

Summary - Sir Walter Stirling, Baronet S.1

Sir Walter Stirling (#47), Baronet, appears in a number of the transcribed documents and, since he is known from other sources¹, the references are collected together in this summary.

The first mention of him in the transcribed documents is in a Lease concerning the land called Dunstalls dated 1804 and, from that date, he features in a number of documents. Some of these documents have a Reconveyance written, at a later date, on the back. The subject of most of these documents is the 316 acres to whom the overall name is Dunstalls but the lease of 1806 and the reconveyances of 13th January 1807 are concerned with Coddle Croft and Pease Croft which are not mentioned elsewhere.

1

not investigated by me (Jean Fox)

Summary - Sir Walter Stirling, Baronet

S.2

The transcripts of these documents are included with the others for:

The Wood Family & Land called Dunstalls

with summaries in:

Summary: Land Called Dunstalls

Sir Walter is mentioned in documents connected with

Dunstalls	S.4
Lease and Release of 1804	S.4
Leases to Robert Jones	S.6
The 1806 Documents	S.7
The Reconveyances of 1807	S.9
Lease of 1809	S.11
Lease and Mortgage of 1810 and Indenture of 1814	S.14

Summary - Sir Walter Stirling, Baronet S.3

Coddle Croft and Pease Croft	S.15
Lease 29 th May 1806	S.15
Reconveyance 1807	S.20
Paxtons Land	S.24
Sir Walter Stirling and Abstract 2	S.27

Summary - Sir Walter Stirling, Baronet

S.4

Dunstalls

Lease and Release of 1804

Lease for a Year - **Dunstalls** 18th Sept 1804 1804-1
G. T. Goodenough (#308) and another to **Thos. F. Jennings (#200)** as
trustee for Sir Walter Stirling, Bart.

Release of a Messuage & Farm - called **Dunstalls** 19th Sept 1804 1804-2
G. T. Goodenough & his Trustee to Sir Walter Stirling, Bart & his
Trustee

The Release states that the land called Dunstalls is to be "To the use of the said Thomas Francis Jennings , . . during the natural life of the said Sir Walter Stirling. In trust, nevertheless, for the said Sir Walter Stirling during

Summary - Sir Walter Stirling, Baronet

S.5

his natural life. And from, and immediately after, the decease of the said Sir Walter Stirling, to the use of the heirs and assigns of the said Sir Walter Stirling forever.

Summary - Sir Walter Stirling, Baronet

S.6

Leases to Robert Jones

Two other documents concerning the same land, which are not included in the collection which has been transcribed, are mentioned in later documents: Both leases seem to have been to **Robert Jones (#235)** who occupied **Coddle Croft** and **Pease Croft**.

Lease for a period of 30 years 13th October 1804 1804-3M
mentioned in the Reconveyance of 1807; the land so leased
appears to be the same 17 acres, part of Dunstalls, as that in
document 1805 when it was leased out for a period of 49 years.

Lease for a period of 49 years 12th July 1805 1805M
mentioned in the Appointment and Release of 1806 (1806-3)
this was for 17 acres, part of Dunstalls

Summary - Sir Walter Stirling, Baronet S.7

The 1806 Documents

Lease 29th May 1806 document 1806-1
Sir Walter Stirling, Bart. to **Charles James (#193)**, Esquire
Coddle Croft and Pease Croft with messuage, etc. see **page S.15**

Bargain and Sale for one year: 29th May 1806 document 1806-2
Sir Walter Stirling, Bart. and his Trustee to Charles James, Esq.
Dunstalls, with details of the land, etc. described here being an
almost exact copy from the Lease of 1804 (document 1804-1).

Summary - Sir Walter Stirling, Baronet S.8

Appointment and Release: 30th May 1806 document 1806-3
Sir Walter Stirling, Bart. to the Trustee of the ***Earl of Moira***
(#303)².

This concerns not only **Dunstalls** but also **Coddle Croft and Pease Croft**

2

see also Francis Rawden Hastings (#303)

Summary - Sir Walter Stirling, Baronet

S.9

The Reconveyances of 1807

Reconveyance on the back of 1806-1 13th January 1807 **1806-1r**
Charles James (#193), Esq. to Sir Walter Stirling, Bart.
see **page S.20**
Coddle Croft and Pease Croft with message, etc.

Reconveyance on the back of 1806-2 13th January 1807 **1806-2r**
Charles James, Esq. to Sir Walter Stirling, Bart.
this reconveyance, from its date and content, is a copy of that given on the back of the Lease of 1806 but this copy has a number of “crossings-out” and some slight variations. This reconveyance is thus concerned with Coddle Croft and Pease Croft whilst the main indenture on this document (1806-2) is concerned with Dunstalls.

