ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

****

CAP. CIV.

An Act to transfer to the Commissioners of Her Majesty's Woods and Works, and other Commissioners, the several Powers now vested in the Commissioners for repairing the Line of Road from *Shrewsbury* in the County of *Salop* to *Bangor Ferry* in the County of *Carnarvon;* and to amend the *London* and *Holyhead* Roads Acts so far as relates to the *Dunstable* Road.

[10th *August* 1840.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting to His Majesty the Sum of* 55 G. 3. c. 152.
Twenty thousand Pounds, to be issued and applied towards repairing Roads between London *and* Holyhead *by* Chester, *and between* London *and* Bangor *by* Shrewsbury: And whereas an Act was passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for vesting in Commissioners the Line of* 59 G. 3. c. 30
Road from Shrewsbury *in the County of* Salop *to* Bangor Ferry *in the County of* Carnarvon; *and for discharging the Trustees under several Acts of the Seventeenth, Twenty-eighth, Thirty-sixth, Forty-first, Forty-second, Forty-seventh, and Fiftieth Years of His present Majesty from the future Repair and Maintenance thereof; and for altering and repealing so much of the said Acts as affects the said Line of Road,* by which said Act certain Commissioners were appointed for amending, improving, and keeping in repair the said Line of Road from *Shrewsbury* to *Bangor Ferry,* and for otherwise

carrying the Powers of the said Act into execution; And whereas an Act was passed in the said Fifty-ninth Year of the Reign of His said
59 G. 3. c. 48. late Majesty King *George* the Third, intituled *An Act to amend an Act passed in the Fifty-fifth Year of His present Majesty, for granting to His Majesty the Sum of Twenty thousand Pounds towards repairing Roads between* London *and* Holyhead *by* Chester, *and between* London *and* Bangor *by* Shrewsbury; *and for giving additional Powers to the Commissioners therein named to build a Bridge over the* Menai Straits, *and to make a new Road from* Bangor Ferry *to* Holyhead *in the County of* Anglesea: And whereas the new Road from *Bangor Ferry* to *Holyhead*, authorized and directed to be made by the last-mentioned Act, was, soon after the passing the said Act, made and completed, and, in pursuance of the Directions therein contained, the said Road was, on its being completed, transferred to and given up by the Commissioners therein named to the Commissioners appointed by the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, and the same is now vested in the said last-mentioned Commissioners, and is repaired and maintained by them, under the Powers and Provisions of the said last-mentioned Act, which are made applicable thereto by the said last before-recited Act, and under the Powers and Provisions of the Act herein-after recited; And whereas an Act was passed in the Fifth and Sixth Years of the Reign of His
5 & 6 W. 4. c. 21. late Majesty King *William* the Fourth, intituled *An Act to amend and alter an Act of the Fifty-ninth Year of His late Majesty King* George *the Third, for vesting in Commissioners the Line of Road from* Shrewsbury *in the County of* Salop *to* Bangor Ferry *in the County of* Carnarvon; *and for discharging the Trustees under several Acts of the Seventeenth, Twenty-eighth, Thirty-sixth, Forty-first, Forty-second, Forty-seventh, and Fiftieth Years of His then present Majesty from the future Repair and Maintenance thereof; and for repealing so much of the said Acts as affects the said Line of Road:* And whereas large Sums of Money have been from Time to Time granted by Parliament for the new making and improving of that Part of the Road from *Shrewsbury* to *Holyhead* which lies between *Gobowen* in the County of *Salop* and *Holyhead*, and the same have been applied and expended, under the Superintendence of the Commissioners appointed in and by the said recited Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, in carrying such Improvements into effect: And whereas it is of great public Importance, in consequence of the large Sums of Money which have been so applied and expended in the new making and improving the said Road as aforesaid, that such Road should be preserved, maintained, and kept in a proper and efficient State of Repair; and in order the more effectually to preserve and keep the same in such Repair and Condition it is expedient that the same should be placed under the Superintendence of one of the Public Departments of the State, and for that Purpose that the several Powers and Authorities given by the said several Acts hereinbefore recited to the Commissioners appointed under or by virtue of the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third should be transferred to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and such other Person or Persons as are hereinafter mentioned: Be it therefore enacted by the Queen's most

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *September* One thousand eight hundred and forty the Commissioners appointed in and by the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third shall be discharged from and shall cease to carry into execution all or any of the Trusts and Powers vested in them by the said several herein-before recited Acts, or any of them.

