



ANNO QUINQUAGESIMO SEXTO

# GEORGII III. REGIS.

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## Cap. viii.

An Act to provide for the repairing and maintaining of a certain Part of several Roads or Ways, leading from *Woodford* to *Ilford*, in the County of *Essex*, and for shutting up certain other Parts of the said several Roads or Ways. [11th April 1816.]

**W**HEREAS between the Town of *Woodford* in the County of *Essex*, and the Town of *Ilford* in the said County, there are Two public and common Roads or Highways, both leading from the *George Inn* at *Wansted*, in the said County, near adjoining to the North Side of *Wansted Park*, to a certain Gate on the South Side of the said Park, called *The Forest Gate*; one of the said Roads passing through a Gate on the North Side of the said Park, called *Wansted Gate*, and thence through the said Park to the Parish Church of *Wansted*, and from thence directly in front of the Mansion House there, called *Wansted House*, and through other Parts of the said Park, to the said Gate called *The Forest Gate*; and the other of the said Roads passing round the Outside of the said Park, on the West Side of the same Park, from the said Inn called *The George*, to the said Gate called *The Forest Gate*: And whereas the Distance from the said *George Inn* to the said *Forest Gate*, by the Way of the said first-mentioned Road, is by Admeasurement One Mile and Twenty-two Yards; and the Distance, by the said last-mentioned Road, is One Mile and Two hundred and Ten Yards: And whereas there are between a certain Gate on the West Side of the said Park, called *The Bush Gate*, and the said first-mentioned Road through the said Park, Two public Roads or Highways, going round the Basin or Pond of Water in the said Park; the Distance by each of which, from the said Gate to the said Road, is Seven hundred and twenty-six Yards: And whereas the said Road, round the Outside of the said Park, on the West Side of the same Park, hath always hitherto been kept in Repair by the Owners and Occupiers of Estates in the Parish of *Wansted*, and has been commonly used for all public Carriages, Carts, and Waggons; and the said Roads through the said Park, from the said Parish Church of *Wansted* to the said Gate called *The Forest Gate*, and from the said Gate called *The Bush Gate*, round the said Basin or Pond, are not in all respects fit

[Local.]

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The Parish of Wansted shall be exonerated from repairing the Road outside of the Park, which shall hereafter be repaired by the Owners of the Park.

and proper for the Passage of loaded Carts, Waggon, or other public Carriages: And whereas the Old Park of *Wansted* is an ancient Park for the Preservation of Deer, and with Right of Free Warren thereto appertaining, and the shutting up of certain of the said Roads would be advantageous to the Owners of the said Park, by securing to them the more effectual Enjoyment of the Rights to the said Park, appertaining and belonging; in Consideration whereof, they are willing that the Road round the Outside of the Park, on the West Side thereof, from the said Inn called *The George* to the said Gate called *The Forest Gate*, should be repaired and maintained for ever hereafter by the Owner or Owners of the said Park for the Time being: 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 from and after the passing of this Act the said Parish of *Wansted*, and the Owners and Occupiers of Estates therein, and all and every other Person and Persons, other than the Owner or Owners for the Time being of the said Park of *Wansted*, shall be acquitted, exonerated and discharged, and they are hereby acquitted, exonerated and discharged from the repairing and maintaining of the said last-mentioned Road round the Outside of the said Park, on the West Side of the same Park, from the said Inn called *The George*, to the said Gate called *The Forest Gate*, and from all Costs, Charges, and Expences of repairing or maintaining the said Road, any Law, Usage, or Custom to the contrary in anywise notwithstanding; and that the said Road, as the same is herein-after particularly specified and described, that is to say, leading Westward from the said Inn called *The George*, along the Road from *Wansted* to *Laytonstone*, for a Distance of Four hundred and twenty-six Yards, and from thence running Southward to the said Gate called *The Bush Gate*, a Distance of Five hundred and ten Yards, and from thence continuing to run Southward close to the outside Fence on the West Side of the said Park, a Distance of Six hundred and seventy-one Yards, to a Corner of the said Park facing a Lake or Pond called *The Lake House Pond*, and thence running nearly Eastward a Distance of Three hundred and sixty three Yards, to the said Gate called *The Forest Gate*, shall forever, from and after the passing of this Act, be repaired and at all Times well and sufficiently maintained and kept in Repair at the sole Costs, Charges, and Expences of the present Owner or Owners of the Parks of *Wansted*, and of his, her, and their Heirs and Assigns, Owners of the said Park for the Time being; and such Owner or Owners shall be by Law bound to repair and maintain the said Road accordingly; any former Law, Usage, or Custom to the contrary in anywise notwithstanding.

