

LOVELACE's CHARITY operated under the control of the Court of Chancery 1836 to 1887

Following the Order of 26th July 1836, the Trustees paid the various legal costs, which reduced the Bank balance to £557.4.4. This they tried to access in order to pay marriage portions to the poor female relatives. However, up to this point no legacy duty had been paid on the trust capital and the Accountant General refused to allow any more money to be withdrawn from the account until the duty had been paid

**In Chancery
Attorney General v LOVELACE**

Brief

Petition of the Relator to sell out so much of the fund of £11,622.8.2 3 per cent Bank annuities, as will be sufficient to pay the Legacy duty thereon and also the Legacy duty on the sum of £557.4.4 cash and the Costs of this application. And that the residue of the dividends of the Stock and the £557.4. 4 be applied in like manner and according to the provision of the Decree of 26th July 1836.

18th Feb'y 1837. Let all parties concerned attend me hereon the next day of Petitions. Thereof give notice forthwith. COTTENHAM C.

In Chancery

Between His Majesty's Attorney General at the relation of Simon COCK	Informant
Thomas LOVELACE since deceased	Defendant
By Original Information	
And Between His Majesty's Attorney General at the relation of Simon COCK	Informant
William LOVELACE and Elizabeth Jane BOWCOCK	Defendants
By Bill of Reviver and Supplement	
And Between His Majesty's Attorney General at the relation of Simon COCK	Informant
William LOVELACE , Elizabeth Jane BOWCOCK, Richard HOULDITCH and Anna Maria his wife, John WOLLAND and Ann his wife, Burnell TOWNSEND & Caroline his wife and Thomas CARTER	Defendants
By Supplemental Information	
And Between His Majesty's Attorney General at the relation of Simon COCK	Informant
William LOVELACE , Elizabeth Jane BOWCOCK, Richard HOULDITCH and Anna Maria his wife, John WOLLAND and Ann his wife, Burnell TOWNSEND and Caroline his wife, Thomas CARTER, George WHEATON and Caroline his wife, Joseph TURPIN and Mary his wife, Thomas CARTER the younger, Francis Drake Waldron WHEATON and Penelope Ann his wife, John CARTER, Ann CARTER, George Abbott Copplestone WHEATON, Caroline WHEATON, John Waldron WHEATON, Eliza Thorn WHEATON, Ann Carter WHEATON, Edward WHEATON, Elizabeth Copplestone TURPIN, Ann TURPIN, Eliza Thorn CARTER, Thomas Copplestone CARTER, Ann Abbott CARTER, Penelope Ann WHEATON, Sophia WHEATON, Francis Drake Waldron WHEATON, Richard Copplestone WHEATON, Charles WHEATON, John WHEATON, Eliza CARTER, Edward John CARTER, Anna Maria CARTER, Thomas William CARTER, Henry Seaman CARTER, Alfred Augustin [<i>Augustus</i>] CARTER, Charles Lovelace CARTER, Jacob Samuel BOWLING and Lucy his wife, William BOWLING, Thomas BOWLING, George BOWLING, James BOWLING, Robert BOWLING, Sophia BOWLING, Edward BOWLING, Lucy BOWLING, Mary Ann BOWLING, Elizabeth BOWLING, Ann LOVELACE, Edward EVANS and Ann Bow[d]en his wife, William LOVELACE, Thomas John LOVELACE, James Bowden LOVELACE and William John LOVELACE	Defendants
By Supplemental Information	

To the Right Honorable the Lord High Chancellor of Great Britain.

The humble Petition of the above named Simon COCK the Relator
Sheweth,

That Sir James SCARLETT, then His Majesty's Attorney General, at the relation of the above named Simon COCK on or about the 5th day of Aug't 1829, filed his Information in this Honorable Court against Thomas LOVELACE, late of Swan Place, Old Kent Road, now deceased, as Def't thereto, stating amongst other things that John LOVELACE, formerly of Aylesbeare in the County of Devon, but afterwards residing in the City of Malaga in the Kingdom of Spain, duly made and published his last Will and Testament in writing, bearing date on or about the 13th day of December 1801, whereby he devised in the words following (that is to say):

“**Item.** It is my Will that my Executors do with all care and diligence settle my outstanding accounts of whatsoever nature or description, the same may be in Spain or other parts, except in the Kingdom of England and Ireland,

remitting every three months, such funds as they shall have received, to my Esteemed friends Messrs John and George WARD, Merchants in the City of London".
and after vesting his Executors with certain powers for converting his dwelling house and all other his estate and effects into money and investing the same in the British National Funds, he directed his Executors:

"to apply the proceeds of such funds towards the proper education and maintenance of all such poor youths as shall be related to me, not towards that of those who shall not be in indigent circumstances, It being my intention that the necessitous should be relieved; and should any poor female relation of mine happen to marry and, there be an excess of Income, let there be £50 or £100 Sterling, *[omitted by copyist in error - according to their necessities, but this must be without interfering with the education of the youths, as in such case the same shall be withheld until the funds have produced a sufficient income for that purpose.*

Item, should any sum of money be necessary for the establishment of any of the youth, my relations, it may be taken from the principal fund, provided the same do not exceed £500 sterling,] that is to say a loan may be made by (to) two at most of my relations and, immediately on their returning to the Fund the principal received by them, a like loan may be made to one or two others not exceeding £500, which shall be advanced on security being given, to the satisfaction of the Depositories Messrs John and George WARD or their successors, for returning the said funds within the period to be pointed out, to wit 10 years at furthest, by Instalments, as well the principal received as the lawful Interest thereon, every 6 months, the fund to be duly (only) resorted to for that and for no other purpose whatsoever.

Item, that after decease of my friends Messrs John and George WARD, the same trusts with the like powers shall devolve upon Mr William LOVELACE of Charles Square, Hoxton, eldest son of William deceased of the same place and upon the nearest Male relation of the said Mr William LOVELACE, should he reside in England and, in case of his death, upon the heir male of the said William LOVELACE and nearest Male relation, so that there shall constantly be two Trustees residing in England."

And stating in the said Information that the said Testator John LOVELACE departed this life in the said Kingdom of Spain in or about the year 1803, without having revoked or altered his said will, leaving numerous relations on his Father's and Mother's side, some of whom were Youths and others Females, him surviving.

And that by the Award of the Commissioners for adjusting Claims of British Subjects on Spain, a sum of £10,500 or thereabouts had been found due.

And stating that Administration of the Estate and Effects of the Testator had been granted by the Prerogative Court of Canterbury to the next of kin of the Testator.

And stating that the aforesaid bequest was a Charitable Bequest.

And Praying that the said Charity might be established and a Reference to the Master to take an Account, as is usual in such cases.

That this Cause came on to be heard on the 13th day of August 1829 before his Honor The Vice Chancellor, when his Honor made a Decree to take the usual account of the personal estate and the debts, funeral expences etc. of the Testator and that the Relator be at liberty to pay into Court any sum or sums of money that might from time to time be in his hands, part of the personal estate of the said Testator and the amount thereof to be verified by Affidavit, And it was Ordered that the same, when so paid in, and the Dividends should be laid out in the purchase of Bank's 3 pr. cent Annuities, with the privity of the sd. Accountant General, in trust in the Cause, and the Court reserved the consideration of all further till after the Master's Report.

That, in pursuance of the said Decree, there was paid by the said Relator on the 8th of March 1830 into the name of the Accountant General of this Honorable Court, to the credit of the cause, £8,348.2.0, verified by Affidavit sworn 23rd day of February 1830.

That, in consequence of the deaths of parties to this Suit and other circumstances, various proceedings were had and taken in the said cause and ultimately the Master in Rotation, to whom this cause had been referred, made his Report bearing date the 24th day of January 1832, setting forth all the information that had been directed to be taken by the above Decree.

That the said Cause came on to be heard for further directions on or about the 13th day of April 1832 before his Honor the Vice Chancellor. Whereupon his Honor was pleased to order that it should be referred to the Master to enquire and state to the Court whether there were any and what poor relations of the said Testator then living and in what degree or degrees of Kindred and of what age or ages.

That, in pursuance of the said last mentioned Order, the Master made his Report bearing date the 22nd day of November, therein setting forth what was required of him by the said Order.

That, in consequence of the said Master's Report, certain proceedings in the Cause were had and taken, in order to give the parties, mentioned in the same Report as poor Relations, the benefit of any Order or Decree that might thereafter be made by this Honorable Court.

That the said Cause came on to be heard for further directions on or about the 22nd day of November 1834, before His Honor the Vice Chancellor. Whereupon His Honor was pleased to declare the Trusts contained in the Will of the Testator in the pleadings above named, good as a Charitable Trust and did decree that the Charity should be established.

And it was Ordered that it should be referred to the Master, to whom this cause stands referred, to settle and approve of a Scheme for the application of the Charity, proper regard being had to the Directions in the Testator's Will.

And it was ordered that the said Master, having regard to the said Will mentioned, should be at liberty to appoint one or more Trustees or Trustee of the said Charity, if he should think it necessary.

And it was Ordered that the said Master should tax all parties their Costs of these Suits, as between Solicitor and Client, including the Costs, charges and expences incurred by the poor relations and next of kin of the said Testator in making out their Claims.

And out of the sum of £875.14.0 Cash in the Bank, placed to the Credit of the Cause Attorney General v LOVELACE, It was Ordered that the said Costs, charges and expences, when so taxed, should be paid as therein mentioned.

And this Court did reserve the consideration of all further directions and of the subsequent costs of this Suit, until after the Master should have made his Report and any of the parties were to be at liberty to apply to this Court, as they might be advised.

That, in pursuance of the said Order, the said Master made his Report bearing date the 18th day of July 1836 and thereby found that, having considered of a Scheme laid before him, he had settled and approved thereof, regard being had to the directions in the Testator's Will and he thought, having regard to the said Will, to appoint William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE to be Trustees of the said Charity.

That the said Cause came on to be heard again on the 26th day of July 1836, for further directions, before his Honor the Vice Chancellor; whereupon His Honor was pleased to order that it be referred to the Master, to whom these causes stand referred, to tax all parties their Costs of this Suit, as between Solicitor and Client.

And it was Ordered that such Costs, when taxed, be paid out of the sum of £870.4. 6 Cash in the Bank, remaining on the credit of the Cause "Attorney General v LOVELACE".

And it was Ordered that William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, named in the Master's Report dated the 18th day of July, next be appointed Trustees of the Charity in question.

And it was Ordered that the residue of the said sum of £870.4.6 Cash, after payment of the said Costs, the amount thereof to be verified by Affidavit, be paid to the said William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, as such Trustees as aforesaid and, out of such residue it was ordered that the said William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE be at liberty to lay out and apply at their discretion to or for the separate use and benefit of such of the poor female relations of the Testator, as have married since his decease and upon their sole receipts respectively, which receipts shall be sufficient discharges for the same sums, not exceeding £50 to £100 for each of such poor female (or) Females.

And also to pay and apply such sums as shall be necessary towards the immediate maintenance and education of the Eight youths mentioned in the Master's report, until the Dividends of the £11,622.8. 2 Bank annuities, hereinafter mentioned, shall become available for that purpose.

And it was Ordered that the interest to accrue due from time to time on the £11,622.8.2 Bank 3 per cent annuities, now standing in the name of the Accountant General of this Court in trust in the said Cause Attorney General v LOVELACE, be paid to the said William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, as such Trustees as aforesaid.

And it was Ordered that they do apply the same or so much thereof as may be necessary in maintaining and educating, according to the Will of the Testator, the poor male children, relations of the Testator, who may be from time to time between the ages of 8 and 15 years and, for that purpose, place them at such Boarding Schools or day Schools as they may think proper and pay a sum for each such child, not exceeding £30 a year, the same to be paid wholly to the keeper of any such Boarding or day school, where such child shall be placed or partly to the keeper and partly to the parents or friends of such child, as the sd. Trustees shall think fit and, if any surplus of such interest shall remain in their hands after educating and maintaining the said male children, It was Ordered that the said Trustees be at liberty to apply the same, as far as the same will extend or, such parts thereof as they shall think fit, in payments, not exceeding from £50 to £100 each in any one year, to or for the separate use and benefit of such of the poor female relations of the said testator, who may happen to marry and upon the like receipts as hereinbefore.

