streets, Lanes, Ways, public Passages and Places, shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Service Pipes to be kept fully charged with Gas.

LXXIX. And be it further enacted, That if the said Commissioners 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 whatsoever, which may arise or be produced in the making of such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Canal, Dock, Basin, Cut, or Navigable Stream, or in 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, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Canal, Dock, Basin, Cut, or Navigable Stream, Drain, Sewer, or Ditch, whereby the Water or any Part thereof shall or may be fouled or corrupted, then and in every such Case the said Commissioners 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

Penalty for conveying Washings into Rivers, Streams, &c

for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill; Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and the whole of such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Three Calendar Months next after the Time in which 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, or Springhead, or Well, or any Canal, Dock, Basin, Cut, or Navigable Stream, 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 whomsoever to the said Commissioners, and the said Commissioners shall not, within Twenty-four Hours after such Notice shall have been given, 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 any such Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be 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 the said recited Acts and 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 such Act so done or committed.

Penalty for
allowing
Escape of
Gas.

LXXX. And be it further enacted, That when any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners for lighting any Street, Lane, Way, public Passage or Place within the said University, City, Suburbs, or Parish, the said Commissioners shall at their own Expence, immediately after Notice shall be given in Writing to their Clerk for the Time being of any such Escape of Gas by any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners shall not, within Twenty-four Hours next after such Notice being given, effectually stop and prevent the Gas from escaping, and wholly and effectually remove the Cause of Complaint, then and in every such Case the said Commissioners shall for every such

Offence forfeit and pay the Sum of Five Pounds for each and every 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 shall from Time to Time be recoverable in a summary Way on the Oath of One or more credible Witness or Witnesses by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the said City or County of *Oxford*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, by Warrant of any Justice or Justices of the Peace as aforesaid.

LXXXI. And be it further enacted, That all the Pipes or other Conduits to be laid or used by the said Commissioners for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Way, public Passage or Place within the said University, City, Suburbs, and Parish shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Lane, Way, public Passage or Place will allow thereof, at the Distance of Three Feet at the least from the nearest Part of any Water Pipe already or hereafter to be laid down for the Conveyance of Water (except in Cases where it shall be unavoidably necessary to lay the said Gas Pipes across any of such Water Pipes, in which Cases the said Gas Pipes shall be laid over the Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the Length of the said Gas Pipes so crossing the said Water Pipes shall always exceed Nine Feet, in order that no Joint of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least); and in laying down the said Gas Pipes the said Commissioners shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay such Pipe as near as may be in its Place in the Trench, and shall then in such Trench, and not before, properly form and complete with proper and sufficient Materials the Joining with the other Pipe or Pipes to be connected therewith, and shall also make and keep Air-tight all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, and Openings therein respectively, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every such Default the Sum of Five Pounds.

Gas Pipes to be laid Three Feet from the Water Pipes, and in a particular Manner.

LXXXII. And be it further enacted, That all the Pipes or other Conduits to be laid or used by the said Commissioners for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Way, public Way or Passage within the said University, City, Suburbs, and Parish shall be so laid under and at a convenient Distance from the nearest Part of any Gas Pipe already laid down for the Conveyance of Gas by the *Oxford Gas Light and Coke Company*, and which Gas Pipes are all placed as near as may be to the Surface of the Ground.

Gas Pipes to be laid under the present Gas Pipes laid by the *Oxford Gas Light and Coke Company*.

LXXXIII. And be it further enacted, That whenever the Water of any Owners of any Waterworks within the said University, City, Suburbs, or Parish, or the Water in any Well, Reservoir, or Pond belonging to or used by any Person or Persons whomsoever, 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

Commissioners to prevent Contamination of Water, under Penalty not exceeding 20*l.* and 10*l.*

[Local.]

a Day after
Notice.