Part of the said Roads through the Park shall be shut up and the Soil vested in the Owners of the Park.

II. And be it further enacted, That from and after the passing of this Act, such Parts of the said first-mentioned Roads or Ways as lead from the newly-erected Iron Gate near *Wansted* Church and pass through *Wansted* Park aforesaid in front of *Wansted* House, and thence through the said Park to the said Gate called *The Forest Gate*, and also the said Two Roads or Ways leading from the said Gate called *The Bush Gate*, round the Basin or Pond in the said Park, and communicating with the said first-mentioned Road (except the Path or Footway, on the North Side of the said Basin or Pond from the said Gate called *The Bush Gate*, in a right Line as near as may be, to the said Church); and each and every of the said Roads or Ways shall be discontinued and shut up, and no longer used as public Roads



Roads or Ways; and that from and after the passing of this Act it shall not be lawful for any Person or Persons at any Time or Times to use, claim, or demand the said Roads or Ways, or either of them, or any Part thereof (except as herein mentioned) upon any Account or Pretence whatsoever, as public Roads or Ways, 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 the said Roads and Ways so discontinued, shall, from and after the passing of this Act, be and become Part of the said Park, and shall be and become vested in the Owner or Owners for the Time being of the said Park called *Wansted Park*, according to his, her, or their respective Estates and Interests in the said Park; and such Owner and Owners respectively shall, from and after the passing of this Act, be seised of the same Roads respectively, according to his, her, or their respective Estates or Interests in the said Park, to all Intents and Purposes whatsoever.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to the public Roads or Carriage Ways leading from the said Gate on the North Side of the said Park called *Wansted Gate*, through Part of the said Park to the newly erected Iron Gate near to the said Parish Church of *Wansted*; nor to the Three Footways or Paths through the said Park hereafter mentioned and specified; that is to say, One Footway or Path in a right Line as near as may be to the said Church on the North Side of the said Basin or Pond of Water, from the said Gate called *The Bush Gate*, on the West Side of the said Park; One other Footway or Path to the said Church from the Head or Western End of a certain Road or Lane called *South Lane* or *Redbridge Lane*, on the North Side of the said Park; and One other Footway or Path to the said Church from the said Road or Lane near the Rectory House; which said Carriage Roads, and the said several Footways or Paths to the said Church, shall remain, continue, and be open, common and public Carriage Roads, and open, common and public Footways and Paths; and also, that for the Convenience of Persons resorting to or returning from the said Church by the said Footway or Path from the said Gate called *The Bush Gate*, a new Gate shall, within Three Calendar Months next after the passing of this Act, be made and set up by the Owner or Owners for the Time being of the said Park; which Gate when so placed and set up shall not be less than Three Feet in Width, and at all Times freely to open, and without any Step, but to be as near the Ground as may be, and without any Covering, Let, or Impediment, whereby the free Passage of His Majesty's Subjects on Foot may at any Time be hindered or obstructed; and the said Roads, Ways, Footpaths and Gate shall be repaired and at all Times well and sufficiently maintained and kept in Repair at the sole Costs, Charges, and Expences of the present Owner or Owners of the Park of *Wansted*, and of his, her, and their Heirs and Assigns, Owners of the said Park for the Time being.

Act shall not extend to certain Roads through Part of the Park from Wansted to the Church, nor to certain Footways.

IV. And be it further enacted, That it shall and may be lawful for the Owner or Owners for the Time being of the said Park called *Wansted Park*, and to and for the several and respective Occupiers of any of the Lands and Grounds through or over which the said Roads or Ways hereby directed to be discontinued as public Roads and Ways 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 as may be by such Owners or Occupiers respectively

Owners may erect Gates where necessary.



respectively thought necessary, upon or over the said Roads or Ways so directed to be discontinued; but not upon or over any or either of the Roads, Ways, Footways, or Paths, which are to continue and be open common and public Roads, and open common and public Footways or Paths, with free Ingress, Egress, and Regress, at all Times, through the Gates and Stiles at the Entrance of each and every of the said Roads and Footways, without any Obstruction or Impediment whatsoever.

Limitation of  
Actions.

V. 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 Fourteen 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, nor after Tender of sufficient Amends hath been made to the Party or Parties aggrieved; nor after the Expiration of Six Calendar Months next after the Fact for or in respect of which such Action shall be brought; 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 if 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 such Period of Six Calendar Months next after the Fact or Cause of such Action shall have arisen, 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, for 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, Judgement 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.

Public Act.

VI. 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.

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