And the said Trustees were to be at liberty to apply to this Court for permission to advance by way of loan (having regard to the provisions of the testator's will in that respect) one or two sums, not exceeding £500 each, as occasion shall arise, for the purpose of establishing the said youths in the world and subject to the variations therein, consequent to the directions hereinbefore given.

It was Ordered that the said Master's Report be confirmed and it was ordered that the trustees do pass their accounts of the application of the residue of the said sum of £870.4.6, after paying the costs and sums aforesaid and of the interest of the said Bank three per cent annuities, at the end of one year from this time and from thenceforth at the end of every third year before the said Master, unless called upon to do so at the expiration of shorter periods and, in passing their accounts, it was ordered that they be allowed all expences respecting the said Charity and the costs of all parties of passing the said accounts.

And it was ordered that they do pay the balance of such accounts, if any, into the Bank to the Credit of the said Cause "Attorney General v LOVELACE", to an account to be entitled "The education and marriage fund of the poor relations of John LOVELACE deceased", to be applied in like manner as occasion may require and this court shall order.

That the said costs under the last mentioned order have been taxed by the said Master and have accordingly been paid out of the said sum of £870.4.6 cash and there now remains, after payment thereof, the sum of £557.4. 4 cash in

the Bank, remaining on the credit of the said cause of Attorney General v LOVELACE, the amount thereof being verified by Affidavit.

That the said trustees, appointed by the said last mentioned order, having applied to the said Accountant General for the said sum of £557.4.4 cash so remaining after payment of the costs, as also for the dividends which had accrued due on the said sum of £11,622.8.2 Bank 3 per cent annuities, the said Accountant General has refused to pay the same until the Legacy duty, on the said sum of £557.4.4 Cash and on the said £11,622.8.2 Bank 3 per cent annuities, be paid to Government.

That the Legacy duty on the said sum of £11,622.8.2 Bank 3 per cent annuities will amount to the sum of £832.3.2 and, on the said sum of £557.4.4 Cash, to £44.11.6, making together the sum of £876.14.8.

Your Petitioner therefore humbly prays your Lordships that, so much of the said £11,622.8.2 Bank 3 per Cent annuities as will raise the sum of £876.14.8, the legacy duty on the said sum of £11,622.8.2 Bank 3 per cent annuities and on the said sum of £557.4.4 Cash and so much thereof as will be sufficient to pay the Costs of all parties to this application, may be directed to be sold and that the said sum of £876.14.8 be paid to William WITHAM of Gray's Inn, the Solicitor of your petitioner, to be applied by him in discharge of such legacy duty accordingly and that the remainder of such proceeds be applied in payment of the costs of all parties to this application, as between Solicitor and Client

and that your Lordship will please to direct that the dividends from time to time, to accrue due on what shall remain of the said sum of £11,622.8.2 Bank 3 per cent annuities, after such sale and payment (of payment - duplicated) of legacy duty and Costs as aforesaid, may be ordered to be applied according to the provisions in the said Decree of the 26th day of July 1836 and that the sd. sum of £557.4.4 Cash may be directed to be paid in like manner and for the same purposes as are stated in the said Decree of the 26th day of July 1836.

And your Petitioner will ever pray.

No further mention of legacy duty has been found but seven years later the trustees still claimed to have the same amount invested in 3% Bank Annuities. It seems inconceivable that the duty was not paid and it is possible that the amount of stock was wrongly stated in documents of 1842 and 1844.

On 21st May 1837 the trustees were ordered to submit details of the poor relations, to whom they wanted to make educational grants and pay marriage portions. This was duly done on 25th May 1837.

The applications for marriage portions on behalf of Lucy BOWLING (nee LOVELACE, Mary Ann WOLSTON (nee HOULDITCH), Ann DUNN (nee THOMAS) and Ann Bowden MUNRO (formerly EVANS, nee LOVELACE), together with affidavits and certified copies of parish register extracts, supporting the applications, are set out below:

In Ch'y

Att'y Gen'l v LOVELACE

By Orig'l Informat'n

Att'y Gen'l v LOVELACE

By Bill of Revivor & Suppl't

Att'y Gen'l v LOVELACE

By Suppl. Informat'n

Att'y Gen'l v LOVELACE

By Suppl. Informat'n

The State of Facts of Sam'l GIRDLESTONE Esq're, one of the tr'ees appo'd in this Cause of Jacob Sam'l BOWLING, on behalf of Lucy BOWLING his wife & Edw'd BOWLING one of th'r Inf't Ch'n.

That, by an order made in the 3 first m'd Causes dated the 30th Ap'l 1832, It was (am'gst o'r things) ref'd to the Master (Mr ROUPELL) to enquire & state at the Court whe'r there were any, & what, poor relat'ns of the test'or, in this Cause named, then liv'g & of what degree or degrees of kindred & of what age or ages.

That the sd. Master, by his Rep't dated the 22nd Nov'r 1833, made in purs'ce of the sd. order, stated (am'st o'r things) that a claim had been before him on the pt. of the sd. J.S. BOWLING & Lucy his wife & th'r ch'n, wh'y it appeared (am'st o'r things) that on the 24th Dec'r 1810 the sd. Lucy interm'd with the sd. J.S. BOWLING, that there was then liv'g 10 ch'n of the sd. J.S. BOWLING & Lucy his wife & among o'rs the sd. Edw'd BOWLING, then of the age of 7 yrs. or th'abts, & the sd. Master fo'd that the sd. Lucy BOWLING & the sd. ch'n were poor relat'ns of the sd. test'or.

That the sd. Def't J.S. BOWLING claims that the sd. Lucy his wife is, as a poor relat'n of the sd. test'or, entitled to a share of the residue of the sum of £557.4.4, a'r the pay'ts th'out dir'd by the order made in these Causes, dated the 23rd May 1837.

And the sd. Def't J.S. BOWLING also claims the benefit of the sd. Charity of [for] the sd. Edw'd BOWLING, from the 26th Feb'y 1836, the date of the order made in these Causes, confirm'g the Master's Rep't approv'g of the scheme for the appl'on of the funds of the sd. char'y, until the sd. Edw'd BOWLING shall att'n the age of 15 years.

And the sd. S'l GIRDLESTONE & J.S. BOWLING submit that the claims sho'd be allowed accord'gly.

Aff't & Reg'rs in supp't of Mrs WOLSTON's Claim

In Chan'y		
Bet'n	His Maj'y's Att'y Gen'l at the relat'n of Simon COCK	Inf't
	Tho's LOVELACE (since dec'd)	Df't
And Bet'n	His Maj'y's Att'y Gen'l at the Relat'n of Simon COCK	Inf't
	Wm. LOVELACE & an'r	Df'ts
And Bet'n	His Maj'y's Att'y Gen'l at the Relat'n of Simon COCK	Inf't
	Wm. LOVELACE & o'rs	Df'ts

Henry DAVY of Ottery St. Mary in the Co'y of Devon, Gent'n, Maketh Oath & saith that he did on the 23rd day of Feb'y Inst. carefully exam'e & compare the Extract hereunto annexed, m'ked with the l're A, with the Reg'r Book of Baptisms kept in & for the p'sh of Ottery St. Mary afo'd & the same cont'ns a true Copy of the Orig'l entry in the sd. Reg'r Book, so far as relates to the Bapt'n of Mary Ann HOULDITCH, the Wife of the Rev'd Tho's WOLSTON. And this Dep't did also on the sd. 13th day of Feb'y inst. carefully exam'e & compare the extract h'reunto annexed, m'ked with the L're B, with the Reg'r Book of Marr's, kept in & for the sd. p'sh of Ottery St. Mary & that the same cont'ns a true Copy of the Orig'l Entry in the sd. Reg'r Book, so far as relates to the Marr'e of the sd. T. WOLSTON & Mary Ann his Wife. Henry DAVY.

Sworn at Ottery St. Mary in the Co'y of Devon this 24th day of Feb'y 1837, Bef'e me Fra's Geo. COLERIDGE, a Master extra'y in Ch'y.

A

Register of Baptisms, Ottery St. Mary, Devon.

Mary Ann D. of The Rev'd Richard and Anna Maria HOULDITCH, Birth 7th March 1800, 14th January 1801.
a true Copy - Geo. SMITH, Vicar.

This is the paper writ'g ref'd to in the annexed Aff't of Hy. DAVY, Sworn bef'e me this 24th day of Feb'y 1837.
Fra's Geo. COLERIDGE.

B

Marriages solemn'd in the P'sh of Ottery St. Mary in the Co'y of Devon in the yr. 1827.

Thomas WOLSTON of the p'sh of Charlton & Mary Ann HOULDITCH of this p'sh were mar'd in this Church by Licence, with consent of Parents, this 19th day of June in the yr. 1827.

By me Edward HOULDITCH, Minister.

This Marriage was solemn'd bet'n us Thomas WOLSTON, Mary Ann HOULDITCH.

In the pres'ce of Rich'd HOULDITCH, Harriet Fra's SMITH, Ann WOLLAND, Emma HOULDITCH.

a true Copy - George SMITH, Vicar.

This is the Extract B ref'd to in the annexed Aff't of Hy. DAVY, Sworn bef'e me this 24th day of February 1837.
Fra's Geo. COLERIDGE.

In Chan'y

Att'y Gen'l v LOVELACE

I, Anne WOLLAND, Wo. Of the p'sh of Heavitree in the Co'y of Devon, do h'rby solemnly declare & make Oath that I have known, f'm her birth to the present time, Mary Anne dau'r of Rich'd & Anna Maria HOULDITCH, & now the Wife of Tho's WOLSTON. And I do fur'r declare & make Oath that, on the sd. Mary Anne HOULDITCH, now My. Anne WOLSTON, attain'g the age of 21 yrs., she was presented with the Sum of £100 by her Godmother, w'ch with the Int't th'ron to the time of her Marr'e with the sd. T. WOLSTON, amounted to the Sum of £129 odd shillings & that, at the time of her sd. Marr'e, she was poss'ed of this p'ty & no more. Ann WOLLAND.

Sworn at Heavitree in the Co'y of Devon, this 27th day of June 1837.

Bef'e me John GEARE, a Master extra'y in Chan'y.

Mrs DUNN's Claim

Register of the P'sh of the Holy Trinity, Exeter - Baptisms

Ann dau'r of Wm. & Eliz'th THOMAS, was bapt'd in the above Church the 29th day of Nov'r in the yr. 1809, as app'rs by the Register of the sd. P'sh, from w'ch this is a true Extract.

John BRADFORD, Minister.

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Marr's solemn'd in the p'sh of Ide in the Co'y of Devon in the yr. 1830.

Edwin DUNN of the P'sh of St. Petrock (Exon.), Bachelor, & Ann THOMAS of the P'sh of St. Paul (Exon.), Sp'r, were marr'd in this Church by Banns this 22nd day of Feb'y in the yr. 1830.

By me Nathaniel COLE, Curate.

This Marr'e was solem'd between us Edwin DUNN, Ann THOMAS.

In the Presence of Mary BADCOCK, Joseph SLEE.

I do h'rby certify that the above is a true Copy of the entry thereof, made in the Register Book of Marr's for the P'sh of Ide in the Co'y of Devon, as Witn's my hand this 11th day of Dec'r 1836. Jas. Hen. EARLE, Curate.

Burials in the p'sh of the Holy Trinity in the Co'y of Exeter, in the yr. 1832.

Name	Abode	When Buried	Age	By whom the Cerem'y was performed
Edwin DUNN	Friars	Aug't 9 th	22	John BRADFORD, Rector

No. 949

This is a true Copy taken from the Register of the sd. Parish. John BRADFORD. Rector.

In Chan'y

Att'y Gen'l ag'st LOVELACE

Ann DUNN of the P'sh of the Holy Trinity in the City of Exeter, but now resid'g with her Parents Wm. & Eliz'th THOMAS in the p'sh of St. Sidwell in the sd. City, Maketh Oath & Saith that she is the Wo. Of Edwin DUNN, Tea-dealer of the sd. p'sh of the Holy Trinity, who, at the time of his d'th, was not poss'ed of more than suff't to pay his debts & fun'l exp's. That she has one Child named Amelia DUNN, who is now 6 yrs. of Age; that she has no Income, nor is poss'ed of any p'ty wh'r with to maint'n herself & her Child but is wholly dependant on her sd. Father Wm. THOMAS for clothing & maint'ce; that the sd. Eliz'th THOMAS, the Mother of the sd. Ann DUNN, is a dau'r of Tho's CARTER of the p'sh of Aylesbeare in the Co'y of Devon, Yeoman; & that the sd. T. CARTER is one of the immed'e next of kin of Jno. LOVELACE, who died at Malaga in the Kingdom of Spain.

