ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

****

Cap. 12.

An Act to empower the Warden and Scholars of the House or College of Scholars of *Merton* in the University of *Oxford* to sell certain Lands situate in the Parish of *Holywell* otherwise *Saint Cross* in the City of *Oxford*, and to lay out the Monies to arise from such Sale in the Purchase of other Hereditaments.

[14th *August* 1855.]

WHEREAS by an Act of Parliament passed in the Session of Parliament held in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled "The *Merton* College Act, 1854," the Warden and Scholars of the House or College of Scholars of *Merton* in the University of *Oxford* were empowered to sell to the Chancellor, Masters, and Scholars of the University of *Oxford*, and the Chancellor, Masters, and Scholars of the same University were empowered to purchase from the Warden and Scholars of the same College, certain Lands situate in the Parish of *Holywell* otherwise *Saint Cross* in the City of *Oxford*, of which the Warden and Scholars of the same College were seised to them and their Successors in perpetual Succession, for the Sums of Money

17 & 18 Vict. c. 17

and subject to the Provisions in the same Act mentioned and contained, and the same Pieces of Land were required by the Chancellor, Masters, and Scholars of the said University for the Purpose of erecting thereon or on Part thereof certain Buildings for the Use of the said University: And whereas the Warden and Scholars of the said College are seised to them and their Successors in perpetual Succession of certain Lands situate in the Parish of *Holywell* otherwise *Saint Cross* aforesaid, subject nevertheless to a Lease thereof granted to *John Pinfold* for the Term of Twenty-one Years from *Michaelmas* One thousand eight hundred and forty-two, Part of which Land is specified in the Schedule hereto annexed, and adjoins the said Lands sold to the Chancellor, Masters, and Scholars of the aforesaid University under "The *Merton* College Act, 1854:" And whereas by Articles of Agreement dated the Twenty-fourth Day of *March* One thousand eight hundred and fifty-five, and made between the Warden and Scholars of the said College of the one Part, and the Chancellor, Masters, and Scholars of the said University of the other Part, the Warden and Scholars of the said College have contracted for the absolute Sale to the Chancellor, Masters, and Scholars of the said University of the said Piece of Land specified in the Schedule hereto, containing Twenty-two Acres, subject to certain Roads or Ways over the same at the North and South Ends thereof, such Road or Way at the North End extending down to the River *Cherwell*, as the same was delineated on the Plan annexed to the said Agreement, the said Piece of Land being therein coloured Red; and it was by the said Agreement stipulated that the Purchase Money payable by the Chancellor, Masters, and Scholars of the said University to the Warden and Scholars of the said College, for their Interest in the said Piece of Land, free of Land Tax, should be Nine thousand three hundred Pounds, and that the same Sum should bear Interest at the Rate of Three Pounds Ten Shillings *per Centum per Annum*, to be computed from the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five, and to be paid by the Chancellor, Masters, and Scholars of the said University to the Warden and Scholars of the said College, upon Completion of the Purchase, together with the said Purchase Money, and that the Chancellor, Masters, and Scholars of the said University should, immediately after they had obtained Possession of the said Piece of Land, at their own Expense well and sufficiently, and to the Satisfaction of the Warden and Scholars of the said College, fence off the said Land, and that such Fences should be made on the Land belonging to the Chancellor, Masters, and Scholars of the said University, and be at all Times maintained and repaired by and at their Expense, and that the Warden and Scholars of the said College reserved to themselves, their succeeding Lessees, Tenants, Agents, Servants, Workmen, and others, full and free Liberty of Ingress, Egress, and Regress through, over,

Agreement for Sale to the University of Lands in Schedule, dated 24th March 1855.

