ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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Cap. xxxvii.

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.

[30th *June* 1848.]

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* 11 G. 3. c. 19.
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

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,
21 G. 3. c. 47. 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 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,
52 G. 3. c. 72. 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 an Act was passed in the Sixth Year of the
5 & 6 W. 4. c. 69. Reign of His late Majesty King *William* the Fourth, 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 Act mentioned:* And whereas the Commissioners appointed under or by virtue of the said recited Acts are thereby empowered to raise Monies for new paving and pitching, and also for repairing, lighting, and cleansing, the several public Streets, Lanes, Ways, Passages, and Places within the University, City, Suburbs, and Parish of *Saint Clement*, and for that Purpose they are required annually to ascertain the Sums of Money necessary for those Purposes, Two Fifth Parts of which Sums are to be paid by or on account of the University in the Manner in the said Acts directed, and the remaining Three Fifth Parts thereof are to be raised by Rates or Assessments upon the Owners and Proprietors and Tenants or Occupiers of all Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments within the University, City, Suburbs, and the Parish of *Saint Clement* in the Manner also in the said Acts directed: And whereas the said Quotas or Proportions of Two Fifths and Three Fifths in which the Sums so ascertained are to be raised by the respective Parties liable thereto have become inequitable, and it is expedient that the same should be altered, but no Alteration in the said Quotas or Proportions can be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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

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the same, That so much of the said recited Acts as directs that the said University, and the said Owners and Proprietors and Tenants or Occupiers within the said University, City, Suburbs, and Parish of *Saint Clement*, shall contribute towards the Expenses of new paving and pitching, and repairing, lighting, and cleansing, the several public Streets, Lanes, Ways, Passages, and Places within the Limits aforesaid in the Proportion of Two Fifths and Three Fifths, shall be and the same is hereby repealed.

So much of recited Acts as directs certain Proportions to be paid for paving, &c. repealed.

II. And be it enacted, That from and after the passing of this Act the University shall raise and pay One Third Part of such Sums as shall from Time to Time be ascertained and judged necessary by the Commissioners acting in the Execution of this and the said recited Acts to be raised for the Purposes aforesaid, and the remaining Two Third Parts thereof shall be raised and paid by Rates or Assessments upon the Owners and Proprietors, Tenants or 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;* and the said Sums shall be ascertained at such Times, and the said Quotas or Proportions of One Third and Two Thirds shall be raised, levied, and recovered by the said Commissioners from the said University, and the said Owners and Proprietors, and Tenants or Occupiers respectively, in the same Manner in all respects as in the said former Acts is directed concerning the said Quotas of Two Fifths and Three Fifths: Provided always, that nothing herein contained shall affect, prejudice, or prevent the Collection as heretofore of any Rates which previous to the passing of this Act shall have been duly made by the Commissioners according to the former Quotas or Proportions.

The Rates to be raised by certain Proportions, at such Times and in such Manner as by former Acts directed.

III. And be it enacted, That if during the Term of Twenty-one Years from the passing of this Act the Quotas or Proportions of One Third and Two Thirds by this Act fixed shall have become inequitable, it shall be lawful for the Vice Chancellor of the University for the Time being, or for the Mayor of the City of *Oxford* for the Time being, to give Notice in Writing to the other of them, which Notice shall be sufficient if left at the usual Place of Abode of the said Vice Chancellor or Mayor Twelve Calendar Months at least before the Expiration of the said Term of Twenty-one Years, requiring the Chancellor, Masters, and Scholars, or the Mayor, Aldermen, and Citizens of *Oxford*, as the Case may be, to join in agreeing upon and fixing a new Quota or Proportion in which the said University and the said Owners and Proprietors and Tenants or Occupiers of the said University and City, Suburbs, and Parish of *Saint Clement*, shall, from and after the Expiration of the said Term of Twenty-one Years, respectively contribute towards the Expenses of new paving and pitching, and repairing, cleansing, and

After Expiration of 21 Years if Quotas are become unequal they may after 12 Months Notice be altered.

and lighting, the several public Streets, Lanes, Ways, Passages, and Places within the said University and City, Suburbs, and Parish of *Saint Clement*, and then and in every such Case it shall be lawful for the Chancellor, Masters, and Scholars of the University, and the Mayor, Aldermen, and Citizens of *Oxford*, and they are hereby empowered, by some Writing or Writings under their Common Seals respectively, to agree on and fix the Quotas or Proportions in which the said University and the said Owners and Proprietors and Tenants or Occupiers shall respectively contribute towards the said Expenses of new paving and pitching, and repairing, cleansing, and lighting, the said public Streets, Lanes, Ways, Passages, and Places within the said University, City, Suburbs, and Parish of *Saint Clement*.

