



ANNO QUINQUAGESIMO SECUNDO

GEORGI III. REGIS.



Cap. 72.

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. [5th May 1812.]

WHEREAS an Act was passed in the Eleventh Year of His present Majesty's Reign, 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 His present Majesty's Reign, 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* 11 G. 3. c. 19.
21 G. 3. c. 47.

[Loc. & Per.]

City of Oxford, and the Suburbs thereof, and in the adjoining Parish of Saint Clement: And whereas the Commissioners have proceeded in the Execution of the said Acts, and have borrowed a considerable Sum of Money on the Credit of the Tolls granted and continued by the said recited Acts, Part whereof has been paid off: And whereas the said Tolls have Continuance from the Expiration of the Term granted by the said first recited Act, for an additional Term granted by the said last recited Act, of Twenty-one Years, and to the End of the then next Session of Parliament, and which additional Term is near expiring: And whereas the said Improvements cannot be completed, and the Mileways and Bridge and Avenues leading thereto, cannot be kept in Repair, and be cleansed and lighted, and the Money now remaining due on the Credit of the Tolls be repaid, unless the said Tolls are continued for a further Term: And whereas some further Amendments and Regulations are necessary to render the said Acts more 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 and Twenty-first Years of His present Majesty's Reign, as relates to the Tolls thereby respectively granted, and to the Mileways, Bridge, and Avenues thereto, shall have Continuance from the Expiration of the Term by the said second recited Act limited, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Style of Commissioners.

II. And be it further enacted, That the Commissioners already appointed, and who shall be hereafter appointed, to put this and the said recited Acts in Execution, shall be named and styled *Commissioners 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.*

Commissioners may meet notwithstanding any Adjournment.

III. And be it further enacted, That if the said Commissioners shall at any Time deem it expedient that a Meeting should be holden on an earlier Day than the Day appointed by any Adjournment, or in Default of Adjournment, then and in every such Case it shall be lawful for any Seven or more of the said Commissioners to call a Meeting of the said Commissioners to be assembled on any Day, at the last or most usual Place of Meeting, between the Hours of Ten in the Forenoon and Two in the Afternoon, so as Notice of such Meeting, under the Hands of Seven or more of the said Commissioners, be given in the Manner directed by the said first recited Act.

Acts of Commissioners to be valid, though not duly qualified.

IV. Provided always, and be it further enacted, That all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act or the said recited Acts, or either of them, although not duly qualified as required by the said recited Acts, previous to his or their being convicted of the Offence of acting without such Qualification, shall notwithstanding such Conviction, be as good, valid and effectual, as if such Person or Persons had been duly qualified to act as such Commissioner or Commissioners according to the Provisions of the said recited Acts.

V. And

V. And be it further enacted, That from and after the passing of this Rates Act the said Commissioners, or any Seven or more of them, shall annually, and not oftener, ascertain in the Manner by the said last recited Act directed, the Sum of Money they shall judge necessary to be raised for the Purposes of new paving and pitching, and also the Sum they shall judge necessary 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 such Sums shall be paid by the said University in the Manner directed by the said last recited Act, and the remaining Three-fifths thereof shall be raised by Rates or Assessments to be made by any Seven or more of the said Commissioners in Manner following; (that is to say), A Rate for new paving and pitching shall be laid by a Pound Rate upon the Owners and Proprietors 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*, not exceeding the Sum of One Shilling in the Pound of the yearly Value of such Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments respectively; and a Rate for repairing, lighting, and cleansing, shall be laid by a Pound Rate on the Occupiers of such Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments, not exceeding the Sum of Two Shillings in the Pound of the yearly Value of such Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments respectively; and that the Rates or Assessments which shall be first made after the passing of this Act shall commence on the Feast Day of *Saint John the Baptist* then next for One Year, and every subsequent Rate or Assessment shall be made in like Manner for One Year, to commence from the said Feast Day in every Year respectively; and the Monies so to be rated or assessed, as well on the Owners and Proprietors, as on the Tenants and Occupiers, shall be paid by equal Quarterly Payments to the Collector or Collectors, to be appointed as directed by the said recited Acts, and the Rate or Assessment to be laid on the Owners and Proprietors of any Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments, shall be collected, recovered, and levied, 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 enacted; and any Person or Persons who shall purchase and take Possession of any such House, Building, Land or other Premises, shall be liable to pay a Proportion of the Rate or Assessment thereon, or on the former Owner in respect thereof, from the Time of his, her, or their purchasing and taking Possession of the same, and which Proportion shall be ascertained, in case of Dispute, by any Seven or more of the said Commissioners, at their next or some subsequent Meeting after Demand made thereof, and their Decision thereupon shall be final and conclusive; and the Money to be rated or assessed on the Tenants or Occupiers for repairing, cleansing, and lighting the public Streets, Lanes, Ways, Passages and Places within the said University, City, or Suburbs, and the said Parish of *Saint Clement*, and to be borne and defrayed by them, shall be paid by them respectively to the Collector or other Person or Persons who shall be appointed by the said Commissioners to receive the same; and if any such Tenant or Occupier shall neglect or refuse to pay his or her Proportion of any such Rate or Assessment to the said Collector, for the Space of Ten Days next after Demand made thereof, by Notice in Writing under the Hand of the said Collector, to be delivered