Pounds, and the same shall be applied to and for the Use and Benefit of the Owner or Owners of such Waterworks, Well, Reservoir, or Pond, or the Party using any such Water and suing for the same; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Commissioners shall, within Twenty-four Hours after Notice thereof in Writing, signed by any Person whomsoever interested in or using such Water, to be left with the Clerk to the said Commissioners for the Time being, cause the most proper and speedy Methods to be taken effectually to stop and prevent Gas from escaping from their Mains, Works, or Pipes, and contaminating or affecting such Water; and in case the said Commissioners shall not, within Twenty-four Hours next after 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 such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Commissioners shall forfeit and pay to the Party or Parties so interested in or using such Water and complaining as aforesaid, for the Use and Benefit of such Party or Parties (over and above the before-mentioned Penalty of Twenty Pounds), a further Sum not exceeding Ten Pounds for each and every Day during which any such Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid.

For ascer-
taining if the
Water be con-
taminated.

LXXXIV. And whereas it may become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for the Owners or Proprietors of any such Waterworks, or any Person or Persons interested in such Well, Reservoir, or Pond, 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 from or be occasioned by such Gas; and if it shall appear that the said Water has been contaminated or affected by the Escape of such Gas, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement or Ground of the Street or Streets, Lane or Lanes, Ways, public Passages and Places, which shall be taken up or disturbed, shall be borne and paid by the said Commissioners; which Costs and Expences shall be ascertained and determined, if necessary, by any Justice of the Peace for the City or County of *Oxford*, and the Amount thereof be recovered in like Manner as any Penalty may be recovered by virtue of the said recited Acts or this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas, then and in such Case the Owners or Proprietors of such Waterworks, or the Person or Persons interested in such Well, Reservoir, or Pond, shall bear and pay all the Costs and Expences 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 or Ground of the said Streets, Lanes, Ways, public Passages or Places so broken up 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 any other Justice of Peace as aforesaid.

LXXXV. Pro-

LXXXV. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend or be construed to extend to protect the Commissioners making, furnishing, or supplying any Gas to be used, burnt, or consumed for lighting any Street, Lane, Way, public Passage or Place within the said University, City, Suburbs, or Parish, or any of the Servants or Officers or Workmen of the said Commissioners, from any Indictment or Prosecution for a public or a private Nuisance in respect of any Works, or the Means which shall be employed by them in making the said Gas or using the same, or furnishing any such Gas Light, nor from any Action for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Act not to protect Commissioners lighting with Gas from being indicted for a Nuisance.

LXXXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by the said recited Acts and this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance thereof (the Manner of levying and recovering whereof is not particularly directed), not exceeding the Sum of Twenty Pounds, may be recovered in a summary Way by the Order and Adjudication of One or more of the Justices of the Peace for the City or County of *Oxford*, on Complaint to him or them for that Purpose exhibited, and afterwards to be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person liable to pay the same, by Warrant under the Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Monies raised and recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Commissioners or Market Committee, or their Treasurer, to be applied for the Purposes of the said recited Acts and this Act, unless such Penalties shall be incurred by the said Commissioners or Committee, in which Case the same shall be paid, unless otherwise directed by the said recited Acts or this Act, to the Overseers of the Poor of the Parish in which the Penalty shall be incurred, and be by them applied in aid of the Poor Rate of such Parish; and it shall be lawful for the said Justice or Justices to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security to the Satisfaction of such Justice or Justices for his Appearance before the said Justice or Justices 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 Time of taking any such Security, and which Security the said Justice or Justices is and are 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 made whereon to levy the said Penalty or Penalties and such Costs as aforesaid,

For Recovery of Penalties not exceeding 20l.

aforesaid, and the same shall not be forthwith paid, or if it shall appear to such Justice or Justices, either by the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereon to levy such Penalty and Costs as aforesaid on a Warrant of Distress being issued, such Justice or Justices 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, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Fines, Penalties, and Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid; to be ascertained by such Justice or Justices, shall be sooner paid and satisfied.

Recovery of Penalties exceeding 20l.

LXXXVII. Provided also, and be it further enacted, That all the Penalties and Forfeitures by this Act imposed, and being above the Amount of Twenty Pounds, shall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparance, shall be allowed to the Defendant or Defendants; and the Plaintiff or Plaintiffs, if he or they recover in any such Action, shall have his or their full Costs.

