

75

On Her Majesty's Service

WASC 375



WASC 375

Extracts from

" Extracts from the Minutes
of the
Epping and Ongar
Highway Trust "

B. Winstone

WASC 375

J L. Brooke,
With Compliments
from L M Gair
EXTRACTS FROM THE MINUTES NOV 14th 1911

OF THE
EPPING AND ONGAR
HIGHWAY TRUST.

FROM ITS COMMENCEMENT IN 1769 TO ITS TERMINATION
IN 1870.

With Maps and Illustrations.

A CONTRIBUTION TO LOCAL HISTORY.

BY

BENJ. WINSTONE.

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road to Rye Hill in one direction, and in the other to Harrold's Farm, exists in its primitive state. The remains of the other ancient road is a cart track, through the portion of the Forest marked in the ordnance map Wintry Wood.* It runs from the corner of Thornwood Common and Duck Lane to the Ongar Road, and was at one time the high road to London, through Coopersale Common and Abridge.

Britain is said to have been well inhabited at the time of the Roman invasion by Julius Cæsar; and the cause of his interference in the affairs of the Island makes it evident that means of communication existed between distant places.

The counties, Essex and Hertfordshire, have the credit of commencing the history of England. Essex was inhabited by the Trinobantes, and part of Hertfordshire by the Cassii, two powerful tribes. The chief of the latter, Cassivellaunus, whose aggressive policy had deprived several petty princes of their territories, overcame and slew Imanuentius, Prince of the Trinobantes, and, by taking possession of his country, drove his son Mandubratius into exile. It appears that Mandubratius and the other deposed chieftains applied to Cæsar, then in Gaul, for assistance to oppose Cassivellaunus, who, like Napoleon the First, was ever anxious to extend the boundaries of his kingdom.

Cæsar's disciplined army speedily overcame the irregular troops of Cassivellaunus. He, however, being anxious to leave a country where he had experienced much opposition and hard fighting, proposed or accepted terms of peace. One of the conditions was that Mandubratius should be restored to, and remain in undisturbed possession of, his father's kingdom.

Historians have taken very little notice of the internal affairs of Britain during nearly the hundred years following Cæsar's invasion, when its history commences again with the

* Wintry Wood and Wintry Park are placed on the north side of the Harlow Road in Messrs. Chapman & André's map, and also in that drawn for the use of the Trustees of the Ongar and Epping turnpike road. In the Appendix is a deed relating to Wintry Wood.

ACT OF PARLIAMENT CREATING THE EPPING HIGHWAY TRUST.

ANNO REGNI

GEORGI III

REGIS

MAGNÆ BRITANNIÆ, FRANCIÆ AND HIBERNIÆ,

NONO.

At the Parliament begun and holden at Westminster, the Tenth Day of May, Anno Dom. 1768, in the Eighth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c.

And from thence continued, by several Prorogations, to the Eighth Day of November, 1768; being the Second Session of the Thirteenth Parliament of Great Britain.

ANNO NONO

GEORGI III REGIS.

An Act to enlarge the term and powers of two Acts passed in the tenth year of King George the First, and the sixteenth year of His late Majesty, for repairing the road from the north part of Harlow Bush Common, in the parish of Harlow to Woodford, in the county of Essex.

Preamble.

Whereas an Act was made in the tenth year of the reign of King George the First, for repairing the highways from the north part of Harlow Bush Common, in the parish of Harlow, to Woodford, in the county of Essex, which was to continue in force for the term of twenty-one years, from the twenty-seventh day of February, one thousand seven hundred and twenty-three. And whereas the term and powers of the said Act were by an Act made in the sixteenth year of the reign of His late Majesty King George the Second, continued from the expiration thereof for the further term of twenty-one years, and to the end of the then next Session of Parliament, on the conditions therein mentioned. And whereas the money borrowed on the credit of the said Acts, for the repair of the said road, is not all repaid, and therefore and to the end the said road may be continued to be repaired and maintained, it is expedient that the term of the said Acts should be enlarged, and the provisions therein made more effectual. 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 the terms granted by the said Acts shall be, and the same are hereby further continued from the expiration thereof; and also of the additional term of five years, granted by an Act made in the twenty-eighth year of King George the Second, intituled, "An Act to amend an Act made in the twenty-sixth year of His