to or left at the Dwelling House or usual Place of Abode of such Tenant or Occupier, the same may and shall be levied on all and every such Tenant or Tenants, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, (by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County or City of *Oxford*, within their respective Jurisdictions), and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned, on Demand, to the Owner or Owners of the Goods and Chattels so distrained, after deducting all Charges attending such Distress and Sale; and in all Cases where any Person or Persons who shall be rated or assessed to the said Rates or Assessments shall remove from or quit his, her, or their House, Building, Yard, Garden, Land, Tenement, or Hereditament, such Person or Persons shall be liable to such Rates or Assessments, in Proportion to the Time he, she, or they occupied the same, in like Manner as if such Person or Persons had not removed from or quitted the same; and in case any Person or Persons shall come into or enter into the Occupation of any House, Building, or Land or other Premises, out of or from which any other Person who shall have been rated or assessed for the same shall have removed, or of any House, Building or Land, which at the Time of making such Rate or Assessment was empty or unoccupied, then every Person or Persons so coming into or occupying the same Premises shall be liable to such Rate or Assessment, in Proportion to the Time such Person or Persons shall occupy the same, in the same Manner as if he, she, or they had been originally rated or assessed for such Premises; and which said respective Proportions, after Demand made thereof, shall in case of Dispute, be ascertained by any Seven or more of the said Commissioners at their next or some subsequent Meeting; and their Decision thereupon shall be final and conclusive.

Rates on
Houses let in
separate
Apartments.

VI. And be it further enacted, That every Person, Landlord or Tenant, who shall let his or her House in separate Apartments, or ready furnished to a Lodger or Lodgers, or for any less Term than a Year, shall be deemed and taken to be the Occupier thereof, and may be charged as such in the Rates or Assessments for repairing, lighting and cleansing.

Commissioners may rectify Omissions in the Rates.

VII. And be it further enacted, That if it shall appear to the said Commissioners, at any Time after the making of any Rate or Assessment to be made by them under the Authority of this or the said recited Acts, or either of them, that the Name of any Person liable to be included in such Rate or Assessment hath been omitted therein, it shall be lawful for the said Commissioners, or any Seven or more of them, to add or cause to be added to such Rate or Assessment the Name of the Person so omitted, together with the Sum for which he or she ought to be so rated or assessed; and the Amount of such Rate or Assessment in respect thereof, and every such Addition made to any such Rate or Assessment, shall be as valid and effectual in Law, to all Intents and Purposes, as if the same had been inserted in the Rate or Assessment at the Time the same was first made out, and had formed a Part of the Sum ascertained by the said Commissioners to have been necessary to be raised as aforesaid.

Justices not to quash whole Rate.

VIII. Provided always, and be it further enacted, That upon any Appeal from any Rate or Assessment to be made under the Authority of this or the said recited Acts, or either of them, the Justices of the Peace at any

General or Quarter Sessions (where they shall see Cause of Relief) shall and are hereby empowered to amend the same, in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, without quashing or altering such Rate or Assessment with respect to any other Person or Persons mentioned in the same.

IX. And be it further enacted, That it shall be lawful for the Clerk or Clerks to the said Commissioners for the Time being, from Time to Time, by Writing under his or their Hands, to appoint a Deputy or Deputies, Bailiff, or Bailiffs, to act for him or them, and to demand and receive the respective Annual Sums as were formerly payable to the Vice-Chancellor and Mayor, for and towards the repairing of the Mileways, (and by the said first recited Act placed under the Direction and Management of the said Commissioners), of and from the Surveyors of the Highways, or the Constables, in case there shall be no Surveyor of each respective Parish or Township, liable to pay the same; and in Default of Payment thereof, or of any Part thereof, to levy the same by Distress and Sale of the Goods of the Surveyors, or either of them, or of the Constables, or either of them, of the said Parishes or Townships respectively, in like Manner as the said Clerk or Clerks to the said Commissioners for the Time being is or are by the said Act, authorized and empowered to demand, receive and distrain for such Sums; and it shall be lawful for the Surveyor or Surveyors, or Constable or Constables, who shall have paid such Sums, or on whom Distress shall have been made, to reimburse himself or themselves respectively, the Sums so paid or distrained for by collecting the same of the Persons whose Estates have usually been chargeable therewith, or by any other Means, whereby, according to the Laws now in being, Surveyors of Highways are to be reimbursed the Monies by them expended in buying Materials for, or in amending the Highways.

Clerks may appoint a Deputy to receive Mileway Monies.

