

436

On Her Majesty's Service

WASC 436

Mr McLaren



WASC 436

With the Compliments of

The Treasury Solicitor
(Miss A Corbishley)

436.

DATED

14th August

1795

JOHN WALTON, Esq.

- to -

HIS MAJESTY

Copy

R E L E A S E

of Powder Mills and premises situate
at Waltham Abbey and Barking Creek
in the County of Essex.

Treasury Solicitor,
Storey's Gate,
Westminster, S.W.1

T H I S I N D E N T U R E made the 14th day of August in
the 35th 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 in the year of our Lord
1795 B E T W E E N JOHN WALTON of Upper Seymour Street
in the Parish of St. Mary le bone in the County of Middlesex
Esqre (Nephew and heir at law and also devisee in fee and sole
executor named and appointed in and by the last Will and
Testament of James Walton late of Newman's Court Cornhill in
the City of London Esqre deceased and likewise eldest son and
heir at law of William Walton late of Burgh Castle near
Yarmouth in the County of Norfolk Esqre deceased who was the
eldest son and heir at law of Philippa Walton Widow deceased
and which said John Walton is likewise the Nephew and legal
personal representative of Philippa Walton Ann Walton and
Elizabeth Walton Spinsters Daughters of the said Philippa
Walton Widow all deceased) of the one part and HIS MOST
EXCELLENT MAJESTY OUR SOVEREIGN LORD KING GEORGE THE THIRD
of the other part W H E R E A S the principal officers
of His Majesty's Ordnance did some time in the year 1787, for
and on behalf of His Majesty contract and agree with him the
said John Walton for the absolute purchase of the freehold
and inheritance in possession of and in the several powder
mills messuages lands tenements islands or ozier grounds
hereditaments and premises situate at Waltham Abbey in the
Parish of Waltham Holy Cross in the County of Essex herein-
after particularly mentioned and described Subject to the
claims of Sir William Wake his heirs and assigns and of Thomas
Jessop his heirs and assigns to certain easements to which
they claim a title to and also of and in the hereditaments and
premises situate at Barking in the said County of Essex here-
inafter also particularly mentioned and described at or for
the price or sum of £10,000 of lawful - - - - - - - -

money of Great Britain and did thereupon (by and with the
privity and consent of the said John Walton) take possession
thereof for His Majesty's use and have ever since received
and enjoyed the Rents Issues and Profits thereof but no
Conveyance of the said Hereditaments and premises was then
executed by the said John Walton by reason of certain
Objections made by or on behalf of the said Principal Officers
touching the title of the said John Walton to some parts of
the said hereditaments and premises and until such Objections
should be removed it was proposed and mutually agreed that
the said sum of £10,000 should be issued out of the Treasury
of His Majesty's said Office of Ordnance and invested in the
purchase of Stock and that the Dividends of such Stock should
in the mean time be paid to or received by the said John
Walton A N D WHEREAS in pursuance of the said Agreement
the said sum of £10,000 was in or about the month of January
1789 issued accordingly and laid out and invested in the
purchase of £13,628. 12. 6d. Three per cent Reduced Annuities
in the joint names of the said John Walton William Smith
Esquire (Treasurer of the said Office of Ordnance) and
Augustus Rogers Esquire (then Secretary to the said Board
of Ordnance but since deceased) and the Dividends thereof
have been from time to time retained and received by the said
John Walton A N D WHEREAS the said Objections so made to
the said Title of the said John Walton have been by him
lately removed or satisfactorily indemnified against and in
consequence thereof the said Stock hath by and with the
consent and direction of the said Principal Officers been
this day transferred and assigned by them the said John
Walton and William Smith (surviving Trustees as aforesaid)
unto and in the proper name of the said John Walton for his
own use and benefit which he the said John Walton doth hereby
acknowledge and declare N O W THIS INDENTURE WITNESSETH
that in pursuance of the said contract and of such subsequent

