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The transcribed documents are listed, in date order, at the beginning of the Transcript section. The reference number given to each document is, except for the abstracts, year in which it was written followed, where there is more than one for a particular year, by “-1”, “-2”, etc. In some cases a document is known only because it was mentioned in a later document. In these cases the document number has the letter “M” attached, for example “1737-1M”.

People who appear in these documents have each been assigned a number (prefixed by #) in order that those with the same name can be identified. In some cases it is possible to identify relationships.

Although the text of the documents is often repetitive and convoluted most of the words can be recognised even if the spelling is slightly different from modern usage. Words which now start “en”, such as “encumbrance” were written as

“incumbrance” and this older spelling is usually used in the transcripts. “Situatē” is used throughout where we would now use “situated”. A usage which is more peculiar is the word “presents”, for example:

“ . . . Edmund Lock, testified by his being a party to and signing and sealing of these presents at and before the sealing and delivery of these presents. ”

this seems to be connected with the presence of witnesses but cannot just be replaced with “presence”. Perhaps “documents” would be a better substitution.

References to the original documents are given, in **green**, in the form of the document number followed by page and/or line numbers.

This Overview includes brief details of each of the Summaries. There are some bookmarks to help you find your way through the summaries.

Peppercorn Rents

A number of indentures concerning the transfer of land include the payment of a peppercorn rent for a very long period of time. A peppercorn was regarded as something of little value and such a rent was paid as a token to show that the land was still owned by the recipient. Although in some of the indentures where these rents are mentioned it is difficult to determine the details of the actual transaction, the length of time over which the peppercorn rent was to be made is very clear.

In 1737 ***Mary Paxton*** (#19) devised unto ***Francis Austin*** (#29) . . . the premises hereinbefore described to hold . . . for the 1000 years and a pepper corn rent See the **Summary of Mary Paxton's Inheritance** for more details of how this land, with its peppercorn rent for 1000 years, was transferred to other people. There were other lands where a similar peppercorn rent was required.

Lease and Release and Payments of Five Shillings

Amongst the documents transcribed are a number of Leases specified for a year followed by a Release dated one day after the Lease. This was a legal method for the participants to obtain some advantage, similar to schemes of the present day which are set up to reduce capital gains or inheritance tax.

Another practice which was common was the payment of “five shillings” apparently in return for a lease. This was presumably another common legal practice of which I have no knowledge.

An example is:

“for and in consideration of the sum of five shillings . . . to **Walter Stirling** . . . paid at or before the ensealing and delivery of these Presents, the receipt whereof is hereby acknowledged, . . . Walter Stirling bargained and sold . . . unto . . . **Charles James (#301)**, All that Messuage, Tenement or Cottage” (document 1806-1)

Land

There seem to be six different areas of land in Shoreham referred to in the various documents.

- 1 an Estate of Inheritance in fee simple Subject to two several terms of One Thousand Years and Five Hundred Years as hereinafter mentioned, Of and in the Entirety of the Lands, Tenements and Hereditaments hereinafter mentioned 1810-3 (p1.12-14)

- 2 All those several pieces or parcels of Arable, Meadow and Woodland called or known by the name of ***Paxton's Land*** containing in the whole, by estimation, thirty four acres situate, lying and being at or in the parish of ***Shoreham*** in the said County of Kent 1810-2 (5-7)

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3 all those two pieces or parcels of customary or copyhold land called by the name of **Bishops Lease** (otherwise Bishops Lees) lying upon the **East Hill** in the parish of **Shoreham** within the said Manor, containing by estimation thirty acres, more or less, at the yearly rent of 6s/8d and other services
1759 (7-10)

4 All those four customary or copyhold pieces or parcels commonly called or known by the name of the **Thirty Acres** containing by estimation Thirty acres, more or less
1783 (p1:8-10)

the aforesaid premises by the name of Thirty Acres of land and thirty acres of pasture with the appurtenances in **Shoreham**, Kent,
1783 (p2:24-26)

At the Court Baron held on 28th July 1783 there were a number of contenders for these lands.