Recited Acts,
&c., further
continued for
21 years.

present Majesty, intituled, An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto," for and during the further term of twenty-one years, and to the end of the then next Session of Parliament; and that, instead of all other clauses, provisions, tolls, powers, penalties, forfeitures, payments, punishments, rules, orders, matters, and things, in the said Acts contained, the clauses, provisions, tolls, powers, penalties, forfeitures, payments, punishments, rules, orders, matters, and things, in this Act contained, shall for the purposes of repairing, widening, and maintaining the road in the said Acts contained and described, take place and commence upon the first Monday in May, one thousand seven hundred and sixty-nine, and shall continue in force until the expiration of the said further term of twenty-one years, and to the end of the then next Session of Parliament; which said additional term hereby granted, shall be and is hereby made subject to the payment of all money now due and owing upon the credit of the said herein recited Acts, and all interest due and to grow due thereon.

And be it further enacted by the Authority aforesaid, that His Majesty's Justices of the Peace residing and acting in the Hundreds of Harlow and Onger, and Halfhundred of Waltham, in the said county, together with Sir Anthony Thomas Abdy Baronet, Sir Charles Asgill Baronet, William Altham, William Abdy, John Archer, Mark Adston, the Reverend Stotherd Abdy, Jeremiah Acres, Thomas Abrahams, Thomas Adams, Francis Allen, Thomas Appleby, the Reverend Thomas Altham, D.D., the Reverend James Altham Clerk, Samuel Altham, John Archer, Mathew Arbouin, Thomas Adderley, Sir Richard Betenson Baronet, John Blake, Thomas Brand, James Barwick, Robert Boothby, Samuel Bosanquet, William Bosanquet, Jeremiah Benthams, Richard Bull, John Barrow, John Banks, John Bishop, William Broughton, George Bookuk, John Brewett, John Barrow, William Baker, Bramston Baker, Henry Barber, Henry Banks, John Ballard, Champion Bramfill, Denner Bennett, senior, Richard Benyon, Thomas Bishop, Charles Bocock, Samuel Ball, Gnyr Burges, Samuel Butler, Richard Barnard, Robert Bullman, Peregrine Bertie, Sackville Bate, John Boodle, William Gregg Barnston, Francis Bailey, John Brecknock, Jeremiah Benthams, Thomas Blackmore, Nathaniel Bateman, Edward Brome, John Brome, John Shales Barrington, Isaac Moodey Bingham Clerk, Daniel Binckes, John Barrow, George Bull, Adam Brown, William Bevis, Jeremiah Benthams, William Barker, Francis Bayley, James Bigg, Thomas Bridge, William Black, Samuel Bosanquet, Richard Bosanquet, Thomas Berney Branston, John Conyers, John Conyers junior, Sir Richard Chase Knight, Jemmineau Cheveley, George Richard Carter, Jerningham Cheveley, John Lomax Clay, Richard Crabb, Nathaniel Caesar Corsellis, the Reverend Thomas Chapman D.D., the Reverend John Cookson, John Crabb, Richard Collins, William Cole, William Coel, Richard Connop, Thomas Carter, James Collard, Francis Clark, Edward Cox, Edward Carver, Joseph Collins, Thomas Collier, Richard Clarke, Stanes Chamberlyne, John Cousins, William Colhoun, the

