CHAPTER xv.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the City of Oxford and to the Counties of Oxford and Berks. [31st May 1889.]

A.D. 1889.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875, and the Local Government Act, 1888: 38 & 39 Vict. c. 55. 51 & 52 Vict. c. 41.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the Queen'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, as follows:

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation Act, 1889. Short title.

[*Price* 1*s.* 3*d.*]

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SCHEDULE.

Oxford Order.

CITY OF OXFORD.

Provisional Order made in pursuance of Sections 52 *and* 54 *of the Local Government Act*, 1888, *and under Section* 297 *of the Public Health Act*, 1875.

To the Justices of the Peace for the County of Oxford, in Quarter Sessions assembled ;—

To the County Council for the Administrative County of Oxford ;—

To the Justices of the Peace for the County of Berks, in Quarter Sessions assembled ;—

To the County Council for the Administrative County of Berks ;—

To the Chancellor, Masters, and Scholars of the University of Oxford ;—

To the Mayor, Aldermen, and Citizens of Oxford ;—

To the Justices of the Peace for the City of Oxford ;

To the Oxford Local Board, being the Sanitary Authority for the Urban Sanitary District of Oxford ;—

To the Guardians of the Poor within the City of Oxford ;—

To the Guardians of the Poor of the Headington Union, in the Administrative County of Oxford, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

To the Guardians of the Poor of the Abingdon Union, in the Administrative Counties of Oxford and Berks, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

To the School Board for the School District of Oxford ;—

To the Highway Board for the Highway District of Bullingdon, in the Administrative County of Oxford ;—

To the Highway Board for the Highway District of Abingdon, in the Administrative County of Berks ;—

And to all others whom it may concern.

51 & 52 Vict. c. 41.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either

co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough, and may, if need be, alter the boundaries of the County; that if the population exceeds fifty thousand, the Order may constitute the Borough into a County Borough, and may make such provision as may be necessary for carrying the Act into effect as respects such County Borough; that the provisions of the Act respecting County Boroughs shall, subject to the provisions of the Order, apply; and that where certain members of the Sanitary Authority for any such Urban Sanitary District are appointed by a university or any colleges therein, the Order may provide for the appointment by such university or colleges of members on the District Council;

And whereas by virtue of Section 54 of the Act the Local Government Board are empowered to make a Provisional Order for the alteration of the boundary of any County or Borough, and the alteration of the boundary of any Electoral Division of a County, or of the number of County Councillors and Electoral Divisions in a County; and where such Order alters the boundary of a Borough, it may, as consequential upon such alteration, increase or decrease the number of the wards in the Borough, alter the boundaries of such wards, alter the apportionment of the number of Councillors among the wards, and alter the total number of Councillors, and may in such case make the proportionate alteration in the number of Aldermen;

And whereas the City of Oxford is a Borough within the meaning of the Act, and the inhabitants of the City are a body corporate, by the name of the Mayor, Aldermen, and Citizens of Oxford, and act by the Council of the City (herein-after referred to as "the Corporation"), which now consists of the Mayor, ten Aldermen, and thirty Councillors;

And whereas the City has a separate commission of the peace and a separate court of quarter sessions, and a sheriff and a coroner, and is, for the purposes of the election of Councillors, divided into five Wards;

And whereas by the Oxford (Corporation) Waterworks Acts, 1875 and 1885 (herein-after together referred to as "the Water Acts"), the Corporation were empowered to construct additional waterworks and to supply water within the limits therein defined;

38 Vict. c. xli.
48 Vict. c. xxiv.

And whereas under the Local Acts of Parliament, the full titles of which are set out in the First Schedule to this Order (which Acts are herein-after collectively referred to as "the Improvement Acts"), certain Commissioners (who and their successors are herein-after referred to as "the Commissioners") were appointed for carrying the Improvement Acts into execution;

And whereas in or about the year One thousand eight hundred and sixty-four, the Local Government Act, 1858, was duly adopted by the Commissioners for the area within the limits of the Improvement Acts, and that area became the Oxford District, and subject to the jurisdiction of the Oxford Local Board

21 & 22 Vict. c. 98.

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(herein-after referred to as "the Local Board"), which was constituted in accordance with the provisions of Section 82 of that Act;

And whereas by two Provisional Orders of one of Her Majesty's Principal Secretaries of State, each dated the Twentieth day of May, One thousand eight hundred and sixty-five, and duly confirmed by the Local Government Supplemental Act, 1865 (No. 5) (which Act is herein-after referred to as "the Confirming Act"), the Oxford District was extended;

28 & 29 Vict. c. cviii.

