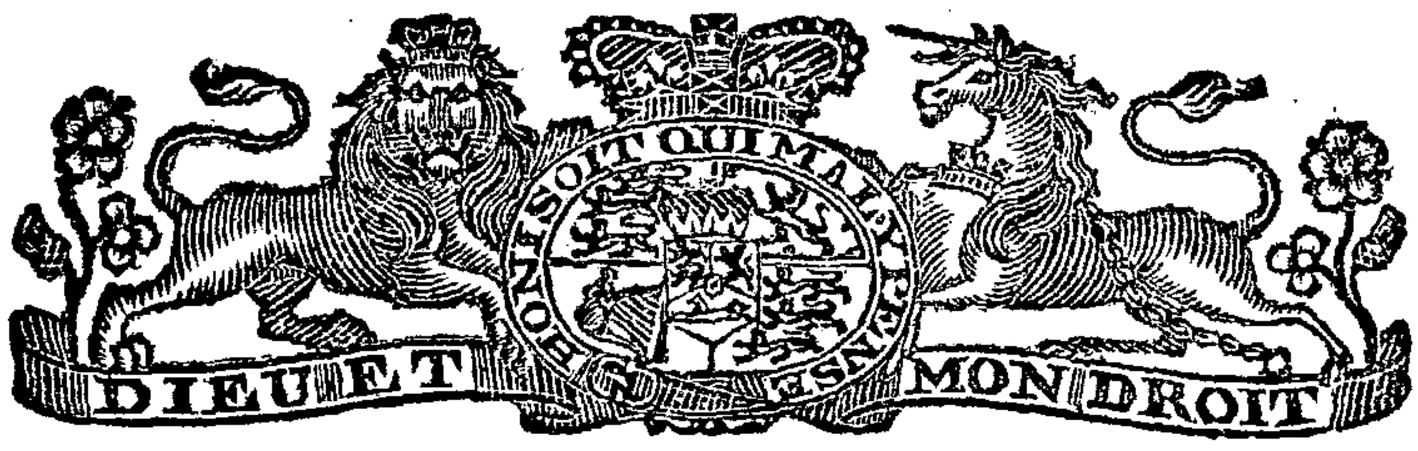


ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 45.

An Act for ſhutting up a Road and Footpath, leading from *Caſtleford* to *Ferrybridge*, in the County of *York*. [15th *April* 1813.]

WHEREAS there are between *Caſtleford* and *Ferrybridge* in the County of *York*, Two public Highways, the one paſſing by a Place called *New Laiths*, in the Townſhip of *Ferrybridge* aforeſaid, and the other through the Village of *Water Fryſton*; each of the ſaid Highways having a Footpath nearly contiguous thereto: And whereas the Diſtance from *Caſtleford* to *Ferrybridge* aforeſaid, by the Way of the ſaid firſt-mentioned Road, is by Admeaſurement Three Miles Three Furlongs and Ninety-two Yards, and the Diſtance by the Way of the ſaid laſt-mentioned Road, through the Village of *Water Fryſton*, is Four Miles One Furlong and Four hundred and thirty-three Yards; and the ſaid laſt-mentioned Road being ſituated at a conſiderable Diſtance from any good Materials for amending Roads, it would be extremely difficult and expenſive to keep the ſame in Repair; and the ſame is of very little Uſe as a public Road, on account of the greater Diſtance and Badneſs thereof, although the Burthen of maintaining it as a public Road lies on the ſeveral Townſhips of *Caſtleford* and *Ferrybridge* aforeſaid; and it is expedient that the Owners of Eſtates in the ſaid Townſhips ſhould be relieved from ſuch Burthen, and that the ſaid laſt-mentioned Road, and the Footpath or Footway contiguous thereto, ſhould be ſhut up and diſcontinued: 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

Road to be discontinued.