Ann DUNN.

Sworn at the City of Exeter the 21st day of April 1837,

Bef'e me W.R. BISHOP, a Master extr'y etc. etc.

Affidavits in support of Mrs DUNN's claim.

Baptisms 1788

Elizabeth dau'r of Mr Thomas & Elizabeth CARTER Jan'y 7th.

The above is a true Copy from the Reg'r of Baptisms in the p'sh of Aylesbeare in the Co'y of Devon.

Wit'n's my hand this 23rd day of June in the year of our Lord 1837.

Aylesbeare, Henry Wm. MACKIN, Vicar.

Attested by John COCKRELL.

In Chan'y

Att'y Gen'l ag'st LOVELACE

I, Ann PARSONS of Aylesbeare in the Co'y of Devon, Wo., make Oath that Eliz'th THOMAS, late El'th CARTER (whom I have known from her Birth) is the dau'r of Mr Thomas & Elizabeth CARTER, above named.

Ann PARSONS.

Sworn before me, Henry Wm. MACKIN, 23 June 1837.

(the year 1805)

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No. 473. William THOMAS of this P'sh, Yeoman, (Bachelor) & Elizabeth CARTER of the same P'sh (Sp'r) were marr'd in this Church by Banns this 16th day of Sep'r in the yr. 1805.

By me J. CARRINGTON, Curate.

This Marr'e was solemn'd bet'n us William THOMAS, Elizabeth CARTER.

In the presence of Mary PYNE, Mary THORN.

I do h'rby certify that the above is a correct extract f'm the Reg'r Book of Marr's solemn'd in the p'sh of Topsham in the Co'y of Devon, as made this 25th day of Jan'y 1834 by me. Henry THORP, Perp'l Curate of Topsham.

In Chan'y

Att'y Gen'l v LOVELACE

Frederick SANDERS of the City of Exeter, Gent'n, Maketh Oath & saith that on Saturday the 25th day of Jan'y 1834 this Dep't searched the book contain'g the Reg'r of Marr's kept in & for the p'sh of Topsham in the Co'y of Devon & there found regist'd the Marr'e of Wm. THOMAS with Eliz'th CARTER. And this Dep't fur'r saith that the Copy or extract above written is a true Copy or extract f'm the sd. Book, the same hav'g been exam'd & comp'd thr'with by this Dep't. And this Dep't fur'r saith that he was present & did see the Rev'd Henry THORP, Perp'l Curate of the sd. p'sh of Topsham, extract the Copy above Written f'm the sd. Reg'r Book & sign his name th'rto. Fred'k SANDERS.

Sworn at the City of Exeter the 25th day of Jan'y 1834.

Before me W.R. BISHOP, a Master extra'y etc. etc.

In Cha'y

Att'y General v LOVELACE

State of facts of Anne Bowden LOVELACE, afterwards Anne Bowden EVANS & now Ann(e) Bowden MUNRO, the Wife [blank] MUNRO.

States

That, in the Will of Jno. LOVELACE, the Test'or in the pl'dgs in this Cause m'd, are the Words foll'g:

"It being my intention that the Necessit(i)ous sho'd be relieved, & sho'd any poor female relations of mine happen to Marry & there be an excess of income, let there be £50 or £100 Sterling, [omitted - according to their necessities, but this must be without interfering with the Education of the Youths, as in such case the same shall be withheld until the funds have produced a sufficient income for that purpose.

Should any sum of money be necessary for the establishment of any of the Youths, my relations, it may be taken from the principal fund, provided the same do not exceed £500 sterling], that is to say a loan may be made by [to] two at most of my relations &, immed'ly on their return'g to the fund the princ'l rec'd by them, a like loan may be made to one or two others not exceeding £500, w'ch shall be advanced on Sec'y being given to the Satisf'on of the depositaries Messrs Jno. and Geo. WARD or their Successors, for return'g the sd. funds within the period to be pointed out, to Wit 10 yrs. at furthest, by instalm'ts as well the princ'l rec'd as the l'ful int't th'ron every 6 m'ths, the fund to be duly [only] resorted to for that & for no other p'pose whatsoever."

That a Decree was made in this Cause by His Honor the Vice Chancellor, b'g date the 13th day of Aug't 1829 and **That**, in p'suance th'rof, there was shortly aft'wds placed to the credit of this Cause the Sum of £8,348 2/- & the Master made his Report th'ron dated Jan'y 1832.

That, by an Order dated the 13th [30th] Ap'l 1832, it was Ord'd that it sho'd be referred to the Master to enquire & State to the Court whe'r there were any, & what, poor relations of the sd. Test'or, then living & what degree or degrees of kindred, & the Master made his Report accord'ly, th'rin setting forth what was req'd of him by the sd. Order, & amongst other things he found:

That the sd. Ann Bowden LOVELACE was marr'd to Edw'd EVANS in the year 1817 & that they had no Child'n & that they were in poor Circ'es, the sd. Ann Bowden LOVELACE obtain'g her livelihood by "Working at her Needle."

That, in Conseq'ce of the sd. Master's report, certain proceedings in the Cause were had & taken, in order to give the p'ties m'd in the sd. Report as poor relations, the benefit of any Order or Decree that might th'rafter be made.

That, by a Decree of the Vice Chanc'r, b'g date the 22^d Nov'r 1834, His Honor decl'd the Trusts cont'd in the Will of the Test'or, in the pl'dgs in this Cause m'd, good as a Charitable Trust & did decree that the Charity sho'd be established.

That, in p'suance of the sd. last m'd Decree, the Master made his Report b'g date the 18th July 1836, recommend'g a Scheme for the sd. Charity & certain p'sons th'rin named to be app'ted Tr'ees th'rof.

That, by an Order on fur'r dir'ons b'g date 26th July 1836, It was Ord'd that Wm. LOVELACE, Edw'd HOULDITCH and Sam'l GIRDLESTONE, named in the Master's Report, be app'ted Tr'ees of the Charity in question & it was Ord'd that the residue of £870.4.6 Cash (after paym't of Costs) be pd. to the sd. Tr'ees &, out of such Residue, the sd. Tr'ees were to be at liberty to lay out & apply, at their discretion, to or for the Separate use & benefit of such of the poor female relations of the sd. Test'or as have married since his dec'e & upon their sole Rec'ts resp'ly, w'ch rec'ts sho'd be Suff't disch'ges for the same Sums, not exceed'g £50 to £100 for ea. of such poor female relations.

That, since the date of the sd. last m'd Order, the sd. Anne Bowden EVANS intermarr'd with [blank] MUNRO but from peculiar Circ'es has since been obliged to go to Van Dieman's Land.

That there now remains the Sum of £557.4.4 Cash in the Bank, rem'g on the credit of the sd. Cause, the residue of the sd. Sum of £870.4.6.

That, by an Order of His Honor the Vice Chanc'r, b'g date the 23^d day of May 1837, It was Ord'd (amongst o'r things) that it be referred to the Master, to whom these Causes stand referred, to consider of the Claims of Lucy BOWLING, Caroline WHEATON, Mary TURPIN, Penelope Ann WHEATON, Ann Bowden MUNRO, Mary Ann WOLSTON & Ann DUNN & to Certify w'ch of them are entitled to divide among them the sd. Sum of £557.4.4 Cash.

The sd. A.B. EVANS, as one of the poor Marr'd female relations of the sd. Test'or, th'rfore Claims her fair proportion of the £557.4.4 Cash & that it may be paid either to her on her rec't or be retained by the sd. Tr'ees until she returns from Van Dieman's Land & that they may be then directed to pay it to her.

Further investigation found that Ann Bowden MUNRO did not go to Van Dieman's Land voluntarily but had in fact been transported for 7 years for theft. The Trustees were not in favour of paying a marriage portion to a convict, so William LOVELACE notified the Court to that effect, as the following document shows:

In Cha'y

Att'y General v LOVELACE

State of Facts of Wm. LOVELACE the Tr'ee.

States

That in the Will of Jno. LOVELACE, the Test'or in the pleadings in this Cause m'd, are the Words foll'g:

"It being my intention that the necessitous sho'd be relieved, & sho'd any poor female relations of mine happen to Marry & there be an excess of income, let there be £50 or £100 sterling, [omitted - according to their necessities, but this must be without interfering with the Education of the Youths, as in such case the same shall be withheld until the funds have produced a sufficient income for that purpose.

Should any sum of money be necessary for the establishment of any of the Youths, my relations, it may be taken from the principal fund, provided the same do not exceed £500 sterling], that is to say a loan may be made by [to] Two at most of my relations &, immed'ly on their returning to the fund the princ'l rec'd by them, a like loan may be made to one or two others, not exceeding £500, w'ch shall be advanced on Security being given to the Satisf'on of the depositaries, Messrs John & George WARD or their Successors, for return'g the sd. Funds within the period to be pointed out, to Wit 10 yrs. at furthest, by instalm'ts, as well the princ'l rec'd as the l'ful int't thereon every 6 M'ths, the fund to be only resorted to for that & for no other p'pose whatsoever."

That a Decree was made in this Cause by His Honor the Vice Chancellor, b'g date the 13th Aug't 1829 and That, in p'suance th'rof, there was shortly aft'wds placed to the credit of this Cause the Sum of £8,348 2.0 & that the Master made his Report th'ron dated Jan'y 1832.

That, by an Order dated the 13th [30th] April 1832, it was ord'd that it sho'd be referred to the Master to enquire & state to the Court whe'r there were any, & what, poor relations of the sd. Test'or, then living & what degree or degrees of kindred, & the Master made his Report accord'ly, th'ron [therein] setting forth what was req'd of him by the sd. Order &, amongst other things, he found:

That the sd. Anne Bowden LOVELACE was married to Edw'd EVANS in the yr. 1817 & that they had no children & that they were in poor circ'es, the sd. Anne Bowden LOVELACE obtain'g her livelyhood by working at her needle.

That, in conseq'ce of the sd. Master's report, certain proceedings in the Cause were had & taken, in order to give the parties m'd in the sd. Report as poor Relations, the benefit of any Order or Decree that might th'rafter be made.

That, by a Decree of the Vice Chancellor, b'g date the 22^d Nov'r 1834, His Honor declared the Trusts cont'd in the Will of the Test'or, in the Pl'dgs in this Cause m'd, good as a Charitable Trust & did decree that the Charity sho'd be established.

That, in p'suance of the sd. last m'd Decree, the Master made his Report b'g date the 18th July 1836, recommending a Scheme for the sd. Charity & certain p'sons therein named to be app'ted Tr'ees th'rof.

That, by an Order on fur'r dir'ons, b'g date 26th July 1836, It was Ord'd that Wm. LOVELACE, Edw'd HOULDITCH & Sam'l GIRDLESTONE, named in the Master's Report, be appointed Tr'ees of the Charity in question & it was Ord'd that the residue of £870.4.6 cash (after paym't of Costs) be pd. to the sd. Tr'ees &, out of such residue, the sd. Tr'ees were to be at liberty to lay out & apply, at their discretion, to or for the separate use & benefit of such of the poor female relations of the sd. Test'or, as have married since his dec'e & upon their sole rec'ts resp'ly, w'ch rec'ts sho'd be suff't disch'ges for the same Sums, not exceeding £50 to £100 for each of such poor female relations.

That there now remains the Sum of £557.4.4 Cash in the Bank, rem'g on the credit of the sd. Cause, the residue of the sd. Sum of £870.4.6.

That, by an Order of His Honor the Vice Chancellor, b'g date the 23^d day of May 1837, It was Ord'd (amongst other things) that it be referred to the Master, to whom this Cause stands referred, to consider of the Claims of Lucy BOWLING, Caroline WHEATON, Mary TURPIN, Penelope Anne WHEATON, Anne Bowden MUNRO, Mary Ann WOLSTON & Ann DUNN, & to certify w'ch of them are entitled to divide among them the sd. Sum of £557.4.4 Cash.

That the sd. [blank] MUNRO, the husband of the sd. Anne Bowden MUNRO, has admitted that his Wife has been transported to Van Dieman's Land for theft, for 7 yrs.

