

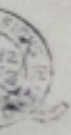
Date	25 AUG. 1929
Account	
Answer	

THE COUNTY OF KENT
GENERAL QUARTER SESSIONS FOR EAST KENT
HOLDEN AT ST. AUGUSTINE'S, CANTERBURY

W H E R E A S REGINALD LAWRENCE LAWSON of Saltwood Castle in the Parish of Saltwood in the said County of Kent being desirous of diverting a certain highway situated within the Parish of Saltwood aforesaid namely

to wit:-

a public footway or bridle path across the lands of Saltwood Castle of which the said Reginald Lawrence Lawson is the owner commencing at a point (marked "B" on the plan annexed hereto) being a point where the pathway forms a junction with a pathway under the railway arch of the Southern Railway to certain Farm Buildings there situate and terminating at a point marked "A" where the said footway or bridle path intercepts a footpath leading from Tanners Hill to Hythe Railway Station and in substitution for the same of making and opening a new highway for use as a public footway or bridle path to commence at the same point near the Railway Arch and marked "B" on the said plan and to proceed along the side of the Southern Railway line up to a stile marked "C" on the said plan near to Hythe Station the said new substituted footway or bridle path going past the Sheepwash in the grounds of the said Saltwood Castle. The new footway or bridle path to be of a width of ten feet between the said point "B" and the said Sheepwash and six feet wide measured from the Sheepwash to the stile leading to Hythe Station. The total length of the new footway being Two thousand one hundred and eleven feet. Also when the proposed new footway or bridle path is made and opened as aforesaid of entirely stopping up the old footway or bridle path as useless and unnecessary AND WHEREAS on or about the Sixteenth day of March One thousand nine hundred and twenty nine the said Reginald Lawrence Lawson by notice in writing to the Elham Rural District Council intimated to the Elham Rural District Council that he was desirous of having the said highway stopped up or diverted and of substituting therefor the said highway as previously described AND WHEREAS the said Elham Rural District Council duly considered the said application of the said Reginald Lawrence Lawson at a Meeting duly held and convened on the Twenty-first day of March One thousand nine hundred and twenty nine and passed a Resolution consenting to the said proposal and calling upon the Saltwood Parish Council for their consent in conformity with the provisions of the Local Government Act of 1894 AND WHEREAS on the fifteenth day of April One thousand nine hundred and twenty nine the Saltwood Parish Council duly passed a Resolution that in the opinion of the Council the substitution of the new highway or bridle path for the old highway would be more commodious and directed the Clerk of the said Parish Council to put the resolution so passed forward for confirmation at a meeting of the Council to be held not less than two months after public notice should have been given of that resolution pursuant to section 51 of the Public Health Act 1894 and that subject to such confirmation the said Rural District Council should be requested to arrange for two Justices of the Peace to view the proposed highway or bridle path and issue their certificate accordingly AND WHEREAS notice of the said resolution passed by the Parish Council of Saltwood was duly given on the fifteenth day of April One thousand nine hundred and twenty-nine AND WHEREAS at a meeting of the said Saltwood Parish Council held on the Twenty-fourth day of June One thousand nine hundred and twenty nine the said resolution was duly confirmed and no Parish Meeting has passed any resolution that the consent of the Parish Council should not be given AND WHEREAS the Clerk to the Elham Rural District Council did on or about the Twenty-sixth day of July One thousand nine hundred and twenty nine make application to us the undersigned two of His Majesty's Justices of the Peace of and for the County of Kent requesting us to view the old footway or bridle path and the proposed new footway or bridle path