X. And be it further enacted, That if any Person or Persons shall set up or place any Stack of Wood, Faggots, Furze, Hay or Straw, within the said University, City, Suburbs, or Parish of *Saint Clement*, which, upon the Complaint in Writing of any Two or more of the Inhabitants of the said University, City, Suburbs, or Parish, shall by any Seven or more of the said Commissioners, on Examination of the Matter of such Complaint, be deemed to be dangerous in case of Fire happening to the same, or to any Buildings near or adjoining thereto, it shall be lawful for the said Commissioners, or any Seven or more of them, by Notice in Writing under their Hands, to order such Wood, Faggots or Furze to be removed; and in case the same shall not be removed within Seven Days after such Notice given to the Owner or Owners thereof, or left on the Premises where the same may be set up or placed, such Owner or Owners shall forfeit and pay the Sum of Ten Shillings daily, for every Day that the same shall continue unremoved after the Expiration of the said Seven Days.

WoodStacks, &c. to be removed on Complaint.

XI. And, for preventing Dangers by Fire, and for the greater Safety and Security of the Inhabitants of the said University, City, Suburbs, and Parish, and their Property; be it further enacted, That no House, Out-house or other Building, or the Roof thereof, which, after the passing of this Act, shall be built or erected, or the Roof of any House, Out-house or other Building now built, which shall at any Time hereafter be new covered and respectively situate within Fifty Yards of any Dwelling House situate in or

New Roofs not to be covered with Thatch.

near any Street, Lane, Way, public Passage or Place, within the said University, City, Suburbs, or Parish shall be covered with Thatch, Straw, Reed, Tesser or any combustible Material; and if any Person or Persons shall at any Time or Times, after the passing of this Act, newly cover the Roof of any such House, Out-house or other Building, or any Part thereof, with Thatch, Straw, Reed, Tesser or any combustible Material, every Person so offending shall for every such Offence forfeit the Sum of Five Pounds, and also the Sum of Twenty Shillings for every Month the same shall remain.

No Ashes, &c.
to be laid in
the Streets.

XII. And be it further enacted, That if any Person or Persons reserving any Ashes, Dirt, Dust, Filth, Dung, Manure or Rubbish, shall from and after the passing of this Act, lay down or place such Ashes, Dirt, Dust, Filth, Dung, Manure, or Rubbish, in any Street, Lane, Way, public Passage or Place, in the said University, City, Suburbs, and Parish of *Saint Clement*, (except Ashes or Dust in Time of Frost, to prevent Accidents, and except Rubbish or Dirt occasioned by and during the building or pulling down, rebuilding or repairing any House or Tenement, before which it may be laid), for any longer Time than shall be necessary for the loading and carrying away the same, every such Person or Persons, shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings; and it shall be lawful for the said Commissioners, or any Five or more of them, by Notice in Writing under their Hands (though not assembled at a public Meeting) to be given to or left at the Place of Abode of the Person reserving such Ashes, Dirt, Dust, Filth, Dung, Manure or Rubbish, so laid down or placed, to order the same to be removed within such Time as the said Commissioners shall think fit; and in case the same be not removed according to such Notice, the Person reserving the same shall forfeit and pay any Sum not exceeding Ten Shillings a Day for every Day that the same shall continue unremoved after the Time mentioned in such Notice; and it shall be lawful for the Scavengers, or other Person or Persons appointed by the said Commissioners, to take away such Ashes, Dirt, Dust, Filth, Dung, Manure or Rubbish, and convert the same to his or their own Use, and to sell and dispose of the same, without rendering any Satisfaction for the same; and in case any Expence shall be incurred in the Removal of the same by such Scavengers, or other Person or Persons appointed by the said Commissioners, such Expence shall be paid by the Person or Persons so reserving the said Ashes, Dirt, Dust, Filth, Dung, Manure or Rubbish, so laid or placed as aforesaid, to be levied and recovered in the same Manner as the said Penalty is authorized to be levied and recovered.

Builders or
their Em-
ployers to
cause Room to
be left in the
Streets, &c.

XIII. And be it further enacted, That if the Head Builder or Master Workman employed in building, pulling down, rebuilding or repairing any House or Tenement in either of the said Streets, Lanes, Ways, public Passages or Places, or any of them, or the Person or Persons by whose Order or at whose Expence the building, pulling down, rebuilding or repairing such House or Tenement shall be done, shall not cause convenient Room to be left for Carriages to pass and repass, and a sufficient Way to be kept clean for Foot Passengers, or shall not cause a sufficient Light to be set up and maintained during the whole Night, from the Time it becomes dark, to prevent Mischief happening to Passengers or Cattle, or upon Notice in Writing under the Hands of any Five or more of the said Commissioners (though not assembled at a public Meeting), to be given to