Summary - Sir Walter Stirling, Baronet S.10

Reconveyance on the back of 1806-3 14th January 1807 1806-3r
The ***Earl of Moira (#303)*** & his Trustees to Sir Walter Stirling, Bart.

It would seem, from the following lines, that it is not only the modern reader who is not sure who actually owns the land in question:

“to the said hereditaments and premises . . . mentioned and intended to be hereby granted and released . . . they, the said ***Earl of Moira (#303)*** and ***Charles James (#190)***, or one of them, at the time of the sealing and delivering of these presents, are or is lawfully and rightfully seized in their or his demesne as of, for of and in a good, sure, perfect, absolute and indefeasible estate of inheritance in fee simple of and in all and singular the said hereditaments and premises within particularly mentioned with the appurtenances without any condition, trust, power of revocation or limitation”

1806-3r (35-38)

Summary - Sir Walter Stirling, Baronet S.11

Lease of 1809

Lease for 44 years

7th December 1809

document 1809

This lease, for 44 years, is of **Dunstalls** except for about 35 acres which included *Gold Hill Field* and *Maggie Farm*. It could also include some other land in addition to Dunstalls. The lease contains details of the crops grown and the use of timber.

It was between

- **Sir Walter Stirling (#47)** of *Shoreham*, Kent, Baronet, of the one part, and
- **Horace Watson (#234)** of *Finchley*, Middlesex, Esquire, of the other part.

Summary - Sir Walter Stirling, Baronet S.12

Watson was to pay a yearly rent of:

- £280 per year for the first 9 years
- £326 13s 4d per year for the next 14 years
- £373 6s 8d for the remaining 21 years.

The instructions as to the state in which the land is to be handed back to Sir Walter Stirling are interesting:

Horace Watson shall, “at the end of the expiration or other sooner determination of this demise, leave and yield unto the said ***Sir Walter Stirling***, . . . all the said demised Premises . . . in such good and Tenantable repair, order and condition as aforesaid, so as he . . . may enter into and upon the same without any suit, hindrance, molestation or disturbance whatsoever and also all the muck, dung and compost, which shall be made on the said demised Premises in the last years of the said term, shall and

Summary - Sir Walter Stirling, Baronet S.13

will leave and yield up in the Yards of the said demised Premises in an husbandlike manner, cast into heaps in due time to and for the use and benefit of the said ***Sir Walter Stirling***.

Summary - Sir Walter Stirling, Baronet S.14

Lease and Mortgage of 1810 and Indenture of 1814

The lease, dated 22nd October 1810 (1810-4), under which Sir Walter Stirling leased Dunstalls to four of the Trustees of the *Globe Insurance Company* appears to be a precursor to the mortgage dated the next day (1810-5). The mortgage indenture is very involved and what it actually achieved far from clear but, at that time, Dunstalls seems to be valued at £15,000.

The indenture of 1814, dated 13th October (1814-2), was written on the back of the mortgage of 1810. It appears that, via this document, Sir Walter Stirling again becomes the owner of Dunstalls

Summary - Sir Walter Stirling, Baronet S.15

Coddle Croft and Pease Croft

Lease 29th May 1806

This lease was between:

- ***Sir Walter Stirling (#47)*** of Shoreham, Baronet
and
- ***Charles James (#193)*** of ***Castle Street, Marylebone***, Middlesex, Esquire,

In consideration of the sum of five shillings . . . to Walter Stirling in hand paid . . . he, . . . Walter Stirling bargained and sold . . . unto . . . Charles James, all that messuage, tenement or cottage in two dwellings wherein ***Jane Small (#239)*** and ***John Small (#250)*** formerly

Summary - Sir Walter Stirling, Baronet S.16

dwelt, with the barns, yards, gardens and orchards thereunto belonging . . . And all that Croft or Parcel of Land called . . . **Coddle Croft** and on part of which the said messuage, tenement or cottage was formerly erected and built. And all that croft . . . called . . . **Pease Croft** and on part of which a barn was formerly erected . . . containing together, in the whole, by estimation, fifteen acres more or less.