Powers of Commissioners under 59 G. 3. c. 30. to cease.

II. And be it enacted, That the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, the Right Honourable Sir *Henry Parnell* Baronet, the Honourable *Edward Mostyn Lloyd Mostyn*, the Honourable *Thomas Kenyon*, and *Richard Watkin Price* of *Rhiwlas* in the County of *Merioneth*, Esquire, shall be Commissioners for carrying into execution the Powers and Provisions vested in the said Commissioners appointed in and by the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third by the several herein-before recited Acts, or any of them, and the several Powers and Provisions of this Act.

Appointment of new Commissioners.

III. And be it enacted, That in case of any Vacancy by Death or Resignation of any or either of them the said Sir *Henry Parnell*, *Edward Mostyn Lloyd Mostyn*, *Thomas Kenyon*, or *Richard Watkin Price*, or of any future Commissioner or Commissioners to be appointed under the Authority of this Act, it shall and may be lawful for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them, and they are hereby empowered, from Time to Time, by Writing under their Hands, to nominate and appoint any Person or Persons they may think proper to supply such Vacancy or Vacancies; and every Person so nominated and appointed shall have and possess and is hereby declared to be invested with the same and the like Powers and Authorities for the Execution of this Act as the Commissioner in whose Room such Person shall be nominated and appointed.

Appointment of new Commissioners in Cases of Death, Resignation, &c.

IV. And be it enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act, and they are hereby authorized, empowered, and required, to exercise and carry into effect all the Powers, Authorities, Clauses, Enactments, and Provisions contained in the said several herein-before recited Acts, either expressly, or by reference to any other Act or Acts, as fully, amply, and effectually as the same could have been carried into effect and exercised by the Commissioners appointed by the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty as aforesaid, or as if the Commissioners for the Execution of this Act had been named in the last-mentioned Act instead of the Commissioners thereby appointed.

Powers of former Acts vested in Commissioners.

V. And be it enacted, That the Powers and Provisions of this Act shall be executed by the Commissioners for the Execution of this Act at Meetings to be held as herein-after mentioned, and that at any such Meeting it shall be sufficient if Two Commissioners shall be present, but no Act shall be done at any Meeting unless the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and

Meetings of Commissioners.

and Buildings for the Time being, or One of them, shall be present; and for the Purpose of executing the Powers and Provisions of this Act the said Commissioners for the Execution of this Act shall and they are hereby required to meet from Time to Time at such Times and Places as shall be expedient.

Officers under former Acts to continue until removed.

VI. And be it enacted, That the several Officers appointed by the Commissioners named in the said first-recited Act of the Fifty-ninth Year of the Reign of His said late Majesty King *George* the Third shall continue to act for the Purposes of this Act until they shall be removed by the Commissioners for the Execution of this Act; and such several Officers shall account to the said Commissioners for the Execution of this Act in the same Manner as they would have done if they had been appointed by such last-mentioned Commissioners.

Accounts of former Officers to be examined by Commissioners of Woods, &c.

VII. And be it enacted, That when and so soon as the Accounts to be from Time to Time rendered by such several last-mentioned Officers, or any of them, under the Provisions of the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, shall be received by the Commissioners for the Execution of this Act, such Accounts, with the proper Vouchers for all the Monies therein mentioned to have been received, paid, and disbursed, shall be transmitted by the said last-mentioned Commissioners to the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and such last-mentioned Commissioners are hereby authorized and required to cause every such Account to be examined, tried, and audited by the Commissioners for auditing the Public Accounts, pursuant to the Provisions of an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better examining and auditing the Public Accounts of the Kingdom*: Provided always, that it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to authorize and empower the Commissioners for the Execution of this Act to retain from Time to Time such Sum or Sums of Money as shall or may be received by them or to their Use on account of Tolls, and which may from Time to Time be necessary to pay the Wages due to the Inspectors and Labourers employed on the said Road, and also to pay for any Work or Materials which from Time to Time shall or may be done or furnished by Contract for the Repair of the said Road.

