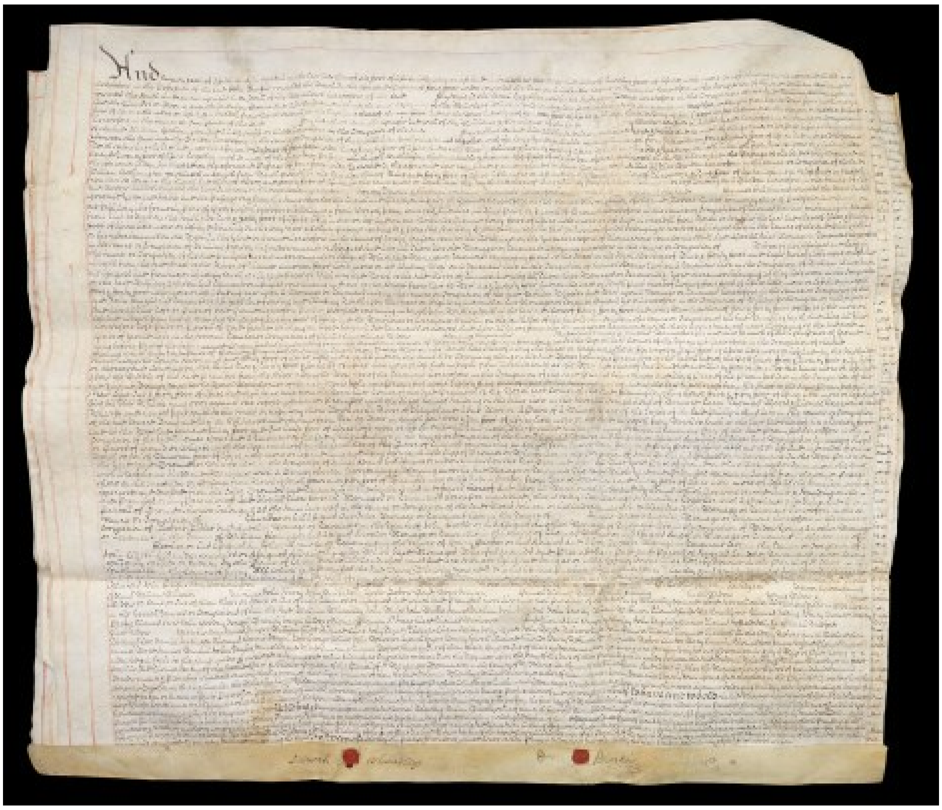

Set of three vellum mortgage documents, first document consisting of 4 sheets (three sheets of manuscript text, and one manuscript map); second document consisting of 3 sheets with manuscript text; third document on one sheet with manuscript text, the first two documents stabbed and sewn, all with wax seals, some minor loss to old folds and dust soiling, map with some discolouration.

EIGHTEENTH CENTURY MANUSCRIPT MAP OF SHAD THAMES, LONDON

[Mortgage deeds containing a plan for the area of Shad in London]

Author
[ANONYMOUS]

Publication date
[1721-1725].

Publisher

Publication place

Physical description

Set of three vellum mortgage documents, first document consisting of 4 sheets (three sheets of manuscript text, and one manuscript map); second document consisting of 3 sheets with manuscript text; third document on one sheet with manuscript text, the first two documents stabbed and sewn, all with wax seals, some minor loss to old folds and dust soiling, map with some discolouration.

Dimensions
(approx.) 880 by 800mm (34.75 by 31.5 inches). Map: 690 by 760 (27.25 by 30 inches).

Notes

Rare evidence of the way in which land and property were traditionally exchanged under English law, with a large-scale manuscript map of Shad Thames, London.