1806-1 (4-12)

And which . . . Land (is) now, and for some years past has been, divided into five several pieces or parcels of land . . . (one of which) is now Wood Ground and contains 3.5 acres . . . And which said messuage, tenement or cottage lands, wood grounds and premises are . . . in **Shoreham** . . . and were formerly in the tenure or Occupation of

Summary - Sir Walter Stirling, Baronet S.17

Mary Broomfield (#302), . . . of *John Glover (#239)* and now of *Robert Jones (#235), Esq.* . . . and all . . . houses, outhouses, edifices, buildings, ways, waters, watercourses, paths, passages, lights, liberties, easements, commons, common or pasture, feedings, timber and trees, hedges, ditches, ??, profits, commodities, emoluments, privileges, advantages, hereditaments and appurtenances whatsoever to the said messuage, . . . belonging . . . **1806-1 (13-21)**

To have and to hold the said messuages, (etc.) . . . and all and singular other the premises herein below mentioned or intended to be hereby bargained and sold . . . unto . . . *Charles James (#193)*, . . . from the day next before the day of the date of these presents for and during and

Summary - Sir Walter Stirling, Baronet S.18

unto the full end and term of one year . . . yielding and paying therefore, unto the said Sir Walter Stirling, . . . the rent of one pepper corn on the last day of the said term if the same shall be lawfully demanded.

1806-1 (21-26)

To the intent and purpose that, by virtue of these presents and by the force of the Statute made for transferring of uses into possession, he, . . . **Charles James (#192)**, may be in the actual possession of the said hereditaments and premises above mentioned and intended to be hereby bargained and sold, . . . and may thereby be enabled to accept and take a grant and release of the same . . . to him, . . . Charles James, . . . upon and for the Trusts, ends, intents and purposes, as are mentioned and declared in and by an Indenture already prepared and intended to bear date the day next after the day of the date of these presents and made between the said Sir Walter Stirling of the first part,

Summary - Sir Walter Stirling, Baronet S.19

Thomas Francis Jennings (#200) of *Shire Lane, Lincolns Inn*, . . .
Middlesex, gentleman, of the second part; The Right Honorable *Francis
Rawdin Hastings, Earl of Moira*, Master General of his Majesty's
Ordnance, of the third part, and the said Charles James of the fourth
part. 1806-1(26-32)

In Witness whereof the said Parties to these Presents have set their
Hands and Seals the day and year first above written.

Walter [seal] Stirling

Summary - Sir Walter Stirling, Baronet S.20

Reconveyance 1807

This reconveyance between **Charles James (#193)**, Esq. to Sir Walter Stirling, Bart. was written, 13th January 1807, on the back of the lease of 1806 (document 1806-1). On the same day a copy, with slight variations was written on the back of the Bargain and Sale (document 1806-2). The land referred to in this reconveyance is not named but its description and the tenancy of **Robert Jones (#235)** shows that it was Coddle and Pease Crofts that was the main area covered by this reconveyance but this also includes the words: “and also all and singular other the hereditaments and premises by the within written Indenture of Lease bargained and sold” which must have meant Dunstalls.

Witnesseth that . . . **Charles James (#193)**, for and in consideration of five shillings . . . to him, in hand, paid by . . . **Sir Walter Stirling** at or

Summary - Sir Walter Stirling, Baronet S.21

before the sealing and delivery of these presents the receipt whereof is hereby acknowledged, hath bargained and sold . . unto . . Sir Walter Stirling, . . all and singular the within mentioned messuage, tenement or cottage in two dwellings together with the croft, land, hereditaments and premises by the within written Indenture particularly mentioned and described and thereby bargained and sold by . . Sir Walter Stirling to . . Charles James . . All which said messuage, cottage, . . are now in the tenure or occupation of **Robert Jones (#235)**, . . under a lease to him thereof granted together with other premises by . . Sir Walter Stirling dated the 30th October 1804 of thirty years from Michaelmas then last at the yearly rent of £5 and also all and singular other the hereditaments and premises by the within written Indenture of Lease bargained and sold by . . Sir Walter Stirling to . . Charles James together with all and singular the rights, . . and of every part and parcel thereof.

1806-1r (6-38)

Summary - Sir Walter Stirling, Baronet S.22

To have and to hold the said messuages or . . . unto . . . Sir Walter Stirling, . . . from the day next before the day of the date of these presents for and during and unto the full end and term of one whole year from thence next ensuing and fully to be completed, Yielding and paying therefore unto . . . **Charles James (#19f)**, . . . the rent of one peppercorn only on the last day of the said term if the same shall be lawfully demanded. To the intent and purpose that, by virtue of these presents and by force of the statute made for transferring Uses into possession, . . . Sir Walter Stirling may be in the actual possession of all and singular the hereditaments and premises hereby bargained and sold, . . . and be thereby enabled to accept and take a grant and release of the reversion and Inheritance thereof to him, . . . Sir Walter Stirling, his heirs and assigns, forever.