25 G. 3. c. 52.

Roads, &c. vested in Commissioners under this Act.

VIII. And be it enacted, That the several Roads and Bridges, and all Turnpikes, Tolls, Toll Houses, Gates, Weighing Machines, and all Lands, Houses, Quarries, and Gravel Pits, or other Hereditaments, Properties, Rights, and Privileges whatsoever, now vested in the Commissioners appointed by the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third under or by virtue of the said several herein-before recited Acts, or any of them, shall, from and after the said First Day of *September* One thousand eight hundred and forty, be and become and shall remain vested in the Commissioners for the Time being for the Execution of this Act; and all Materials, Tools, Barrows, Furniture, and other Things which now belong to the Commissioners for the Execution of the said several herein-before recited Acts shall from henceforth belong to and shall be and become the Property of the Commissioners for the Execution of this Act.

Securities for Loans borrowed under former Acts not to be prejudiced by this Act; and Leases and Contracts to continue valid

IX. And be it enacted, That all Loans or Sums of Money which have been borrowed or raised, or which may be now due and owing, by the Commissioners appointed by the said first-recited Act of the Fifty-ninth Year of the Reign of His said late Majesty King *George* the Third as aforesaid, under or by virtue of the Provisions of the herein-before recited Acts, or any of them, and all Interest due and to grow due thereon respectively, shall be paid and discharged by the Commissioners for the Execution of this Act, as fully and effectually to all Intents and Purposes as if such Monies had become due and owing from the said last-mentioned Commissioners; and all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the said Commissioners appointed under or by virtue of the said first-recited Act of the Fifty-ninth Year of the Reign of His said late Majesty as aforesaid, or to any Person or Persons for the Benefit of the said Commissioners, shall be liable to the Payment of all such Sum and Sums of Money to the Commissioners for the Execution of this Act; and all Leases, Deeds, Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons to or with the said Commissioners appointed by the said first-recited Act of the Fifty-ninth Year of the Reign of His said late Majesty as aforesaid, or to or with their Clerk, Treasurer, or other Officer, under or by virtue of the Powers or Directions of either of the said herein-before recited Acts, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed, on account and for the Benefit of the Commissioners for the Execution of this Act, and shall be vested in such last-mentioned Commissioners, and shall and may be enforced and recovered upon in any Action or Suit to be brought and carried on in the Name of the Clerk for the Time being to the last-mentioned Commissioners; and all Leases, Deeds, Assignments, Securities, Contracts, or Agreements duly made or entered into by the said Commissioners appointed by the said first-recited Act of the Fifty-ninth Year of the Reign of His said late Majesty as aforesaid, to or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the said Commissioners for the Execution of this Act, according to the Terms and Stipulations thereof respectively, and shall and may be enforced and recovered upon in any Action or Suit to be brought against the Clerk for the Time being to the said last-mentioned Commissioners.

All Monies now in the Hands of the Commissioners under 59 G. 3. c. 30., or hereafter to be received by the Commissioners under this Act, to be paid into the Bank of England to the Account of the Commissioners of Woods, &c.