Reverend William Cheer Clerk, Nicholson Calvert, Richard Chiswell, William Clinton, Henry Cousins, Henry Cooper, Staines Chamberlayn junior, Henry Crabb, John Dickins, the Reverend William Dearling, Thomas Dew, Charles Dyson, William Dyson, Francis Dickins, Benjamin Duffield, Robert Duck, John Day, Charles Dingley, Samuel Evans, the Reverend Rice Evans, John Edmondson, John Elcock, James Eave, Joseph Ennever, Joseph Eyre, John Eyre, John Elways, John Ellis, Peter Floyer, the Reverend John Fosbrooke, the Reverend George Farran, Thomas Foster, William Ford, John Fisher, Samuel Feake, the Reverend Robert Fowler, John Fisher M.D., John Fisher junior, M.D., Paul Feilde, Ralph Freeman D.D., John Goebell, Richard Gregory, the Reverend William Gould, the Reverend Nathaniel Geering, Robert Goodwin, Robert Gough, William Green, John Gough, James Grove senior, James Grove junior, John Green, Edward Gardiner, the Reverend William Gibson Clerk, Golden Griggs, William Griffin, John Gentry, John Gawler, Bamber Gascoyne, Joseph Gascoyne, Jacob Houblon, Jacob Houblon junior, John Houblon, John Hennicher, Eliab Harvey, Edward Hillersden, Alexander Hamilton, William Hamilton, James Hannot, Thomas Hyde, Thomas Hains, the Reverend John Harris, Richard Holland, John Hantler, Philip Howlett, Joseph Hughes, Daniel Hicks, John Harvey, William Hicks, James Holland, Joseph Hoyer, the Reverend Richard Hind D.D., William Hachman, John Hopkins, John Hookham, George Howland, William Holt, William Heath, Charles Harris, Thomas Heath, John Hookham, Charles Hancock, Joseph Hughes, Thomas Heslerige, Higgons, Sir Conyers Jocelyn Baronet, William Jones, William Jaques, Arthur Jones, Thomas Jessop, William Jillett, William Jackson, George Jackson, Robert Jocelyn, Edward Johns, John Jones, the Reverend Walter Kerrick, the Reverend Charles Kippax, John Kent, John King, John King, Joseph Douglas Knight, Robert Kinscote, Sir James Long Baronet, John Luther, John Roger Lawton, Richard Lockwood, John Leachman, the Reverend William Lockwood, the Reverend John Lindsay, Mathew Law, George Lee, the Reverend Thomas Lipyeatte, the Reverend Jonathan Lipyeatte, John Lockwood, Edward Langford, the Reverend Lawrence, John Law, William Lukin, George Lake, John Lake, Sir William Maynard Baronet, Massey Morley M.D., Carew Mildmay, Robert Moxon, William Molleson, John Mullox, Thomas Mansfield, William Marden, Thomas Martin, Abraham Millbank, Thomas Millbank, Philip Martin, Milward of Nasing, Robert Martin, William Milles, William Masterman, Nash Mason, Anthony Merry, Francis Mitten, Thomas Milward, William Mollison, Mathew Martin, James Noel, Martin Noel, William Naylor, the Reverend Natt Clerk, Miles Nightingale, John Nanfan, Thomas Oliver, Edward Parker, Richard Prince, John Prince, the Reverend John Pooley, James Palmer, Richard Palmer, Thomas Parker, John Plumb, Samuel Playle, Mathew Playle, Heyman Prescott, Peter Pain, Edward Parson, Edward Parson junior, William Plumer, William Poole, John Pitkin, John Pincent, George Parris, William Parris, Richard Parris, John Raymond, Charles Raymond, the Reverend Philip Rosenhagen, William Rogers, William

Rogers, John Russell, John Rigg, Mathew Raper, John Raper, William Rivitt William Robertson, John Redington, James Rayment, Sir Charles Smyth Baronet, George Scott, Thomas Scott, William Southby, Barrow Starmingsford, Charles Selwyn near Harlow, Andrew Searle, the Reverend William Smyth, the Reverend Thomas Smith, James Streeter, Thomas Grubb Stacey, Thomas Stacey, John Searle, John Squirrell, Nymphas Stace, James Sedgwick Mathew Scott, Thomas Shirley, Charles Smith, the Reverend William Salisbury Clerk, the Reverend Francis Stanley, the Reverend Thomas Salt, William Smyth, the Reverend William Sclater, Nathaniel Smith, Thomas Selwin, William Sotheby, Samuel Southhouse, Robert Speed, James Scrubby, Joshua Scrubby, John Strut, Joseph Smith, Richard Stanley, the Reverend Francis Stanley the younger, Richard Salway, the Right Honourable John Earl Tilney in the Kingdom of Ireland, Frederick Tensh, Anthony Todd, the Reverend Robert Tooke, the Reverend James Trebeck, Thomas Trapp, Swan Tabram, Samuel Thompson, Thomas Towers, Abraham Thorogood, James Turvin the Reverend Charles Torriano, Sir Thomas Spencer Wilson Baronet, Sir William Wake, Thomas Walton, Boucher Walton, Sir Edward Walpole Knight of th Bath, the Reverend Thomas Wayte, the Reverend Henry Wray, Thomas Winspear, Thomas Weaver, Richard Wright, Richard Waylett, Patrick Worters, Samuel Willingall, Michael Welch, Bartholomew Wright, George Wright, Jacob Wright, John Warner, Richard Wright, Godfrey Webster, Thomas Wright, Thomas Watton, John Arnold Wallinger, Ralph Winter, the Reverend Edward Wise Clerk, the Reverend Samuel Wise, John Walker Clerk, John Wenham, Edward Wise, Isaac Whittington, James Wyatt, White, George White, Thomas Wolfe, the Honourable Charles Yorke, John Young, Thomas Young and their successors, to be elected in manner herein after mentioned, are hereby appointed Trustees for repairing, widening, and keeping in repair, the said road from the north part of Harlow Bush Common, in the parish of Harlow, to Woodford, in the county of Essex, and for putting in execution all other the Powers by this Act given.