such Head Builder or Master Workman, or the Person or Persons aforesaid, or to be left at such House or Tenement, shall not cause the Timber, Stone, Bricks, Mortar, Lime or other Materials, Rubbish or Dirt, which may be laid or placed in the said Streets, Lanes, Ways, public Passages or Places, on the Occasion of building, pulling down, rebuilding, or repairing such House or Tenement, to be inclosed within a Hoard or Boards in such Manner as the said Commissioners shall direct; or shall not, upon the like Notice as aforesaid, cause such Timber, Stone, Bricks, Mortar, Lime or other Materials, Rubbish or Dirt, to be removed out of the said Streets, Lanes, Ways, public Passages or Places, then such Head Builder or Master Workman, and the Person or Persons aforesaid shall respectively forfeit and pay the Sum of Ten Shillings for every Day such Timber, Stone, Bricks, Mortar, Lime or other Materials, Dirt or Rubbish, shall remain without such Room being left, or such Way not kept clean, or such Light not set up and maintained as aforesaid; and the like Sum of Ten Shillings for every Day the same shall continue uninclosed as directed by the said Commissioners, or unremoved after the Expiration of the Time mentioned in any such Notice as aforesaid.

XIV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall wilfully break, throw down, or otherwise damage any of the Lamps erected by virtue of the said recited Acts, or either of them, or any of the Posts, Iron, or Furniture thereof, or shall extinguish the Lights of any of the said Lamps, every such Offender shall forfeit and pay any Sum not exceeding Forty Shillings for each Lamp so broken or thrown down, damaged or extinguished as aforesaid; and the said Penalties shall be recovered, levied and applied, and all Matters and Proceedings respecting the same shall be enquired into and had, and all such Offenders shall be punished by the same Means and Methods as are respectively prescribed by the said first recited Act, with respect to the like Offences committed by Persons matriculated, or being Members of the said University, and by any other Person or Persons, and full Satisfaction shall also be made to the said Commissioners, by every such Offender, for the Damage done by him; and the Amount of such Satisfaction shall be ascertained by the Justice of the Peace who shall enquire into the Offence, and be recovered in like Manner as any Penalties are by this Act or the said recited Acts recoverable. Lamps.

XV. And be it further enacted, That it shall be lawful for the said Commissioners, by such Ways and Means as to them shall seem meet, from Time to Time, to cause any or either of the Streets, Lanes, Ways, public Passages and Places, within the said City, Suburbs, or Parish of *Saint Clement*, to be watered as often as they shall think fit, and also to cause any Well or Wells to be dug and sunk, and any Pump or Pumps to be erected in such Places as they shall think proper, within the said Streets, Lanes, and other public Places, for the Purpose of watering the same, or for any other Purpose, and from Time to Time to cause the same to be removed, altered or repaired; and the whole Expences thereof shall be defrayed out of the Monies to be raised by virtue of this Act, for the repairing, lighting, and cleansing the said Streets, Lanes, Ways, public Passages and Places. Watering the Streets.

XVI. And

Penalty on Persons exposing for Sale or otherwise any Stallion, &c. in the Streets.

XVI. And be it further enacted, That if any Person or Persons shall after the passing of this Act expose for Sale, or otherwise shew or exhibit, or cause to be exposed for Sale, shewn or exhibited, any Stallion, Horse, Mare, or Gelding, Cow, Sheep, Pig, or other Cattle whatsoever, in any Street, Lane, Way, public Passage or Place, within the said University, City, Suburbs, or Parish of *Saint Clement*, (except in such Place or Places, and under such Regulations as may from Time to Time be appointed for the Purposes aforesaid, by any Nine or more of the said Commissioners, with the Consent of the Vice Chancellor of the said University, and the Mayor of the said City respectively for the Time being, in Writing under their Hands); every Person offending in either of such Cases shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings for every Stallion, and Ten Shillings for every Horse, Mare, Gelding, Cow, Sheep, Pig, or other Cattle so exposed for Sale, or shewn or exhibited as aforesaid.

Penalty for firing Guns, or beating Carpets, &c. in the Streets.

XVII. And be it further enacted, That if any Person or Persons shall, after the passing of this Act, fire off any Cannon, Gun, Pistol, or other Fire-arms, (except the Military whilst on Duty), or shall make, alter or repair 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 shall beat any Carpet in any Street, Lane, Way, public Passage or Place, within the said University, City, Suburbs, or Parish of *Saint Clement*, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty for riding on Footpaths, or damaging the Posts thereon.

XVIII. And be it further enacted, That if any Person or Persons shall ride, lead, or drive any Horse or Horses, or other Cattle, on any Footpath or public Walk, adjoining either of the said Mileways, or within the said University, City, Suburbs, or Parish of *Saint Clement*, otherwise than in Cases of absolute Necessity, or shall wilfully damage or injure any Part of the said Footpaths or public Walks, or any of the Posts or Rails on or near the same, the Person or Persons offending in either of such Cases shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings, and full Satisfaction for the Damage done by him, or them; and the Amount of such Satisfaction shall be ascertained by the Justice or Justices of the Peace, who shall enquire into the Offence, and such Satisfaction shall be recovered in the same Manner as other Penalties imposed by this Act or the said recited Acts.

No Wheelbarrow, &c. to be driven on the Foot Pavements.

