

THE MIDDLESEX DEEDS REGISTRY

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The records of the Middlesex Deeds Registry form a large and most important source for the topographical history of Middlesex during the last two centuries, yet until recently they have been seldom used by research workers and even now are little known. When stored in the Land Registry in Lincoln's Inn Fields they were inaccessible to the ordinary student. They are now available for use in the record offices of the London and the Middlesex County Councils, but the potential user is often deterred by ignorance of their content, the nature of the indexes and, perhaps most of all, the sheer bulk of the records.

The clerks of the Middlesex Land Registry must have used many thousands of skins and reams of paper and consumed innumerable hours in copying documents and plans during the 230 years in which the registry was active. In all, the memorials and indexes comprise some 12,000 large volumes, besides the rolls of parchment originals for the period 1709 to 1772 and the typed indexes in 1,500 loose-leaf books for the period 1920 to 1938.

The Act of 7 Anne, cap. 20 which established the Middlesex Deeds Registry was passed in 1708, a time when building activity in the neighbourhood of London was gathering momentum, and, in consequence, sales, leases and mortgages of land were increasing year by year. There had not previously been any compulsory enrolment of conveyances of land except in the Bedford Level where an Act of 1663 made registration compulsory and in the West and East Ridings of Yorkshire, where Deeds Registries were established by Acts passed in 1703 and 1707, and in the words of the preamble to the Act "the different and secret ways of conveying lands, tenements and hereditaments" gave to the ill-disposed many opportunities of fraudulent dealings. It was, of course, still possible to enrol conveyances of land in the King's Courts of record and many entries relating to land in Middlesex can be found for the period 1660-1709 on the Close Rolls, Recovery Rolls and in the Feet of Fines, yet this is often one of the most difficult periods in which to trace the sale of property. It is obvious that the old methods were insufficient to cope with the scale on which land in the neighbourhood of London was changing hands. The Act of 1708 provided that all sales, leases for more than 21 years, mortgages and wills affecting any "honors, manors, lands, tenements or hereditaments" in the County of Middlesex made after 29th September, 1709, were to be registered before any subsequent transfer could be valid in law. The City of London and the

Inns of Court and all copyhold estates were excluded from the provisions of the Act.

The statutory procedure was for deeds and wills embodying conveyances of freehold land to be taken to the Registrar who should draw up on vellum or parchment a memorial of each, to be attested by two witnesses; the memorials should then be entered in a register. The memorials were to contain:—

- (a) The dates of the deeds or wills.
- (b) The names of all the parties and their places of residence.
- (c) Descriptions of the property as given in the original conveyances.
- (d) The book, page and number of the registers in which they were entered.

The deeds themselves were to be endorsed by the Registrar with the date of registration and the register reference.

From the beginning the Act was a success. It provided a valuable safeguard for purchasers of property and prevented a great deal of litigation. During the first full year, 1710, that the Act was in operation, 619 memorials were registered; ten years later more than three times that number were registered in the same space of time. Probably very few transfers of ownership of real estate within the county escaped registration once the registry was in working order, but the discovery of the entry may require patience and perseverance since registration was often delayed until the new owner wished to sell the property again. The only course is to search diligently year after year until the required entry is found.

The chief difficulty of using the registers is the inadequacy of the indexes. The Act of 1708 provided for the keeping of an alphabetical kalendar of places and of the names of parties but this was never completely carried out. From the beginning a list of vendors was made, arranged chronologically according to the date of registration under the first letter of the name. From 1709 to 1717 a topographical index was also kept, but thenceforward this separate index was discontinued and the names of the parishes in which lay the property to be transferred were added in a second column after the vendors' names and occasionally the name of a second party to the deed was given.

By 1891 reference to the registry had become so great and the searches so time-consuming that the Registrar had the indexes from 1821 onward re-written with the names "arranged lexicographically" and they were kept so thereafter, but they were still made for each year separately and there was no index to places or to the names of parties other than the vendor. No one in the office had then thought of

that simple and satisfactory indexing system, a card index. It was not until 1920 that a cumulative index was begun on typed loose-leaf sheets and continued until new registrations ceased in 1936. The properties concerned are identified but there is no index to places, entries being as in the past solely under the name of the vendor.

Seven volumes of the "Parochial Alphabet" for the years 1709 to 1717 were acquired at some date unknown by the Bishopsgate Institute, where they are numbered 5579-85 in the London Collection. This index may be useful on occasion, but only a fragment (the letters B and C) has survived for 1709-11 and the last few pages for 1712 and 1717 are missing. The arrangement is not strictly parochial since some non-parochial areas, Whitehall, Tower Liberty, etc., appear under their own headings. The difficulty of using this index is increased by variations in spelling, e.g., Ealing is entered under E, Y (Yealing) and Z (Zealing).