And whereas by another Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Thirty-first day of May, One thousand eight hundred and sixty-five (herein-after referred to as "the Order of the Thirty-first day of May"), and duly confirmed by the Confirming Act:—

(1.) The Improvement Acts were repealed, except the sections and provisions then in force relating to Magdalen Bridge and the Mileways, and the tolls to be demanded and taken in respect of the same, and the mortgages of the tolls, and the rights and remedies of the mortgagees thereof, and except the sections and provisions relating to markets, to gasworks and the supply of gas, and to all matters incidental to those matters respectively;

(2.) The sections and provisions of the Improvement Acts so saved from repeal (except the sections and provisions thereof relating to the markets) were, so far as the same respectively were then in force, made applicable to the Local Board instead of the Commissioners, as if the Local Board instead of the Commissioners were named or referred to therein;

18 & 19 Vict. c. 70.
29 & 30 Vict. c. 114.
34 & 35 Vict. c. 71.
40 & 41 Vict. c. 54.
47 & 48 Vict. c. 37.
50 & 51 Vict. c. 22.

And whereas by virtue of Section 22 of the Confirming Act the custody, care, and management of the public library in the City of Oxford were vested in the Local Board, and the said public library is managed by the Local Board in accordance with the provisions of the Public Libraries (England) Acts, 1855 to 1887;

And whereas under and by virtue of the Improvement Acts the market or markets provided under those Acts are now vested in the Chancellor, Masters, and Scholars of the University of Oxford (herein-after referred to as "the University") and in the Corporation jointly; the net revenue derived from the markets is now divided equally between the University and the Corporation; and the said markets are managed by a committee (herein-after called "the Market Committee") appointed in equal proportions by the University and the Corporation;

21 & 22 Vict. c. 98.
38 & 39 Vict. c. 55.

And whereas the Local Government Act, 1858, was repealed by the Public Health Act, 1875, and by Section 342 of the last-mentioned Act the Oxford District was further extended;

And whereas by virtue of Section 342 of the Public Health Act, 1875, the Local Board now consists of the Vice-Chancellor of the University, and the Mayor of Oxford for the time being, of fifteen members elected by the University, of sixteen members elected by the Corporation, and of seventeen members elected by the ratepayers; and by the same section provision was made as to the mode of election of the fifteen members to be elected by the University;

And whereas the Oxford District, as extended by the two above-mentioned Orders of the Twentieth day of May, One thousand eight hundred and sixty-five,

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and by Section 342 aforesaid, is an Urban Sanitary District (herein-after referred to as "the Sanitary District"), of which the Local Board, constituted as last aforesaid, are the Sanitary Authority;

And whereas the Local Board are the Burial Board under the Burial Acts, 1852 to 1871, for the Sanitary District;

15 & 16 Vict. c. 85.
34 & 35 Vict. c. 33.
33 & 34 Vict. c. 75.
44 Vict. c. xxxix.

And whereas by virtue of the Elementary Education Act, 1870, the Sanitary District is a School District for which a School Board has been formed;

And whereas under and by virtue of the Oxford Police Act, 1881 (herein-after referred to as "the Police Act"), the powers of watch and ward within the Sanitary District, and the control of the constabulary force for the whole of that District, are now vested in a Police Committee (herein-after referred to as "the Police Committee"), consisting of five members of the Convocation of the University annually appointed by the Convocation, and of ten members of the Corporation annually appointed by the Corporation; and the expenses incurred in carrying that Act into execution (except where otherwise provided) are defrayed out of a fund called the police fund, annually contributed in the following proportions, that is to say, one-third by the University and two-thirds by the Corporation;

17 & 18 Vict. c. ccxix.

And whereas by Section 2 of a Local Act of Parliament passed in the seventeenth and eighteenth years of the reign of Her present Majesty Queen Victoria, intituled "An Act to repeal an 'Act for better regulating the poor within the City of "'Oxford,' and to grant further and more effectual powers in lieu thereof, and "also to provide for rating to the relief of the poor certain hereditaments "within the University of Oxford" (herein-after referred to as "the Oxford Poor Act"), it is provided that of the thirty-three Guardians of the Poor within the City of Oxford eleven Guardians, who shall consist of the Mayor for the time being and the ten Aldermen for the time being, shall be elected for the City;

And whereas the Council of the City is not the Urban Sanitary Authority for the area of the existing City, and the existing City is partly comprised in the Sanitary District, and certain members of the Sanitary Authority are appointed by the University as aforesaid;

And whereas the population of the area which will be comprised in the City, if extended as herein-after provided, will exceed fifty thousand:

51 & 52 Vict. c. 41.
38 & 39 Vict. c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52, 54, and 59 of the Act, by Section 297 of the Public Health Act, 1875, and by any other enactments in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect:—

Commencement of Order.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided.

Definitions.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act.

Extension of City.

Art. III.—(1.) The area bounded as herein-after mentioned (being an area comprising both the existing City and the Sanitary District, with adjoining portions of the Rural Sanitary Districts of the Headington and Abingdon

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45 & 46 Vict. c. 50.

Unions), shall be the area of the County District for the purposes of the Act, and the boundary of the existing City shall be altered to correspond with the boundary of that County District, so that the whole of the said area shall, for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the City of Oxford; and the Mayor, Aldermen, and Citizens, acting by the Council of the City, constituted and elected in the manner herein-after provided, shall become the District Council for such County District.