XIX. And be it further enacted, That if any Person or Persons shall run, drive, draw, or cause to be run, driven or drawn, on any of the Foot Pavements within the said University, City, Suburbs, or Parish of *Saint Clement*, any Wheel or Wheels, Sledge, Wheelbarrow, or Carriage whatsoever, or shall roll any Cask, or wilfully ride, drive or lead, or cause to be rode, driven or led, any Horse or other Cattle on any of the said Foot Pavements other than in Cases of absolute Necessity, such Person or Persons shall forfeit and pay, for the first Offence, any Sum not exceeding Ten Shillings, for the second Offence, any Sum not exceeding Fifteen Shillings, and for the third, and every other Offence, any Sum not exceeding Twenty Shillings: Provided, that no Person or Persons shall be liable to such Penalties for rolling any Cask on the said Foot Pavements, unless

unless the same shall have been rolled thereon for the Space of Twenty Yards, or upwards.

XX. And be it further enacted, That if any Person or Persons who-
ever shall begin to empty any Privy, or to take away any Night Soil from
any House or Place within the said University, City, Suburbs, or Parish
of *Saint Clement*, before the Hour of Twelve of the Clock in the Night,
or shall continue to take away the same after the Hour of Five of the
Clock in the Morning, from *Michaelmas Day* to *Lady Day*, or after the
Hour of Four of the Clock in the Morning from *Lady Day* to *Michaelmas*
Day, or shall wilfully or negligently suffer any such Night Soil to remain
in any or either of the Streets, Lanes, public Passages or Places within the
said University, City, Suburbs, or Parish, after the Times above appointed
for emptying the same, or shall put or cast the same out of any Cart, Tub,
or otherwise, in or near any or either of the said Streets, Lanes, Ways,
public Passages or Places, or within Half a Mile thereof, or shall remove
the same in any improper Cart or Carriage, or shall wilfully throw down
or pour down, or shall wilfully or negligently spill from any Cart or Tub
any such Night Soil, in any Street, Lane, Way, public Passage or Place,
then and in every such Case each and every Person so offending shall, for
every such Offence, forfeit and pay any Sum not exceeding Forty Shil-
lings nor less than Twenty Shillings.

Times of
emptying
Necessary
Houses, &c.

XXI. And be it further enacted, That from and after the passing of this
Act in case any Hogstye, Necessary House, Flesh, Dung, Carrion, Blood,
Offal, Soil or Filth, Ashes, Cinders or Rubbish, or any other noisome
Matter whatsoever, in or near any of the Streets, Lanes, Ways, public
Passages or Places, or within any Houses, Yards, Gardens or Tenements
in the said University, City or Suburbs, or Parish of *Saint Clement*, shall
be offensive to any one or more of the Inhabitants, or other Person or
Persons, the same shall be deemed a Nuisance and an Offence against this
Act and the said recited Acts; and it shall and may be lawful for the said
Commissioners, or any Five or more of them, upon Complaint thereof
made to them, by any such Inhabitant or other Person or Persons, and
upon Examination of the Matter of such Complaint, by Notice in Writ-
ing under the Hands of the said Commissioners, or any Five or more of
them, or under the Hand of the Clerk or Clerks to the said Commissioners
for the Time being, to order any such Nuisance or Offence to be removed;
and in case the same shall not be removed within Three Days after such
Notice given to the Person or Persons who ought to remove the same, such
Person or Persons shall forfeit and pay the Sum of Five Shillings daily,
for every Day that the same shall continue unremoved after the Expiration
of the said Three Days.

Annoyances
by Hogstyes,
&c. to be
removed.

XXII. And be it further enacted, That if any Owner or Occupier of
any House, Shop, Warehouse or other Building, Yard, Garden, Land,
Tenement or Hereditament in the said University, or City of *Oxford*, or
Suburbs thereof, or the said Parish of *Saint Clement*, shall, from and after
the passing of this Act, neglect or refuse to take down, fill up, remove,
alter or regulate any Sign or other Emblem, or any Encroachment, Nui-
sance or Annoyance, within the said University, City, Suburbs, or Parish
of *Saint Clement*, projecting into or standing or being in either of the said
Streets, Lanes, Ways, public Passages or Places, or in or upon the Waste

Encroach-
ments to be
removed on
Notice.

or other Ground, between the Houses near or adjoining to such Streets or Highways, after and in pursuance of Notice to be given by the said Commissioners by virtue of the said first recited Act, such Owner or Occupier who shall be guilty of such Neglect or Refusal, shall forfeit and pay the Sum of Five Shillings for every Day such Encroachment, Nuisance or Annoyance, shall continue after the Expiration of the Time mentioned in such Notice as aforesaid.

So much of
11 G. 3. c. 19.
as relates to
Windows
repealed.

XXIII. And be it further enacted, That so much of the said first recited Act as enacts, that if any Cellar Window or Windows shall be left open in the Evening or in the Night, without the same being sufficiently lighted to prevent Accidents happening therefrom, the Occupier or Occupiers of such House or Cellar, shall for every such Offence forfeit and pay the Sum of Ten Shillings, shall be and the same is hereby declared to be repealed.