Justices may proceed by a Summons in the Recovery of Penalties.

LXXXVIII. And be it further enacted, That in all Cases in which by the said recited Acts or this Act any Penalty or Forfeiture is imposed and made recoverable by Information before any Justice or Justices of the Peace it shall be lawful for any Justice or Justices of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against and all necessary Witnesses before him or them, and on the Appearance of the Party complained against, or on his or her Non-appearance, then upon Proof of the Service of the Summons on such Party personally, or by leaving the same at his or her last or usual Place of Abode, 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 or Justices; 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.

Inhabitants and Officers competent Witnesses.

LXXXIX. And be it further enacted, That no Inhabitant of the said University or City, or Commissioner, Treasurer, Clerk, or other Officer acting in execution of this Act, shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding whatsoever to be had, made, prosecuted, or carried on under the Authority of the said recited Acts and this Act by reason of his being rated or assessed, or liable to be rated or assessed, by virtue of the said recited Acts or this Act, or by reason of his filling or holding any Office under the same.

Penalty on Witnesses summoned not attending.

XC. And be it further enacted, That if any Person shall be summoned by any Justice or Justices as a Witness to give Evidence before him or them, or any other Justice or Justices, touching any Complaint for any Offence
against

against the said recited Acts or this Act, or against any Bye Law, Rule, Order, or Regulation made in pursuance thereof, whether on the Part of the Prosecutor or of the Person accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his Costs and Expences, without a satisfactory Excuse being given for such Non-appearance, or appearing shall refuse or decline to be examined on Oath, (or, being a Quaker, on Affirmation,) or to give Evidence touching the Matter in question before such Justice or Justices, then and in all such Cases every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

XCI. Provided always, and be it further enacted, That no Person shall be liable to the Payment of any Fine, Penalty, or Forfeiture imposed by the said recited Acts and this Act for any Offence against the same, unless Information be given of such Offence within Three Calendar Months next after the committing of such Offence, except in case where any other Period is mentioned or limited in and by the said recited Acts or this Act.

Informations for Offences to be laid within Three Months.

XCII. And be it further enacted, That it shall be lawful for the said Commissioners or Market Committee respectively from Time to Time, if they shall see Cause, to pay and apply such Part of any Penalties or Forfeitures as they shall think proper, not exceeding One Half Part thereof respectively, to and for the Use of the Informer or Informers of any Offence or Offences against this Act, except where any thing is contained to the contrary in this Act.

Power to reward Informers.

XCIII. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Party to serve any Notice or Notices, or any Writ or Writs, or other legal Proceeding, or Proceedings in Equity, upon the Commissioners for executing the said recited Acts and this Act, or the said Market Committee, the Service of such Notice, Writ, or other Proceeding in Writing upon the Clerk to the said Commissioners or Committee respectively, or any acting Member of the said Committee, or delivering the same to some Inmate at the usual Place of Abode or at the Office or Dwelling House of the Clerk to the said Commissioners or Committee, or acting Member respectively, shall be deemed a sufficient Service of the same respectively upon the said Commissioners or Market Committee.

Notices on the Commissioners how to be served.

XCIV. And be it further enacted, That in all other Cases of Notices or Demands in Writing directed or required by this Act to be given or served, or which shall or may be necessary for carrying into execution any of the Powers or Provisions of this Act, the Service of any such Notice or Demand by delivering the same or a true Copy thereof to the Person to whom the same ought to be given, or by leaving the same or a true Copy thereof at his Dwelling House or usual or last Place of Abode, shall be a sufficient Service thereof (except only in Cases where personal Service is expressly required); or in case it shall be necessary to serve Notice upon any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, then the leaving such Notice or a true Copy thereof at the Office or Place of Residence of the chief Officer of any such Body Politic, Corporate, Colle-

Services of other Notices how to be made.

giate, Ecclesiastical or Civil, shall be deemed sufficient Service thereof; and in all Cases where any such Notice ought to be given to Two or more Persons for or respecting any joint Act, Refusal, Omission, Offence, Neglect, or Default of any Persons who shall be in Partnership or jointly concerned in such Act, Refusal, Omission, Offence, Neglect, or Default, the like Service of any such Notice on any Two of such Persons shall be a sufficient Service thereof.