Provided nevertheless, and be it further enacted by the authority aforesaid, that no person shall be capable of acting as a Trustee in the execution of this Act, unless he shall be in his own right, or in the right of his wife, in the actual possession or receipt of the rents and profits of lands, tenements, or hereditaments, of the clear yearly value of fifty pounds, above reprises; or possessed of a personal estate of the value of one thousand pounds; or shall be heir apparent of a person possessed of an estate in lands, tenements, or hereditaments, of the clear yearly value of one hundred pounds: and if any person, not being so qualified shall presume to act contrary to the intent and meaning hereof, every such person shall, for every such offence, forfeit and pay the sum of fifty pounds to any person or persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by action of debt, or on the case, or by Bill, suit, or information, wherein no essoin, protection, or wager of law, or more than one imparlance shall be allowed; and every person so prosecuted shall prove

Qualification
of Trustees.

etc., in Waltham Holy Cross, Nazing, Epping, and other places in co. Essex.

Dated the twelfth day of February, in the third year of Queen Elizabeth (A.D. 1561).

Fragment of the Queen's seal of the Court of Common Pleas.

(British Museum : Harley Ch. 75 E., 34.)

Latin.

XL.

Royal Letters Patent of Queen Elizabeth, whereby licence is granted to Henry Denny, esquire, and Honora, his wife, to alienate to John Dodyngton and William Nele, gentlemen, lands in Nazing, Waltham St. Cross, Eppyng, and elsewhere in co. Essex, which they hold of the Queen in chief.

Dated the seventh day of September, in the third year of Queen Elizabeth (A.D. 1561).

First great seal of the Queen.

(British Museum : Harley Ch. 75 H., 10.)

Latin.

XLI.

An Indenture quinquupartite between Henry Denny, and Honor, his wife of the first part; John Dodyngton and William Nele, gentlemen, of the second part; John Tamworth, of London, one of the Grooms of the Chamber, of the third part; William ffenscliffe, gentleman, of the fourth part; and Robert Hall, of Nasinge, co. Essex, gentleman, of the fifth part, concerning the division of lands in the Manor of Waltham Holy Cross, and among them Nasing Wood, containing by estimation six hundred acres in the parishes of Nasing and Eppinge.

Dated the seventh day of October, in the third year of Queen Elizabeth (A.D. 1561).

Six seals, and the signatures of the parties.

(British Museum : Harley Ch. 79 F., 13.)

English.

XLII.

An Indenture, by which John Tamworth, of London, esquire, sells to John Searle, of Epping, co. Essex, yeoman, the underwood, crops, lops, etc., in Wyntrie Park and Wyntrie Common, lately belonging to the Monastery of Waltham Holy Cross, co. Essex, which said underwood, etc., the said John Tamworth held on lease for thirty-one years of the Duchy of Lancaster.

Dated the nineteenth day of May, in the seventh year of Queen Elizabeth (A.D. 1565).

Seal in red wax.

(British Museum: Harley Ch. 80 F., 24.)