Cellar Win-
dows not to
be left open
except in the
Day-time.

XXIV. And be it further enacted, That from and after the passing of this Act, if any Window, Door, Grate or Cover of any Cellar or underground Place, (except perpendicular Windows, Doors or Grates, not opening or projecting into any of the said Streets, Lanes, Ways, public Passages or Places), shall be left open at any Time, (except so long as may be necessary for the taking in or removing out of such Cellar or underground Place any Goods in the Day-time, and whilst there shall be clear Day-light), the Occupier or Occupiers of such Cellar or underground Place shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, and that it shall be lawful for the said Commissioners, or any Five or more of them, by Notice in Writing under their Hands, to order any such Window, Door, Grate or Cover, which may be damaged or in want of Repair, to be put into good and sufficient Repair; and in case the same shall not be repaired within Seven Days after such Notice given to the Owner or Owners, or Occupier or Occupiers thereof, or left on the Premises, such Owner or Owners, or Occupier or Occupiers, shall forfeit and pay any Sum not exceeding Ten Shillings daily, for every Day that the same shall continue unrepaired, after the Expiration of the said Seven Days.

Commission-
ers may make
new Sewers,
and enlarge
old ones, &c.

XXV. And be it further enacted, That the said Commissioners shall, and they are hereby empowered to cause such and so many new Sewers, Drains and Vaults, to be dug and made in, along or across any of the said Streets, Lanes, Ways, public Passages and Places, within the said University, City, Suburbs, or Parish of *Saint Clement*, as they may think proper; and also cause any of the Sewers, public Drains and Vaults, which now are or hereafter shall be within the said Streets, Lanes, Ways, public Passages or Places, to be enlarged, widened, deepened, raised, altered, removed, repaired, cleansed or scoured, when and as often as to them shall seem meet; and the whole Expences thereof shall be defrayed out of the Monies to be raised by virtue of this Act, or the said recited Acts, for new paving and pitching the said Streets, Lanes, Ways, public Passages and Places.

Private Drains
may be made
under the Di-
rection of the
Commission-
ers.

XXVI. And be it further enacted, That it shall be lawful for any Seven or more of the said Commissioners, and they are hereby empowered to order and direct the Owner or Owners, or Occupier or Occupiers of any House, Tenement or Premises, in or near any of the Streets, Lanes, Ways,

Ways, public Passages and Places aforesaid, to make at the Costs and Charges of such Owner or Owners, or Occupier or Occupiers, or both of them, in such Proportions as the said Commissioners shall think proper, such Drain or Channel as to them shall seem necessary for the emptying and conveying the Filth, foul Water and other Waters arising from or issuing or running out of such House, Tenement or Premises, into any common or public Sewer or Drain near or adjoining thereto: Provided always, that every such private Drain or Drains shall be made under the Direction of the said Commissioners, or their Surveyor or other proper Officer authorized by them; and every Person making any private Drain, or altering any Drain already made, or which shall hereafter be made, without the Permission or contrary to the Directions of the said Commissioners, or their Surveyor or other proper Officer, shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds, and shall also pay the Expences of altering, or removing or stopping up any such private Drain, according to the Direction of the said Commissioners, or their Surveyor or other proper Officer, which they and he are and is hereby authorized to alter and remove, or stop up; and such Penalty and Expences shall be recovered in the same Manner as other Penalties imposed by this or the said recited Acts are recoverable.

XXVII. And be it further enacted, That all private Drains and Channels which now are or shall hereafter be made in any of the public Streets, Lanes, Ways, public Passages or Places in the said University, City, Suburbs, or Parish of *Saint Clement*, shall be repaired and cleansed to the Satisfaction of the Surveyor or other proper Officer of the said Commissioners, by and at the Costs and Charges of the Owner or Owners, or Occupier or Occupiers of the Lands or Tenements to which the said private Drains do or shall respectively belong, and if any such Drain or Channel shall be repaired or cleansed, otherwise than to the Satisfaction of such Surveyor or Officer, the Owner or Owners, or Occupier or Occupiers as aforesaid, shall forfeit and pay any Sum not exceeding Ten Pounds; and in case any such Drains, or any other Drains, Ditches or Watercourses, in or near any of the Streets, Lanes, Ways, public Passages or Places, or within any of the Houses, Yards, Gardens or Premises in the said University, City, Suburbs, or Parish of *Saint Clement*, shall, from any Obstructions therein, or want of cleansing, be offensive to any of the Inhabitants or other Person or Persons, or the Course thereof shall be stopped or impeded, the same shall be deemed a Nuisance and an Offence against this Act and the said recited Acts; and it shall be lawful for any Five or more of the said Commissioners, upon Complaint thereof made to them by any such Inhabitant or other Person or Persons, by Notice in Writing under the Hands of any Five or more of the said Commissioners, or of any Clerk to the said Commissioners for the Time being, to order such Obstruction to be removed, and the said Drains, Ditches or Watercourses, to be opened and cleansed; and in case the same shall not be respectively removed, opened and cleansed, within such Time as the said Commissioners shall direct in and by such Notice given to or left at the Place of Abode of the Person or Persons who ought to do the same, such Person or Persons shall forfeit and pay Ten Shillings daily for every Day such Obstruction shall continue, or the Drains, Ditches or Watercourses shall not be opened or cleansed, after the Expiration of the Time mentioned in such Notice.