- 5 All those three pieces of woodland lying on the ***East Hill in Shoreham***, Kent formerly called by the name of ***Wingate Woods*** and the ?? being near to them but now called or known by the name of ***Doctors' Wood*** and formerly with other wood lands in the occupation of ***James Sharpe*** (#135), . . . and which said pieces of woodland, together with other lands, were afterwards known by the name of ***Paxton's Lands***. Together with all and singular trees, woods, underwoods, coppices, and the ground and soil thereof, mounds, fences, ditches, ways, waters, watercourses, liberties, privileges, profits, commodities, . . . and appurtenances whatsoever, to the said pieces or parcels of land and hereditaments belonging, or in any wise appertaining or with the same, or any part thereof, now or at any time heretofore held, used, occupied, possessed or enjoyed or accepted, reputed, deemed, taken or known as part parcel or member thereof. And the reversion and reversions, remainder and remainders, rents, issues and profits thereof
- 1828-1 (8-17)

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In 1737, Mary Paxton (#19) sold these lands to Francis Austin (#29) for the term of 1000 years at a peppercorn rent

In 1828, these were sold by John Bonham Carter to James Ryder Burton.

- 6 a freehold messuage, cottage and outbuildings and freehold and copyhold closes and parcels of land called ***Little Porters Farm*** situate on ***Shoreham Hill*** in the said parish of Shoreham **1834-1 (20-21)**

Little Boakes Lease

The two earliest documents are from 1704 and are concerned with about 10 acres of land in Shoreham: “Woodland or Coppice ground . . . called . . . **Little Boakes Lease**, . . . upon part of which the aforesaid messuage or tenement, barns, stable and outhouses were lately erected and built . . . And also all ways, waters, timber trees, rents, profits, commons, commodities, hereditaments and appurtenances”. In 1694 **Edmund Lock (#100)** sold this land, for £100, to **John Codd (#102)** for the term of 2000 years under a peppercorn rent payable at the first day of December if demanded. Ten years later Codd had not paid the £100 and it seems that, by 1704, Thomas Weller (#103), described as a labourer, had bought the land.

In 1832 a small part of this land was owned by **James Wallis (#204)** of **Cowden**, a publican. For more details see:

[Summary - Little Boakes Lease](#)

The Eagle and Thirty Acres

In 1707 **Joseph Nash (#96)** sold to **Timothy Wells (#132)**, for £220, a messuage or tenement in Shoreham called the **Eagle**. It was situated near to the Church gate and included a malthouse. Joseph could have been the father or grandfather of John Nash who appears in the Manor Court Records of 1783.

The Manor Court held in July 1783 was concerned with “four customary or copyhold pieces or parcels commonly called or known by the name of the **Thirty Acres** containing by estimation Thirty acres”¹. John Nash (#42) left it in his will written 1783 to his daughters but there were a number of other contenders. This land was not mentioned again in the surviving documents until 1824 by which time it was occupied by his two daughters.

Details of both the Thirty Acres and the Eagle are given in:

Summary - The Eagle and Thirty Acres

1

1783 (p1:8-10)

Transfer of a Slip of Ground

On 18th March 1711 an Article of Agreement was written concerning a piece of land owned by **John Willis (#134)**, yeoman, of Shoreham, which was transferred to **Catherine Wells (#133)**, widow, also of Shoreham.

“John Willis, for and in consideration of one shilling . . . and allowing also unto him all the posts, rails and pails² that now stand in the fence belonging to . . . Catherine Wells which fence the said John Willis . . . shall take away from the premises within 3 months next . . . and (John Willis) doth grant, bargain . . . unto . . . Catherine Wells, . . . that piece or Slipp of ground, being at one end six foot wide and at the other end contains no measure, it running to a point lying perpendicularly and is in length from

2

pales - stakes of wood driven into the ground for fencing

end to the point thirty foot, adjoining to the land of . . Catherine Wells,
situated . . in Shoreham . . unto . . Catherine Wells . . **1711 (5-19)**

There are another eighteen lines in this document but they contain no further
details other than saying that

“John Willis, at the time of the sealing and delivery of this agreement is . .
rightfully seised of . . the said Slipp . . and . . hath . . full power and
lawful and absolute authority to grant . . the said piece or Slipp of Ground
hereby mentioned to be granted unto the said Catherine Wells”

1711 (20-31)

Mary Paxton's Inheritance

Francis Everest (#90) of Fort Malborough in the East Indies, whose will was written in 1734, left land, etc. left to his daughter, Mary (#19), . . . The various documents concerned with this inheritance were summarised in Abstract 1 written probably in 1808 and mentioned in a number of other documents.

