CHAPTER xxvi.

An Act to confirm a Provisional Order of the Local Government Board under the Highways and Locomotives (Amendment) Act, 1878, relating to the county of Kent. A.D. 1882.

[19th June 1882.]

WHEREAS the Local Government Board have made the Provisional Order set out in the Schedule hereto, under the provisions of the Highways and Locomotives (Amendment) Act, 1878, and it is requisite that the said Order should be confirmed by Parliament; 41 & 42 Vict. c. 77.

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, as follows:

1. The Order set out in the Schedule hereto annexed shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Order in Schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Order Confirmation (Highways) Act, 1882. Short title of the Act.

A.D. 1882.

SCHEDULE.

COUNTY OF KENT.

Kent Order.

Provisional Order as to a certain Disturnpiked Road.

To the Justices of the County of Kent, in General or Quarter Sessions assembled, being the County Authority for that County within the meaning of the Highways and Locomotives (Amendment) Act, 1878; —

And to all others whom it may concern.

WHEREAS by Section 13 of the Highways and Locomotives (Amendment) Act, 1878, it is enacted that for the purposes of that Act, and subject to its provisions, any road which has, within the period between the Thirty-first day of December, One thousand eight hundred and seventy, and the date of the passing of that Act, ceased to be a turnpike road, and any road which, being at the time of the passing of that Act a turnpike road, may afterwards cease to be such, shall be deemed to be a Main Road;

And whereas by Section 16 of the same Act it is also enacted that if it appears to a County Authority that any road within their County which, within the period between the Thirty-first day of December, One thousand eight hundred and seventy, and the date of the passing of that Act, ceased to be a turnpike road, ought not to become a Main Road in pursuance of that Act, such Authority shall, before the First day of February, One thousand eight hundred and seventy-nine, make an application to the Local Government Board for a Provisional Order declaring that such road ought not to become a Main Road; and that subject as aforesaid, where it appears to a County Authority that any road within their County which has become a Main Road in pursuance of that Act ought to cease to be a Main Road and become an ordinary highway, such Authority may apply to the Local Government Board for a Provisional Order declaring that such road has ceased to be a Main Road and become an ordinary highway; and that the Local Government Board, if of opinion that there is probable cause for an application under that section, shall cause the road to be inspected, and, if satisfied that it ought not to become or ought to cease to be a Main Road and become an ordinary highway, shall make a Provisional Order accordingly;

And whereas by an Act of Parliament passed in the fifty-ninth year of the reign of His late Majesty King George the Third, intituled "An Act for "continuing the term and enlarging the powers of three Acts of His present "Majesty for repairing the road from the Town of Tenterden to the Town of "Ashford, in the County of Kent; and for making a new Branch of Road "therefrom to communicate with the Town of Biddenden, in the said County," provision was made for amending, repairing, widening, altering, improving, and keeping in repair the road leading from Bull Green to Hothfield Heath, in the County of Kent;

A.D. 1882.

Kent Order.

And whereas in pursuance of the Annual Turnpike Acts Continuance Act, 1877, the last above-named Act expired on the First day of November, One thousand eight hundred and eighty, and the said road ceased to be a turnpike road, and became a Main Road, in pursuance of the Highways and Locomotives (Amendment) Act, 1878;

And whereas it appeared to the County Authority for the County of Kent that the said road ought to cease to be a Main Road and to become an ordinary highway, and the County Authority accordingly made application to the Local Government Board for a Provisional Order to declare that such road has ceased to be a Main Road and has become an ordinary highway;

And whereas the Local Government Board, being of opinion that there was probable cause for such application, caused the said road to be inspected, and are satisfied that the said road ought to cease to be a Main Road and to become an ordinary highway:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Highways and Locomotives (Amendment) Act, 1878, do, by this Order, declare that from and after the date of the Act of Parliament confirming this Order the road leading from Bull Green to Hothfield Heath, in the County of Kent, shall cease to be a Main Road and shall become an ordinary highway.

Given under the Seal of Office of the Local Government Board, this Seventeenth day of April, in the year One thousand eight hundred and eighty-two.

J. G. Dodson, President.

(L.S.) John Lambert, Secretary.

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