All private Drains to be repaired under the Direction of the Commissioners at the Expence of the Owners.

XXVIII. And

Bars may be erected while Streets, &c. are under repair.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five of them (though not assembled at a public Meeting), when any of the said Streets, Lanes, Ways, public Passages or Places within the said University, City, Suburbs, or Parish, shall be under Repair in the Paving thereof, or during the making or repairing of any of the Sewers, Drains or Vaults, by this Act or the said former Acts authorized to be made and repaired, to fix and place, or cause to be fixed and placed, such and so many Bars, Chains, Posts or other Obstructions, across or in any of the said Streets, Lanes, Ways, public Passages or Places, to prevent the passing and repassing of Carriages, Drays and Horses during the Time of such Works and Repairs being carried on, as to them shall seem proper; and if any Person shall break, take down, alter or remove any of the said Bars, Chains, Posts, or other Obstructions, without the Authority or Consent of the said Commissioners, or any Five of them, every such Person so offending shall for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Commissioners may compound for sweeping Footpaths.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time, as they shall think proper, to compound with any Person or Persons inhabiting within the said University, City, Suburbs, or Parish of *Saint Clement*, by the Year for such Sum or Sums of Money as the said Commissioners shall think proper, for the sweeping or cleansing the Footpaths before the respective Colleges, Halls, Houses, Buildings and Walls, to be done by such Person or Persons respectively, pursuant to the Directions of the said recited Acts; and the Monies paid in respect of such Composition, shall be applied for or towards the sweeping or cleansing the Footpaths.

Pavement, &c. vested in the Commissioners.

XXX. And be it further enacted, That from and after the passing of this Act the Property of, in, and to all the Pavements which have already been or shall hereafter be laid, by virtue of this or the said recited Acts or either of them, in the said Streets, Lanes, Ways, and public Passages or Places within the said University, City, Suburbs, and Parish, as well in the Footways as Carriage-ways, and of, in, and to all Lamps, Lamp-Irons, and other Things thereto belonging, which now are or shall or may hereafter be erected and fixed by virtue of this or the said former Acts, and of, in, and to all other Things, Materials, and Utensils whatsoever, which shall be purchased, provided, or made Use of for the Purposes of this or the said former Acts, shall be and are hereby vested in the said Commissioners; and they, or any Five or more of them, are hereby authorized and empowered to bring, or cause to be brought, any Action or Actions, or to prefer any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take and carry away, spoil, injure, or destroy any Part or Parts thereof, or any other Matter or Thing vested in the said Commissioners as aforesaid, or disturb them in the Possession thereof; and the Commissioners, or any Five or more of them, shall have full Power and Authority from Time to Time, to sell or cause to be sold by public Auction, or otherwise, all or any of the Materials or Things which shall not be wanted for the Purposes of this or the said recited Acts; and the Money arising therefrom shall be applied to the Purposes of this and the said recited Acts.

XXXI. And be it further enacted, That the said Commissioners 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 Commissioners, and that 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 Act, or either of the said recited Acts, shall be brought and prosecuted or defended in the Name or Names of the said Clerk or Clerks for the Time being; and that no Action or Actions which shall be brought, commenced, prosecuted, or defended by or against such Commissioners, or any of them, by virtue or on account of this Act or either of the said recited Acts, in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by the Suspension, Removal, or Death of such Clerk or Clerks to the said Commissioners, or any of them; but the Clerk or Clerks to the said Commissioners for the Time being 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, in whose Name or Names any Action, Suit, or other Proceeding shall be commenced, prosecuted, defended, or instituted in pursuance of this Act, or either of the said recited Acts, shall be reimbursed and paid out of the Monies to be raised by virtue of this Act, or either of the said recited Acts, 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 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 been brought, commenced, prosecuted or defended without the Order or Direction of Five or more of the said Commissioners.

Commissioners to sue and be sued in the Name of their Clerk.

XXXII. And be it further enacted, That the said Commissioners, or any Five or more of them, may from Time to Time, if they shall see Cause, offer, pay, and apply, out of the said Rates and Assessments to be raised by virtue of this or the said recited Acts, such Sum and Sums of Money as they shall see proper, as a Reward and Encouragement to Persons discovering or apprehending Offenders against this Act, or either of the said recited Acts.

Reward to Persons discovering Offenders under the Act.

XXXIII. And whereas Offences may be committed against this or the said recited Acts, by Persons unknown to the Collectors, Surveyors, or other Officers appointed by virtue of this or the said recited Acts; be it therefore enacted, That it shall be lawful for any of the said Commissioners or their Clerk or Clerks, or such Collectors, Surveyors or other Officers respectively, and such Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace for the City, County or District near to the Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized or apprehended; and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining the Complaint.

