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Charles Jones, Esq., and
Philippa Walton, Widow,
of Waltham Abbey.

Prebendary C. Deedes, M.A., F.R.Hist.S.

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**CHARLES JONES, Esq., and PHILIPPA
WALTON, Widow, of WALTHAM
ABBEY.**

BY PREBENDARY C. DEEDES, M.A., F.R.HIST.S.

SOME years ago I purchased from the late Mr. Toon, second-hand bookseller, a bundle of 34 papers, which have to do mainly with the Hundreds of Hinckford, Ongar, Harlow and Waltham. They range in date from 1693 to 1742, and include the raising of the land tax, quarteridge* and bridge-money, with details of the repair of several bridges, a levy raised in Ongar Hundred on account of a Mr. Greene being robbed 25 October 1727. The money required was £360 10s., and the amount raised on 27 parishes was £361 9s. 11d. Finally there are three papers giving particulars of the dispute in 1731-2 between Charles Jones, Esq., the joint owner† of the Abbey corn mill at Waltham Holy Cross, and Mrs. Philippa Walton, owner at that time of the powder mills in the Lea valley, a little above Waltham, concerning the excessive withdrawal of water from the Lea by the latter, and the arbitration thereon by two of the county magistrates. The details brought out in the evidences seem to me interesting and worth preserving both topographically and for various technical terms which incidentally occur.

Concerning the two litigants these few points may be noticed.‡

* Quarterage—a payment made quarterly.

† The owner of the other moiety was a Mr. Floyer, a son, no doubt, of Col. Peter Floyer, of St. Martin's-in-the-Fields, who was buried in the chancel 24 Jan. 1724-5, or of his brother Captain Charles Floyer, died 1732. Farmer, *Waltham Abbey* (1888), p. 134. Winters, *Our Parish Registers* (1885), p. 75.

‡ A series of at least ten small books written by William Winters, F.R. Hist. Soc., in the eighties, and published by the Author, Churchyard, Waltham Abbey, having first appeared largely in the *Waltham Abbey Weekly Telegraph*, contain a vast amount of local information, but require patient examination. From *Our Parish Registers* (1885); *Centenary Memorial of the Royal Gunpowder Factory, Waltham Abbey* (1887); and *The Hist. of the ancient Parish of Waltham Abbey or Holy Cross* (1888), we have extracted some information about the Walton family.

A John Walton, said to be related to the Angler, owned the Powder Mills in 1675, when he was married in the Abbey Church (20. Oct.) to Lydia Freeman. There were several

the name of the Hull at Hook's Marsh Stile, and that water always ran through it out of the River Lea. But of what bore or diameter the said Hull was of this deponent never observed. The said Ramsey also remembers a Powder Mill standing near the said Hull (vizt.), where the Lock now is.

Edward Brown will depose that he remembers the said current called Thoroughgood's Ditch for upwards of 26 years, and that he never knew it narrower at the mouth by the River Lea than now, but he has known it so wide that a boat fo[u]r foot wide and upwards might pass through and that the said Brown knows the bre[a]dth of the said Current to be now as settled by a commission of sewers about 11 years ago, by order of whom this deponent assisted as a carpenter and then laid down the post that now limits the bre[a]dth of the inlet thereof.

And the said Brown will also depose that he knows the said current, banks and bridges (as above set forth in Ramsey's testimony) have been always repaired and cleaned, at some hundreds of pounds expense, by Mr. Walton and his predecessors (proprietors of the said powder mills).

As to the Hull the said Brown will depose that he has known it also for upwards of 26 years, and that about 18 years ago he assisted there at taking up a powder mill trough, which appeared to be ancient because wrotten and rusted, of 15 inches by 18 diameter in its bore. In the room whereof another of the same dimensions was then laid down. And that about two years ago the last mentioned trough was taken up (which is now in Mr. Walton's custody ready to be produced if required), in room whereof a square trough or hull* of 12 inches by 16 diameter, as appears also by Fogg's testimony herein after set forth, was then laid down and which now remains there.

Edward Fogg will depose that about 2 years ago he assisted at taking up the last trough at the Hull, in the room whereof there was made a square trough of planks (no powder mill trough as usual being ready to lay there), of 14 inches by 19 diameter, in order to be laid down. But Mr. Walton examining of it and finding its diameter somewhat larger than the last ordered it to be reduced to 12 inches by 16 (less than any of the former troughs), which was accordingly done by strongly spiking two fresh boards with the said trough, and of that Bore it was then laid down and continued so till the bargemen with their poles, etc., endeavouring to stop up the same have broke of[f] the inside planks, and thereby rendered the said Hull of a larger diameter than was intended.

And lastly both the said Brown and Fogg will depose that

*This particular sense of 'hull' is given neither in the 'Oxford' nor the 'Dialect' Dictionary, and it is a question with which of the two main meanings of the word it is connected. The trough in question no doubt gave its name to the rivulet which flowed through it.

they never knew the said Hull dry, but always had water running through it out of the River Lea.

2nd Dec. 1731.

Ex parte Jones armiger, 23 Nov. 1731. Inter Car. Jones armigerum et Ph. Walton--Videlicet.

Ch. Warner aged about 70 saith he hath known the Cutt near the Ware in Hook's Marsh in Waltham H[igh] C[ross] near 50 years, that the pipe there fixt was not above 9 inches bore; that the said pipe of no larger size remained there about 20 years. About [2]7 or 28 years ago in the same Cutt there was a Powder Mill trough laid down in room of the same pipe till about the year 1729, when another trough was laid down near 20 inches lower in the River Lee. He also saith that the old pipe in the said Cutt and river used to lie dry when the turnpike a little below in the nav[igable] River Lee was drawn half an hour. When the water was low in the River Lee he verily believes that Mr. Robert Rutter, the present tenant of the corn mill at Waltham, hath sustained damages from Lady Day last to this time about thirty pounds, by reason of the several incroachments made by Mrs. Walton out of the said River Lee. And this examinant saith that he was tenant of the said mills about six or seven and forty years; that he left the said mills 2 years ago last March by reason that the water was drawn from the said mills by the several incroachments made by the said Mrs. Walton from the said river Lee, etc. He also saith that the pipe was about 9 or 10 inches diameter.