English.

This Indenture made the nynetenth daie of Maye in the Seaventh yere of the Regne of our Soueraigne lady Elizabeth by the grace of God Quene of England ffrance and Ireland Defendour of the faithe, etc., Betwene John Tamworth of london esquier one of the Chief Gromes of the quenes hignes pryue Chamber on the one partie, And John Searle of Epping in the Countie of Essex yoman on the other partie, WITNESSETH that whereas our saide soueraigne ladye quene Elizabeth by Indenture under the seale of her duchie of lancaster made betwene her hignes on the one partie, and the saide John Tamworth by the name of John Tamworth Esquier one of the chief Gromes of her hignes pryue Chamber on the other partie bearing date the Twelveth daie of Maye in the fyveth yere of her hignes Reigne for the consideracion therin specified by thadvise and Counsell of her Chauncellour and counsell of her saide Duche dyd bargayne sell gave and graunte absolutely to the saide John Tamworth his Executours and assignes all the vsuall and fallable woods and vnderwoodes cropps lopps Bussches and all olde storven hornebeames growing within and vpon the woodes called Wyntrie parke and Wyntrie comon otherwise called Wyntrie wood with thappurtenaunces and of in or vpon every or any parte or parcell of the same to be cutt felled shredd Lopped or cropped in seasonable tyme within Thirtie and one yeres next after the feast of Seynt mighell tharchaungell next ensuyng the date of the saide Indenture, which saide woodes and premisses lately dyd apperteyne and belonge to the late dissolved monastery of Waltham holy crosse in the saide Countie and by force of a certeyne acte of parlyament amonges other thinges to the saide Duchie were lately vnyted and annexed and now are parcell of the saide Duchie in the saide Countie of Essex and also do conteyne in the hole one Hundreth and Threescore acres more or lesse besydes the wayes and voide grounde within the same. AND ALSO the saide quenes hignes by the saide Indenture dyd dymyse graunte and to ferme lett to the saide John Tamworth all maner of proffittes and advauntages of the agistment and grasse growing within and vpon the aforesaid Wyntrie parke during the terme hereafter expressed Excepte and alwayes reserued to the saide quenes majestie her heires and Successours Syx score Oken Stathelles somtyme Doble merked called Oke Stathelles. The bodyes of all horne beames that be not Storven which be there standing and growing at the date of the saide Indenture. To

John Tamworth -

*This family were the founders
of the Powder Mills at Waltham*

HAVE HOLD TAKE and enioye as well the saide vnderwoodes loppes croppes and Shreadinges before by the saide former Indenture bargayned and solde, To be felled cut downe and taken within the saide woodes and either of them Excepte before excepted, As also the saide agistment and grasse growing within the saide wyntrie parke to the saide John Tamworth and his assignes from the feast of Saint Mighell Tharchaungell next ensuyng the date of the saide Indenture vnto the full end and terme of one and Thirtie yeres from thence next folowinge and fully to be complete and ended, YELDING AND PAIENG therefore yerely to the saide quenes majestie her heires and successours the Some of ffortie shillings of good and lawfull money of England at the feastes of Easter and of Seynt Mighell tharchaungell by even porcons to be payde during the saide terme As by the saide Indenture thereof made amonges dyvers other covenantes grauntes rehersalles and clauses ther in comprised more playnely at large it doth and maye appeare, THE SAIDE John Tamworth for and in consideracon of the some of Three hundreth poundes of lawfull money of England to him by the saide John Searle in hand at thensealling of thies presentes paide whereof the saide John Tamworth knowlegeth him selfe well and truely contented and paide, And thereof and of euery parcell thereof dothe clerely acquite and discharge the saide John Searle his Executours and adminstratours by thies presentes HATH bargayned solde aliened Assigned and sett over. And by thies presentes doth fully and clerely bargayne sell aliene assigne and sett over vnto the saide John Searle as well the saide Indenture vnder the seale aforesaid, As also all the estate right title interest demaunde possession benefite and terme of yeres which the saide John Tamworth hath should ought or myght have of in and to the saide woodes vnderwoodes loppes croppes Shreadinges agistment and grasse and all other thinge and thinges to him the saide John Tamworth bargayned solde or graunted by the saide former Indenture by force of the saide Indenture or otherwise To HAVE HOLDE TAKE and enioye the saide former Indenture and terme of yeres and all the saide estate right title interest and demaunde yetto come of the saide John Tamworth and all the premises with thappurtenaunces Excepte before excepted vnto the saide John Searle his Executours and assignes from the daie of the date hereof during all the Resydue of the yeres which be yetto come of the said terme of Thirtie and one yeres comprised in the saide former Indenture in like and in as large ample and beneficiall maner and forme to all intentes respectes and purposes in every thing as the saide John Tamworth his Executours or assignes or any of them shoulde or ought to have had taken or enioyed the premisses by vertue of the saide former Indenture or any thinge ther in conteyned or otherwise by any meanes yf thies presentes had never bene had ne made AND THE SAID John Tamworth for him his Executours and Administra- tours Covenanteth and graunteth to and with the saide John Searle his Executours and assignes by thes presentes, that the saide Indenture of lease and terme of yeres and the saide woodes vnderwoodes and all and singuler other the premisses to him the saide John Tamworth bargayned sold or graunted by the saide former Indenture and euery parte and parcell there of be the daie of the date hereof and at thensealling and delyuerye of thies presentes shalbe clerely discharged and exonerated of and from all former bargaynes sales leasses giftes grauntes arrerages of rentes reentries forfeitures and of and from all other charges and encombraunces whatsoever had made or don by the saide John