Map of extended City.

(2.) The boundary of the County District and City shall be that shown by a red line on the maps, each marked "Map of the City of Oxford, as extended, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other of which shall be deposited by the town clerk of the City at his office within seven days after the date of this Order.

Alteration of Counties.

Art. IV. The area of the County of Oxford shall be altered so as to comprise such portion or portions of the County of Berks as are situate within the boundary of the City as hereby extended, and the boundary between those Counties shall be altered accordingly.

Copies of map to be deposited and to be evidence.

Art. V.—(1.) Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerks of the County Councils for the administrative Counties of Oxford and Berks respectively, to the clerks to the Rural Sanitary Authorities of the Abingdon and Headington Unions respectively, to the Director-General of Her Majesty's Ordnance Survey at Southampton, to the Registrar of the University, and to the clerk to the Oxford School Board.

(2.) Copies of or extracts from the said map deposited with the town clerk, certified by him to be true, shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of such map; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the City, and any such person shall be entitled to a copy of or extract from such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the borough fund.

Constitution of County Borough.

Art. VI.—(1.) The City shall be constituted a County Borough, and all the provisions of the Act respecting County Boroughs shall, subject as herein-after provided, apply to the City as if the City had been named in the Third Schedule to the Act, and as if Oxford had been specified in that Schedule as the County in which the City should be deemed for the purposes of the Act to be situate: Provided that for the purposes of the application of such provisions "the appointed day" shall be deemed to mean the Ninth day of November, One thousand eight hundred and eighty-nine.

Adjustment.

(2.) An equitable adjustment may be made under the provisions of Section 32 of the Act as well between the administrative County of Berks and the County Borough of Oxford as between the administrative County of Oxford and the said County Borough.

Date of operation of Order for parish burgess lists, &c.

Art. VII. For the purposes of the parish burgess lists and burgess roll, and other lists to be made for the City under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county registers to be made for the administrative Counties of Oxford and

Berks in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same. A.D. 1889. *Oxford Order.* 51 Vict. c. 10.

For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing City shall be the town clerk of the City, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the City, but which does not form part of the existing City, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arise in making out such lists and roll, or the lists of county electors and the county registers of the said counties, the Local Government Board may make such order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and registers.

Art. VIII. The number of Councillors of the City shall be increased from thirty to forty-five, of whom thirty-six shall be elected by the Citizens of the City, and nine shall be elected by the University in the manner herein-after directed. Number of Councillors.

Art. IX. Subject, as regards any future alteration of the wards hereby constituted, to the provisions of the Municipal Corporations Act, 1882, as to the alteration of wards, the following provisions shall have effect :—

(1.) For the purposes of the election of Councillors by the Citizens the City shall be divided into four wards, to be termed respectively the North Ward, the East Ward, the South Ward, and the West Ward. Division into wards.

(2.) Each of the said wards shall comprise the portion of the City indicated by a separate colour and distinguished by the name of the ward on the maps, each marked "Map of the Wards of the City of Oxford, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other shall be deposited by the town clerk of the City at his office within seven days after the date of this Order. Boundaries of wards.

(3.) Nine Councillors shall be assigned to each of the said wards.

Art. X. For the purposes of the election of Councillors by the Citizens in the month of November, One thousand eight hundred and eighty-nine, this Order shall operate from the date of the Act of Parliament confirming the same, and the following provisions shall apply :— Special provision for first election in 1889.

(*a.*) The town clerk and the Mayor of the existing City, or such other persons as the Local Government Board shall appoint, shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882, and the Mayor of the existing City, or such other person as he shall appoint, shall be the returning officer at the election for each ward.

(*b.*) Nine Councillors for each ward shall be elected by the Citizens on the First day of November, One thousand eight hundred and eighty-nine.

Art. XI.— Election of Councillors by the University.

(1.) There shall be nine Councillors to represent the University, three of whom shall be elected by the University in Convocation, and the remaining six shall be elected by the heads and senior resident bursars of the several

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colleges entitled by any statute of the University or otherwise to matriculate students, and by the heads of the several public halls.

(2.) Every member of the University (whether a Clerk in Holy Orders or not) being of the degree of Master of Arts, Bachelor of Civil Law, or Bachelor in Medicine, or of any superior degree of the University (and no other person), shall be qualified to be elected such a Councillor.

(3.) Every election of such Councillors shall be conducted by the University and by the colleges and public halls respectively in the same way and subject to the same regulations in and subject to which Guardians of the Poor for the University and for the colleges and halls are now or may hereafter be chosen by them respectively, save that in the election of Councillors the heads and bursars of all the colleges and the heads of all the public halls shall be summoned by the Vice-Chancellor of the University for that purpose, and shall be entitled to vote:

Provided that the day for the annual election of such Councillors shall be the First day of November.

(4.) The Registrar of the University shall forward to the town clerk immediately after the election has been completed, and not later than the Third day of November, a statement of the persons elected as such Councillors, and of the number of votes (if any) recorded for each person elected.

