



ANNO QUADRAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 99.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of an Act, passed in the Twenty-sixth Year of the Reign of His present Majesty King *George* the Third, for more effectually repairing the Road from *The Black Bull Inn* in *Dunstable*, in the County of *Bedford*, to the Way turning out of the said Road up to *Shafford House*, in the County of *Hertford*. [20th June 1801.]

WHEREAS an Act was passed in the Twenty-sixth Year of the Reign of His present Majesty King *George* the Third, intituled, *Act for more effectually repairing the Road from The Black Bull Inn in Dunstable, in the County of Bedford, to the Way turning out of the said Road up to Shafford House, in the County of Hertford*; whereby several Acts therein mentioned and relating to the said Road were repealed: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in Execution; and several Sums of Money which have been from Time to Time borrowed on the Credit of the said

Preamble.
26 Geo. III,
recited,

[Loc. & Per.] 19 T Act,

Act, and of the several Acts therein mentioned and thereby repealed as aforesaid, are still due and owing on the Credit of the said recited Act, and cannot be paid off, nor the said Road effectually amended, improved, and kept in Repair, unless the Term of the said Act is continued, and some of the Powers and Provisions thereof altered and enlarged: And whereas the Tolls now authorized to be taken on the said Road are found insufficient to defray the Expences of carrying the said Act into Execution, and of properly maintaining and improving the said Road: And whereas a certain Part of the Road leading through the said Town of *Dunstable* is very narrow; and, in order to render the same more safe and commodious for Travellers and Passengers, it is necessary that the Trustees of the said Road should be authorized and empowered to purchase and pull down certain Houses and other Buildings adjoining thereto; 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 the said recited Act passed in the Twenty-sixth Year of the Reign of His present Majesty King *George* the Third, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained (except what relates to Exemptions from Stamp Duties) shall be and are hereby further continued, for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Amendments, Alterations, Variations, and Additions herein contained, and which shall commence and take Effect immediately upon the passing of this Act; and this Act, and the additional Term and the Tolls hereby granted, shall be subject and liable to the Payment of all the Money which has already been borrowed or become due and owing on the Credit or on Account of the said recited Act, or of the several Acts therein mentioned and thereby repealed, or either of them, or which shall be borrowed on the Credit of the said recited Act and this Act, and the Interest due and to grow due thereon respectively; and that until the Money so now due and owing as aforesaid shall be fully paid off and discharged, the several Mortgages or Assignments, Bonds, and other Writings made and given for the Security thereof by virtue of the said recited Act, shall be deemed and taken to be Mortgages or Assignments and Securities of the Tolls by this Act granted, and shall continue in full Force and Effect.

and further
continued.

Additional
Trustees ap-
pointed.

II. And be it further enacted, That *Sir Gregory Page Turner* Baronet, *Francis Moor*, *John Patrick Moor*, *Richard Gilpin*, *John Norman Ord* Clerk, *George Sullivan Martin*, *Frederick Vandermulen*, *John Payler Nicholson* Clerk, *Thomas Kinder* of *Saundridge*, *William Bacon*, *Matthew Towgood*, *Thomas Henry Lamb*, *John Harrison*, *Robert Welton* Clerk, *Daniel Adey*, *William How*, and *William Watts*, shall be and they are hereby added to and joined with the Trustees appointed in or by virtue of the said Act of the Twenty-sixth Year of His present Majesty's Reign, for putting the same and this Act in Execution; and the Trustees herein nominated, and their Successors, being qualified according to the Directions of the said Act, are hereby empowered to act in the Execution of the said Act and this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said Act.

[III] And

III. And whereas the Quorum of Trustees appointed by the said Act in many Instances is found to be too large; be it therefore further enacted, That all Acts, Matters, Powers, and Things which by the said Act are authorized, directed, and required to be done, executed, performed, and determined by any Number of Trustees, as therein particularly mentioned, shall and may from Time to Time be done, executed, performed, and determined by the said Trustees, or any Five or more of them; the said recited Act, or any Thing therein contained, to the contrary thereof in anywise notwithstanding.

For lessening
the Quorum
of Trustees.