The process of leasing, renting, buying and selling land or property in England has historically been (and many would argue still is) a complex and tedious affair. From 1536, it was required by law that all transfers of land must be officially enrolled by a court or local clerk of the peace. The contracts made between buyer and seller, or landlord and tenant, were recorded as physical documents known as 'Close Rolls'. These often included descriptions and plans of the property, a history of its use and, most importantly, details of the cost and legal arrangements. This requirement called for specialised and costly intermediaries, such as scriveners and attorneys, to produce long and detailed deeds. It also gave rise to the increased prominence of private land surveys, as owners were keen to ensure that their property was properly valued. As a result, mortgage law emerged as an important aspect of the legal system, with professional attorneys specialising in the drafting and registering of deeds. Nunez argues that the greatest transformation of English property law occurred during the seventeenth century, when the modern mortgage appeared for the first time.

Perhaps because there was no clear system for the safekeeping of deeds, 'information about property rights and existing mortgages became a valuable asset' (Van Bochove). People could be called upon to produce their documents as evidence of ownership, to prove that they had the right to reside, or to show that they were entitled to payment. Some enterprising laymen took advantage of the situation by charging a fee for the service of retrieving one's contract from the various court archives. These unwieldy paper documents persisted in use until the Land Registry was established in 1862, after which the registration of deeds on Close Rolls dwindled, although some private transfers continued to be enrolled in this way as late as 1903. These deeds illustrate this traditional process, and demonstrate just how detailed these contracts were required to be.

They consist of three documents pertaining to the property of various members of the Wheatley family. The first, dated from 1721, concerns a one year lease issued by mother and son, Deborah and Thomas Wheatley, to a tenant named Thomas Jenkin. The manuscript contract shows that, as leaseholder, Jenkin would have rights to a loft, yard and small warehouse, indicating that this property was intended for commercial or industrial use. Since there is evidence that at least one of the later Wheatleys worked as a ship chandler, it is possible that the family owned property in the London dockyards. There are records of a Jenkin family living in Southwark at the time, where the Wheatleys are known to have held other land. In fact, they appear to have been quite the property magnates, with records of various possessions across the capital, from 'the tenure of William Wheatley….[in] St.Mildreses in London' to the riverside estate examined in the second of these documents.

This deed is longer than the first, and records a contract made the following year by William Wheatley. The eldest son of the aforementioned Deborah, William had inherited a large estate in Shad Thames after the death of his father, Henry Wheatley, in 1713. Included in this document is "a plan or map of the estate of Mr William Wheatley in St Olave's Southwark". This manuscript plan shows an extensive property, made up of multiple buildings through which cut several labelled streets leading "to Shad Thames" and "to horsely down". These notes make it possible to place the property on the South bank of the river, adjacent to the later site of Tower Bridge. The draftsman has depicted the estate in great detail, with the doors, staircases and interior walls represented on the map. Along the lower border, the Thames is highlighted in blue wash, with the steps descending into the river attesting to its importance as London's preferred means of travel. A compass and scale are also included on the map, ensuring that the owners had access to precise and coherent information about their property.

The deed records that, throughout the following decade, William had let out several parts of this estate. His tenants included another Wheatley, although it is not specified how they were related, and a Moses Johnson. Johnson is known to have owned Pickleherring Pottery, which operated in St Olave's Parish of Southwark during the eighteenth century, indicating that the Wheatleys rented out commercial space to companies, as well as private tenants. The first three sheets of this deed include a description of the buildings, and an evaluation of their value, but are largely dedicated to the legal contract that saw the property transferred into the hands of Richard Symons for the cost of one thousand pounds. Symon's name (and Tory affiliation) is found on a list of members of the Court of Common Council from 1716, suggesting that he was primarily a businessman. Interestingly, a note to the verso states that the property was sold for a "payment of 1050 in 2 payments", showing that Symons incurred an additional charge, perhaps as a result of the two-part payment, or maybe as a fee for the drafting of the contract.

