

[42 & 43 VICT.] *Local Government Board's (Highways) Provisional Orders Confirmation (Buckingham, &c.) Act, 1879.* [Ch. lxxvii.]



CHAPTER lxxvii.

An Act to confirm certain Provisional Orders of the Local Government Board under the provisions of the Highways and Locomotives (Amendment) Act, 1878, relating to the Counties of Buckingham, Kent, and Worcester. A.D. 1879.

[3d July 1879.]

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto annexed, under the provisions of the Highways and Locomotives (Amendment) Act, 1878, and it is requisite that the said Orders should be confirmed by Parliament:

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

2. This Act may be cited as the Local Government Board's (Highways) Provisional Orders Confirmation (Buckingham, &c.) Act, 1879. Short title.

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SCHEDULE.

A.D. 1879.

*Buckingham
Order.*

COUNTY OF BUCKINGHAM.

Provisional Order for declaring that certain Disturnpiked Roads ought not to become Main Roads.

To the Justices of the County of Buckingham 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 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 a Main Road, shall make a Provisional Order accordingly ;

And whereas the roads in the County of Buckingham herein-after-referred to were included amongst the roads to be repaired, maintained, and improved under the provisions of a Local Act of Parliament passed in the sixth year of the reign of His Majesty King George the Fourth, and intituled "An Act for more effectually repairing and improving certain roads passing through Princes Risborough, in the County of Buckingham, and communicating with Aylesbury and Great Marlow, in the said County, and Thame, in the County of Oxford" ;

And whereas, in pursuance of the provisions of the Annual Turnpike Acts Continuance Act, 1871, the said Local Act expired on the First day of November, One thousand eight hundred and seventy-one, and the roads herein-

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after referred to ceased to be Turnpike Roads within the period between the Thirty-first day of December, One thousand eight hundred and seventy, and the date of the passing of the said Highways and Locomotives (Amendment) Act, 1878, viz., the Sixteenth day of August, One thousand eight hundred and seventy-eight;

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—
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Order.
—

And whereas it appeared to the County Authority for the County of Buckingham that the said roads ought not to become Main Roads, and the said County Authority accordingly made application to the Local Government Board before the First day of February, One thousand eight hundred and seventy-nine, for a Provisional Order to declare that such roads ought not to become Main Roads;

And whereas the Local Government Board, being of opinion that there was probable cause for such application, caused the said roads to be inspected, and are satisfied that such roads ought not to become Main Roads:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the said Highways and Locomotives (Amendment) Act, 1878, do, by this Order, declare that the roads described in the said Local Act as "the road leading from and out of the London and Oxford Turnpike Road, near the thirty-one milestone" in the Parish of West Wycombe, "by or near to a place called Crispin's Chapel, to Bottom Farm House and Rowleaf Wood, in West Wycombe aforesaid, and thence in a direction eastward of Booker Hill and Homer's Farm Houses, through a part of the Parish of Chepping Wycombe to Handy Cross, in the Parish of Great Marlow, and through a garden or gardens belonging to Sir William Clayton, Bart., and now or late in the several occupations of William Aris and John Midwinter;" and "the two lanes diverging therefrom to Cressicks, in the Parish of Chepping Wycombe, and Red Barn, in the Parish of Great Marlow," ought not to become Main Roads.

Given under the Seal of Office of the Local Government Board, this Twenty-second day of April, in the year One thousand eight hundred and seventy-nine.

G. SOLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

COUNTY OF KENT.

Provisional Order for declaring that certain Disturnpiked Roads ought not to become Main Roads.

Kent
Order.
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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

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—

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 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 a Main Road, shall make a Provisional Order accordingly ;

And whereas the roads in the County of Kent which are referred to in the first column of the Schedule hereto were respectively included amongst the roads to be repaired, maintained, and improved under the provisions of the Local Acts of Parliament respectively mentioned in the second column of that Schedule, and those Acts expired or were repealed in pursuance of the provisions of the Acts mentioned in the third column of the same Schedule, and the said roads ceased to be Turnpike Roads within the period between the Thirty-first day of December, One thousand eight hundred and seventy, and the date of the passing of the said Highways and Locomotives (Amendment) Act, 1878, viz., the Sixteenth day of August, One thousand eight hundred and seventy-eight ;

And whereas it appeared to the County Authority for the County of Kent that the roads referred to in the first column of the Schedule hereto ought not to become Main Roads, and the said County Authority accordingly made application to the Local Government Board before the First day of February, One thousand eight hundred and seventy-nine, for a Provisional Order to declare that such roads ought not to become Main Roads ;

And whereas the Local Government Board, being of opinion that there was probable cause for such application, caused the said roads to be inspected, and are satisfied that such roads ought not to become Main Roads :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the said Highways and Locomotives (Amendment) Act, 1878, do, by this Order, declare that the roads in the County of Kent which are referred to in the first column of the Schedule hereto ought not to become Main Roads.