Therefore the sd. Wm. LOVELACE, one of the Tr'ees of the sd. Charity, submits that the proportion, w'ch Anne B. MUNRO wo'd o'rwise be entitled to, of & in the sd. Sum of £557.4.4 Cash, sho'd not be pd. to her but be divided among the other poor female married relations of the sd. Test'or.

William LOVELACE was clearly successful in persuading the Court that Ann Bowden MUNRO should not be paid a marriage portion and he duly submitted his proposals for paying educational grants to the poor youths and marriage portions to the other married women, who had applied, as follows:

In Chancery

Att'y Gen'l v LOVELACE

State of Facts and Proposal of the Rev'd Edw'd HOULDITCH, under Order dated 25th May 1837.

In Chan'y

Bet'n	His Maj'ys Att'y Gen'l at the relat'n of Simon COCK Thos. LOVELACE (since dec'd)	Inf't D'ft
And Bet'n	His Maj'ys Att'y Gen'l at the relat'n of Simon COCK Wm. LOVELACE & an'r	Inf't D'fts
And Bet'n	His Maj'ys Att'y Gen'l at the relat'n of Simon COCK Wm. LOVELACE & ors.	Inf't Df'ts
And Bet'n	His Maj'ys Att'y Gen'l at the relat'n of Simon COCK George WHEATON & ors.	Inf't D'fts

The State of Facts of The Rev'd Edw'd HOULDITCH, one of the Tr'ees, app'ted in this Cause, as to the enq'y directed by the Order made in this Cause dated the 21st of May last.

That, by an Order made in the 3 first m'd Causes dated the 30th of Ap'l 1832, it was (am'st o'r things) ref'd to the Master (Mr ROUPELL), to enq'e & state to the Co't wh'r there were any & what poor relat'ns of the Test'or, in this Cause named, then liv'g & in what degree or degrees of kindred & of what age or ages.

That the sd. Master, by his Rep't dated the 22nd Nov'r 1833, made in purs'ce of the sd. Order, certif'd (am'st o'r things) that the D'ft Caroline WHEATON interm'd with the Def't Geo. WHEATON on the 27th June 1812, that the D'ft Mary TURPIN interm'd with the D'ft Joseph TURPIN on the 6th day of May 1828,

that the D^{ft} Penelope Ann WHEATON interm'd with the D^{ft} Fra's Drake Waldron WHEATON on the 17th day of Aug^t 1806

& that the sd. D^{fts} Caroline WHEATON, Mary TURPIN & Penelope Ann WHEATON & Fra's D.W. WHEATON, who was born on the 1st Sept. 1822, Rich'd Copplestone WHEATON, who was born on the 29th Sept'r 1824, Chas. WHEATON, who was born on the 12th Oct'r 1826 & Jno. WHEATON, who was born on the 14th day of July 1828, the Inf^t Child'n of the sd. F.D.W. WHEATON & Penelope Ann his Wife & Edw'd Jno. CARTER, who was born on the 18th Jan'y 1822, Tho's Wm. CARTER, who was born on the 6th March 1826 & Henry Seaman CARTER, who was born on the 5th day of May 1828, the Inf^t Child'n of the D^{ft} Jno. CARTER, were poor relat'ns of the sd. Test'or.

That the sd. Def^t Rd. HOULDITCH & Anna Maria his Wife (the sd. Anna Maria HOULDITCH, be'g one of the next of kin of Jno. LOVELACE the Test'or) had a dau'r born on the 7th of March 1800 named Anna Maria. That the sd. Anna Maria HOULDITCH, the dau'r, interm'd with Tho's WOLSTON on the 19th day of June 1827 & is now living. That the sd. Anna Maria WOLSTON was not at the time of her Marr'e poss'ed of or entit'd to any p'pty whate'r, save & except the sum of £100 & ab't £29, w'ch had accrued for Int't th'ron, w'ch had been presented to her by her Godmother on attain'g the age of 21 yrs.

That Tho's CARTER, one of the next of kin of the sd. Test'or, had a dau'r born on the 7th day of Jan'y 1788 named Eliz'th. That the sd. Eliz'th CARTER on the 16th day of Sep'r 1805 interm'd with Wm. THOMAS of the p'ish of Topsham in the Co'y of Devon, Yeoman. That the sd. Wm. THOMAS & Eliz'th his Wife had a dau'r born on the 29th day of Nov'r 1809 named Ann. That the sd. Ann THOMAS interm'd with Edwin DUNN of the P'sh of St. Petrock, Exeter on the 22nd day of Feb'y 1830. That the sd. Edwin DUNN dep'd this life in the mo. of Aug^t 1832, leav'g the sd. Ann DUNN his W'o, who is now resid'g with her Parents the sd. Wm. & El'th THOMAS. That the sd. E. DUNN, at the time of his d'th was not poss'ed of more than suff't to pay his debts & Funeral Exp's & that the sd. Ann DUNN has one Child named Amelia DUNN, who is now 6 yrs. of age & she, the sd. Ann DUNN has no Income, nor is poss'ed of any p'pty, wh'rwith to maint'n herself & her Child but is wholly depend't on her sd. Father Wm. THOMAS for clothing & Maint'ce.

That the sd. D^{fts} Caroline WHEATON, Mary TURPIN & Penelope Ann WHEATON & the sd. Anna Maria WOLSTON & Ann DUNN sev'ly claim to be entit'd, as poor female relat'ns of the sd. Test'or to sh's of the residue of the (of the) [duplicated] Sum of £557.4. 4 a'r the pay'ts th'rot dir'd by the Order made in this Cause dated the 23rd day of May last.

And the sd. D^{fts} F.D.W. WHEATON & J. CARTER also claim the benefit of the sd. Charity on behalf of the sd. F.D.W. WHEATON, R.C. WHEATON, Chas. WHEATON, J. WHEATON, Edw'd Jno. CARTER, Tho's Wm. CARTER & H.S. CARTER, th'r Child'n, f'm the date of the Order, made in these Causes on the 26th day of July 1836, confirm'g the Master's Rep't approv'g the Scheme for the applic'on of the Funds of the sd. Charity, until the sd. Child'n attained or shall attain their resp'ive ages of 15 yrs.

And the sd. Edw'd HOULDITCH th'rfe prop's that the sd. sev'l Claims sho'd be allowed accord'ly.

In late 1842 or early 1843 the Trustees petitioned the Court to find a replacement for Samuel GIRDLESTONE, who was ill and wanted to retire as a trustee – see below:

In Chancery

Between His Majesty's Attorney General at the relation of Simon COCK Informant
and **Thomas LOVELACE** since deceased Defendant

By Original Information

And Between His Majesty's Attorney General at the relation of Simon COCK Informant
and **William LOVELACE** and **Elizabeth Jane BOWCOCK** Defendants

By Information of Revivor and Supplement

And Between His Majesty's Attorney General at the relation of Simon COCK Informant
and **William LOVELACE**, Elizabeth Jane BOWCOCK, Richard HOULDITCH and Anna Maria his Wife, John WOLLAND and Ann his Wife, Burnell TOWNSEND and Caroline his Wife and Thomas CARTER Defendants

By Supplemental Information

And Between His Majesty's Attorney General at the relation of Simon COCK Informant
and **William LOVELACE**, Elizabeth Jane BOWCOCK, Richard HOULDITCH and Anna Maria his Wife, John WOLLAND and Ann his Wife, Burnell TOWNSEND and Caroline his Wife, Thomas CARTER, George WHEATON and Caroline his Wife, Joseph TURPIN and Mary his Wife, Thomas CARTER the younger, Francis Drake Waldron WHEATON and Penelope Anne his Wife, John CARTER, Ann CARTER, George Abbott Copplestone WHEATON, Caroline WHEATON, John Waldron WHEATON, Eliza Thorn WHEATON, Ann Carter WHEATON, Fanny WHEATON, Mary Ann WHEATON, Edward WHEATON, Elizabeth Copplestone TURPIN, Ann TURPIN, Eliza Thorn CARTER, Thomas Copplestone CARTER, Ann Abbott CARTER, Penelope

Ann WHEATON, Sophia WHEATON, Francis Drake Waldron WHEATON,
Richard Copplestone WHEATON, Charles WHEATON, John WHEATON,
Eliza CARTER, Edward John CARTER, Anna Maria CARTER, Thomas
William CARTER, Henry Seaman CARTER, Alfred Augustin [*Augustus*]
CARTER, Charles Lovelace CARTER, Jacob Samuel BOWLING and Lucy
his Wife, William BOWLING, Thomas BOWLING, George BOWLING,
James BOWLING and Robert BOWLING, Sophia BOWLING (since deceased)
and Edward BOWLING, Lucy BOWLING, Mary Ann BOWLING & Elizabeth
BOWLING (both since deceased) and Ann LOVELACE, Edward EVANS and
Ann Bow[d]en his Wife, William LOVELACE, Thomas John LOVELACE,
James Bowden LOVELACE and William John LOVELACE
Defendants
By Supplemental Information

To the Right Honorable the Lord High Chancellor of Great Britain.

The humble Petition of the above named Defendants William LOVELACE and of Edward HOULDITCH of St. Leonard's near Exeter in the Co'y of Devon and Samuel GIRDLESTONE, late of Lincoln's Inn in the County of Middlesex but now of Froggnal Lodge, Hampstead in the same County, Esquire.

Sheweth,

That John LOVELACE, formerly of Aylesbeare in the County of Devon, but afterwards residing in the City of Malaga in the Kingdom of Spain, by his last Will and Testament, bearing date the 13th day of December 1801, devised and bequeathed in the words following (that is to say):

Item. It is my Will that there be paid to Mrs Maria HODSON of this City, Widow, now residing in one of my houses, yearly during her life One hundred Guineas English, by half yearly payments, on the Feast days of Saint John the Baptist and Nativity of our Lord Christ, as a recompence for the care she has bestowed on me, which payment shall commence from the day next after my decease and be paid to her whether she reside in this City, or elsewhere, or in any other Kingdom, except that of England, on the mere production of a Certificate of her existence, drawing for that purpose the necessary Bills of Exchange on the Depositories h'rinafter named, in whose hands the funds exist and my said Executors shall also deliver to the said Mrs Maria HODSON the whole of her personal property, which she will point out.

Item. It is my Will that my Executors do, with all care and diligence, settle my outstanding accounts of whatsoever nature or description, the same may be in Spain or other parts, except in the Kingdom of England and Ireland, remitting every three months, such sums as they shall have received, to my external friends Messrs John and George WARD, Merchants in the City of London and I do for that purpose empower my said Executors to treat for the sale of my dwelling houses and all other my estate and effects remaining at the time of my decease, viz't the whole extra judicially, it being my Will that in the said transaction, as well as all other relating thereto, no Judge shall interfere therein.

And I do hereby appoint my said friends Messrs John and George WARD of London, Depositories of all the proceeds of my Capital so remitted, and to be remitted by my Executors, and also of the whole capital arising from money, Bills of Exchange or now in their hands and till now remitted by me to them and of what further shall hereafter be delivered to them; and I also authorize them to recover and receive the credits or inheritances that may result in my favor, as well in the Kingdom of England as in Ireland, to which end I give and grant to my said friends the most ample and extensive powers and authorities, that may be necessary, in order that they may be, as soon as they shall be, in possession of any part of the proceeds of my Capital and properly invest the whole thereof in the British National Funds, in such manner as they shall deem most advantageous and continue so to do with the other sums of money they shall receive, for the purposes following, viz't:

first, to pay the said Mrs HOD(G)SON the One hundred Guineas yearly, as above directed.

secondly, my said friends Messrs John and George WARD shall endeavour to apply the proceeds of such funds towards the proper education and maintenance of all such poor youths as shall be related to me, and not towards that of those who shall not be in indigent circumstances, it being my intention that the necessitous be relieved and, should any poor female relation of mine happen to marry and there be an excess of income, let there be Fifty or One hundred pounds sterling, according to her necessities, but this must be done without interfering with the education of the youths, as in such case, the same shall be withheld until the funds shall have produced a sufficient income for that purpose.

Item. Should any sum of money be necessary for the Establishment of any of the Youths, my relations, it may be taken from the principal sum, provided the same do not exceed Five hundred pounds sterling, viz't, a loan may be made to two at most of my said relations and, immediately on their returning to the funds the principal received by them, a like loan may be made to one or two others, not exceeding £500 each, which shall be advanced on security being given, to the satisfaction of the Depositories Messrs John and George WARD or their Successors, for returning [*to*] the said fund, within the period to be pointed out, to wit, 10 years at furth(er)est, by instalments, as well the principal received as the lawful interest thereon, every 6 months, the fund to be resorted to for no other purpose whatever.