X. And be it enacted, That all Monies, Bills, or Drafts now in the Hands of the Commissioners acting in execution of the said first-recited Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, and the several other Acts herein-before recited, or of their Treasurer or Clerk, or in any Bank placed to the Credit of any Account or Accounts under the Control of the said Commissioners or of their Treasurer or Clerk, shall, immediately after the said First Day of *September* One thousand eight hundred and forty, be paid into the Bank of *England* to the Account of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, intituled "The Woods and Forests Fund," or to such other Account with the said Bank of *England* as the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall direct; and all Sums of Money, Bills, and Drafts which shall hereafter be received by the Commissioners for the Execution of this Act, their Agents or Receivers, on account of Tolls,

Rates, and Assessments, or from any other Source whatsoever, under or by virtue of the herein-before recited Acts or this Act, or any of them, shall be paid by them into the Bank of *England* as soon as conveniently may be after the same shall have been received; and all Sums of Money, Bills, and Drafts which shall be received by the said Commissioners on any of the Accounts aforesaid at their Office in *London* shall be paid by them into the Bank of *England* within One Day after the same shall have become so received, or within One Day after any such Bill or Draft shall have been accepted, completed, and perfected, if the same be not accepted, completed, and perfected at the Time it shall be received; and all Monies, Bills, and Drafts which shall be received by the Bank of *England* in pursuance of the Provisions of this Act shall be placed to the said Account intituled "The Woods and Forests Fund," or to such other Account as aforesaid; and the Drafts or Orders of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, shall be sufficient Authority to the said Bank of *England* to pay, apply, and dispose of the said Monies, Bills, and Drafts to the Person or Persons or in the Manner in such Drafts or Orders respectively mentioned or specified; and after Payment of such Monies, Bills, and Drafts in manner herein-before directed the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall be alone answerable and accountable for the future Application of such Monies, Bills, and Drafts respectively.

A separate Account to be kept of Monies received and paid under this Act.

XI. And be it enacted, That the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall cause a separate and distinct Account to be kept in the Books of their Office of the Monies received under the Powers and Provisions of this Act, and of the Payment and Application of the same.

3 & 4 W. 4. c. 43.

XII. And whereas an Act was passed in the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for transferring to the Commissioners of Her Majesty's Woods and Forests the several Powers now vested in the* Holyhead *Road Commissioners; and for discharging the last-mentioned Commissioners from the future Repairs and Maintenance of the Roads, Harbours, and Bridges now under their Care and Management:* And whereas an Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth,

6 & 7 W. 4. c. 35.

intituled *An Act for further improving the Road between* London *and* Holyhead, *by* Coventry, Birmingham, *and* Shrewsbury, the Commissioners for the Issue of Exchequer Bills acting in execution of the several Acts therein recited were authorized, on Application being made to them by the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, to advance to them the said last-mentioned Commissioners, or as they might direct or appoint, any Sum or Sums of Money in Exchequer Bills, not exceeding in the whole the Sum of Sixty-four thousand five hundred Pounds, upon the Terms and Conditions therein-after mentioned; and the said last-mentioned Commissioners were by the said Act directed to apply any Sum not exceeding the Sum of Three thousand Pounds (Part of the Sum so to be advanced to them) in the making and completing the Alterations and Improvements mentioned in the Schedule marked