proposal and mutual agreement as aforesaid and for the considerations aforesaid and which the said John Walton doth hereby acknowledge to be in full for the absolute purchase of the Fee Simple and Inheritance in possession of and in the said hereditaments and premises with the appurtenances hereinafter particularly mentioned and described and of and from the same and every part thereof doth acquit release and discharge as well the said Principal Officers and their Successors Principal Officers of the Ordnance for the time being as also his said Majesty his Heirs and Successors for ever by those presents He the said John Walton Hath granted bargained sold aliened released and confirmed And by these presents Doth grant bargain sell alien release and confirm unto His said Majesty (in his actual possession now being by virtue of a Bargain and Sale to him thereof made by the said John Walton in consideration of Five shillings by Indenture bearing date the day next before the day of the date of these presents for one whole year commencing from the day next before the day of the date of the same Indenture and by force of the Statute made for transferring uses into possession) and to his Heirs and Successors ALL THOSE three Powder Mills wrought by three wheels heretofore

1. an Oil Mill and a Messuage or Dwellinghouse with the appurtenances and the several outhouses used for the working corning and drying Gunpowder and all the outhouses and edifices to the said Mills and Dwellinghouses belonging heretofore in the tenure or occupation of Ralph Hudson and Nicholas Falcon successively and afterwards in the possession of the said Philippa Walton Widow deceased her undertenants or
2. assigns And also ALL THAT close abutting East upon Thrushings Lane leading to the aforesaid premises containing by estimation 3 roods and 30 perches or thereabouts be the same more
3. or less And also ALL THAT close adjoining to the said Mills containing by estimation half an acre or thereabouts and the

- Banks on each side of the River containing together by estimation one acre and an half or thereabouts And all those two Islands or Ozier Beds containing together one rood or
4. thereabouts together with the water of the River to the said Powder Mill and premises belonging and appertaining commonly called or known by the name of the Fulling Mill River extending itself in length from the Lock above the said Mill at the North end of a Mead or Meadow there called Edmondsy Mead and formerly called the Fulling Mill Lock unto the said Mills and beneath the said Mills unto the River there heretofore called Mr. Blett's and afterwards Mr. Raddon's River together with the aforesaid Lock or the water passage and the fishing and Liberty of Fishing in the said River And also ALL Tythes and Tenths happening coming growing or renewing in or out of the said hereby granted and released Mills Lands and premises or any part thereof formerly belonging to the Parsonage or Vicarage of Waltham Holy Cross in the said County of Essex
 5. And also ALL THAT Field or Close now or heretofore called or known by the name of Rushfield alias Hooksfield containing
 6. by estimation 7 acres or thereabouts And also all that Field or Close now or heretofore called or known by the name of Sheepcoat Field otherwise Fair Field containing by estimation 10 acres or thereabouts heretofore in the occupation of John Bell his undertenants or assigns and which said two Fields or Closes or some part thereof were some time since converted into four closes and were heretofore in the tenure or occupation of Mary Bell her assigns or undertenants all and every of which said Mills closes lands and premises are situate lying and being in the said Parish of Waltham Holy Cross in
 7. the said County of Essex And also ALL THAT Powder Magazine together with the Cooperage and a messuage or tenement used as a dwellinghouse of him the said John Walton situate and being on the East side of Barking Creek in the Parish of Barking in the said County of Essex together with the yards

and appurtenances thereunto belonging and which for many years past have been held by the said John Walton and his ancestors as their share and allotment upon a partition which was made of a large piece of ground and Buildings and of which the Ancestors of the said John Walton were entitled to one undivided fourth part such partition having been made in pursuance of a Decree of the High Court of Chancery bearing date on or about the 3rd day of May 1737 in a Cause wherein Thomas Pearse and Robert Norman were Plaintiffs and the said Philippa Walton Widow John Walton Bythia Fogg and Catherine Fogg were