Item. That, after the decease of my said friends Messrs John and George WARD, the same trust, with the like powers, shall devolve upon Mr William LOVELACE of Charles Square, Hoxton, London, eldest son of William deceased of the same place and upon the nearest male relation of the said Mr William LOVELACE, should he reside in England and, in case of his death, upon the heir male of the said Mr William LOVELACE and nearest male relation, so that there shall constantly be two Trustees residing in England.

I nominate for my Executors, Don Juan Baptista MAINY, Don Pedro BARINGTON and John [*Don*] Juan McDERMOT, respectively inhabitants of this City, to whom, jointly and severally, I give and bequeath the most ample powers, immediately on my death, to enter and take possession of all my property, which they shall sell by Public Auction, or as they shall judge most expedient, in order to fulfil in every respect this my last Will, the whole extra judicially and without rendering any account to any tribunal or judge, as every thing shall be executed extra judicially by them, and they only bound to render account and remit, as above directed, to my said friends, Messrs John and George WARD or to their successors, such volences and capital as my estate shall produce, viz't: so far as respects this or any other City or Kingdom whatsoever, save England or Ireland, the trusts of which I have given [*to*] my said friends in London. And, I do hereby revoke, annul and declare void all former and other wills by me heretofore made in writing or nuncupatively made, willing that this alone, which I now sign, shall avail and take effect as my last Will, in Malaga.

That, by a Decree or Decretal Order made in these Causes by His Honor The Vice Chancellor of England, on the 22nd November 1834, it was declared that the trust contained in the said Testator's said Will was good as a charitable trust. And it was ordered that the Charity should be established and that it should be referred to the Master, to whom the said Causes stood referred, to settle and approve of a scheme for the application of the Charity, proper regard being had to the directions in the said Testator's said Will and that the said Master, having regard to the said Will, should be at liberty to appoint one or more Trustee or Trustees of the said Charity, if he should think it necessary.

That, by an Order made in these Causes by His Honor The Vice Chancellor of England, on the 31st day of October 1835, it was declared that the Male Children, poor relations of the said Testator John LOVELACE, were alone entitled to the provision for education, made in the Will of the said Testator.

That, in pursuance of the said Decree of the 22nd of November 1834, G.B. ROUPELL Esq'r, the Master to whom these Causes stood referred, made his Report bearing date the 18th day of July 1836 and thereby, after setting forth the Will of the said Testator, certified, that it had been submitted to him, that there was then standing in the name of the Accountant General, to the credit of the said Cause "Attorney General v LOVELACE", the sum of £11,622.8.2 £3 per Cent Consolidated Bank Annuities, producing an annual Income of £348. That it had been considered that the male Children, poor relations of the said Testator, who were, or should be, between the ages of 8 and 15 years inclusive, should, out of the said Income, be taught reading, writing and arithmetic and be maintained. That there were then only 8 male Children, poor relations of the said Testator, who were between the said ages of 8 and 15.

That it was apprehended that each of the said Children might be educated and maintained for the sum of £30 per annum. And the said Relator had laid before him the following Scheme, viz't:

1st That William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE should be appointed the Trustees of the said Charity and that, on the death, incapacity or refusal to act of either of them, some other fit and proper person is appointed to act in his place.

2nd That the annual interest and dividends of the sum of £11,622.8.2 Consols. or of the Charity fund for the time being, be paid to them. And that they should apply the same, or so much thereof as should be necessary, in maintaining and educating, according to the Will of the Testator, the poor male Children, relations of the said Testator, who might be from time to time between the ages of 8 and 15 and, for that purpose, should place them at such Boarding Schools or Day Schools, as they might think proper. And that they should be allowed to pay a sum for each such Child, not exceeding £30 a year, the same to be paid wholly to the keeper of any such Boarding School or Day School, where such Child should be placed, or partly to the Keeper of such School and partly to the Parents or Friends of such Child, as such Trustees should think fit.

3rd That, if any surplus of the same annual interest and dividends should remain in their hands, after educating and maintaining the said male Children, the same might be applied by them in making advances toward the said sum of from £50 to £100 to such of the female relations of the said Testator, who might happen to marry.

4th That the said sum of £11,622.8.2 Consols. or charitable fund for the time being, should be subject to payment thereout, not exceeding £500, as occasion should arise, for the purpose of establishing the said Youths in the World, in manner thereinbefore expressed.

5th That the said William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE should pass their Accounts of the application of the Income of the said £11,622.8.2 Consols. or amount of the Charity funds for the time being, or any part thereof, which should be sold out as aforesaid, and the Income thereof, at the end of the first year and from thenceforth at the end of every 3rd year, unless called upon to do so at the expiration of shorter periods. And that, after being allowed all expences respecting the said Charity and of passing their said Account, they should pay the residue thereof (if any) into the Court, to the credit of the said Cause, to an Account to be entitled the Education and Marriage fund of the poor relations of John LOVELACE deceased, to be applied in like manner, as occasion might require and the Court should order; and the Master further certified that he had considered the said Scheme and had settled and approved thereof, regard being had to the directions in the Testator's Will and he thought it necessary, having regard to the said Will, to appoint your Petitioners, the said William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, to be Trustees of the said Charity.

That the said Master's said Report was duly confirmed by an Order made in these Causes by His Honor the Vice Chancellor of England, on the 18th day of July 1836.

That, by another Decree or Decretal Order made in these Causes by His Honor the Vice Chancellor of England, on the 26th day of July 1836, It was ordered that it should be referred to the Master, to whom these Causes stood referred, to tax all parties their Costs of this Suit, as between Solicitor and Client. And it was ordered that such Costs, when taxed, should be paid out of the sum of £870.4.6 Cash in the Bank, remaining on the credit of the said Cause Attorney General v LOVELACE, in manner therein mentioned. And it was ordered that your Petitioners, William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, should be appointed Trustees of the Charity in question. And it was ordered that, the residue of the said sum of £870.4.6 Cash, after payment of the said

Costs, the amount thereof to be verified by Affidavit, should be paid to your Petitioners, William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, as such trustees as aforesaid and, out of such residue, It was ordered that your Petitioners, William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, should be at liberty to pay and apply, at their discretion, to and for the separate use and benefit of such of the poor female relations of the said Testator as had married since his decease, and upon their sole receipts respectively, which receipts should be sufficient discharges for the same sums, not exceeding from £50 to £100 for each of such poor female Relations. And also to pay and apply, such sums as should be necessary, towards the immediate maintenance and education of the 8 Youths mentioned in the Master's Report, until the dividends of the £11,622.8.2 Bank Annuities, thereinafter mentioned, should become available for that purpose. And it was ordered that the interest to accrue due from time to time on the £11,622.8.2 Bank £3 per Cent Annuities, then standing in the name of the Accountant General of the said Court, In trust in the said Cause Attorney General v LOVELACE, should be paid to your Petitioners, William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, as such Trustees as aforesaid. And it was ordered that they should apply the same, or so much thereof as might be necessary, in maintaining and education, according to the Will of the Testator, and the scheme approved by the said Master, the poor male Children of the relations of the said Testator, who might be, from time to time, between the ages of 8 and 15 years and, for that purpose, place them at such Boarding Schools or Day Schools, as they might think proper, and pay a sum for each such Child, not exceeding £30 a year, the same to be paid wholly to the Keeper of any such Boarding or Day School, where such Child should be placed, or partly to the Keeper of such School and partly to the Parents or Friends of such Child, as the said Trustees should think fit and, if any surplus of such interest should remain in their hands, after educating and maintaining the said male Children, It was ordered that the said Trustees should be at liberty to apply the same, as far as the same would extend, or such parts thereof as they should think fit, in payments not exceeding from £50 to £100 each in any one year, to or for the separate use and benefit of each of the poor female relations of the said Testator, who might happen to marry & upon the like receipts, as thereinbefore mentioned. And the said Trustees were to be at liberty to apply to the said Court, for permission to advance by way of loan, (having regard to the provisions of the Testator's Will in that respect) one or two sums, not exceeding £500 each, as occasion should arise, for the purpose of establishing the said youths in the World and subject to the variations therein, consequent to the directions therein-before given; and it was thereby Ordered that the said Master's Report should be confirmed. And that the said Trustees should pass their Accounts of the application of the residue of the said Sum of £870.4.6, after paying the Costs and sums aforesaid and of the Interest of the said Bank Three pounds per Cent Annuities, at the end of one year from that time and from thenceforth at the end of every third year, before the said Master, unless called upon to do so at the expiration of shorter periods and, in passing their Accounts, it was Ordered that they should be allowed all expences respecting the said Charity, and the Costs of all parties of passing the said Accounts. And it was Ordered that they should pay the balance of such Accounts (if any) into the Bank, to the Credit of the said Cause "Attorney General v LOVELACE", to an Account to be entitled "The Education and Marriage Fund of the poor Relations of John LOVELACE deceased", to be applied in like manner as occasion might require and the said Court should order.

That, in pursuance of the last mentioned Decree, the Costs of all parties were taxed and paid out of the said sum of £870.4.6 Cash in the Bank remaining on the Credit of the said Cause "Attorney General v LOVELACE" and the residue of the said sum, after payment of the said Costs, amounting to the sum of £557.4.4, was paid to your Petitioners as thereby directed.

That your Petitioners have also, in pursuance of the said last mentioned Decree, from time to time received the Dividends that have accrued due on the said sum of £11,622.8.2 Bank three pounds per cent Annuities, in the said Decree mentioned, and they have from time to time duly passed their Accounts, as thereby directed.

That your Petitioners have duly applied the said Balance or sum of £557.4.4, so paid to your Petitioners as aforesaid, and also all the Dividends on the said sum of £11,622.8.2 Bank three pounds per Cent Annuities, as directed by the said last mentioned Decree, except the sum of £138.4.11, which has not yet been applied for the purposes aforesaid and is now in their hands, as will appear upon passing their second triennial Account, which they are about to do, in pursuance of the said decree.

That your Petitioner, Samuel GIRDLESTONE, has lately become, and is now, incapacitated by illness from longer acting as a Trustee of the said Charity and is desirous of being discharged from the Trusts thereof. And your Petitioners are therefore desirous that some proper person should be appointed a Trustee of the said Charity, to act with your Petitioners William LOVELACE and Edward HOULDITCH, in the place and stead of the said Samuel GIRDLESTONE.

Your Petitioners therefore Humbly Pray, Your Lordship, that it may be referred to the Master to whom these Causes stood transferred, to approve of & appoint some proper person as a Trustee of the said Charity, in the place and stead of your Petitioner Samuel GIRDLESTONE. And that the balance of the said Trust Moneys, which may be found to be in the hands of your Petitioners, upon passing their second triennial Account, may be ordered to be paid to your Petitioners, William LOVELACE and Edward HOULDITCH and such new Trustee, to be by them applied according to the Directions of the said Decree of the 26th day of July 1836. And that the said Accountant General may be ordered to pay the Dividends hereafter to accrue due from time to time, on the said sum of £11,622.8.2 Bank £3 per Cent Annuities, to your Petitioners William LOVELACE and Edward HOULDITCH and such new Trustee, to be applied by them, according to the Directions of the said Decree of the 26th day of July 1836. And, that it may be referred to the said Master, to Tax the Costs of your Petitioners and of all other parties of and relating to this application, as between Solicitor and Client, and that such Costs, when taxed, may be paid by your Petitioners, William LOVELACE and Edward HOULDITCH and such new Trustee, to the respective Solicitors of your Petitioners and the said other parties respectively, out of the said balance or sum of £138.4.11 or out of the Dividends

hereafter to accrue due on the said sum of £11,622.8.2 Bank three pounds per Cent Annuities, to be received by them. And that they may be allowed the same on passing their Accounts. And that such further or other Order may be made in the premises, as to your Lordship shall seem meet.

And Your Petitioners will ever Pray etc.

Before a new trustee could be appointed, Samuel GIRDLESTONE died. William King LOVELACE then died in 1843, leaving only one trustee. Edward HOULDITCH, the surviving trustee, petitioned the Court on 8th February 1844 to appoint new trustees in their stead.