Tamworth or any other for him or in his name. The rent covenantes and charges wherewith the premisses bene charged by force of the saide Indenture of leasse due and hereafter to be due, paide and performed according to the tenour of the saide former Indenture onely excepte and foreprised, And that the saide John Searle his Executours and assignes paieng the saide yerely Rent of ffortie shillings according to the tenour of the saide former Indenture, And doying and performyng the other covenantes grauntes and clauses expressed in the same Indenture which on the partie of the saide John Tamworth his Executours or assignes are to be performed and kepte shall or may from hensforth peasably and quietly have holde take occupie and enioye all and singuler the premisses by thies presentes bargayned solde or graunted and every parte and parcell thereof according to the effecte and true meanyng of the saide former Indenture and thies presentes except in the saide former Indenture excepted without lett trouble interupcon or disturbaunce of the saide John Tamworth his Executours administratours or assignes or any of them or of any other persone or persones by his or their assent meanes or procurement in any wise, And that the saide John Tamworth from tyme to tyme vpon request to him made by the saide John Searle his Executours or assignes shal shewe his lafull favour in that he maye lafully do withoute his preindise towards the saide John Searle his Executours or assignes touching the quiett having and enioyeing the premisses according to the tenour of thies presentes yf any suche nede require during the saide terme without frawde or covyn, AND FURTHER THE SAIDE John Searle for him his heires Executours and assignes covenanteth and graunteth to and with the saide John Tamworth his Executours and administratours by thies presentes, That he the saide John Searle his executours and assignes at his and there owne proper costes and charges shall clerely acquite discharg or otherwise save harmeles the saide John Tamworth his heires Executours administratours landes Tenementes goodes and Catteltes agaynst the quenes majestie her heires and successors and all other persone or persones as well of and for all suche Rent covenantes grauntes and charges as be conteyned in the saide former Indenture which on the partie of the saide John Tamworth his Executours or assignes were or are to be performed paide or kepte according to the tenour of the saide former Indenture, IN WITNES whereof the saide parties to thies Indentures interchaungably have setto their sealles yoven the daie and yere first above written.

Endorsed :—"John Searle for Wyntry Park."

(British Museum : Harley Ch. 80 F., 24.)

XLIII.

IN THE YEAR 1683.—THE MANOR OF EPPING.

The counterpart of the Indenture Quadripartite between Ford Grey, Lord Grey Baron of Warke, Richard Neville, of Billingbeare, co. Berks, and Henry Ireton, of Gray's Inn, of the first part; the Hon. Ralph Gray, of the second part; Sir Henry Johnson, of Blackwall, knight, of the third part; and the Hon. Roger North, of the Middle Temple, Sir Michael Heneage, of St. Giles in the