IV. And be it further enacted, That in case the said Trustees, or any Five or more of them, shall think proper to widen the said Road in the Town of *Dunstable*, it shall be lawful for the said Trustees, or any Five or more of them, to treat, contract, and agree with the several Owners, Proprietors, and Occupiers of and Persons interested in or entitled unto the several Messuages, Buildings, Hereditaments, and Premises in the said Town of *Dunstable*, herein-after particularly mentioned, for the Purchase thereof, or for making Recompence and Satisfaction for any Damage done thereto; (that is to say) a certain Building used as a Blacksmith's Shop, belonging to *Mary Nichols* Widow, and in the Occupation of the said *Mary Nichols*; a Messuage or Publick House known by the Name or Sign of *The Anchor*, belonging to Messieurs *Daniel Parkin* and *Edward Smith*, and in the Occupation of *William Smith*; a Messuage or Tenement belonging to *John Elliott*, and in the Occupation of *John Fox* and others; a Messuage or Tenement belonging to *Daniel* and *Samuel Queeneborough*, or One of them, and in the Occupation of *John Church*; and a Messuage or Tenement and Blacksmith's Shop, belonging to *Thomas Pearson*, and in the Occupation of him the said *Thomas Pearson*, *Ann Chibnald* Widow, and *James Gostolo*; and all the Outhouses, Buildings, Sheds, Stables, Yards, Outlets, and Pieces of Ground whatsoever to the said several Messuages, Buildings, Hereditaments, and Premises belonging, or so much or such Parts thereof as the said Trustees, or any Five or more of them, shall think necessary; and out of the Monies to arise by virtue of this Act to pay for such Houses, Buildings, Hereditaments, and Premises, or so much thereof as shall be thought necessary as aforesaid; and in case the said Trustees, and such Owner or Owners and other Person or Persons as aforesaid cannot agree touching such Compensation, or in case such Owner or Owners, Person or Persons is or are incapacitated or unable to treat, contract, and agree as aforesaid, then the same shall be settled and ascertained in such Manner as is directed by the said recited Act with respect to Lands, Grounds, and Hereditaments thereby authorized to be taken for the Purposes of the said Act.

Trustees em-
powered to
pull down
Houses to
widen the
Road in
Dunstable.

V. And be it further enacted, That in case the said Trustees, or any Five or more of them, shall consider it necessary, for widening the said Road, to take down and remove the present Market House or Market Place of the said Town of *Dunstable*, the Property of the most Noble *Francis Duke of Bedford*, as Lessee under the Crown, it shall be lawful for the said Trustees so to do, and to convert the Materials thereof to their Use: Provided always, That the said Trustees, or any Five or more of them, shall, previous to their pulling down and removing such Market House or Market Place, erect, build, and complete another Market House or Market Place within the said Town of *Dunstable*, and as near the present

Authorizing
the Trustees
to take down
the Market
Place in *Dun-*
stable if they
think proper
so to do.

Requiring the
Trustees to
build another
Market Place.

sent Market House or Market Place as conveniently may be, to the Satisfaction and under the Direction of the Surveyor General of His Majesty's Land Revenue for the Time being; and that such Market House or Market Place so to be erected and built, and the Ground whereon the same shall stand, shall be annexed to and considered Part of the Honour of *Amptbill*, and be held and enjoyed accordingly; and that nothing herein contained shall prejudice the Right of His Majesty, His Heirs and Successors, or His or their Lessee or Lessees for the Time being, to hold the accustomed Markets and Fairs within the said Town of *Dunstable*, and to receive the Tolls and Duties thereunto belonging; and it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, to pay and defray the Expences of the Works aforesaid, out of the Monies which shall come to their Hands by virtue of the said recited Act and this Act.

Misnomer
not to pre-
vent the Exe-
cution of the
Act.

VI. Provided always, and be it further enacted, That if any of the above-mentioned Premises, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners thereof, shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act; but the same Premises and every Part thereof shall and may be purchased, sold, conveyed, disposed of, and applied to and for the Purposes of this Act, as fully and effectually, to all Intents and Purposes, as if the same were more particularly named or described.

Application
of Compensa-
tion Money
where exceed-
ing 200 l.

VII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said Act and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Act and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Grounds, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Grounds, or Hereditaments, or affecting other Lands, Grounds, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Grounds, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents; and Purposes, and in the same Manner, as the Lands, Grounds, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Con-
veyance

veyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

VIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Grounds, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands) be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid (at the like Option) to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Compensation Money does not exceed 200 £. nor less than 20 £.

IX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid, as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application where the Money is less than 20 £.

X. And be it further enacted, That the several Tolls granted and made payable by virtue of the said recited Act shall be and the same are hereby declared to be repealed; and that instead thereof the following Tolls shall be demanded and taken; (that is to say),

Former Tolls repealed and others granted.