The BOWLING family nominated William SPEED, a barrister, to replace Samuel GIRDLESTONE, who had been looking after their interests – see below:

In Chancery

Between His Majesty's Attorney General at the relation of George PITZ and Thomas LOVELACE since dec'ed	Informant D'ft
By Original Information	
And Between His Majesty's Attorney General at the Relation of George PITZ and William LOVELACE since dec'ed & Elizabeth Jane BOWCOCK	Informant D'fts
By Information of Revivor and Supplement	
And Between His Majesty's Attorney General at the relation of George PITZ and William LOVELACE , since dec'ed, Elizabeth Jane BOWCOCK, Richard HOULDITCH & Anna Maria his Wife, John WOLLAND & Ann his Wife, Burnell TOWNSEND & Caroline his Wife and Thomas CARTER	Informant D'fts
By Supplemental Information	
And Between His Majesty's Attorney General at the relation of George PITZ and William LOVELACE , since dec'ed, Elizabeth Jane BOWCOCK, Richard HOULDITCH & Anna Maria his Wife, Jno. WOLLAND & Ann his Wife, Burnell TOWNSEND & Caroline his Wife, Thomas CARTER, Geo. WHEATON & Caroline his Wife, Joseph TURPIN & Mary his Wife, Tho's CARTER the Younger, Francis Drake Waldron WHEATON and Penelope Ann his Wife, John CARTER, Ann CARTER, George Abbot Copplestone WHEATON, Caroline WHEATON, Jno. Waldron WHEATON, Eliza Thorn WHEATON, Ann Carter WHEATON, Fanny WHEATON, Mary Ann WHEATON, Edw'd WHEATON, Elizabeth Copplestone TURPIN, Ann TURPIN, Eliza Thorn CARTER, Thomas Copplestone CARTER, Ann Abbot CARTER, Penelope Ann WHEATON, Sophia WHEATON, Francis Drake Waldron WHEATON, Rich'd Copplestone WHEATON, Charles WHEATON, Jno. WHEATON, Eliza CARTER, Edw'd Jno. CARTER, Anna Maria CARTER, Thomas William CARTER, Henry Seaman CARTER, Alfred Augustin [<i>Augustus</i>] CARTER, Cha's Lovelace CARTER, Jacob Samuel BOWLING & Lucy his Wife, William BOWLING, Thomas BOWLING, George BOWLING, James BOWLING & Rob't BOWLING, Sophia BOWLING, since dec'ed & Edw'd BOWLING, Lucy BOWLING, Mary Ann BOWLING & Eliz'th BOWLING, both since dec'ed & Ann LOVELACE, Edw'd EVANS & Ann Bow[d]en his Wife, Thomas Jno. LOVELACE, James Bowden LOVELACE and William Jno. LOVELACE	Informant D'fts
By Supplemental Information	

The State of Facts and proposals of the above named D'fts Jacob Samuel BOWLING & Lucy his Wife, Wm. BOWLING, Thomas BOWLING, Geo. BOWLING, James BOWLING & Robert BOWLING, Sophia BOWLING since dec'ed & Edw'd BOWLING, Lucy BOWLING, Mary Ann BOWLING & Elizabeth BOWLING (both since dec'd) for the appointment of William SPEED Esq're of No. 9 New Square, Lincoln's Inn in the Co'y of Midd'x, Barrister at Law, to be a Trustee of the Charity in this Cause, in the place & stead of Sam'l GIRDLESTONE dec'ed.

That, by an order made in these causes upon the Petition of Edw'd HOULDITCH of Saint Leonard's in the Co'y of Devon, the surviving Tr'ee of the Charity in these causes, by His Honor the Vice Chancellor of England, dated 8th February 1844, It was ordered that it be referred to the Master, to whom these causes stand referred, to approve of some proper persons to be Tr'ees of the Charity in the said petition mentioned, in the place & stead of Samuel GIRLDESTONE [*GIRDLESTONE – spelt wrongly throughout whole document*] & Wm. LOVELACE, both dec'ed, jointly with the petitioner Edward HOULDITCH &, after the Master had made his Report, such further Order sho'd be made as should be just.

That, previously to the parties, on whose behalf this State of Facts is brought in, being made D'fts in the last ment'd Suit, they were & still are poor & were much befriended by the sd. Samuel GIRDLESTONE, who, not only contributed largely to their personal necessities, but also assisted them with legal advice & money, to enable them to establish the Kindred of the D'ft Lucy BOWLING to the Test'or in the pleadings named.

That, after these D'fts were put upon the Record, the sd. Sam'l GIRDLESTONE, at their request, permitted himself to be named a trustee of the sd. charity & was approved of, as a fit & proper person to be a Tr'ee, by G.B. ROUPELL Esq're, the Master to whom this cause then stood referred (jointly with the above named D'ft William LOVELACE, since dec'ed & the sd. Edward HOULDITCH) by his Report made in these causes on the 18th day of July 1836, which Report was afterw'ds confirmed by an order, also made in these causes, bearing date the 18th day of July 1836. **That**, down to the time of the retirement of the sd. Sam'l GIRDLESTONE from the profession, the sd. Sam'l GIRDLESTONE continued to befriend these D'fts, and the sd. Sam'l GIRDLESTONE & also Edw'd TEED Esq're, Barrister at Law, a Brother in Law of the sd. Sam'l GIRDLESTONE (who is since retired from the profession owing to ill health) permanently employed the sd. D'ft George BOWLING as their Clerk & occasionally employed the D'fts Rob't BOWLING & Edw'd BOWLING as assistants to the sd. George BOWLING. **That**, upon the retirement of the sd. Edw'd TEED, William SPEED of the Middle Temple & of Lincoln's Inn Esq're, Barrister at Law, took the Chambers of the sd. Edward TEED & succeeded in a great measure to the professional practice of the sd. Edw'd TEED & took the D'ft George BOWLING as his permanent Clerk & has also occasionally employed the sd. D'fts Rob't BOWLING & Charles [Edward] BOWLING as assistant Clerks. **That** these D'fts are young persons, married & having families, members of whom will probably, at no great distance of time, become applicants for the benefits of the Charity. **That** these D'fts have great confidence in the sd. Mr SPEED & have requested him to allow himself to be proposed as a Tr'ee, in the place & stead of the sd. Samuel GIRDLESTONE, to which he has assented & has also, at the request of these D'fts, assented to employ as his Solicitor, Mr Archibald ROSSER, who has throughout acted in these Causes, as the Solicitor of these D'fts.

These D'fts therefore propose the sd. Wm. SPEED as a Trustee of the sd. Charity, in the place & stead of the sd. Sam'l GIRDLESTONE Esq're dec'ed.

Affidavit of Archibald ROSSER, supporting the proposal of William SPEED as a Trustee.

(Recitation of Causes as before).

Archibald Richard Francis ROSSER of No. 63 Lincoln's Inn Fields, in the Co'y of Midd'x, Gent'n, Solicitor in these causes for the D'fts BOWLING, maketh oath & saith:

that he is well acquainted with William SPEED of No. 9 Lincoln's Inn, New Square, in the Co'y of Midd'x, Barrister at Law, the Gentleman proposed by the above named D'fts BOWLINGS as a Tr'ee of the Charity in these Causes, in the place & stead of Samuel GIRLDESTONE [GIRDLESTONE] dec'ed, professionally & also in his private character & that, in the judgm't & belief of this depo't, the sd. William SPEED is a most fit & proper person to be a Trustee of the Charity in these causes. Archibald R.F. ROSSER.

Sworn at the Public Office, Southampton Build'gs, in the Co'y of Midd'x, this 2^d day of March 1844. Before me A.H. LYNCH.

Affidavit of Richard WITTY, supporting the proposal of William SPEED as a Trustee.

(Recitation of Causes as before).

Richard Henry WITTY of No. 21 Essex Street, in the Co'y of Midd'ex, Gent'n, Maketh Oath & Saith:

that he is well acquainted with William SPEED of No. 9 Lincoln's Inn, New Square in the Co'y of Middlesex, Barrister at Law, the Gent'n proposed by the above named De'fts BOWLINGS as a Tr'ee of the Charity in these Causes, in the place & stead of Sam'l GIRDLESTONE dec'ed, & that, in the judgment & belief of this dep't, the sd. Wm. SPEED is a most fit & proper p'son(s) to be a Tr'ee of the Charity in these Causes. R.H. WITTY.

Sworn at the Public Office, Southampton Bd'gs, Chancery Lane, in the Co'y of Midd'ex, this 12th day of March 1844. Before me Wm. HORNE.

As the most senior male member of the LOVELACE family, James Bowden LOVELACE was the obvious candidate to be a trustee, provided he resided in England. However, James was living in Australia, which excluded him. He therefore nominated Letitia LOVELACE, William's widow, who with her daughter Letitia junior, was the only member of the immediate family, with the surname LOVELACE, still living in England.

The State of Facts and Proposal of the above named D'ft James Bowden LOVELACE [*for the appointm't of Letitia LOVELACE to be a Tr'ee of the Charity in these Causes*], in the place & stead of William LOVELACE, one of the late Trustees, but now dec'ed.

That, by an order made in these Causes upon the Petition of Edw'd HOULDITCH of Saint Leonard's, in the Co'y of Devon, the surviving Tr'ee of the Charity in these causes, by His Honor the Vice Chan'r of England, dated 8th Feb'y 1844, It was order'd that it be referred to the Master, to whom these causes stand referred, to approve of some proper persons to be Tr'ees of the Charity in the sd. Pet'n mention'd, in the place & stead of Samuel GIRLDESTONE [GIRDLESTONE] & William LOVELACE, both dec'ed, jointly with the Petitioner Edw'd HOULDITCH &, after the Master had made his Report, such further order sho'd be made as sh'd be just.

That, in the Will of Jno. LOVELACE, the Test'or in the pleadings of these causes, there is contained the foll'g directions as to the Tr'ees of his property, viz't:

"Item. That after the decease of my sd. friends Messrs John & George WARD, the same trust, with the like powers, shall devolve upon Mr William LOVELACE of Charles Square, Hoxton, London, eldest son of William dec'ed of the same place & upon the nearest male relation of the sd. Mr William LOVELACE, sho'd he reside in

England &, in case of his death, upon the Heir Male of the said Mr William LOVELACE & nearest male relation, so that there shall be constantly two Tr'ees residing in England."

That William LOVELACE, the last Tr'ee, died without leaving any male issue & that the D'fts, Tho's Jno. LOVELACE & Wm. Jno. LOVELACE, are both also dead & the only male relative living of the sd. Test'or is the D'ft James Bowden LOVELACE, residing at Sydney in [New] South Wales.

That the sd. William LOVELACE, the late Tr'ee, has left a Widow, Letitia LOVELACE, of No. 120 Great Saffron Hill, Greengrocer & one Daughter & that the sd. Letitia LOVELACE & her sd. Daughter are the only persons of the name of LOVELACE now residing in England, who are connected or in any way related to the sd. Testator & that the Daughter of the sd. William LOVELACE will be entitled to be [an] applicant for the benefit of the sd. Charity.

The said D'ft James Bowden LOVELACE is desirous (as he is abroad) that the sd. Letitia LOVELACE sho'd be proposed as Tr'ee, in the place of the sd. William LOVELACE dec'ed & she has consented to act as such Tr'ee, if appointed, & that she is a fit & proper person for such office.

The sd. D'ft James Bowden LOVELACE therefore proposes the sd. Letitia LOVELACE, Wo. as a Tr'ee of the said Charity, in the place & stead of the said Wm. LOVELACE dec'ed.

Affidavit of William WITHAM, supporting the proposal of Letitia LOVELACE as a Trustee.

(Recitation of Causes as before).

William WITHAM of Gray's Inn, in the Co'y of Midd'ex, Sol'r to the above named Relator George PITZ & to the above named Def't James Bowden LOVELACE, Maketh Oath and Saith:

that he is acquainted with Letitia LOVELACE of No. 120 Great Saffron Hill, Greengrocer (the Wo. of William LOVELACE, late of the same place, dec'ed), the p'son proposed as a Tr'ee of the Charity, established by the Decree in the above Causes & he, this Depo't, believes the sd. Letitia LOVELACE to be a Woman of respectability & saith that she is a fit & proper p'son to be appointed Tr'ee of the sd. Charity in the stead & place of Wm. LOVELACE, her late husband, dec'ed. Wm. WITHAM.

Sworn at the Public Office, Southampton B'dgs, Chancery Lane, in the Co'y of Midd'ex, this 2nd day of Feb'y 1844. Before me A.H. LYNCH.