over, and along the Carriage Road or Way Sixty Feet wide, situate at the South End of the said Piece of Land, with Access at all Places from the said Road or Way to the Lands belonging to the Warden and Scholars of the said College, and also full and free Liberty of Ingress, Egress, and Regress through, over, and along the Carriage Road situate at the North End of the same Piece of Land, Sixty Feet wide between the Points marked A and B on the said Plan, and Forty Feet wide between the Point marked B and the River *Cherwell* (intended for a Carriage and Foot Road or Way), with Access at all Places from the said Road or Way to the Lands belonging to the Warden and Scholars of the said College, the Road or Way at the South End of the said Piece of Land, together with so much of the Road or Way at the North End thereof between the Points marked A and B, to be made by and at all Times thereafter maintained and repaired by and at the sole Expense of the Warden and Scholars of the said College, who should have Power at any Time thereafter, without the Necessity of any Concurrence on the Part of the Chancellor, Masters, and Scholars of the said University, to throw open the same to the Public, the remaining Part of the said Road or Way between the Point marked B and the River *Cherwell* to be made by and at the Option of the Chancellor, Masters, and Scholars of the said University, and to be maintained and repaired by them and at their sole Expense: And whereas it would be highly beneficial to the Warden and Scholars of the said College, and the Chancellor, Masters, and Scholars of the said University, if the said Articles of Agreement were carried into effect; but the same cannot be done without the Authority of Parliament: Therefore Your Majesty's most dutiful and loyal Subjects, the Warden and Scholars of the House or College of Scholars of *Merton* in the University of *Oxford*, and the Chancellor, Masters, and Scholars of the University of *Oxford*, do most humbly beseech Your Majesty that it may be enacted; and be it 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:

Such Sale would be beneficial to both Parties.

I. The Warden and Scholars of the said College and their Successors are hereby empowered to sell, and on Payment of the Sum of Nine thousand three hundred Pounds, together with all Interest thereon, in the Manner herein-after directed, to convey to the Chancellor, Masters, and Scholars of the University of *Oxford* and their Successors, the said Piece of Land specified in the said Schedule hereto, with all the Rights, Members, and Appurtenances, subject nevertheless to the said Lease to the said *John Pinfold*, and subject to and with the Stipulations and Agreements contained in the said Articles of Agreement as to making, maintaining, and repairing Fences, and

Power for Merton College to sell and convey to the University Lands in Schedule.

and the using and repairing of Roads and Ways; and the Chancellor, Masters, and Scholars of the said University, and their Successors, are hereby empowered to purchase for such Sum of Nine thousand three hundred Pounds the same Piece of Land specified in the said Schedule hereto, with all the Rights, Members, and Appurtenances.

Purchase Money to be paid into the Bank, and laid out in Exchequer Bills or Bonds.

II. The said Purchase Money of Nine thousand three hundred Pounds shall, together with the Interest thereon after the Rate of Three Pounds Ten Shillings *per Centum per Annum*, to be computed from the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five up to the Time of Payment of the same Purchase Money, be paid by the Chancellor, Masters, and Scholars of the said University, or their Successors, into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to the Credit of "*Ex parte* the "Chancellor, Masters, and Scholars of the University of *Oxford*, in "the Matter of the *Merton* College Act, 1855," pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter Twenty-four; and the said Sum of Nine thousand three hundred Pounds and Interest, when so paid in, is to be laid out, on the Request of the Warden and Scholars of the said College or their Solicitor, and without any Order for that Purpose, in the Purchase of Exchequer Bills, and such Bills, when so purchased, are to be deposited in the Bank of *England* to the like Credit, and any Principal Money or Interest which may be received and paid into the Bank of *England* in respect of such Bills, or of any Bills purchased with such Principal Money or Interest, or in respect of any Exchequer Bills, shall be, from Time to Time as the same shall be so received and paid into the Bank of *England*, also laid out in the Purchase of Exchequer Bills, with the Privity of the said Accountant General, and such Bills, when so purchased, are to be deposited in the Bank of *England*, with the Privity of the said Accountant General, to the like Credit, subject to any further Order of the said Court; and for the Purposes aforesaid the said Accountant General is to draw on the Bank according to the Form prescribed by the Act of Parliament in that Case made and provided.

Such Monies to be ultimately laid out in the Purchase of Lands.

III. It shall be lawful for the said Court of Chancery, upon the Application of the Warden and Scholars of the said College, in Chambers or otherwise, to order the Monies laid out in the Purchase of such Exchequer Bills as aforesaid, and any Interest thereon, to be laid out, under the Direction and with the Approbation of the said Court, in the Purchase of any Manors or other Hereditaments situate in

in *England* or *Wales*, to be conveyed and assured unto the Warden and Scholars of the said College and their Successors absolutely; and for the Purpose of effecting and completing the Purchase of such Manors and other Hereditaments it shall be lawful for the said Court of Chancery, upon the Application of the Warden and Scholars of the said College, in Chambers or otherwise, to order such Exchequer Bills to be sold by the Accountant General, and the Monies to arise by the Sale thereof, and such Interest (restricted nevertheless in Amount as herein-after mentioned), to be paid, laid out, and applied in completing such Purchase of such Manors and other Hereditaments in such Manner as the said Court shall think just and direct: Provided nevertheless, that in case the Monies produced by the Sale of such Exchequer Bills, and such Interest, shall exceed in Amount the Sum of Nine thousand three hundred Pounds, then the Sum of Nine thousand three hundred Pounds only, Part of such Monies, shall be laid out in the Purchase of such Manors or other Hereditaments, and the Residue of such Monies and Interest shall be paid to the Warden and Scholars of the said College.