The land Francis Everest left to Mary included:

- lands and tenements in Shoreham, Kent,
- an estate at Stanstead, Kent³

³

Stansted, about five miles north-east of Otford

The history of this inheritance is given in

[Summary - Mary Paxton's Inheritance](#)

which also includes details from two documents of 1828 which are concerned with some land on East Hill known by the name of ***Paxtons Lands*** which are also mentioned in some of the documents concerning [The 3 Heiresses's Inheritance](#)

The Wood Family

The large Wood family are first mentioned in an indenture of 1751 which appears to be part of a larger document. It concerns a large amount of land in ***Westerham, Bromley, Lee, Shoreham, Eynsford & Otford***. See

[Summary - The Wood Family](#)

and also

[Summary - Land called Dunstalls](#)

Land called Dunstalls

Two indentures of 1773 are concerned with land called Dunstalls held by gavelkind which was owned, in 1773, by **John (#109) and Richard Wood (#110)**. It seemed first to be leased to **Enoch Holding (#119)** and then sold to **Michael Wood (#115)** but there were many complications connected with these arrangements.

Twenty two years later, **George Rich (#124)** had inherited Dunstalls from his uncle **George Saunders (#125)** who owned it from at least 1781. Two indentures of 1797 have survived, the first detailing a year's lease of Dunstalls to **Jane Smith (#126)**, a widow from **Wiltshire** and the second the sale of Dunstalls to Jane Smith for £3,750.

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Dunstalls is also the subject of a Lease and Release of 1804 which include a detailed description of the various pieces of land, etc.. These documents bring in the lawyers “Messrs Jennings, of Shire Lane, Lincolns Inn” with **Richard Whitehouse Jennings (#199)** apparently representing **George Trenchard Goodenough (#201)** of **Shooters’ Hill** and **Thomas Francis Jennings (#200)** representing **Sir Walter Stirling (#47)**, of **Pall Mall**, Baronet.

See:

[Summary - Land called Dunstalls](#)

The Three Heiresses

Francis Everest Paxton (#94), of the **City of London**, died intestate sometime before 1777 and his lands, etc. “descended in three equal undivided three parts” to three women. Francis was the son of Mary Everest who married Ralph Paxton. The history of these lands is given in

Summary - The 3 Heiresses's Inheritance

This summary also records aspects of Paxton's Land additional to those given in **Mary Paxton's Inheritance**.

Bishops Lease

Between 1759 and 1780, the Manor Court held a number of meetings concerned with “all those two pieces or parcels of customary or copyhold land called by the name of ***Bishops Lease*** lying upon the ***East Hill*** in the parish of ***Shoreham*** within the said Manor, containing by estimation thirty acres”.

On the death of ***William Hartrup (#56)*** in 1759, they passed to ***John Bird (#40)*** who, together with many other men, was concerned with them until at least 1780. This land is not mentioned again until 1812 . ***Little Porters Farm*** on ***Shoreham Hill*** is also included with Bishops Lease in:

[Summary - Bishops Lease](#)

Field Sown with Saintfoin; 1834

In 1834 about 5 acres of land in Shoreham “formerly sown with saintfoin⁴” together with some cottages and buildings erected by *Benjamin Russell (#167)*, deceased, and the outhouses, etc. were occupied by *Martha Russell (#168)* who was connected with the Wegg family.

In a Release of June 1834, the field and cottages seems to have been sold by Martha Russell to *James Ryder Burton (#76)*.

Summary - Field Sown with Saintfoin

4

saintfoin/sainfoin - a leguminous fodder plant

Rumney Street

The subject of these documents is two brick built messuages called *Hannes Nick* or *Hannick* with a number of fields, etc., totally 33 acres, situated, at least mainly, in *Rumney Street, Shoreham*.

The ownership of the property is complicated because one of the purchasers borrows money to buy it and also various people are appointed as trustees.