AND WHEREAS we the said two Justices did accordingly on the Twenty-sixth day of July One thousand nine hundred and twenty nine in the presence of each other view the old footway so proposed to be diverted and stopped up as before mentioned and also the course of the proposed new footway so proposed to be made and opened in lieu thereof as before mentioned AND WHEREAS upon such view it appeared to us the said two Justices that for the reasons hereinafter mentioned the old footway or bridle path may be diverted as aforesaid so as to make the same more commodious to the public namely by the substitution for the same of the proposed new footway or bridle path and also that the old footway or bridle path will when such diversion and substitution shall have been effected become and be unnecessary and useless and may be entirely stopped up AND WHEREAS the said Meginald Lawrence Lawson is the owner of as well the soil of the proposed new footway or bridle path as of the old footway or bridle path and has by writing under his hand dated the Sixteenth day of March One thousand nine hundred and twenty nine consented to the proposed new footway or bridle path being so made and opened as aforesaid AND WHEREAS we the said two Justices did on the Twenty-sixth day of July One thousand nine hundred and twenty nine after the view so held by us as aforesaid direct the Surveyor to the Elham Rural District Council to affix and he the said Surveyor did on the Thirtieth day of July One thousand nine hundred and twenty nine affix notices to the effect prescribed by the Schedule (No.19) to the Highway Act 1835 in legible characters at each end of the old footway or bridle path (the one at the end of the footpath proposed to be stopped up having a plan similar to that to be lodged with the Clerk of the Peace attached thereto) and also at the foot of the proposed new footway or bridle path thereby announcing that application would be made on the fifteenth day of October then next to His Majesty's Justices of the Peace assembled at Quarter Sessions in and for the Eastern Division of the County of Kent at St. Augustine's Canterbury for an order directing the old footway or bridle path to be diverted and stopped up as aforesaid and the proposed new footway or bridle way made and opened in lieu thereof and that the certificate of the two Justices having viewed the same with the plans of the said old footway or bridle path and of the proposed new footway or bridle path would be lodged with the Clerk of the Peace for the said County on or before the Twenty-third day of July One thousand nine hundred and twenty-nine and the said notices remained so affixed down to and including the Twenty-second day of August One thousand nine hundred and twenty nine and we did at the same time direct the said Surveyor to insert and he in pursuance of such direction did insert the same notice in the "Hythe Reporter" being a newspaper published in the Borough of Hythe which joins the district of the Saltwood Parish Council and in "The Kentish Express" a paper published in the County of Kent and circulating in the District for four successive weeks after we the said two Justices had viewed the old and proposed new footways and bridle paths and the said notice appeared in the said newspaper on the Third day of August, the tenth day of August, the seventeenth day of August and the Twenty-fourth day of August One thousand nine hundred and twenty nine and we did at the same time direct him to affix and he in pursuance of such direction did affix a like notice on the door of the Parish Church of Saltwood in which the old footway or bridle path lies on four successive Sundays after the making of the said view AND WHEREAS proof hath been given before us the said two Justices and to our satisfaction by the evidence upon oath of Douglas Stewart Harrison the Clerk to the Rural District Council of Elham and the said Surveyor to the said Rural District Council that the said consent notices and

resolutions hereinbefore mentioned have been respectively given published affixed advertised and passed in the manner and at the times and places at and hereinbefore re-cited and in due accordance with the statutory provisions in that behalf and a plan hath now at the same time been delivered to us particularly describing the old and new footways and bridle paths by metes bounds and measurements thereof which said plan hath been duly verified to and before us by the oath of Frederick William Cutler a competent surveyor. NOW in pursuance of the provisions of the Highway Act 1835 and of any act amending the same we the said two Justices do hereby certify that on the Twenty-sixth day of July one thousand nine hundred and twenty nine we did in the presence of each other view the said old footway or bridle way proposed to be now stopped up as aforesaid and also the line of the said proposed new footway or bridle path proposed to be made and opened in lieu thereof as aforesaid and did upon such view find and we do hereby certify that the said old footway or bridle way may be diverted as aforesaid so as to make the same more commodious to the public namely by the substitution for the same by the proposed new footway or bridle path and we did upon such view find and we do hereby certify that the proposed new footway or bridle way will when so made and opened be more commodious to the public by reason of it being wider and graded and paved in a better manner than the old footway or bridle path and we did upon such view also find and we do hereby further certify that when the said proposed new footway or bridle way shall have been so made and opened the said old footway or bridle way will become and be useless and unnecessary and may be entirely stopped up and that the reason that the same may become and be useless and unnecessary is that the proposed new footway or bridle path will be more commodious and will alone be used.

G I V E N under our hands and seals this *twenty seventh* day of *August* One thousand nine hundred and twenty nine.

John James Clayton

Joseph Gregory Wild
Justice of the Peace for the
County of Kent.

DATED

1929.

CERTIFICATE OF JUSTICES

re Diversion of footpath on the
Saltwood Castle Estate.

DALLAS BRETT
& SON,
FOLKESTONE,
Kent