Cost of Agreement, Title, Conveyance, &c. to be paid by the University.

IV. All the Costs, Charges, and Expenses already or hereafter to be incurred, as well by the Warden and Scholars of the said College and their Successors as by the Chancellor, Masters, and Scholars of the said University and their Successors, in relation to the said recited Articles of Agreement, and in applying for and obtaining and in the passing of this Act, and in the making out and deducing the Title of the Warden and Scholars of the said College to the said Piece of Land specified in the said Schedule hereto, and in conveying the same to the Chancellor, Masters, and Scholars of the said University and their Successors, and in making and delivering any attested or other Copies of or Extracts from any Deeds or other Documents of Title relating to the same Hereditaments, and the Preparation and Execution of all Deeds of Covenant for the Production of any Deeds or other Documents of Title to the Chancellor, Masters, and Scholars of the said University and their Successors, and also all the Costs, Charges, and Expenses attending or incurred in the Payment of the said Purchase Money of Nine thousand three hundred Pounds, and the Interest thereof, into the Bank of *England*, and the Investment of the same Monies and Interest in the Purchase of Exchequer Bills as aforesaid, and the Investment of the Interest thereof, and the Money received from Time to Time on paying off such Bills, or any future Bills in the Purchase of which any such Money, whether Principal or Interest, shall from Time to Time be invested as aforesaid, and also all the Costs, Charges, and Expenses attending or incurred in applying to and obtaining the Approbation of the said Court of Chancery for laying out the Monies aforesaid in the Purchase of any Manors or other Hereditaments as aforesaid, and in

making and completing such Purchase, and conveying and assuring the same Hereditaments unto the Warden and Scholars of the said College and their Successors absolutely, and in applying for and obtaining the Sale of such Exchequer Bills, and the Payment and Application of the Monies produced by the Sale thereof in manner aforesaid, and also all other Costs, Charges, and Expenses whatsoever which have been or may be incurred by the Warden and Scholars of the said College or their Successors, in relation to or in consequence of the Sale of the said Piece of Land specified in the said Schedule hereto to the Chancellor, Masters, and Scholars of the said University, and the Investment of and other Dealings with the Monies aforesaid in the Manner aforesaid, shall be borne and paid by the Chancellor, Masters, and Scholars of the said University.

Short Title.

V. It shall be sufficient for all Purposes to cite this Act as "The *Merton* College Act, 1855."

General Saving.

VI. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and all and every other Persons or Person, Bodies Politic and Corporate, her, his, and their Heirs, Successors, Executors, and Administrators, (other than and except the Warden and Scholars of the said College and their Successors, and the Chancellor, Masters, and Scholars of the said University and their Successors,) all such Estate, Right, Title, Interest, Benefit, Claim, or Demand whatsoever of, in, to, out of, and upon the said Lands specified in the Schedule to this Act, or any Part thereof, as they or any of them had before the passing of this Act, or could or might have held and enjoyed in case this Act had not been passed.

Act as printed by Queen's Printers to be Evidence.

VII. This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

The

The SCHEDULE referred to in the foregoing Act.

All that Piece or Parcel of Land, containing Twenty-two Acres or thereabouts, being Part of and lying at the West End of a Piece of Land called the Park Pieces, situate in the Parish of Holywell otherwise Saint Cross in the City of Oxford, and bounded on the North by Lands of the President and Scholars of Saint John Baptist College in the Parish of Saint Giles in the said City of Oxford, on the South by Lands of the Warden and Scholars of the House or College of Scholars of Merton, on the East in part by the River Cherwell, and on other Part by Lands of the Warden and Scholars of the House or College of Scholars of Merton, and on the West by Lands of the Chancellor, Masters, and Scholars of the University of Oxford.

James Saunders.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.