8. Defendants And also ALL THAT messuage or tenement situate lying and being in West Street in Waltham Abbey aforesaid abutting South on the said Street and East West and North on the Powder Mill Stream and all Barns Stables Buildings Yards Gardens Orchards Backsides Closes Lands and Appurtenances to the said Messuage or Tenement belonging or in anywise appertaining or therewith usually held occupied or enjoyed
9. And also ALL THAT plot of Meadow Ground containing by estimation 1 acre more or less abutting North on the said Street over against the said Messuage or Tenement and East on the said Stream and South on the main river and which said messuage or tenement piece of Meadow Ground and premises were formerly in the tenure of William Dean and James Logg And also
10. ALL THAT water or Fishing commonly called or known by the name of Cosnore or Fisher's Wear with all the Islands or Ozier Grounds thereunto belonging or appertaining lying and being between Hallefield Marsh Bridge and the Black Ditch in the said Parish of Waltham Holy Cross in the said County of Essex (that is to say) All that Island or Ozier Ground that lyeth West of the River of Lee and is bounded on the East and North by the said River and on the South and West by Frithy Mead
11. containing by estimation seven poles And also ALL THAT Island or Ozier Ground that lieth west of the said river of Lee and is bounded East and North by the said river and South and West

- by Frithy Mead containing by estimation 24 poles And also
12. ALL THAT Island or Ozier Ground bounded by the said River of Lee on the West North and South and on the East by a Meadow belonging to Fisher's Farm containing by estimation 1 rood
 13. and 6 pole And also ALL THAT Island or Ozier Ground bounded by the said River of Lee on the East and North and on the West and South by a Meadow belonging to Hookes Farm containing
 14. by estimation four pole And also ALL THAT Island or Ozier Ground bounded by the said River of Lee on the East and on the North and West by Hooke's Marsh and on the South by the Powder Mill Lock containing by estimation 2 roods And also
 15. ALL THAT Island or Ozier Ground bounded by the said River of Lee on the West and North and on the East and South by North
 16. Mead containing by estimation 43 pole And also ALL THAT Island or Ozier Ground bounded by the said River of Lee on the South and West and on the East and North by North Mead
 17. containing 14 pole And also ALL THAT Island or Ozier Ground bounded by the said River of Lee on the East and North and on the West and South by Edmondsey Mead containing by estimation
 18. 14 pole And also ALL THAT Island or Ozier Ground bounded by the said River of Lee on the West and on the North East and South by North Mead containing by estimation 20 pole
 19. And also ALL THAT Island or Ozier Ground bounded by the said River of Lee on the East and on the West North and South by Edmondsey Bank containing by estimation five pole And also
 20. ALL THAT Island or Ozier Ground bounded on the North by Waltham North Marsh on the West by the Common Marsh on the South and East by a parcel of Ground called Waltham Hoppitt and Waltham North Marsh aforesaid containing by estimation
 21. 1 acre and 2 roods And also ALL THAT Island or Ozier Ground bounded on the West by the Common Marsh aforesaid and on the South East and North by Waltham Hoppitt aforesaid containing
 22. by estimation 3 roods and 8 pole And also ALL THAT Island or Ozier Ground bounded on the West by the aforesaid River of Lee