Distresses not to be deemed unlawful for Want of Form.

XCV. And be it further enacted, That where any Distress shall be made for any Money to be levied or raised by virtue of the said recited Acts or this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which may be afterwards done by the Party distraining, but the Person aggrieved by such Irregularity may maintain an Action on the Case for the special and actual Damage (if any) sustained thereby, but not otherwise.

Proceedings not void for Want of Form, or be removed by Certiorari.

XCVI. And be it further enacted, That no Rate, nor any Action, Verdict, Judgment, Conviction, Order, Matter, or Thing, or other Proceeding which shall or may be had, made, done, or taken in pursuance of or under or by virtue of the said recited Acts or this Act, shall be made void, quashed, or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Proceedings of Commissioners and Market Committee to be Evidence.

XCVII. And be it further enacted, That all Orders, Regulations, and Proceedings of the said Commissioners and of the said Market Committee for the Time being shall be entered in a Book or Books to be respectively kept for that Purpose; and such Orders, Regulations, and Proceedings so entered and signed by the Clerk or Clerks of the said Commissioners, or of the said Committee for the Time being respectively, or by the Chairman of each respective Meeting, shall be deemed and taken to be original Orders, Regulations, and Proceedings, and shall be allowed to be read in Evidence in all Courts and Places whatsoever.

For paying Expences of this Act.

XCVIII. And be it further enacted, That all the Expences incurred by the Turnpike Commissioners, the Market Committee, and the Paving and Lighting Commissioners aforesaid, in and about the procuring and passing this Act, shall be paid in manner following; that is to say, one Moiety thereof by the said Turnpike Commissioners out of the Money arising by the Tolls which shall be collected by virtue of this Act or of the said recited Acts, or otherwise, and the other Moiety thereof by the said Market Committee and the said Paving and Lighting Commissioners, in equal Proportions, out of the Money arising from the Rates and Assessments, and the Market Rents and Dues respectively.

Provisions in former Acts continued, except as repealed or varied.

XCIX. And be it further enacted, That all the Clauses, Powers, Provisions, Regulations, and Authorities enacted by or contained in either of the said Three recited Acts, and now in force, (except so far as the same are by this Act repealed or varied, and save and except such Parts as relate to Exemptions from Stamp Duties,) shall for the Purposes of this Act, and together

together with this Act, be applied to and be executed and put in force for the Purposes therein and herein mentioned and specified, in as full and ample a Manner as if the same were specially repeated and re-enacted in or by this Act.

C. Provided always, and be it further enacted, That nothing in this Act or the said recited Acts shall extend, or be deemed or construed to extend, to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said University, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or of any Privilege or Right whatsoever of the said City, or of any of the Magistrates, Officers, or Servants thereunto belonging.

Saving the Privileges of the University and City.

CI. 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.

Public Act.

CII. And be it further enacted, That so much of the said recited Acts passed in the Eleventh, Twenty-first, and Fifty-second Years of the Reign of His Majesty King *George* the Third, and this Act, as relates to the Tolls thereby and hereby respectively granted, and to the Mileways, Bridge, and Avenues thereto, shall commence and take effect from and after the passing of this Act, and shall from thenceforth continue and be in full Force and Effect for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Term and Continuance of this Act.

The SCHEDULE to which the foregoing Act refers.

Situation.	Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
High Street	Dwelling House, with Shop in front.	Edward Latimer	- - -	Unoccupied.
	Kitchen or Outbuildings adjoining.	Same - -	- - -	Edward Latimer.
Market Lane	Outbuildings, Stables, Warehouses, and large Yard, extending in a Line with the Boundary Wall of the Market, behind the House of Robert Juggins; across the Back of the Premises occupied by Mr. Latimer, and thence into Jesus College Lane.	Same - -	Samuel Beesley	Samuel Beesley.
Ditto	Blacksmith's Shop, with small Yard in front.	Same - -	John Callis, as Lessee under Samuel Beesley.	John Callis.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1835.