marked (A.) to the now reciting Act in the Road within the Limits and District of the *Dunstable* Trust, and any Sum not exceeding the Sum of Thirty thousand Pounds in the making and completing the Alterations and Improvements mentioned in the said Schedule in the Road within the Limits and District of the *Stratford* and *Dunchurch* Trust, and in paying for other Improvements and Alterations within the said Trust; and in case it should be found that either of the Sums therein-before authorized to be appropriated by the said Commissioners acting in the Execution of the said recited Act of the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, in making and completing the Alterations and Improvements in the Roads therein mentioned, should be more than what was required for the Purposes for which the same should have been advanced, the Surplus thereof should be applied by the said last-mentioned Commissioners in making such other Improvements as they should think proper on any Part of the said Road from *London* to *Holyhead* which should be within the same Trust: And whereas the Sum of Three thousand Pounds, authorized by the said last-recited Act to be applied in making and completing the several Alterations and Improvements therein mentioned in the Road within the Limits and District of the *Dunstable* Trust, is insufficient for the Purpose of completing and finishing such several Alterations and Improvements, and a further Sum, not exceeding Two thousand Pounds, will be wanted and required for that Purpose: And whereas the said Sum of Thirty thousand Pounds, authorized by the said last-recited Act to be applied in making and completing the several Alterations and Improvements therein mentioned in the Road within the Limits and District of the *Stratford* and *Dunchurch* Trust, exceeds by the Sum of Ten thousand Pounds or thereabouts the Sum required to discharge the Costs and Expences of such several Alterations and Improvements, which are now completed and finished: And whereas it is expedient that the said Commissioners acting in the Execution of the said recited Act of the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth should be authorized and empowered to apply Part of the before-mentioned Sum of Ten thousand Pounds (not exceeding the Sum of Two thousand Pounds) in completing and finishing the several Alterations and Improvements in the Road within the Limits and District of the *Dunstable* Trust; be it therefore enacted, That it shall and may be lawful to and for the Commissioners acting in the Execution of the said recited Act of the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, and they are hereby authorized and required, to apply any Part or Portion of the said Sum of Ten thousand Pounds (not exceeding in the whole the Sum of Two thousand Pounds) in completing and finishing the several Alterations and Improvements by the said recited Act of the Sixth and Seventh Year of the Reign of His late Majesty King *William* the Fourth authorized to be made and completed in the Road within the Limits and District of the *Dunstable* Trust, in addition to the Sum of Three thousand Pounds by the said last-mentioned Act directed to be applied for that Purpose; any thing contained in the said last-mentioned Act, or in any other Act, to the contrary thereof in anywise notwithstanding.

Commissioners authorized to apply the further Sum of 2,000*l.* in making Alterations and Improvements within the Dunstable Trust.

XIII. And be it enacted, That it shall and may be lawful for the Trustees of the *Dunstable* Trust, and they are hereby authorized, empowered,

Trustees of the Dunstable Trust

to continue the Tolls levied under 6 & 7 W. 4. c. 35.

empowered, and required, to continue the several Tolls by them imposed and raised and now levied under the Powers and Authorities of the said recited Act of the Sixth and Seventh Year of the Reign of His late Majesty King *William* the Fourth, for the Purpose of paying off the Sum of Three thousand Pounds in the said Act mentioned, and all Interest due and to become due thereon, until as well the said Sum of Three thousand Pounds, and all Interest due and to become due thereon, as also the Principal Sum or Sums herein-before authorized to be applied by the Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth in completing and finishing the Alterations and Improvements in the Road within the *Dunstable* Trust, together with Interest thereon, shall be fully paid off and discharged.

Trustees of the Dunstable Trust to pay over the Tolls to be collected by them.

XIV. And be it enacted, That the Produce of the Tolls so collected and taken by the Trustees of the *Dunstable* Trust under the Authority of the said recited Act of the Sixth and Seventh Year of the Reign of His late Majesty King *William* the Fourth and this Act shall, after deducting the Expences of collecting and receiving the same, be annually accounted for and paid over by the Trustees to the Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, until as well the said Sum of Three thousand Pounds mentioned in the said recited Act of the Sixth and Seventh Year of the Reign of His late Majesty King *William* the Fourth, and all Interest due and to become due thereon, as also the Principal Sum or Sums to be advanced under the Provisions of this Act, and applied in completing and finishing the Alterations and Improvements in the Line of Road within the *Dunstable* Trust, together with Interest for the same after the Rate of Four Pounds *per Centum per Annum*, to be computed on the said Sum or Sums from the Time of advancing the same, shall have been paid off and discharged, the said Interest of Four Pounds *per Centum per Annum* on so much of the said Principal Sum or Sums advanced and to be advanced as aforesaid as shall from Time to Time remain due to be in the first place paid; and the Balance which shall from Time to Time arise from the said Tolls shall be applied, so far as the same may extend, in discharge of the said Principal Sum or Sums as aforesaid; and when and so soon as the said Principal Money, together with the Interest thereon, shall be fully paid off and discharged, the said Trustees of the *Dunstable* Trust shall cease to collect the said Tolls.

Roads not exempted from any general Act to be hereafter passed.

XV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Turnpike Roads in this Act mentioned or referred to from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Act may be amended or repealed this Session.

XVI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this present Session of Parliament.

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