If Parties do not agree Quotas to be fixed by Referees or by their Umpire.

IV. And be it enacted, That in case the said Chancellor, Masters, and Scholars, and the Mayor, Aldermen, and Citizens, shall not agree upon such Quotas or Proportions on or before the Expiration of Three Calendar Months next after the Service of the Notice first herein-before referred to, then that such Quotas or Proportions shall be fixed by Two competent Persons, one to be named and appointed by the said Chancellor, Masters, and Scholars, and the other by the said Mayor, Aldermen, and Citizens, under their Common Seals, respectively, on or before the Expiration of One Calendar Month next after the Expiration of the said Three Months, or by their Umpire, in case such Two Referees cannot agree, such Umpire to be named and appointed by the said Two Referees within Twenty-one Days after their Appointment, and before they commence their Proceedings; and the Quotas or Proportions so to be fixed by the said Referees, or their Umpire, shall be final, binding, and conclusive on all Parties, and shall be the Quotas or Proportions in which the said University, and the Owners and Proprietors and Tenants or Occupiers within the said University, and City, Suburbs, and Parish of *Saint Clement*, shall thenceforward contribute towards the aforesaid Expenses of new paving and pitching, and repairing, cleansing, and lighting, for and during the Term of Twenty-one Years then next following, or until the said Quotas or Proportions shall again be altered and refixed, and so from Time to Time upon the like Notice, and in the like Manner, at the Expiration of every succeeding Twenty-one Years, if the then existing Quotas or Proportions shall have become inequitable.

As to Payment of the Costs and Expenses of the Two Referees.

V. And be it enacted, That all reasonable Costs and Expenses of the said Two Referees who shall from Time to Time be appointed by the said Chancellor, Masters, and Scholars, and Mayor, Aldermen, and Citizens, and of the Umpire of such Referees, shall be defrayed out of the first Monies which shall be paid by the said University and the said Owners and Proprietors and Tenants or Occupiers to the Commis-

Commissioners acting in execution of this and the said recited Acts next after every fresh Ascertainment of the said Quotas or Proportions.

VI. And be it enacted, That if either of the said Chancellor, Masters, and Scholars of the said University, or the said Mayor, Aldermen, and Citizens of the City, shall fail to appoint their Referee within the Time herein-before limited for that Purpose, then the Referee appointed by the one Party shall act on behalf of both Parties, and in that Case the Quotas or Proportions which shall be fixed by such single Referee shall be final, binding, and conclusive.

If one Party fail to appoint Referee, the Referee appointed by the other Party may act alone.

VII. And be it enacted, That if when the Two Referees shall have been appointed either of them shall refuse or neglect to act for Twenty-one Days next after his Appointment, and after Notice in Writing from the other Referee of his Intention to proceed alone under the Powers herein contained, or if any Referee when so appointed shall die or become incapable to act, and no other Referee shall be appointed in his Place by the Party entitled to the Appointment within Twenty-one Days after such Death or Incapacity, the other Referee may proceed *ex parte*, and in such Case the Quotas or Proportions which shall be fixed by him shall in like Manner be final, binding, and conclusive.

If either Referee neglect to act after Notice, or if either die and no other be appointed, One may act alone.

VIII. And be it enacted, That if the said Two Referees shall refuse or omit for Twenty-one Days after the Day on which the last of such Referees shall have been appointed to appoint their Umpire, or, in the event of the Death or Incapacity of the Umpire when appointed, if another Umpire shall not be appointed by the Referees within Twenty-one Days after such Death or Incapacity, then and in either of the said Cases the Chairman of the Quarter Sessions of the Peace for the County of *Oxford* for the Time being shall appoint such Person as he shall think fit to act as Umpire, and the Quotas or Proportions which shall be fixed by such Umpire shall be final, binding, and conclusive.

If Referees do not appoint an Umpire, or in the Case of Death, &c. another shall not be appointed, the Chairman of the Quarter Sessions may appoint one.

IX. And be it enacted, That all the Expenses incurred in and about the procuring and passing this Act shall be paid by the Chancellor, Masters, and Scholars of the University of *Oxford*.

Expenses of the Act.

X. And be it enacted, That all the Clauses, Powers, Provisions, Regulations, and Authorities contained in either of the said Four recited Acts, and now in force, (except so far as the same are by this Act repealed or varied,) shall for the Purposes of this Act, and together with this Act, be applied to and be executed and put in force for the Purposes therein and herein mentioned and specified

Powers of recited Acts extended to this Act.

in as full and ample a Manner as if the same were specifically repeated and re-enacted in or by this Act.

Public Act.

XI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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