A card index to the first five years of registrations arranged topographically under parishes has been made by the staff of the London County Record Office, but until this is continued—a stupendous task—the searcher must find out the name of the vendor in the transaction he is trying to trace. Frequently, of course, the memorials of sales refer to earlier transactions concerning the same property and so make it possible to trace the history of a tenement backwards as well as forwards. In the early years of the registry memorials often give quite detailed recitals of sales made years before the registry was established.

The memorials are a *précis*, not verbatim copies of the original deeds. Usually each occupies less than a page of the register and the more verbose documents were cut quite drastically. The essential information, the parties to the transaction, its nature and date, and a short description of the property, is always given; it is, however, sometimes difficult to determine whether a transfer is a sale outright or only a mortgage, and detailed descriptions of the ground and buildings are often curtailed. Prior to 1800 it is unusual to find plans, but after that date they often occur. At first they are paper or parchment copies, probably supplied by the vendor, stuck on to the copy memorial or the page of the register. Later, plans were copied by the clerks on to the memorial itself. During the first century and a half of the registry the number of memorials to the part of Middlesex which is now included in the County of London greatly exceeded those for what is now the County of Middlesex, but with the spread of building activity outward from the metropolis the number of transfers of land in Middlesex proper steadily increased. Summaries of entries taken at random from Register

Book 2 (1805) will serve as a sample of the material to be obtained from these records:—

No. 26. Lease dated 1st March, 1805, from John Langley, gentleman, to John Higgins, victualer, of The Ben Johnson's Head, standing on the N. side of the road from Stepney Church to Rhodes Wall. A plan of the house, skittle ground and pleasure gardens is given.

No. 148. Lease dated 28th February, 1805, from Daniel Sebbon to Richard Laycock of Sebbons Buildings in Islington and 5 acres of ground. A neat coloured plan shows the buildings, field, cowhouses, gardens, etc.

No. 149. Lease and Release dated 27th and 28th August, 1804, from Francis Whishaw, the Master and Fellows of Trinity College, Cambridge, owners of the tithes, and others, to Richard Laycock of Islington, grazier, of a piece of "Chase land" and woodland near the end of New Lane, Enfield. A detailed plan shows the field boundaries in colour and gives the names of the owners of neighbouring plots. The pound or "Stray Field" is shown.

Nos. 375 and 376. Lease and Release dated 26th and 27th February, 1805, between Maxwell Garthshore, Doctor of Physic, James Fresselicque, clerk, William and Sarah Leake and the Mayor and Commonalty of the City of London of No. 269 Strand, No. 1 Hollywell Street and premises in the churchyard of St. Clement Danes in order to widen the street near Temple Bar.

No. 494. Sale dated 14th February, 1805, from the Proprietors of the Grand Junction Canal Company to George Fillingham of 2 small plots of ground formerly intended for a towing path on the side of the "Navigable Cut" from the Grand Junction Canal, Norwood, to Paddington. One piece of ground being lately part of old oak or Acton common and the other of Wormholt or Wormwood Scrubbs. A plan of both plots has been pasted in.

No. 667. Lease dated 30th June, 1801, between John Lord Monson and George Oakley of Old Bond Street, upholsterer, of a piece of ground on the west side of Old Bond Street. A plan in ink gives dimensions of the plot and the names of the occupiers of adjacent land.

The records of the registry narrowly escaped destruction. In 1931 the Land Registrar, finding himself pushed for space for modern records, arranged to send the 18th century records to be pulped. They were fortunately rescued while at the waste paper merchants and at the request of the Deputy Keeper of the Public Records were divided between the Middlesex and the London County Councils. Subsequently the remainder of the memorials and copy memorials were also transferred with the exception of the original memorials for the period 1838 to 1890 which were lost during the war.

The Middlesex County Council has the original memorials in rolls from 1709 to 1772 and in book form from 1773 to 1837 and 101 volumes of indexes for 1709 to 1837. About one-quarter of the rolls have in the past been exposed to damp and some are unfit for production. The rolls consist of the memorials, which vary considerably in shape and size, sewn together end to end, and are, therefore, awkward to use. On the other hand, the register books in which the copy memorials were entered are by no means easy to handle since they are 22 inches high by 15½ inches wide and several inches in thickness.

The copy memorials and later memorials, together covering the whole period 1709 to 1938 during which the Middlesex Deeds Registry was functioning, are now housed in the London County Record Office at County Hall. In addition, the Council has 253 volumes of indexes, 1,500 loose-leaf books of indexes, and 254 volumes of plans and a card index for the period 1709 to 1714.

Both original and copy memorials are now available to searchers without fee or prior notice during ordinary office hours, but neither at the London nor at the Middlesex repository will officers undertake searches for inquirers, or provide certified copies.