

On Her Majesty's Service

WASC 310



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1904

Waltham Fisheries
Lea Conservancy

Copy

Correspondence
with Land Revenue
Record Office

Major Draxton

Treasury Solicitor
276 Royal Courts of Justice

Treasury Solicitors Department
Law Courts Branch
276 Royal Courts of Justice
7th October 1904

Sir

Waltham Fisheries

River Lee

In this case I am acting on behalf of the War Department in ascertaining their rights to the fishery in the old River Lee near Waltham Abbey - It appears that in the year 1881 the War Office were in correspondence with the Public Record Office and subsequently with you with a view of tracing certain old grants relating to the Manors of Waltham and Sewardstone. - I enclose a copy of this correspondence for your information. - I shall be glad if you will look up the papers in your possession and see whether you have any record of the matters referred to and also whether you have a copy of the Inquisition referred to in Mr Hewlett's letter of the 27th October 1881 - I should be glad to have translations of all the documents as well as the copies if you have them or can obtain them for me

The point with which I am at present dealing is the boundary of the county of Essex and consequently the boundary of the Manor of Waltham Holy Cross - It is suggested that the boundary of the county of Essex runs in the middle of the old River Lee and I am endeavouring to find out what was the state of the boundary near Waltham Abbey in or about the years 1795 and 1808 and I think the inquisition referred to in Mr Hewlett's letter may help me and also give some valuable information as to the origin of the fishing rights in the River Lee.

I should be glad if you could refer me to any old maps of the counties of Middlesex and Essex about this period which might throw some light on the boundary

The fishing was conveyed to the Crown in the year 1795 by one John Walton in the following words "All that water or fishing commonly called or known by the name of Losnore or Fishers Wear with all the Ozer grounds thereunto belonging or appertaining lying or being between Hallelfield Marsh Bridge and the Black Ditch in the said Parish of Waltham Holy Cross in the said County of Essex" and it appears from the earliest Title Deeds in the possession of the War Department that this Fishery was conveyed in the said words on the 21st June 1692 by Thomas Burgh Esquire and Thomas Lyng to James Bateman - It is desired if possible to trace this title further back than 1692 and find the original grant of the fishery which it is assumed must have been granted to the predecessors of Thomas Burgh and Thomas Lyng probably to the Abbot of Waltham by either The Lord of the Manor who was one of the Penny family or by the Crown.

But was not the
Abbot the Lord of the
Manor?

It appears from Mr. Hewlett's letter that in the claims of liberties made by the Lords of the Manor of Waltham at the Eyres held for Oppung Forrest in the reigns of Charles I and Charles II the enjoyment by the Abbey under the Royal Charters granted to it of all fishing rights is relied upon as one of the grounds of their Titles confirmed to them by the clauses of the grant of Edward VI

I should be glad of any information you may possess as to the Royal Charters and whether any of them purport to grant Fishery rights to the Abbots of Waltham and if possible to get me copies and

translations

I shall also be much obliged by any
information on the subject

I am Sir

Your obedient servant

E. M. Reid

for Treasury Solicitor

The Keeper of the Records

Land Revenue Record Office

St Stephens House Westminster

Public Record
Office

14th October 1904

Dear Sir

27 Oct 1881

With reference to your letter of the 7th instant addressed to the Keeper of the Land Revenue Records on the subject of a Fishery in the River Lea I beg to inform you that the Grants referred to in Mr H. G. Hewlett's letter of the 19th September 1881 are of great length and a considerable amount of discretion will have to be exercised in selecting and rendering complete such extracts as relate to the Manor of Waltham. This has probably already been done by Mr Hewlett who was at that time acting as the Record Agent for the Crown and if the "translated extracts" to which he refers could be supplied to us it would greatly facilitate the making of the certified copies from the originals. Translations are not made officially and for these or for any further searches you require it would be necessary for you to apply to Mr R. E. G. Kirk of 27 Chancery Lane who now acts for the Crown in the place of the late Mr Hewlett.

The Inquisition referred to in Mr Hewlett's letter has been found and a copy of it will be made in due course. I have also found amongst the Domestic State papers two rough maps of the course of the River Lea which might be of service.

I should be glad to show you these if you would be good enough to call here any day next week between 11 and 1.30.

I am dear Sir

Yours faithfully

S. R. Scargill. Bird

E. M. Reid Esq.

Treasury Solicitor's Department

Secretary