Affidavit of Robert UNDERHILL, supporting the proposal of Letitia LOVELACE as a Trustee.

(Recitation of Causes as before).

Rob't UNDERHILL of Cross Street, Hatton Garden, in the Parish of St. Andrew, Holborn, Glass Manufacturer, maketh oath & saith:

that he is well acquainted with Letitia LOVELACE, the Widow of William LOVELACE, since dec'ed, & the person proposed as a Tr'ee of the charity established by the Decree in the above Causes of the 26 day of July 1836, & that he hath been so acquaint'd with her for a period of 5 or 6 years, & this depo't saith that the sd. Letitia LOVELACE Rents a House of this depo't & that the sd. Letitia LOVELACE is a person of good character & respectability & is a fit & proper person to be appointed a Tr'ee of the sd. Charity in the stead & place of Wm. LOVELACE, her late husband, dec'ed. Rob't UNDERHILL.

Sworn at the Public Office, Southampton Buildings, Chan'y Lane, in the Co'y of Midd'x, this 14 day of March 1844. Before me Wm. BROUGHAM.

Affidavit of James HERBERT, supporting the proposal of Letitia LOVELACE as a Trustee.

(Recitation of Causes as before).

James HERBERT of Peter Street, Hatton Garden, in the Parish of St. Andrew, Holborn, Greengrocer, maketh Oath & saith:

that he is well acquainted with Letitia LOVELACE, the Wo. of Wm. LOVELACE dec'ed & the person proposed as a Tr'ee of the Charity, established by the Decree in the above Causes of the 26 day of July 1836, & that he hath been so acquainted with her for a period of 2 years or thereabouts, & this depo't saith that the sd. Letitia LOVELACE is a person of good Character & great respectability & is a fit & proper person to be appointed a Tr'ee of the sd. Charity in the stead & place of William LOVELACE, her late husband, dec'd. Jas. HERBERT.

Sworn at the Public Office, Southampton Buildings, Chan'y Lane, in the Co'y of Midd'x, this 14 day of March 1844. Before me W. BROUGHAM.

Affidavit of John GORTON, supporting the proposal of Letitia LOVELACE as a Trustee.

(Recitation of Causes as before).

John GORTON of Saffron Hill, in the Parish of St. Andrew, Holborn, maketh Oath & saith:

that he hath been a Potatoe Salesman for upw'ds of 21 yrs. & that he is well acquainted with Letitia LOVELACE, the Wo. of Wm. LOVELACE dec'ed & the person proposed as a Tr'ee of the Charity, establish'd by the Decree in the above Causes of the 26 day of July 1836, & that he hath been so acquainted with her for a period of 3 years & upwards & this depo't saith that the sd. Letitia LOVELACE is a person of good character & respectability & is a fit & proper person to be appointed a Tr'ee of the sd. Charity, in the stead & place of Wm. LOVELACE, her late Husband, dec'd. John GORTON.

Sworn at the Public Office, Southampton Build'gs, Chan'y Lane, in the Co'y of Midd'x, this 14 day of March 1844. Before me W. BROUGHAM.

Affidavit of Edward PIZEY, supporting the proposal of Letitia LOVELACE as a Trustee.

(Recitation of Causes as before).

The Rev'd Edw'd PIZEY, Incumbent of St. Peter's District Church, Great Saffron Hill, in the parish of St. Andrew, Holborn, Maketh Oath & Saith:

that he is well acquainted with Letitia LOVELACE (the Wo. of Wm. LOVELACE dec'ed), the p'son proposed as a Tr'ee of the Charity, established by the Decree in the above Causes of the 26th July 1836, & saith that the sd. Letitia LOVELACE is one of the Congregation, of who attends the sd. Church & is a p'son of good character & great respectability & that she is a fit & proper p'son to be appointed a Tr'ee of the sd. Charity, in the stead & place of Wm. LOVELACE, her late husband, dec'd. Edw'd PIZEY.

Sworn at the Public Office, Southampton B'dgs, Chancery Lane, in the Co'y of Midd'ex, this 15th day of March 1844. Before me G. WILSON.

Affidavit of Thomas SUCH, supporting the proposal of Letitia LOVELACE as a Trustee.

(Recitation of Causes as before).

Thomas William SUCH of Bowling Street, Clerkenwell, Undertaker, Maketh Oath & saith:

that he is well acquainted with Letitia LOVELACE, the Widow of William LOVELACE dec'ed & the person proposed as a Tr'ee of the Charity, established by the Decree in the above causes on the 26th day of July 1836, & that he hath been so acquainted with her for a period of 16 years & this depo't saith that the sd. Letitia LOVELACE is a person of good Character & great respectability & is a fit & proper person to be appointed a Tr'ee of the sd. Charity, in the stead & place of William LOVELACE, her late husband, dec'd. Tho's W. SUCH.

Sworn at the Public Office, Southampton Buildings, Chan'y Lane, in the Co'y of Midd'x, this 15 day of March 1844. Before me G. WILSON.

John LOVELACE's Will stipulated that trustees should be Male but the Scheme of 1836 merely referred to Persons. In the event Letitia LOVELACE withdrew, or was persuaded to withdraw, her nomination. James Bowden LOVELACE then nominated Rev'd Edward PIZEY, who had been one of Letitia's character witnesses, to be a trustee. See below:

(Recitation of Causes as before).

The State of Facts & Proposal of the above named D'ft James Bowden LOVELACE, for the appointm't of The Rev'd Edw'd PIZEY, to be a Tr'ee of the Charity in these Causes, in the place & stead of William LOVELACE dec'ed.

That, by an order made in these causes upon the Pet'n of Edw'd HOULDITCH of St. Leonard's in the Co'y of Devon, the surviving Tr'ee of the Charity in these causes, by His Honor the Vice Chancellor of England, dated the 8th day of Feb'y 1844, It was ordered that it be referred to the Master, to whom these causes stand referred, to approve of some proper persons to be Tr'ees of the Charity in the said Petition mentioned, in the place & stead of Sam'l GIRLDESTONE [*GIRDLESTONE*] & Wm. LOVELACE, both dec'ed, jointly with the Petitioner Edw'd HOULDITCH &, after the Master had made his Report, such fur'r order should be made as sh'd be just.

That the sd. D'ft James Bowden LOVELACE hath great confidence in the sd. Rev'd Edw'd PIZEY & has requested him to allow himself to be proposed as a Tr'ee in the place & stead of the sd. Wm. LOVELACE, to which he has assented.

The D'ft James Bowden LOVELACE therefore proposes the sd. Rev'd Edw'd PIZEY as a Tr'ee of the sd. Charity, in the place & stead of the sd. William LOVELACE dec'ed.

Affidavit of Adam HAMILTON, supporting the proposal of Edward PIZEY as a Trustee.

(Recitation of Causes as before).

Adam HAMILTON of Hatton Garden, Midd'x, Church Wa[r]den of St. Peter's, in the Parish of Saint Andrew, Holborn, maketh Oath & saith:

that he is well acquainted with The Rev'd Edw'd PIZEY, Incumbent of St. Peter's District Church, in the Parish of St. Andrew, Holborn, the person proposed as a Tr'ee of the Charity, established by the Decree in the above causes of the 26 day of July 1836, & this dep't saith that the said Edward PIZEY is a person of very great respectability & is a fit & proper person to be appointed a Tr'ee of the sd. Charity, in the stead & place of Wm. LOVELACE, one of the late Tr'ees of the sd. Charity, dec'ed. Adam HAMILTON.

Sworn at the Public Office, Southampton Buildings, Chan'y Lane, in the Co'y of Midd'x, this 20th day of March 1844. Before me F. DUCKWORTH.

The Court had referred it to the Master to approve of some proper persons to be trustees and, with only two nomination, he made his Report on 28th March 1844 recommending that William SPEED and Rev'd Edward PIZEY be appointed trustees to serve with Edward HOULDITCH. Edward HOULDITCH duly petitioned the Court the following day for the Master's recommendations to be implemented. The document shows that trustees still held £11,622.8.2 3% Bank Annuities. However, one must question whether this is correct, as the confirmation by the Court, of the Master's Report of the previous day, states £10,574.11.2. Perhaps this was due to the sale of stock for payment of legacy duty and the figure of stock was misquoted in successive petitions.

In Chancery – Attorney General v LOVELACE, copy Petition 29 March 1844.

In Chancery

Between His Majesty's Att'y General at the relation of George PITZ
and **Thomas LOVELACE** since deceased Informant
Defendant
By Original Information

And Between His Majesty's Att'y General at the relation of George PITZ Informant
and **William LOVELACE** since deceased & Elizabeth Jane BOWCOCK Defendants
By Information of Revivor and Supplement

And Between His Majesty's Att'y General at the relation of George PITZ Informant
and **William LOVELACE**, since deceased, Elizabeth Jane BOWCOCK,
Richard HOULDITCH & Anna Maria his Wife, John WOLLAND & Ann his
Wife, Burnell TOWNSEND and Caroline his Wife & Thomas CARTER Defendants
By Supplemental Information

And Between His Majesty's Att'y General at the relation of George PITZ Informant
and **William LOVELACE**, since deceased, Elizabeth Jane BOWCOCK,
Richard HOULDITCH & Anna Maria his Wife, John WOLLAND & Ann his
Wife, Burnell TOWNSEND and Caroline his Wife, Thomas CARTER, George
WHEATON and Caroline his Wife, Joseph TURPIN and Mary his Wife,
Thomas CARTER the younger, Francis Drake Waldron WHEATON & Penelope
Ann his Wife, John CARTER, Ann CARTER, George Abbot Copplestone
WHEATON, Caroline WHEATON, John Waldron WHEATON, Eliza Thorn
WHEATON, Ann Carter WHEATON, Fanny WHEATON, Mary Ann
WHEATON, Edward WHEATON, Elizabeth Copplestone TURPIN, Ann
TURPIN, Eliza Thorn CARTER, Thomas Copplestone CARTER, Ann Abbot
CARTER, Penelope Ann WHEATON, Sophia WHEATON, Francis Drake
Waldron WHEATON, Richard Copplestone WHEATON, Charles WHEATON,
John WHEATON, Eliza CARTER, Edward John CARTER, Anna Maria
CARTER, Thomas William CARTER, Henry Seaman CARTER, Alfred
Augustin (Augustus) CARTER, Charles Lovelace CARTER, Jacob Samuel
BOWLING & Lucy his Wife, William BOWLING, Thomas BOWLING, George
BOWLING, James BOWLING and Robert BOWLING, Sophia
BOWLING, since deceased and Edward BOWLING, Lucy BOWLING, Mary
Ann BOWLING and Elizabeth BOWLING, both since dec'ed & Ann
LOVELACE, Edward EVANS & Ann Bow(d)en his Wife, Thomas John
LOVELACE, James Bowden LOVELACE and William John LOVELACE Defendants
By Supplemental Information

To the Rt. Hon'ble The Lord Chancellor of Great Britain.

The Humble Petition of Edward HOULDITCH of St. Leonard's near Exeter in the County of Devon.

Sheweth That, by an Order made in these causes by His Honor the Vice Chancellor of England, upon the Petition of your Petitioner & bearing date the 8th day of February 1844, It was ordered that it sho'd be referred to the Master, to whom these causes stand referred, to approve of some proper persons to be Tr'ees of the Charity in the said Petition ment'd, in the place & stead of Samuel GIRDLESTONE & William LOVELACE, both dec'ed, jointly with the Petitioner Edward HOULDITCH &, after the Master sho'd have made his Report, such further Order should be made as should be just.