The third and final document in this collection was drafted in 1725, and concerns all of the Wheatley children. It records that, in addition to his eldest son, Henry Wheatley had left a share of his wealth to his widow Deborah, each of his younger sons, Charles, Joseph and Benjamin Wheatley, and his daughter, Elizabeth Booth. This single sheet contains the contract made between the family and a widow from Essex, named Elizabeth Dodd. Dodd held the lease of some land owned by the Wheatleys, and notes to
the verso indicate how her payments were divided between the family members. Each of them have signed and sealed the contract, along with Elizabeth's husband, Robert.

Not only do these three documents outline the legal procedures involved in the transfer of property during the eighteenth century, but they also provide direct insight into the affairs of a prosperous merchant family. Although the Wheatleys appear to have continued to flourish throughout the following century, a bill passed by Parliament in 1887 allowed the heirs of a future William Wheatley "to sell certain parts of the said Manors and hereditaments, and apply the money arising therefrom in manner therein mentioned". This suggests that the wealth generated by their industrious forebears was eventually dissipated and diminished, making these unique contracts crucial to the preservation of their family legacy.

WHEATLEY, Deborah and WHEATLEY, Thomas

A lease for a year from Deborah Wheatley and Thomas Wheatley to Thomas Jenkin
London, 1721.

Folder of three vellum sheets with two wax seals:
1) Manuscript inscription (785 by 905mm). Two holes. Stamp affixed to margin. Scalloped lower margin.
2) Manuscript inscription (785 by 893mm). Two small tears and minor loss to left margin. Stamp affixed to margin.
3) Manuscript inscription (820 by 850mm).
WHEATLEY, William

Mr William Wheatley mortgage & demise to Mr Richard Symons for the return of the payment of 1050 in
2 payments

London, 1722

Four vellum sheets with manuscript inscriptions and one manuscript plan, general minor browning and

foxing, with a few nicks to the margins.
Folder of four sheets with one wax seal:

4) Manuscript inscription (770 by 865mm). Two holes. Stamp affixed to margin, one wax seal. Scalloped lower margin. Inscription to verso.
5) Manuscript inscription (760 by 850mm). Two holes and one tear. Stamp affixed to margin.
6) Manuscript inscription (775 by 845mm). Two holes on the fold.
7) Manuscript plan of the property with original hand colouring (725 by 750mm). Scalloped lower margin.

WHEATLEY, Deborah, BOOTH, Robert, BOOTH, Elizabeth, WHEATLEY Charles, WHEATLEY, Joseph and WHEATLEY, Benjamin…To the Wm.Wheatley…Elizabeth D…of a…By virtue of Mr Henry Wheatley's Will

London, 1725.

Single vellum sheet (778 by 980mm) with manuscript inscription, stamp affixed to margin, six wax seals,
inscription to verso.

Bibliography

Allen, 'Landlords and Economic Development in England, 1450–1800', (Aristocracy, Patrimonial Management Strategies and Economic Development, 1450–1800, 1998); Barrow, 'The Mirror of Parliament for the… Session of the… Parliament of Great Britain and Ireland', (Longman, Orme, Brown, Green & Londmans, 1829); Howell, 'Deeds Registration in England: A Complete Failure?', (The Cambridge Law Journal, 1999); Nunez, 'Aristocracy, Patrimonial Management Strategies and Economic Development, 1450-1800', (Universidad de Sevilla. 1998); Stow, 'A Survey of the Cities of London and Westminster, Borough of Southwark, and Parts Adjacent', (T. Read, 1735); Van Bochove, Deneweth, Zuijderduijn, 'Real estate and financial markets in England and the Low Countries, 1300–1800', (Centre for Global Economic History, 2013); 'The Parish of St Saviour, Southwark Views of New Buildings, 1635', (London Metropolitan Archives); 'The London Magazine, Or, Gentleman's Monthly Intelligencer', (R. Baldwin, 1755).

Provenance

Price: £2500

Inventory reference: 13043

© Daniel Crouch Rare Books Ltd | 2025