- and on the North East and South by a certain Meadow heretofore belonging to the Heirs of Edward Greene containing by estimation 2 rood and 20 pole And also ALL THAT Island or Ozier
23. Ground bounded on the West by the aforesaid River of Lee on the North by the Meadow late Edward Greene's aforesaid on the East by Town Mead and on the South by Cobbin Brook
24. containing by estimation 2 acres And also ALL THOSE fishings and Watercourses of that Wear upon the said River called Hooke Wear with all and singular their and every of their appurtenances to the said premises or any part thereof belonging or appertaining or in whatsoever other situation state plight or condition, the said Wear Fishery Islands and premises or any part or parts thereof may by length of time and the currency and effluxion of the said River or otherwise be now in all which premises are situate lying and being in the Parish of Waltham Holy Cross alias Waltham Abbey in the County of Essex aforesaid and were some time parcel of the Demesne of or belonging to the Manor of Waltham and were heretofore in the tenure or occupation of Boulton Widow William Jones and Peter Hudson their assigns or under-
25. tenants And also ALL AND SINGULAR other the Powder Mills messuages or tenements Dwellinghouses Warehouses Lands Meadows Closes Tithes Fishings Islands or Ozier Grounds Hereditis and premises of him the said John Walton (party hereto) situate at Waltham Abbey and Barking aforesaid or either of them Together with all and singular the Buildings erections and Improvements now standing and being thereon and made thereto by whatsoever name or names Metes Bounds quantities or Descriptions the same or any part thereof now are or is or at any time heretofore have or hath been known called or distinguished and all Houses Outhouses edifices Buildings yards Gardens Orchards Stables Woods Underwoods and the Ground and Soil thereof Hedges Ditches Mounds Fences Waters Watercourses Ways Paths Passages Liberties Immunities

privileges profits commodities Rights Easements advantages
emoluments and appurtenances whatsoever to the said several
Powder Mills messuages or tenements dwellinghouses warehouses
lands meadows closes tithes Fishings Islands or Ozier Grounds
hereditis and premises belonging or in any wise appertaining
or therewith now or at any time heretofore held used occupied
or enjoyed or accepted reputed deemed taken or known as part
parcel or member thereof or of any part thereof and the
reversion and reversions remainder and remainders yearly
and other rents issues and profits thereof and of every part
thereof and all the estate right title interest inheritance
use trust property possession claim and demand whatsoever
both at law and in equity of him the said John Walton of in
to or out of the said several Powder Mills Messuages or
tenements dwellinghouses Warehouses lands meadows closes
Tithes Fishings Islands or Ozier Grounds hereditis and
premises or any of them or any part or parcel thereof and
also all Deeds Muniments and Writings whatsoever relating to
or concerning the same hereditaments and premises or any
of them or any part thereof now in the custody or power of
him the said John Walton or which he can come at or procure
without suit at law or in equity TO HAVE AND TO HOLD the said
several Powder Mills messuages or tenements dwellinghouses
warehouses lands meadows closes tithes Fishings Islands
or Ozier Grounds hereditaments and premises hereby granted
and released or mentioned or intended so to be with their
and every of their appurtenances unto His said Majesty his
heirs and successors To and for the only proper Use and
Behoof of His said Majesty his heirs and successors for ever
AND the said John Walton doth hereby for himself his heirs
executors and admors covenant promise and agree to and with
his said Majesty his heirs and successors in manner following
(that is to say) that (for and notwithstanding any act deed
matter or thing whatsoever by the said John Walton or any of

his ancestors heretofore had made done committed or executed or knowingly permitted or suffered to the contrary) he the said John Walton now at the time of the sealing and delivery of these presents is and standeth lawfully and rightfully seized of and in the said several Powder Mills messuages or tenements dwellinghouses warehouses lands meadows closes tithes Fishings Islands or Ozier Grounds hereditaments and premises hereinbefore mentioned and intended to be hereby granted and released with their and every of their appurtenances of a good sure perfect absolute and indefeasible estate of inheritance in Fee simple in possession without any condition contingent proviso trust power of revocation or limitation of use or uses or any other matter restraint or thing whatsoever to alter change charge revoke defeat incumber or make void the same And also that for and notwithstanding any such act deed matter or thing as aforesaid he the said John Walton now hath in himself good right full power and lawful and absolute authority to grant release and convey the said several Powder Mills messuages or tenements dwellinghouses warehouses lands meadows closes tithes Fishings Islands or Ozier Grounds hereditaments and premises with their and every of their appurtenances unto and to the use of His said Majesty his heirs and successors according to the true intent and meaning of these presents AND FURTHER that it shall and may be lawful to and for His said Majesty his Heirs and Successors from time to time and at all times hereafter peaceably and quietly to enter into and to have hold use occupy possess and enjoy the said several Powder Mills messuages or tenements dwellinghouses warehouses lands meadows closes tithes Fishings Islands or Ozier Grounds hereditaments and premises hereby granted and released or mentioned and intended so to be and every part and parcel thereof with the appurtenances and to receive and take the rents issues and