For securing transient Offenders.

Inhabitants, though rated, may be Witnesses.

XXXIV. And be it further enacted, That in all Actions, Prosecutions, Informations, and Causes or Proceedings whatsoever, relating to or concerning the Execution of this Act, or either of the said recited Acts, no Inhabitant of the said University, City or Suburbs of *Oxford*, or the said Parish of *Saint Clement*, shall be deemed incompetent to give Evidence by Reason of his or her being such Inhabitant, or by reason of his or her being liable to pay any of the Rates or Assessments, to be imposed by virtue of this Act, or either of the said recited Acts.

Penalty on Witnesses not attending on Summons.

XXXV. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses on the Part either of the Prosecutor or the Party or Parties accused, to give Evidence before any one or more of the Justices of the Peace of and for the said City or County, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act or either of the said recited Acts, and any such Person or Persons shall, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges and Expences, refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, or appearing shall refuse to be examined on Oath, (or on solemn Affirmation, in case he, she, or they shall be of the People called *Quakers*), and to give Evidence before such Justice or Justices of the Peace, then, and in such Case, every such Person so refusing or neglecting to appear, or appearing and refusing to be examined and give Evidence as aforesaid, shall forfeit, for every such Offence, any Sum not exceeding Ten Pounds.

Form of Conviction.

XXXVI. And, for the more easy and speedy Conviction of Offenders against this or the said recited Acts, be it further enacted, That any Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this or either of the said recited Acts, shall cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect; (that is to say),

City of Oxford [or
County of Oxford] }
(to wit.) }
BE it remembered, that on the _____ Day of _____
in the _____ Year of the Reign
of His Majesty _____ A. B. is [or, are] convicted
before me [or, us] one [or, _____] of His Majesty's Justices of the
Peace of and for the City [or, County] of *Oxford*, of [specifying the Offence,
and Time and Place when and where the same was committed, as the Case
shall be] contrary to the Provisions of Three Acts passed in the Eleventh,
Twenty-first, and Fifty-second Years of the Reign of His Majesty King
George the Third, for repairing certain Mileways leading to *Oxford*, and
making Improvements within the University and City of *Oxford*, the
Suburbs thereof, and Parish of *Saint Clement*, and for other Purposes;
for which Offence, I [or, we] adjudge the said A. B. to forfeit and pay
the Sum of _____ for the said Offence. Given under
my Hand and Seal [or, our Hands and Seals] the Day and Year first
above written."

Penalties to be recovered under former Powers, with Charges of Recovery.

XXXVII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof, and the Application of which is not otherwise directed to be made) may be levied and recovered, and shall be paid and applied in such Manner, and under the same Powers and Authorities as by the said recited Acts is provided

vided for the levying, recovering and applying the Penalties and Forfeitures by those Acts imposed; provided, that all Charges and Expences incurred in recovering the Penalties and Forfeitures by this Act, or the said recited Acts imposed, shall be paid by the Offenders, over and above such Penalties and Forfeitures, and be levied and recovered in the same Manner as the Penalties and Forfeitures are by the said recited Acts directed to be levied and recovered; any Thing in the said recited Acts contained to the contrary notwithstanding.

XXXVIII. And be it further enacted, That all the Expences incurred in and about the procuring and passing this Act, shall be paid out of the first Money arising by the Tolls or Duties, and Rates, which shall be collected by virtue of this Act, or the said recited Acts. Expences of this Act.

XXXIX. And it is hereby further enacted, That so much of the said first recited Act as enacts, 'That if any Collector or Collectors shall happen to die or to become Bankrupt, before he or they shall have fully paid and satisfied all the Monies by him or them received by virtue of this Act, or made such Composition for the same as the said Commissioners shall agree to accept, then and in every such Case the Executors or Administrators, Executrix or Administratrix, or other legal Representative or Representatives of such Collector or Collectors, or the Assignee or Assignees of his or their Estate and Effects, or other Person or Persons possessing the same, shall in the first Place, out of such Estate and Effects, pay unto the Treasurer of the said Commissioners for the Time being, all such Sums of Money as were in the Hands of such Collector or Collectors at the Time of his or their Death, or at the Time of suing out any Commission of Bankruptcy against him or them, or so much thereof as the said Estate or Effects will extend to pay;' shall be and the same is hereby repealed. Clause respecting Collector dying or becoming Bankrupt, repealed.

XL. And be it further enacted, That all the Clauses, Powers, Provisions, Regulations and Authorities, enacted by or contained in either of the said recited Acts, and now in Force, (except so far as the same are by this Act repealed or varied, and save and except such Part as relates to Exemptions from Stamp Duties), 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, in as full and ample a Manner as could or might be done if this Act and the said recited Acts were but one Act. Provisions in former Acts continued with this, except such as are repealed or varied.

XLI. 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, without being specially pleaded. Public Act.