sent Parliament assembled, and by the Authority of the same, That from and after the First Day of *September* next, the said last-mentiond Road or Way, commencing at a Field called *The Church Close*, the Property of *Rachael Milnes*, and ending at another Field called *Upper Creakhill Close*, the Property of *John* Earl *Mexboro*, and also the said Footpath or Footway contiguous to the said last-mentioned Road, shall be discontinued and shut up and no longer used as a public Road and Footpath or Way; and that from and after the said First Day of *September* next, it shall not be lawful for any Person or Persons at any Time or Times to use, claim or demand the said last-mentioned Road or Way and Footpath, or either of them, or any Part thereof, upon any Account or Pretence whatsoever, either with any Horse, Beast, Cattle or Carriage, or as Ways or Paths for Passengers on Foot; and that the Freehold of the Soil of such Part of the said last-mentioned Road and Footpath as shall adjoin on both Sides thereof upon Lands or Estates belonging to the same Person or Persons, shall, from and after the said First Day of *September* next, be and become vested in such Person or Persons respectively, according to his, her or their respective Estates and Interests in the said Lands or Estates; and that such Part of the same Road and Footpath as does not adjoin on both Sides thereof upon Lands or Estates belonging to the same Owner or Owners, then the Freehold of the Soil of such Part of the said last-mentioned Road and Footpath as shall adjoin on Lands or Estates of different Owners, shall be and become vested in the Owner or Owners of the Lands or Tenements on each Side of such last-mentioned Part of the said Road and Footpath in equal Moieties; and such Owner and Owners respectively shall, from and after the said First Day of *September* next, be seised of the Moiety of the same Road and Footpath which adjoins on his, her, or their Lands or Tenements respectively, according to his, her, or their respective Estates or Interests in the said last-mentioned adjoining Lands or Estates.

Roads may be used as heretofore by Occupiers of adjoining Lands.

II. Provided always, and be it further enacted, That it shall be lawful for all and every the Owners and Occupiers of any Houses, Lands, Tenements or Hereditaments adjoining the Road and Footpath hereby directed to be discontinued at all Times for ever hereafter to use and enjoy the same respectively in such Manner as the same are at present used and enjoyed; any Thing herein contained to the contrary notwithstanding.

Owners, &c. may erect Gates where necessary.

III. And be it further enacted, That it shall and may be lawful for the several and respective Owners and Occupiers of the Lands and Grounds through or over which the said Road and Footpath hereby directed to be discontinued as a public Road and Footpath respectively pass, to erect and set up any Gate or Gates, and from Time to Time to remove the same, and to erect and set up others in lieu thereof, as Occasion may require, or be by such Owners or Occupiers respectively thought necessary.

Limitation of Actions.

IV. And be it further enacted, That no Action shall be brought or commenced against any Person or Persons for any Thing to be done by virtue of this Act, until after Twenty-one Days Notice in Writing shall have been given to or left at the usual Place or Places of Abode of the Person or Persons against whom such Action is intended to be brought, thereby setting forth the particular Cause of such Action, or after Tender of sufficient Amends hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact for which the same shall be

brought; and such Action shall be brought and tried in the said County of *York*, and not elsewhere; and the Defendant or Defendants in every such Action shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or that such Action shall be brought before the Expiration of the Time limited for bringing the same, or after Tender of sufficient Amends shall have been made to the Party or Parties aggrieved, or after the End of the said Six Calendar Months next after the Fact or Cause of such Action shall have arisen; or if such Action shall be brought or laid in any other County than as aforesaid, then and in every of the said Cases the Jury on the Trial of such Action shall find a Verdict for the Defendant or Defendants therein; and in all Cases where a Verdict shall be found for any Defendant or Defendants in such Action, or the Plaintiff or Plaintiffs therein shall determine the same after the Defendant or Defendants shall have appeared therein, or shall be nonsuited, or if upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants in such Action shall have Double Costs, and shall have and take the like Remedy for recovering the same, as any Defendant may have for recovering Costs in any other Cases by Law.

V. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded. Public Act.

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