



Carriage Road, in Manner herein-after mentioned, and shutting up and discontinuing the said Foot Road, would be very advantageous to the said *Edward Robert Petre*, and would be no Disadvantage to the Public: And whereas the said *Edward Robert Petre* is willing and desirous, in case the same are shut up and discontinued, at his own Expence to make complete and maintain a good Road, for the Passage of Cattle, Carts, and Carriages from the said South-west Corner of the said *Smeaton Lane* Close, over the same Close, the *Quarry Hill* Closes, *Rough Spring* Close, *Pond* Close, *Yellow* Close, *Long Lands* Close, *Marl Pit* Close, and *Clover* Close, all the Property of the said *Edward Robert Petre*, into the present Road leading between *Darrington* and *Womersley*, opposite a certain Close called *The Twenty Acres* Close, in *Stapleton* aforesaid, also the Property of the said *Edward Robert Petre*, which said intended new Road will in all Respects answer the same Purposes, as the public Carriage Road and Footpath so by this Act intended to be stopped up: But the Purposes aforesaid cannot be effected under the Authority of any Law now existing, nor without the Aid or Authority of Parliament, in as far as the Length of the Highway or public Carriage Road intended to be set out and made will exceed by Three Hundred Yards or thereabouts that of the Highway or public Carriage Road intended to 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 Parliament assembled, and by the Authority of the same, That it shall be lawful for the said *Edward Robert Petre*, and the Owner or Owners for the Time being of the said Mansion House called *Stapleton Park*, having first obtained an Order from any Two or more Justices of the Peace acting in and for the West Riding of the said County of *York*, for diverting and turning the said existing Highway or public Carriage Road in Manner herein described, and for shutting up of the said Footpath, to give Notice of the same; which Notice shall be in the Form or to the Effect mentioned in the Schedule to this Act annexed; and which Notice shall be in Writing, and shall be affixed at some conspicuous Place or Places by the Sides of the said Highway and Footpath, and shall also be advertised in One or more Newspaper or Newspapers published and generally circulated in the West Riding of the said County, for Three successive Weeks after the Date of such Order; and a like Notice shall be affixed to the Door of the Church or Chapel of the Parish or Township in which the said public Carriage Road and Footpath shall lie or be situate, on Three successive *Sundays* subsequent to the making of such Order; and the said several Notices having been so affixed and published, the said Order shall at the Quarter Sessions next after the Expiration of Four Weeks from the first Day on which such Notices shall have been published as aforesaid, be returned to the Clerk of the Peace in open Court, and lodged with him; and the said Order shall at such Quarter Sessions be confirmed, and the same shall by the Clerk of the Peace for the said Riding be enrolled amongst the Records of the said Court of Quarter Sessions; and from and immediately after such Confirmation of the said Order, it shall be lawful for the said *Edward Robert Petre*, and the Owner or Owners for the Time being of the said Mansion House called *Stapleton Park*, to make and complete a Road of not less than Thirty Feet in breadth in any Part thereof, for the commodious Passage of Cattle, Carts, and Carriages, to open out of the present Road leading from *Smeaton* to *Darrington*, at the South-west Corner of the said

Mr. Petre,  
at his own  
Expence, to  
make a Road  
in lieu of the  
One to be  
stopped up,  
&c.



*Smeaton Lane Close*, over the same Close, the *Quarry Hill Closes*, *Rough Spring Close*, *Pond Close*, *Yellow Close*, *Long Lands Close*, *Marl Pit Close*, and *Clover Close*, all before mentioned, and to communicate with the said Road now leading from *Darrington* to *Womersley*, opposite the said Close called the *Twenty Acres Close*, in the Township of *Stapleton* aforesaid.

II. Provided always, and be it further enacted, That if the said intended Highway or Carriage Road shall appear to any Person or Persons whomsoever to be less commodious than the One now existing, it shall and may be lawful for such Person or Persons thinking himself, herself, or themselves injured or aggrieved thereby, to make his, her, or their Complaint thereof to the Justices of the Peace at the said Quarter Sessions, upon giving Ten Days Notice in Writing of such Appeal to the Surveyor of the Highways of the Parish, Township, or Place, wherein such Highway or Footpath shall be situated, and also affixing a like Notice to the Door of the Church or Chapel of such Parish, Township, or Place; and the Justices at the said Quarter Sessions are hereby authorized and empowered to hear and finally determine the Matter of such Appeal. Allowing an Appeal.

III. Provided also, and be it further enacted, That if no such Appeal be made, or being made, such Order and Proceedings shall be confirmed by the said Court, the said Highway and Footpath shall and may be stopped up and inclosed, and the Proceedings thereon shall be binding and conclusive to and upon all Persons whomsoever; and the said new Highway so to be set out, shall be and for ever thereafter continue a public Highway, to all Intents and Purposes whatsoever; but no Inclosure of such old Highway or Footpath shall be made, until such new Highway shall be completed and put into good Condition and Repair, and shall be so certified by any Two Justices of the Peace acting in and for the West Riding of the said County of *York*, upon View thereof; which Certificate shall be returned to the Clerk of the Peace, and by him enrolled amongst the Records of the Court of Quarter Sessions next after such Order as aforesaid shall have been confirmed or enrolled pursuant to the Direction herein-before contained; but from and after the Enrolment of such Order and Certificate, such old Highway and Footpath shall be stopped up and the Soil thereof be and become vested in the Owner or Owners for the Time being of *Stapleton Park* aforesaid; any Law, Right, Usage, or Custom to the contrary notwithstanding. In case no Appeal made the Highway to be stopped up.

IV. 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.

SCHEDULE to which the foregoing Act refers.

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FORM OF NOTICE.

NOTICE is hereby given, That on the \_\_\_\_\_ Day of \_\_\_\_\_  
 last, an Order was signed by \_\_\_\_\_ and \_\_\_\_\_  
 Two of His Majesty's Justices of the Peace  
 for the West Riding of the County of York, for *[if the Order be for turning, diverting, or stopping up, &c. here so state it, and describe the Road ordered to be turned, diverted, and stopped up; if the Order be for stopping up a useless Road, here so state it, and describe the Road ordered to be stopped up,]* and that the said Order will be lodged with the Clerk of the Peace for the said County, at the General Quarter Sessions of the Peace to be holden at \_\_\_\_\_ in and for the said County on the \_\_\_\_\_ Day of \_\_\_\_\_ next, and also that the said Order will at the said Quarter Sessions be confirmed and enrolled, unless upon an Appeal against the same to be then made, it be otherwise determined.

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