(5.) Any vacancy among such Councillors, whether occurring in the regular course or casually, shall be filled up by the election of a Councillor by the body which elected the Councillor whose place has become vacant, and any Councillor elected to fill a casual vacancy shall hold the office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office. An election to fill a casual vacancy among such Councillors shall be held as soon as practicable after the vacancy occurs.

45 & 46 Vict. c. 50.

(6.) The provisions of Sections 9, 11, 12 (1) (*b*), 51 to 59 (both inclusive), and 66 of the Municipal Corporations Act, 1882, shall not apply to elections of such Councillors.

(7.) Nine Councillors shall be elected as in this Article mentioned on the First day of November, One thousand eight hundred and eighty-nine; and for the purposes of that election this Order shall operate from the date of the Act of Parliament confirming the same.

Election of Aldermen by the Councillors of the City and of the University.

Art. XII. The number of Aldermen of the City shall be increased from ten to fifteen, of whom twelve shall be elected by the Councillors and Aldermen representing the Citizens, and three shall be elected by the Councillors and Aldermen representing the University; and the provisions of the Municipal Corporations Act, 1882, relating to the election of Aldermen, shall be modified accordingly and as follows (but not so as to enable outgoing Aldermen to vote in the election of Aldermen):—

(1.) The Aldermen of the City shall not be elected at meetings of the whole Council, but, immediately after the appointment of the sheriff at the meeting of the Council on the Ninth day of November, the meeting shall adjourn for such time as shall be agreed upon, and the Councillors and Aldermen representing the Citizens on the one part, and the Councillors and Aldermen representing the University on the other part, shall thereupon

meet separately for the election of Aldermen. The Councillors and Aldermen present at each of such separate meetings shall elect one of their number as chairman, who shall, for the purposes of the election, be the chairman within the meaning of Section 60 of the Municipal Corporations Act, 1882, and the provisions of that section applicable to the election of Aldermen at the meetings of Council shall apply to their election at such separate meetings with the necessary modifications. On the meeting of the Council resuming, the chairmen of the separate meetings shall make returns of the names of the persons elected as Aldermen, and such returns shall be entered on the minutes of the meeting. A.D. 1889. *Oxford Order.*

(2.) On a casual vacancy in the office of Alderman, a meeting of the Councillors and Aldermen representing the Citizens, or of the Councillors and Aldermen representing the University, as the case may be, shall be summoned to meet for the purpose of the election. The above provisions with reference to the proceedings at separate meetings of Councillors and Aldermen shall apply to such a meeting, and a return of the election shall be made to the next meeting of the Council: Provided that in the case of a casual vacancy in the office of an Alderman representing the University, Section 66 of the Municipal Corporations Act, 1882, shall not apply, but the election shall be held within fourteen days after notice in writing has been given to the town clerk by two Councillors representing the University, and the town clerk shall fix the day of election.

(3.) A person shall not be qualified to be elected or to represent the University as an Alderman unless he is a Councillor representing the University, or qualified to be such a Councillor.

Election of Aldermen in 1889.

Art. XIII. On the Ninth day of November, One thousand eight hundred and eighty-nine, twelve Aldermen to represent the Citizens and three Aldermen to represent the University shall be elected in the manner herein-before provided.

Dates for retirement of first Councillors and Aldermen.

Art. XIV. The dates specified in the Second Schedule to this Order shall be the dates for the retirement of the Aldermen and the Councillors respectively who shall be elected in the year One thousand eight hundred and eighty-nine.

Dates for retirement of existing Councillors and Aldermen.

Art. XV. Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the existing City who shall be in office up to the First day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all the Aldermen of the existing City who shall be in office up to the Eighth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November.

Extension of jurisdiction of recorder, &c.

Art. XVI.—(1.) The powers and duties of the recorder, and clerk of the peace, and of the justices of the peace appointed for the existing City, whether acting in general or in quarter sessions, or out of sessions or otherwise, and of the Borough Coroner, shall extend and apply throughout the City.

(2.) The powers and duties of the sheriff of the existing City shall extend and apply throughout the City.

(3.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office and shall be the City Auditors until the ordinary day of election of City Auditors.

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Transfer of writs, &c.

Art. XVII. All writs, process, records, and documents relating to, or to be executed in connexion with, any action or proceeding pending or existing on the Ninth day of November, One thousand eight hundred and eighty-nine, and appertaining to the parts of the County of Berks which are hereby added to the County of Oxford, shall be delivered, turned over, or transferred, and signed in like manner in all respects, so nearly as circumstances admit, as is required to be done upon a new sheriff coming into office.

Byelaws to continue in force.

Art. XVIII. All byelaws and regulations made by the Local Board as a Sanitary Authority which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the Sanitary District, and all byelaws and regulations made by the Corporation which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the existing City, shall be in force within and apply to the City, except in so far as the same may hereafter be altered or repealed; and save that the Corporation shall be substituted for the Local Board throughout the byelaws and regulations of the Local Board.

Town clerk and other officers continued.