1806-1r (38-45)

Summary - Sir Walter Stirling, Baronet S.23

In Witness whereof the said parties to these presents have hereunder set their Hands and Seals the day and year first above written.

Charles James

Sealed and Delivered by the above named
Charles James in the presence of
Thos. Hill Mortimer

Summary - Sir Walter Stirling, Baronet S.24

Paxtons Land

Sometime before 1753 a considerable amount of land had been divided between the three heiresses of **Francis Everest Paxton (#94)** - see [Summary of the 3 Heiresses](#).

A portion of this land (that owned by Elizabeth Titchborne and her descendants) seems to have been described as "Paxton's Land", the first time the name appears in any of the indentures is 1810. During 1810, this land seems to have been sold to Sir Walter Stirling:

Summary - Sir Walter Stirling, Baronet S.25

By the Indenture of 1st June 1810³ **Sir Walter Stirling (#47)** of **St James's Place . . Middlesex**, Baronet, was to have the said lands for the term of one year paying for it the rent of a peppercorn.

The Indenture of a day later (2nd June 1810⁴) is a complex document⁵ with **William Everest (#52)** of **Otford**, yeoman, of the one part and **Sir Walter Stirling (#47)** of the other part..

3 document 1810-1

4 document 1810-2

5 see Summary of The 3 Heiresses

Summary - Sir Walter Stirling, Baronet S.26

Also dated 2nd June 1810 is an Indenture of Five Parts⁶ from which it seems that Sir Walter Stirling paid £400 to Robert Samuel Everest and Francis Everest⁷, two of the descendants of the three heiresses,

These documents are summarised in **The 3 Heiresses** with transcripts with the other transcripts for the 3 Heiresses.

⁶ document 1810-3

⁷ £200 to each of them

Summary - Sir Walter Stirling, Baronet S.27

Sir Walter Stirling and Abstract 2

Sir Walter is mentioned in Abstract 2 which deals mainly with documents from 1734 to 1800 which are relevant to ***The 3 Heiresses*** and to ***Mary Paxton's Inheritance***..

It starts with the date: January 1811

Abstract of the Title of ***Mr. William Everest (#52)*** to Certain Parts of Hereditaments at ***Shoreham***, county Kent Sold to ***Sir Walter Stirling*** for ⁸

Summary - Sir Walter Stirling, Baronet S.28

NB on settling with Mr. Everest for the purchase of his share of the lot, the Deeds were not delivered but remained with him as they are related to other lots of greater value than the Shoreham ?? ?? ?? 27 Oct 1813 (this must have been a note added later)

It continues:

All that one undivided third part or share (the whole into three equal parts to be divided)

And also all that one undivided third part or share (being five equal undivided ninth parts of and in all those several pieces or parcels of arable meadow, hops and wood land called or known by the name of ***Paxtons Land*** heretofore described to contain, by estimation, 34 acres but containing by assessment 41 acres, more or less, situate, lying and being at or in the parish of ***Shoreham*** . . heretofore in the tenure or occupation of ***Thomas Waring (#156)***, his ?? undertenants or assigns,

Summary - Sir Walter Stirling, Baronet S.29

late of the said **William Everest (#52)** now of **Sir Walter Stirling (#47)**,
his Assigns or undertenants.

All which said ?? and Hereditaments are purchased by the said Sir
Walter Stirling, Baronet, at the sum of
£⁹

This presumably is referring to when the Abstract was written: 1811?
There is no further mention of Sir Walter Stirling in the Abstract which is
otherwise concerned with Indentures up to 1790.

Summary - Sir Walter Stirling, Baronet S.30

Although all the land which was divided between the three heiresses of **Francis Everest Paxton (#94)** could be described as “Paxton’s Land”, the first time the land (or some of it) is actually given this name is in these indentures of 1810. **Elizabeth Titchborne (#14)** inherited one third of the land owned by Francis Everest Paxton and, by 1810, it was owned by Elizabeth’s grand children, William, Richard and Francis (grand daughter). **Samuel Bell (#11)**, son of **Francis Rutter (#7)**, another of the heiresses, sold his inherited share to **Robert Titchborne (#31)** in 1777 and Elizabeth inherited this under her husband’s will. By 1810 this portion of the original inheritance was also owned by Elizabeth’s grandchildren, Richard and Francis. Both these portions, referred to as **Paxton’s Land**, are the subject of the three indentures of 1810. The arrangements are very complicated but it seems that all this land was sold to **Sir Walter Stirling (#47)**.