profits thereof to and for his and their own use and benefit
without any the lawful let suit trouble denial eviction
interruption claim or demand whatsoever of from or by him
the said John Walton his heirs or assigns or of from or by
any other person or persons whomsoever having or lawfully
or equitably claiming or to claim any estate right title
trust or interest of in to or out of the same several premises
or any of them or any part thereof by from under or in trust
for him the said John Walton or by from or under any of his
ancestors and that free and clear and freely clearly and
absolutely acquitted exonerated and discharged or otherwise
by him the said John Walton his heirs executors or admors
well and sufficiently saved defended kept harmless and
indemnified of from and against all and all manner of former
and other gifts grants bargains sales leases mortgages
assignments jointures dowers thirds right and title of dower
and thirds uses trusts wills intails statutes recognizances
judgments extents executions annuities rents arrears of rent
surrenders forfeitures reentries cause and causes of forfeiture
and reentry and of from and against all and singular other
estates titles charges and incumbrances whatsoever had made
done committed occasioned or suffered by the said John Walton
or any of his ancestors or any other person or persons
claiming or to claim by from through or under him or them or
any of them or by from or through his their or any of their
act deed means assent privity or procurement (save and except
the claim of Sir William Wake his heirs and assigns to certain
easements heretofore enjoyed by the said John Walton and his
ancestors at a yearly rent and the right of Thomas Jessop his
heirs and assigns to certain other easements heretofore enjoyed
by the said John Walton and his ancestors at a yearly rent and
save and except the repairing the Bridge near the House of the
said Thomas Jessop and which rents and the said repairs and

all other charges to which the premises hereinbefore mentioned and hereby released or intended so to be may be liable the said Principal Officers for and on behalf of his Majesty have agreed to take upon themselves) AND moreover that he the said John Walton and his Heirs and all and every other person and persons having or lawfully or equitably claiming or who at any time or times hereafter shall or may have or lawfully or equitably claim any estate right title interest use trust or demand whatsoever of into or out of the said several Powder Mills messuages or tenements dwellinghouses warehouses lands meadows closes tithes Fishings Islands or Ozier Grounds heredit and premises hereby granted and released by from under or in trust for him the said John Walton or by from or under any of his ancestors (other than and except the several persons claiming in respect of the said several easements respectively and of the reparations of the said Bridge as aforesaid) shall and will from time to time and at all times hereafter upon the reasonable request and at the proper costs and charges in the law of his said Majesty his heirs and successors make do acknowledge levy suffer and execute or cause or procure to be made done acknowledged levied suffered and executed all and every such further and other lawful and reasonable act and acts deed and deeds things devices conveyances and assurances in the law whatsoever for the further better more perfect and absolute granting releasing and assuring of the same several Powder Mills messuages or tenements dwellinghouses lands meadows closes tithes Fishings Islands or Ozier Grounds heredit and premises

with their and every of their appurtenances unto and to the
use of his said Majesty his heirs and successors for ever
be the same by fine Feoffment Common recovery or otherwise
howsoever as by his said Majesty his heirs or successors or
his or their Counsel learned in the law shall be lawfully
and reasonably devised or advised and required so as such
further assurances contain in them no further or other
warranty or covenants than against the person or persons his
her or their heirs who shall make or do the same And so as
the person or persons who shall be required to make do or
execute the same be not compelled or compellable for the
making or doing thereof to go or travel above five miles
from his her or their then most usual dwellings or places
of abode IN WITNESS whereof the said parties to these
presents have hereunto set their hands and seals the day and
year first above written

SEALED AND DELIVERED (being)
first duly stamped) in the)
presence of)

JNO. WALTON (L.S.)

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