Art. XIX. The town clerk and all other officers and servants of the Corporation of the existing City who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue to be the town clerk and officers and servants of the Corporation of the City, and shall hold their offices by the same tenure as at that date.

Compensation to existing officers.

51 & 52 Vict. c. 41.

Art. XX. The provisions of sub-section (13) of Section 118 and of Sections 119 and 120 of the Act shall apply to the persons who on the Ninth day of November, One thousand eight hundred and eighty-nine, hold office as officers or servants of the Local Board, acting as a Sanitary Authority, Burial Board, or in any other capacity, with the substitution of "District Fund and General District Rate" in sub-section (8) of Section 120 for "county fund as a payment for general county purposes," and with such other modifications as are necessary to make those provisions applicable to the said officers and servants, and to the Corporation; and Section 120 of the Act shall apply with the like substitutions and modifications as aforesaid to any officer of either of the said Rural Authorities, or of either of the said Highway Boards who, by virtue of this Order, or of anything done in pursuance or in consequence thereof, shall suffer any such direct pecuniary loss as in that section mentioned.

Corporation property.

Art. XXI. All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing City shall be held by the Corporation for the benefit of the City, and the Corporation shall hold, enjoy, and exercise, for the benefit of the City, all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing City.

Transfer of powers of Local Board.

Art. XXII.—(1.) All property, powers, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the Local Board as an Urban Sanitary Authority shall be transferred to, vested in, and attach to the Corporation as Urban Sanitary Authority, and all arrears of rates which at the date aforesaid are due or owing to the Local Board may be collected and recovered by the Corporation.

41 & 42 Vict. c. 74. 47 Vict. c. 13.

(2.) All property, powers, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are

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vested in or attached to the Local Board as the Local Authority under the Contagious Diseases (Animals) Acts, 1878 to 1886, or the Destructive Insects Act, 1877, shall be transferred to, vested in, and attach to the Corporation, and those Acts and any Orders of Council made thereunder shall apply to the City as if the District of the Local Board of Oxford, the Local Board, the rate leviable by the Local Board, and the clerk of the Local Board were not mentioned in the Second Schedule to the Contagious Diseases (Animals) Act, 1878.

47 & 48 Vict. c. 47.
49 & 50 Vict. c. 32.
40 & 41 Vict. c. 68.

(3.) All the property and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the Local Board as a Burial Board shall be transferred to, vested in, and attach to the Corporation, and the Corporation shall, within the City, hold, exercise, enjoy, and be subject to the powers, rights, duties, and liabilities of a Burial Board as if they had become a Burial Board in pursuance of Section 2 of the Burial Act, 1854.

Corporation to be Burial Board.

17 & 18 Vict. c. 87.

(4.) The Local Board shall on the Ninth day of November, One thousand eight hundred and eighty-nine, be abolished and cease to exist.

Local Board abolished.

(5.) The Rural Authorities of the Headington and Abingdon Unions respectively, and the Highway Boards for the Highway Districts of Bullingdon and Abingdon respectively, shall cease to exercise any powers or jurisdiction within any area included in the City:

Cesser of powers of other Authorities.

Provided that any arrears of rates made by the Overseers before the Ninth day of November, One thousand eight hundred and eighty-nine, in respect of contributions for general or special expenses under the Public Health Act, 1875, and any arrears of rates made by the Waywardens or Overseers before that date for the contribution to the District Fund of either of those Highway Boards, and which remain due in respect of hereditaments in any area hereby added to the City, may be recovered by the Overseers or the Waywardens, as the case may be, after that date.

Art. XXIII. The accounts of the Local Board and their officers and of the Waywardens up to the Ninth day of November, One thousand eight hundred and eighty-nine, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like right of appeal as if this Order had not been made.

Audit of accounts of Local Board, &c.

Art. XXIV.—(1.) The unrepealed provisions of the Improvement Acts, as altered by the Order of the Thirty-first day of May (except those relating to markets) shall be wholly repealed.

Repeal of Local Acts.

(2.) The provisions of the Improvement Acts relating to markets shall continue in force within the area in which the same are now in operation, but not elsewhere, and shall be altered as follows :—

Market powers to remain in force.

(*a.*) The Corporation shall be substituted for the Local Board;

(*b.*) All the property, powers, rights, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the University or the Market Committee under those provisions shall be transferred to, vested in, and attach to the Corporation;

(*c.*) All the property now vested in the Corporation under those provisions, or which will be vested in the Corporation in pursuance of paragraph (*b*) of

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this subdivision, shall be held by the Corporation in trust for the City, and all liabilities incurred, whether by the Market Committee or otherwise, or to be incurred by the Corporation under those provisions, shall, so far as the same are not defrayed out of revenue received from the markets, be charged upon and borne by the Borough Fund:

Provided that nothing in this Article contained shall prejudice, alter, or lessen the right of the University to appoint or nominate one or more clerk or clerks of the said markets.

Repeal of Provisional Orders.