Summary - Rumney Street

Sir Walter Stirling

Sir Walter Stirling (#47), Baronet, appears in a number of the transcribed documents and, since he is known from other sources⁵, the references are collected together in:

[Summary - Sir Walter Stirling](#)

⁵

not investigated by me (Jean Fox)

The Documents

The documents transcribed are listed, in date order, at the beginning of the Transcripts section.

Decoration of Headings

Many of the documents transcribed have the initial “This Indenture” written large and decorated. In some cases this heading was probably written on the paper before it was purchased from the stationer since their name was incorporated in the heading.

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For example, the Appointment and Release of 1806 (document 1806-3) has:

Sold by
G. & J. Fryer,
LAW STATIONERS,
Chancery Lane,

included in the decoration of the heading:

This Indenture

which measures 12 inches by 4.25 inches.

The largest heading is that of the Conveyance of 1828 (document 1828) where the decorated “This Indenture” takes up 15 inches by 5.5 inches and includes the name and address:

E. CLUNN, Law & General Stationer, 30 Chancery Lane, LONDON.

Stationers must have sold initial pages such as the above and blank sheets for the other pages. These accompanying pages usually had the first one or two words written larger than the normal text but the actual words were whatever came next from the end of the previous line, for example:

last line on page one:

. . . Further North Field containing

page two:

Eight Acres one rood and twenty six perches.

But others, without the stationers name, could have been written and decorated by the scribe who wrote the indenture.

The Manor of Otford

Lords and Stewards

	Lords	Stewards
1759 28 th May	<i>Sir Thomas Farnaby (#213)</i> , Baronet <i>William Wall (#206)</i> , Gentleman,	<i>William Jewell (#205)</i>
1761 20 th Aug	<i>Sir Charles Farnaby (#214)</i> , Baronet <i>Sampson Waring (#211)</i> , Gent,	<i>William Jewell</i> , gent

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Homage } *Samuel Edwards (#212)* } Sworn
 } *Edward Herufield (#215)* }

1766

24th May Sir *Charles Farnaby*, Baronet, *Francis Austin (#29)*,
Sampson Wareing, Gent. Esquire

1770

9th Jan *Sir Charles Farnaby (#214)*, *Francis Austin (#29)*,
 Baronet Gentleman
Sir Jeffrey Amherst, Knight,

1775

10th Aug *Sir Charles Farnaby*, Baronet *Francis Austen, Esq.*
Sir Jeffrey Amherst. Knt, (#216)

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1780

10th Mar

Right Hon. *Jeffrey, Lord Amhurst* *Francis Austen, Esq.*
Sir *Charles Farnaby*, Baronet,

1783

28th Jul

before *Francis Austen*, Esq.
Samuel Morgan (#217), Bailiff of the Manor

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1824		
11 th Jun	The Rt. Hon. <i>William Pitt,</i> <i>(#218) Lord Amherst</i>	<i>George Lennard Austen (#220) &</i> <i>George Claridge (#219), gentlemen</i>
1828		
28 th May		<i>George Lennard Austin</i> <i>George Claridge, Gentlemen</i>
1832, 18 th June		
1834, 30 th July	The Rt. Hon. <i>William Pitt,</i> <i>Earl Amherst</i>	<i>George Lennard Austen,</i> gentleman

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Held at:

1759 at *Dunton Green*

1824 held at the house of *Thomas Sutton (#222)* known by the name
11th June or the *Sign of the Bull at Otford*

1832 held at the house of *Daniel Day (#221)* known by the name or
18th June sign of the *Bull at Otford*

1834
30th July at *Rose and Crown Inn* at *Dunton Green* in the parish of *Otford*

Glossary

demise transfer

fee simple unconditional inheritance

gavelkind a type of inheritance associated with particular land. On inheritance the property was divided equally between all the sons unless the will directed otherwise; if the owner had no sons, it was to be divided between his daughters. In both cases, the widow was to receive as her dower half her husband's gavelkind land which she held for her lifetime. Lands so held could be freely sold, bought or leased and a lord who had tenants in gavelkind could throw them out for not paying the rent only after a long legal process. Another advantage attached to gavelkind was that execution for felony did not disinherit a man's wife and children.

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precept	as a law term: the written warrant of a magistrate
seizin	lawful possession of
turbary	the right to take peat from another's ground

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* - could be in Kingsdown

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