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The SCHEDULE above referred to.

*Kent
Order.*

| 1. | 2. | 3. |
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| Description of Roads. | Title of Act creating the Turnpike Trusts. | Title of Act by which the Roads ceased to be Turnpike Roads. |
| The road leading from the village of Benenden to the "Bull" Inn at Rolvenden Cross. | An Act for repairing and maintaining the roads from the Turnpike Road at Golford Green, in the Parish of Cranbrooke, to the Turnpike Road, in the Parish of Sandhurst, and from the village of Benenden to the "Bull" Inn at Rolvenden Cross, in the County of Kent. 3 Will. IV. c. xxviii. | The Annual Turnpike Acts Continuance Act, 1874. 37 & 38 Vict. c. 95. |
| The road leading from the Turnpike Road through the Town of Goudhurst to the Turnpike Road, near a house called "the Pillory," and from the first-mentioned Turnpike Road at the "Chequers" Inn, through the Town of Goudhurst, over a common called Kilndown, to the Turnpike Road secondly mentioned, near a farm house called the Nursery. | An Act for more effectually repairing and improving certain roads leading to and through the Town of Goudhurst, in the County of Kent. 2 Will. IV. c. lxxiv. | The Annual Turnpike Acts Continuance Act, 1877. 40 & 41 Vict. c. 64. |
| The road from Underden Green to Wanshatts Green, in the Parishes of Goudhurst and Marden. | The Horshonden and Marden Road Act, 1854. 17 Vict. c. xlvi. | The Annual Turnpike Acts Continuance Act, 1872. 35 & 36 Vict. c. 85. |
| The road leading from the road from Kipping's Cross to Flimwell Vent near Totwood, in the Parish of Lamberhurst, through the Parish of Horshonden by Hope Mill, to the Turnpike Road at Clay Hill, in the Parish of Goudhurst. | An Act for more effectually repairing and improving the road from Kipping's Cross, in the County of Kent, to Flimwell Vent, in the County of Sussex, and certain other roads therein described. 10 Geo. IV. c. xxvi. | The Annual Turnpike Acts Continuance Act, 1874. 37 & 38 Vict. c. 95. |
| The Roads— (1.) Leading from the Turnpike Road in the Town of Tenterden, through the Parish of Woodchurch, up to the boundary of the Parish of Warehorne, near Kenardington Cross. (2.) Leading out of the Turnpike Road in the Parish of Bethersden, at Maylam's Corner, through Woodchurch, up to the boundary of the Parish of Appledore. | The Woodchurch Turnpike Road Act, 1851. 14 Vict. c. xv. | The Annual Turnpike Acts Continuance Act, 1873. 36 & 37 Vict. c. 90. |

Given under the Seal of Office of the Local Government Board, this Fifth day of May, in the year One thousand eight hundred and seventy-nine.

(L.S.)

G. SCLATER-BOOTH, President.
JOHN LAMBERT, Secretary.

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Worcester
Order.

COUNTY OF WORCESTER.

Provisional Order for declaring that a Disturnpiked Road ought not to become a Main Road.

To the Justices of the County of Worcester 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 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 a Main Road, shall make a Provisional Order accordingly;

And whereas a certain road called Backbridge Lane, otherwise known as Asylum Lane, in the Borough of Droitwich, was included amongst the roads to be maintained, improved, and kept in repair under the provisions of the Droitwich Roads Act, 1859;

And whereas the last-mentioned Act was, by the Annual Turnpike Acts Continuance Act, 1877, repealed as from the Thirty-first day of December, One thousand eight hundred and seventy-seven, and the said road called Backbridge Lane, otherwise Asylum Lane, ceased to be a Turnpike Road within the period between the Thirty-first day of December, One thousand eight hundred and seventy, and the date of the passing of the said Highways and Locomotives (Amendment) Act, 1878, viz., the Sixteenth day of August, One thousand eight hundred and seventy-eight;

And whereas it appeared to the said County Authority for the County aforesaid that the said road called Backbridge Lane, otherwise Asylum Lane, ought not to become a Main Road, and the said County Authority accordingly

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made application to the Local Government Board before the First day of February, One thousand eight hundred and seventy-nine, for a Provisional Order to declare that such road ought not to become a Main Road ;

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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 such road ought not to become a Main Road :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the said Highways and Locomotives (Amendment) Act, 1878, do, by this Order, declare that the said road known as Backbridge Lane, otherwise Asylum Lane, ought not to become a Main Road.

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

G. SCLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)