Art. XXV.—(1.) Sections 4 to 7, 9 to 19, and 22 (all inclusive) of the Confirming Act, and so much of the Confirming Act as relates to the two Orders of the Twentieth day of May, One thousand eight hundred and sixty-five, and to Articles 1 to 3, 5 to 14, and 19 to 21 (all inclusive) of the Order of the Thirty-first day of May, shall be wholly repealed, except so far as the same may have been acted upon.

(2.) Sections 8, 20, and 21 of the Confirming Act shall be altered by the substitution throughout the same of the Corporation for the Local Board, and so as to provide that those sections as so altered shall apply to the City and to the Borough Rate which will be leviable over the whole City (including the University) as well as to the General District Rate.

Public library.

(3.) The public library referred to in Section 22 of the Confirming Act shall be vested in and managed by the Corporation for the benefit of the City as if the same had been provided by the Corporation for the City in pursuance of the Public Libraries (England) Acts, 1855 to 1887.

(4.) The Confirming Act shall be further altered by the substitution throughout Articles 15 to 18 of the Order of the Thirty-first day of May of the Corporation and the City for the Local Board and the District respectively.

Extension of Water Acts.

Art. XXVI. The Water Acts shall be altered so as to operate as if the City and the Corporation were referred to therein instead of the City and Corporation as then existing.

Alteration of Oxford Poor Act.

Art. XXVII. Section 2 of the Oxford Poor Act shall be altered by the insertion of the words "any ten Aldermen of the City representing the Citizens for the "time being chosen by the Council of the City" in lieu of the words "the ten "Aldermen of the City for the time being."

Repeal of Police Act.

Art. XXVIII.—(1.) The Police Act (except Sections 22 and 23) shall be wholly repealed, except so far as the same may have been acted upon; and the provisions of the Municipal Corporations Act, 1882, as to police in Boroughs, and of the Act as to police in County Boroughs, shall henceforward apply to the City.

(2.) Section 22 of the Police Act shall be altered by the insertion of the words "the City" in lieu of the words "the District."

(3.) Section 23 of the Police Act shall be altered so as to apply to the City and to any constabulary force provided by the Corporation.

(4.) Any property or liability which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, is vested in or attached to the Police Committee shall be transferred to, vested in, and attach to the Corporation.

Current debts to be discharged.

Art. XXIX. The Corporation and the Local Board shall liquidate, so far as practicable, before the Ninth day of November, One thousand eight hundred and eighty-nine, all current debts and liabilities incurred by them respectively.

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Actions, &c. not to abate.

Art. XXX.—(1.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Local Board, whether as a Sanitary Authority, Burial Board, or in any other capacity, or by or against the Police Committee or the Market Committee, or by or against either of the said Rural Authorities, or either of the said Highway Boards, in relation exclusively to the part of the District of such Rural Authority or Highway Board included in the City, the same shall not be in anywise prejudicially affected by reason of the making of this Order, but may be continued, prosecuted, and enforced by or against the Corporation of the City.

Saving for contracts, &c.

(2.) All contracts, deeds, bonds, agreements, and other instruments subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, entered into or made by the Local Board whether as a Sanitary Authority, Burial Board, or in any other capacity, by the Police Committee, or by the Market Committee respectively, or by either of the said Rural Authorities, or by either of the said Highway Boards, in relation exclusively to the part of the District of such Rural Authority or Highway Board included in the City, shall be of as full force and effect against or in favour of the Corporation of the City, and may be enforced as fully and effectually as if, instead of the Local Board, the Police Committee, the Market Committee, the Rural Authority, or the Highway Board, as the case may be, the Corporation had been a party thereto.

Extension of School District.

Art. XXXI. For the purposes of the Elementary Education Acts, 1870 to 1880,—

33 & 34 Vict. c. 75. 36 & 37 Vict. c. 86. 39 & 40 Vict. c. 79. 43 & 44 Vict. c. 23.

(1.) The City shall be a School District, and the members of the School Board for the existing School District of Oxford who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be deemed to have been elected, and shall be the School Board for the City, subject to the provisions of the above-mentioned Acts, which shall operate from and after the Ninth day of November, One thousand eight hundred and eighty-nine, as if the City, the borough fund, or borough rate, and the Corporation had been referred to in Section 93 and the First Schedule of the Elementary Education Act, 1870, as the School District, the local rate, and the rating authority respectively.

Byelaws to remain in force.

(2.) Any byelaws in force in the existing School District of Oxford on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the City until revoked or altered in accordance with the provisions of the above-mentioned Acts.

Saving for the rights and privileges of the University.

Art. XXXII. Nothing in this Order contained shall affect the rights and privileges of civil and criminal judicature and trial in the courts of the University alone as the same may have been granted by the charters of the University and confirmed by divers Acts of Parliament to the University and to all persons matriculated therein or being members thereof; nor the respective rights, privileges, and franchises of the University and their successors, and the several bodies politic, corporate, collegiate, or sole of the University, and their successors, except so far as the same are hereby expressly altered.

Modification of Municipal Corporations Act.