[*Loc. & Per.*]

19 U

For

Tolls.

For every Coach, Landau, Chariot, Chaise, Curricule, Chair, Hearse, Caravan, or other such like Carriage, drawn by more than Four Horses or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or other Beasts of Draught, the Sum of Nine-pence:

For every Chaise or Chair with Two Wheels, drawn by One Horse or other Beast of Draught, the Sum of Four-pence:

For every Waggon or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or upwards, the Sum of One Shilling and Three-pence; and having the Fellies of the Wheels thereof of less Breadth or Gauge than Six Inches, the Sum of One Shilling and Four-pence:

For every Cart, Dray, or other such like Carriage, drawn by Three or more Horses or other Beasts of Draught, the Sum of Sixpence; and drawn by Two Horses or other Beasts of Draught, the Sum of Four-pence; and drawn by One Horse or other Beast of Draught, the Sum of Three Pence:

For every Drove of Oxen or other Neat Cattle, the Sum of Ten-pence *per* Score, and so in Proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in Proportion for any greater or less Number:
And

For every Horse, Mare, Gelding, Mule, or Afs, laden or unladen, and not drawing, the Sum of One Penny:

Double Tolls
on Sunday.

And that Double the respective Tolls aforesaid shall be demanded and taken for all Horses, Cattle, Beasts, and Carriages, upon every *Sunday*, to be reckoned from Twelve of the Clock in every *Saturday* Night to Twelve of the Clock in the next succeeding *Sunday* Night:

All which said several Tolls shall be and are hereby vested in the said Trustees; and the said Tolls, and every Part thereof, shall and may be demanded, collected, recovered, applied, and disposed of in such Manner, and for such Uses, Intents, and Purposes, as are directed by the said recited Act with respect to the Tolls thereby directed to be taken, but subject nevertheless to this Act, and the Powers, Provisions, and Directions herein contained.

Collectors of
Tolls com-
petent Wit-
nesses.

XI. Provided always, and be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, or in case of any Proceeding or Prosecution for the obtaining any of the Penalties imposed by the said recited Act of the Twenty-sixth Year of the Reign of His present Majesty, or this Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be and they are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation.

Surveyors may
remove Water-
ing Troughs
placed within
a certain Dis-

XII. And be it further enacted, That it shall be lawful for any Surveyor or Surveyors appointed by the said Trustees, and such Person or Persons as he or they shall appoint, from Time to Time to remove, displace, and take away all Water Troughs, Tubs, Casks, or other Vessels that shall

shall or may be placed, set, or fixed, by any Person or Persons whomsoever, in or upon the said Road, or any Part thereof, within Fifteen Feet of the Middle or Centre thereof, or on any Foot Path adjoining to the said Road; and if such last-mentioned Person or Persons shall refuse or neglect to remove such Watering Troughs, Tubs, Casks, or other Vessels, for the Space of Three Days after Notice in Writing given for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by the Person or Persons refusing or neglecting to remove such Watering Troughs, Tubs, Casks, or Vessels as aforesaid; and in case any such Person or Persons shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall be lawful for such Surveyor or Surveyors, by Warrant or Warrants under the Hand and Seal of any Justice of the Peace for the County, Liberty, or Place where the Offence shall be committed, to levy the Charges thereof upon every such Person by Distress and Sale of his or her Goods and Chattels, rendering the Overplus (if any be) to such Person upon Demand after all Charges shall be paid; and if, after the Removal of any such Watering Troughs, Tubs, Casks, or other Vessels as aforesaid, any Person or Persons shall offend again in the like Manner, every such Person so offending shall, for every such Offence forfeit and pay any Sum not exceeding Three Pounds nor less than Forty Shillings.

tance of the
Centre of the
Road.

XIII. And be it further enacted, That all Costs, Charges, and Expenses incident to and attending the obtaining and passing of this Act, shall be paid and discharged by the Trustees for putting the said former Act and this Act in Execution, or any Five or more of them, out of any Money which hath arisen by virtue of the said former Act, and now in their Hands, or out of the First Money which shall arise by virtue thereof and of this Act, in Preference to all other Payments whatsoever.

For paying the
Expences of
this Act.

XIV. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and other Persons whomsoever, without specially pleading the same.

Publick Act

XV. And be it further enacted, That the Term granted and continued by the said Act, shall, upon the passing hereof, cease and determine; and that the said Act (subject as herein-before mentioned) and this Act, shall from thenceforth continue and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Term of the
Act.

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