William Hills about 30 years ago remembers a pipe fixt in the cut of the said River Lee, which said Cut now helps to supply the said powder mills with water: that at the same time the said pipe was not above 9 inches bore, and that about 2 years ago he saw a trough in the room of the said pipe laid down about 20 inches lower than the said pipe.

Henry Bolton says the same to the same line. Thomas Ramsey speaks to the said purpose for 50 years, and further saith that the apron* of the lock lies at least a foot lower than formerly. He also remembers that above 20 years ago a dam was made at Letter H† in Thoroughgood's Ditch to turn the water coming from the River Lea to the powder mills. He also says that the water in said ditch runs through an 18-inch trough to the Powder Mill River and no otherwise, and that always there was a watercourse there and that formerly the water ran freely

* 'Apron.' At the bottom of a sluice or entrance to a dock. A platform placed so as to intercept the fall of water and prevent the washing away of the bottom. *Oxford Dict.*

† H probably refers to a plan before the Arbitrators.

to the Powder Mill River before the said dam was made by means of mud gathered in the adjoining ditch.

William North to the same.

Oliver Millwright, ditto.

John Carter, sen., 40 years ditto, and that the bore in Mr. Hudson's time who rented the mill was not above 9 inches diameter and was never altered or made bigger till Mrs. Walton hired the said mill. He saith that he hath known the ditch called Thoroughgood's ditch above 40 years, that the ditch was not above 60 yards wide and then very low in water, that he could walk through without being wet above his shoes. The same is now and hath been many years much deeper.

William Waller says that the ditch called Thoroughgood's ditch wer [? where] is the Fence between Hook's marsh and Cheshunt Mead was usually cleansed, scoured and kept up by Mrs. Walton (owner of the said Powder Mills) or her Order.

Endorsed 'Ch. Jones Esq. and Philipa Walton. Copys of Examⁿ.'

Jones Esquire and Walton widow. Copy. Award.

To all to whom this present writing indented of award shall come We Sir Robert Abdy and Sir Edward Smyth Baronetts send Greeting, Whereas diverse Controversies and Disputes have been had moved and depending between Charles Jones of Waltham Holy Cross in the County of Essex Esquire of the one part and Philippa Walton of Waltham Holy Cross aforesaid Widow of the other part. For the appeaseing and determining thereof the said Parties have submitted themselves by Bonds of Arbitration with Conditions thereunder written to abide by and perform our Award, Arbitrement and Determination between them, which said Submission was ordered on the 24th day of November last past by the honorable Court of Common Pleas at Westminster to be made a Rule of the said Court; And whereas since the submission and order of Court we have attended the said partyes and heard the proofs of both their witnesses touching the disputes between them, videlicet, whether or not the said Philippa Walton hath enlarged the Cutt commonly called the Hull near the Weare in Hooke's Marsh in the said Parish of Waltham Holy Cross, As also the ditch of the said Charles Jones near there commonly called Thoroughgood's ditch then used by the said Philippa Walton to convey water to her Powder-mills, by means of which said several enlargements a greater quantity of water is drawn out of the river Lea than formerly to the prejudice of the said Charles Jones; We do now upon proofs, examination of witnesses as aforesaid, and our own view of the premises, adjudge and determine that the said Philippa Walton doth and shall on or before the first day of May next ensuing the date hereof take up or cause to be took up the

pype or trough now fixed at the said cutt called the hull, and lay down or cause to be laid down within the said time another pype or trough there of no larger dimension than 12 inches square, and not so low or deep in the water as that which is now there by 16 inches. And also that she shall within the said time alter or cause to be altered the mouth of the said ditch called Thurgood's ditch and cause it to be made within the said time no wider than 4 feet. And further we do award and order that the said Charles Jones shall, within 14 days after the said Philippa Walton hath done and pe formed what she is hereby awarded and ordered, execute in due form of law unto the said Philippa Walton a general release of all trespasses, damages and demands whatsoever to him done (by reason of the said several enlargements) unto the day next before the day of the date of the said Bonds of Arbitration. In witness whereof we, the said arbitrators have to this our award indented sett our hands and seals this two and twentyeth day of January Anno Dni. 1731.

loco Sigilli.

ROBT. ABDY ○
E. SMYTH ○

Sealed and delivered in the presence of us (paper being first legally stamp)

JOHN LAKE,
JO. WINDUS.

UNPUBLISHED MATERIAL RELATING TO JOHN RAY.

BY G. S. BOULGER, F.L.S., F.G.S.

UNDOUBTEDLY when preparing the notice of John Ray for the *Dictionary of National Biography*, or when on other occasions I have dealt with his life,* I ought to have consulted the treasures of the Bodleian. I have, however, had but little opportunity of visiting Oxford, and it is to the kindness of Dr. W. Warde Fowler, of Lincoln College, that I am indebted for my knowledge of the existence of a manuscript sketch of Ray's life, and a number of unpublished letters by him in that library, and for hospitably giving me an opportunity of studying these precious documents. I have also to thank Bodley's Librarian,

**Trans. Essex Field Club*, vol. iv., p. 171 (1885-6); *Journ. of Proc. Essex Field Club*, vol. iv., p. clix. (1885-6); *Essex Naturalist*, vol. xvii., p. 146 (1912-13)