Art. XXXIII. Sub-section (4) of Section 257 of the Municipal Corporations Act, 1882, shall cease to apply to the City in so far as concerns the offices of such

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Oxford Order.

Councillors and Aldermen as represent the University; and sub-section (5) of that section shall altogether cease to apply to the City and the University, and the Colleges and Halls therein, and the members thereof; and the remaining provisions of the said Act relating to the University shall be construed with such modifications as may be necessary for carrying this Order into effect.

Short title.

Art. XXXIV. This Order may be cited as the City of Oxford Order, 1889.

The SCHEDULES above referred to.

Article XXIV.

THE FIRST SCHEDULE.

Improvement Acts.

Reign and Chapter.	Title.
11 Geo. III. cap. xix. - -	An Act intituled "An Act for amending certain of "the Mile Ways 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 pre-"venting the like for the future; for impowering "Colleges and Corporations to alienate their "estates there; for removing, holding, and regu-"lating Markets within the said City; and for "other purposes."
21 Geo. III. cap. xlvii. -	An Act intituled "An Act to amend and enlarge "the powers of an Act passed in the eleventh "year of His present Majesty's reign for per-"forming several works, and making improve-"ments within the University and City of "Oxford, and the suburbs thereof, and in the "adjoining Parish of Saint Clement."
52 Geo. III. cap. lxxii. - -	An Act 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."

Oxford Order.

Reign and Chapter.	Title.
5 & 6 Will. IV. cap. lxix. -	An Act intituled "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."
11 & 12 Vict. cap. xxxvii. -	An Act intituled "An Act to amend three Acts of "His Majesty King George the Third and another "Act of His late Majesty King William the Fourth, "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."

THE SECOND SCHEDULE.

Article XIV.

Persons to retire.	Dates of Retirement.
The three councillors for each ward who are elected by the smallest number of votes - - -	1st November 1890.
The three councillors for each ward who are elected by the largest number of votes - - -	1st November 1892.
The other three councillors for each ward - -	1st November 1891.
The councillor elected by Convocation who is junior in academical standing, and the two councillors elected by the Colleges and Halls who are junior in academical standing - - -	1st November 1890.
The councillor elected by Convocation who is senior in academical standing, and the two councillors elected by the Colleges and Halls who are senior in academical standing - - -	1st November 1892.
The other three councillors representing the University - - - - -	1st November 1891.
The six aldermen representing the citizens who are elected by the smallest number of votes, and the two aldermen representing the University who are junior in academical standing - - -	9th November 1892.
The other aldermen - - - -	9th November 1895.

If, for any reason, it is doubtful which councillors or aldermen, as the case may be, ought to retire on the dates above specified, the council of the City shall, on the

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Oxford Order.

Ninth day of November, One thousand eight hundred and eighty-nine, or at the next following quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes by the casting vote of the chairman, determine which of the councillors or aldermen, as the case may be, in respect of whose retirement such doubt arises, shall go out of office on the dates above specified respectively.

Given under the Seal of Office of the Local Government Board, this Twenty-ninth day of March, One thousand eight hundred and eighty-nine.

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

Oxford and Berks Order.

COUNTIES OF OXFORD AND BERKS.

Provisional Order made in pursuance of Section 54 *of the Local Government Act*, 1888.

To the Justices of the Peace for the County of Oxford, in Quarter Sessions assembled ; —

To the County Council for the Administrative County of Oxford ; —

To the Justices of the Peace for the County of Berks, in Quarter Sessions assembled ; —

To the County Council for the Administrative County of Berks ; —

To the Mayor, Aldermen, and Citizens of Oxford ; —

To the Guardians of the Poor of the Woodstock Union, in the Administrative County of Oxford ; —

To the Churchwardens and Overseers of the Poor of the Parish of Wolvercot, in the said Woodstock Union ; —

To the Guardians of the Poor of the Abingdon Union, in the Administrative Counties of Oxford and Berks ; —

To the Churchwardens and Overseers of the Poor of the Parish of Wytham, in the Administrative County of Berks, and in the said Abingdon Union ; —

To the School Board of the School District of Wolvercot ; —

And to all others whom it may concern.

51 & 52 Vict. c. 41.

WHEREAS by virtue of Section 54 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), the Local Government Board are empowered to make an Order for (inter alia) the alteration of the boundary of any County, of the boundary of any Electoral Division of any County, and of the number of County Councillors and Electoral Divisions in any County ;

And whereas the Local Government Board, by an Order dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, and made in pursuance of the Act, determined that the number of County Councillors for the

administrative County of Oxford should be fifty-seven, and that eleven of such Councillors should be apportioned to the City of Oxford as then existing; A.D. 1889.

Oxford and Berks Order.

And whereas the Quarter Sessions for the County of Oxford, in determining the Electoral Divisions in the administrative County of Oxford, formed an Electoral Division, termed the Oxford Suburban Electoral Division;

And whereas in pursuance of the Act eleven Councillors have been elected to represent the said City of Oxford, and one Councillor has been elected to represent the said Oxford Suburban Electoral Division, on the Council for the administrative County of Oxford;

And whereas the part of the said Parish of Wolvercot, in the administrative County of Oxford, which is outside of the existing School District of Oxford is a School District for which a School Board has been formed;

And whereas by virtue of an Order in Council dated the Twenty-eighth day of July, One thousand eight hundred and seventy-one, the County of Berks is divided into four Districts for the purposes of the Act passed in the seventh and eighth years of the reign of Her present Majesty, intituled "An Act to amend the laws respecting the office of County Coroner," and one of such Districts, termed the Abingdon District, includes the Parish of Wytham, which adjoins the portion of the Parish of Wolvercot herein-after referred to;

7 & 8 Vict. c. 92.

And whereas the Quarter Sessions for the County of Berks, in determining the Electoral Divisions in the administrative County of Berks for the purposes of the election of County Councillors, formed an Electoral Division, termed the Cumnor Electoral Division, which includes the said Parish of Wytham;

And whereas by virtue of a Provisional Order of the Local Government Board dated the Twenty-ninth day of March, One thousand eight hundred and eighty-nine, and made in pursuance of Section 52 of the Act, the City of Oxford will, from and after the Ninth day of November, One thousand eight hundred and eighty-nine, be extended so as to include the said Oxford Suburban Electoral Division, and the City as so extended will on that date become a County Borough;

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 54 and 59 of the Act, and by any other enactments in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect:—

51 & 52 Vict. c. 41.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided.

Commencement of Order.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act.

Definitions.

Art. III.—(1.) The eleven County Councillors elected to represent the City of Oxford, and the County Councillor elected to represent the said Oxford Suburban Electoral Division on the Council for the administrative County of Oxford, who will be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date, and their places shall not be filled up; and subject to the provisions of Section 54 of the Act, the number of County Councillors for the administrative County of Oxford shall be reduced from fifty-seven to forty-five.

Alterations in Oxford County Council.

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Oxford and Berks Order.

(2.) Four Aldermen of the Council of the administrative County of Oxford shall go out of office on the Ninth day of November, One thousand eight hundred and eighty-nine, and their places shall not be filled up.

(3.) The Aldermen who shall go out of office as aforesaid shall be,—

First,—The Aldermen who will, on the Ninth day of November, One thousand eight hundred and eighty-nine, lose their qualification by the operation of the above-recited Provisional Order;

Secondly,—The other Aldermen who were elected by the smallest number of votes:

Provided that if, by reason of more than four Aldermen having lost their qualification as aforesaid, or by reason of more than one Alderman having been elected by the same number of votes, a doubt arises as to which Alderman or Aldermen should go out of office under subdivision (2) of this Article, the County Council shall decide at their meeting next before the Ninth day of November, One thousand eight hundred and eighty-nine, by ballot which of those Aldermen shall retire.

Alteration of Counties.

Art. IV. The boundary between the Counties of Oxford and Berks shall be altered so that the area herein-after defined, comprising a part of the Parish of Wolvercot, shall cease to form part of the County of Oxford, and shall form part of the County of Berks.

Map.

Art. V.—(1.) The area referred to in Article IV. of this Order is the area coloured red on the three maps, each marked "Alteration of the Counties of Oxford and "Berks, Parishes of Wolvercot and Wytham, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and of the other two, one shall be deposited by the clerk of the Council of the administrative County of Oxford, and the other by the clerk of the Council of the administrative County of Berks at their respective offices within seven days after the date of this Order. Copies of the said map deposited with the clerk to the Council of the County of Berks, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk to the Guardians of the Woodstock Union, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

Copies of map to be evidence.

(2.) Copies of or extracts from the said map deposited with the clerk to the Council of the administrative County of Berks, certified by him to be true, shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of such map; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the area affected by this Order, and any such person shall be entitled to a copy of or extract from such map, certified as aforesaid, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the County Fund.

Alteration of Parishes, &c.

Art. VI. The area so transferred from the County of Oxford to the County of Berks shall cease to form part of the Parish of Wolvercot, and shall form part of the Parish of Wytham, and be included in the Abingdon District formed for the purposes of the above-mentioned Act relating to the office of County Coroner, subject to any alteration that may hereafter be made in that District.

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Oxford and Berks Order.

Limitation of jurisdiction of School Board.

Art. VII. The School Board of the said School District of Wolvercot shall cease to have jurisdiction in the area so transferred from the Parish of Wolvercot to the Parish of Wytham, and the byelaws made by that School Board shall cease to operate in that area.

Electoral Divisions.

Art. VIII. For the purposes of the election of County Councillors for the administrative County of Berks the said area shall be included in the said Cumnor Electoral Division, and the County Councillor elected by that Division who will be in office at the date when this Order comes into operation shall be deemed to represent the said area as if it had been included in that Electoral Division at the date of his election.

Given under the Seal of Office of the Local Government Board, this Thirtieth day of March, One thousand eight hundred and eighty-nine.

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

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