That, in pursuance of ths sd. Order, A.H. LYNCH Esq're the Master, to whom these causes stand referred, by his Report dated the 28th day of March 1844, made in pursuance of the sd. Order, has certified that he has been attended by the respective Sol'rs for all parties interested & also by the Sol'rs for Her Majesty's Att'y Gen'l & he had proceeded to prosecute the said Order & a statement in writing on the part of the Def'ts, Jacob Samuel BOWLING & Lucy his Wife, William BOWLING, Thomas BOWLING, George BOWLING, James BOWLING, Robert BOWLING, Edward BOWLING & Lucy BOWLING & in support thereof an Affidavit of A.R.T. ROSSER, sworn on the 2nd day of March 1844 & an Affidavit of Richard Henry WILBY [WITTY], sworn on the 12th day of March 1844, had been read before him, and a statement in writing on the part of the Def't James Bowden LOVELACE was left in his Office on the 1st day of March 1844 & in support thereof the following Affidavits have been read before me, namely An Affidavit of William WITHAM sworn on the 2nd day of March 1844, an Affidavit of James HERBERT sworn on the 14th day of March 1844, an Affidavit of Robert UNDERHILL sworn on the sd. 14th day of March 1844, An Aff't of John GORTON sworn on the said 14th day of March 1844, an Aff't of The Rev'd Edward PIZEY sworn on the 15th day of March 1844 and an Affidavit of Thomas William SUCH sworn on the said 15th day of March 1844 And a statement in writing on the part of the said Def't James Bowden LOVELACE was left in his Office on the 20th day of March 1844 and in support thereof an Affidavit of Adam HAMILTON sworn on the 20th day of March 1844 had been read before him & the said Def'ts Jacob Samuel BOWLING & Lucy his Wife, William BOWLING, Thomas BOWLING, George BOWLING, James BOWLING & Robert BOWLING, Edward BOWLING, Lucy BOWLING, having proposed William SPEED of No. 9 New Square, Lincoln's Inn in the County of Midd'x, Esq're, Barrister at Law, to be a Trustee of the sd. Charity in the place & stead of the sd. Samuel GIRDLESTONE dec'ed.

And the said Def't James Bowden LOVELACE, having proposed The Rev'd Edward PIZEY, Incumbent of St. Peter's District Church, Great Saffron Hill, in the Parish of St. Andrew, Holborn, to be a Trustee of the said Charity in the place & stead of the said William LOVELACE deceased.

And the sd. Master, having considered of such proposals & evidence, also certified that he approved of the sd. William SPEED & Edward PIZEY as proper persons to be Trustees of the Charity in the Petition mentioned, in the place of the said Samuel GIRDLESTONE & Wm. LOVELACE, both deceased, jointly with the sd. Petitioner Edward HOULDITCH.

That the sd. Report has been duly filed.

Your Petitioner therefore humbly prays Your Lordship that the said Report bearing date the 28th day of March 1844 may be confirmed;

And that the balance of the Trust moneys, which may be found to be in the hands of your Pet'r, upon passing the Tr'eas 3rd Account, may be ordered to be paid to your Pet'r & the sd. Wm. SPEED & Edward PIZEY, to be by them applied, accord'g to the dir'ons of the sd. Decree of the 26th day of July 1836 &

that the sd. Account't Gen'l may be ordered to pay the dividends, hereafter to accrue due from time to time on the said sum of £11,622.8.2 Bank £3 per cent Ann'ies, in the sd. Pet'n ment'd, to your Pet'r & the sd. Wm. SPEED & Edw'd PIZEY, to be applied by them, according to the dir'ons of the sd. Decree of the 26th July 1836 and that it may be referred to the Taxing Master of this Court in rotation, to tax the Costs of your Pet'r & of all Parties of the sd. Order of the 8th day of Feb'y 1844 & of the sd. reference & report & incident thereto & of this application & incident resp'ly, as between Solicitor & Client & that such Costs, when taxed, may be paid by your Pet'r & the sd. Wm. SPEED & Edw'd PIZEY to the Sol'rs of the Parties resp'ly, out of the sd. balance of the sum of £128.4.11 in the sd. Pet'n ment'd or, in case the same sho'd be insufficient for that purpose, then that so much of the said sum of £11,622.8.2 Bank £3 per cent Ann'ies may be sold, as will be sufficient to raise & pay the sd. Costs & that such further or other order may be made in the premises as to your Lordship shall seem meet.

And your Petitioner will ever pray etc.

In Chancery V.C.E. 29 March 1844. Att'y Gen'l v LOVELACE – Off. Co. Minutes.

Vice Chancellor of England. Mr MUNRO Reg'r

Friday the twenty ninth day of March one thousand eight hundred and forty four.

Attorney General v LOVELACE

Cur. Let the Master's Report bearing date the twenty eighth day of March one thousand eight hundred and forty four be confirmed and

Let the sum of three hundred and seven pounds, nineteen shillings & eight pence Cash in the Bank, placed to the credit of the first ment'd Cause and the dividends hereafter to accrue due from time to time on the ten thousand, five hundred and seventy four pounds, eleven shillings and two pence Bank three per Cent ann's, standing in the name of the account't General of this Court, in trust in the said first ment'd Cause or on the residue thereof, after the Sale thereof, herein after directed, be paid to the sd. Pet'r Edward HO[U]LDITCH and to William SPEED and Edward PIZEY in the Pet'n named, to be applied by them, according to the directions of the Decree made in these Causes, the twenty sixth day of July one thousand eight hundred and thirty six, and

Let it be referred to the taxing Master of this Court in rotation to tax the Costs of the sd. Pet'r and of all other parties, of the order of the eighth day of Feb'y one thousand, eight hundred and forty four, in the sd. Pet'n ment'd, and of the reference and Report in the sd. Pet'n ment'd and incident thereto and of this application and incident thereto resp'ly, as between Sol'r and Client, and he is to certify the total amount thereof, and

Let so much of the said ten thousand, five hundred & seventy four pounds, eleven shillings & two pence Bank three per Cent ann's, standing in the name of the sd. account't General, as will be suffic't to raise the amount of such Costs, when so taxed as af'sd, be sold with the privity of the sd. account't General, and one of the Cashiers of the Bank is to have Notice to attend and receive the money to arise by the sd. Sale, who, upon receipt thereof, is to pay the same into the Bank, with the privity of the sd. account't General, to be there placed to the credit of the sd. first ment'd Cause and, out of the monies to arise by such Sale, when so paid in.

Let the sd. Costs, when so taxed, be paid in manner following, that is to say,

the Costs of the Pet'r to Mr Archibald ROSSER, his Solicitor,

the Costs of the Def't Edward EVANS and Ann Bower [*Bowden*] his Wife and of the Def'ts the LOVELACES, BOWLINGS and BOWCOCK to Mr William WITHAM, their Sol'r

the Costs of all the other Def'ts to Mr Thomas CREE, their Sol'r

and the Costs of Her Majesty's Attorney General to Mr George MAULE, his Sol'r

and, for the purposes aforesaid, the sd. account't General is to draw on the Bank, according to the form prescribed by the Act of Parliament and the general rules and orders of this Court, in that case made and provided.

Few documents appear to have survived for the period between 1844 and 1866 but no doubt applications continued to be made to the Court for grants from the trust.

In Chancery

Filed 29th January 1866

<u>Between</u>	<u>Her Majesty's Attorney General</u> at the relation of Simon COCK[S] (sic)	Informant
	<u>Thomas LOVELACE</u>	Defendant
<u>And Between</u>	Her Majesty's Attorney General at the relation of Simon COCKS	Informant
	William LOVELACE and another	Defendants
<u>And Between</u>	Her Majesty's Attorney General at the relation of Simon COCKS	Informant
	William LOVELACE and others	Defendants
<u>And Between</u>	Her Majesty's Attorney General at the relation of Simon COCKS	Informant
	William LOVELACE and others	Defendants

I, William THOMAS of Haven Road, Exeter in the County of Devon, accountant, make oath and say as follows:

1. I know and am well acquainted with Amelia PIPER, the wife of William Henry PIPER of No. 3 Regent Place in the City and County of Bristol, Hairdresser and a daughter of Edward DUNN, formerly of Friars in the City of Exeter, Tea dealer, deceased and Ann his wife, which said Ann DUNN was my own Daughter and a Granddaughter of Thomas CARTER, formerly of Aylesbeare in the County of Devon, Farmer, a Defendant in the 4th mentioned Cause.
2. That the said Amelia DUNN intermarried with the said William Henry PIPER on the 14th day of February 1852 at the Parish Church of St. Thomas in the County of Devon and they are the same persons, who are named in the Certificate now produced and shewn to me, marked with the letter W. I was present at the Solemnization of the said marriage.
3. There was issue of the Marriage of the said William Henry PIPER and Amelia his Wife, a Son named William Thomas PIPER, who was baptized on the 31st day of August 1858 and is the person referred to in the Certificate of Baptism now produced and shewn to me, marked with the letter X.

Sworn at the City of Exeter this 23rd day of January 1866.

(sgd.) Will^m THOMAS

Before me W.R. BISHOP, A Commissioner to administer Oaths in Chancery in England.

By Order made on 24th March 1866 William PALIN and Frederick RAMADGE were appointed trustees of the LOVELACE Charity (jointly with Edward HOULDITCH), in place of William SPEED, who wanted to be discharged and Edward PIZEY, who had died.

By Order made on 8th August 1867 Rev'd Henry Lovelace HOULDITCH was appointed a trustee (jointly with William PALIN and Frederick RAMADGE), in place of Edward HOULDITCH.

Following an application by the trustees, an Order was made on 11th December 1877 to pay a marriage portion of £100 to Alice Lovelace BARNSHAW (nee BOWLING).

Likewise on 15th January 1880 an Order was made to pay a marriage portion of £100 to Ann Gatchell Farrant WHEATON.

In the High Court of Justice

Chancery Division

PEARSON J.

Attorney General v LOVELACE
In the Matter of LOVELACE's Charity

Statement of present application of the income of the funds of the Charity.

The Capital fund of the Charity is £10,382.17.0 Consols. to the credit of the Cause. There are other funds in Court to the credit of "The Education and Marriage fund of the poor relations of John LOVELACE deceased."

It appears from the last Account of the Trustees (from 26th July 1879 to 26th July 1882) that the total income of the Charity was £1,083.2.1, to which being added £138.5.11, the balance due from the Trustees on their previous account, it made £1,221.8.0 to be accounted for. The expenditure (including £115.6.6 for Costs) amounted to £695.14.7 and left a balance due from the Trustees of £525.13.5. A copy of the Account is sent herewith for reference.

No.	Name of beneficiary	In respect of whom paid	For what purpose paid	Amount paid (Annual)	Grounds for making Grant
1.	Amelia PIPER of 6 Oxford Place, Stapleton Road, Bristol, Widow	Her son Arthur Lovelace PIPER born 4 th April 1871	School Allowance	£30	See Affidavit of Amelia PIPER (page 3)
2.	James THORN and Sophia Ann	Their son John	School		See Affidavit of

Lovelace THORN his Wife of 12 Union Street, Exmouth, Devon	Carter THORN born 25 th July 1873	Allowance	£30	James THORN and another (page 5)
3. Robert *MELHUIISH (Widower of Emily Lovelace *MELHUIISH formerly CARTER) of No. 60 Myddleton Street, Clerkenwell, Middlesex, Trimming Seller	His son Edward Robert *MELHUIISH born 23 rd March 1873 (*should be MELLUIISH)	School Allowance	£30	See Affidavit of Robert *MELHUIISH (page 7)
4. Henry HOULDITCH of No. 25 Seaton Avenue, Plymouth, late a Captain in H.M. 25 th Regiment of Foot	His son Francis Harry Lovelace HOULDITCH born 16 th July 1875	School Allowance	£30	See Affidavit of Henry HOULDITCH (page 9)
5. James Lovelace TOZER of No. 19 New Street, Exmouth, Devon, Ship Carpenter	His son Henry James Lovelace TOZER born 20 May 1872	School Allowance	£30	See Affidavit of James Lovelace TOZER (page 11)
6. The like	His son Charles William Lovelace TOZER born 4 th September 1873	School Allowance	£30	The like
7. Henry Lovelace TOZER of 32 New Street, Exmouth, Devon, Carpenter	His son John Henry Lovelace TOZER born 17 th June 1873	School Allowance	£30	See Affidavit of Henry Lovelace TOZER (page 13)
8. Francis William WHEATON of Station Yard, Datchet, near Windsor, Railway porter	His son Frederick William WHEATON born 19 th November 1874	School Allowance	£30	See Affidavit of Francis William WHEATON (page 5)

There have been two grants made in recent years for marriage portions, as follows:

By an Order dated 11th December 1877 £100 was directed to be raised out of the funds in Court, to the credit of the Cause, the Account of "The Education and Marriage Fund of the poor relations of John LOVELACE deceased" and paid to Alice Lovelace BARNSHAW (formerly BOWLING), the wife of Frederick Charles BARNSHAW. A copy of the Order is set out on page 17 and a copy of the Affidavit of Frederick Charles BARNSHAW and Alice Lovelace, his wife, setting out the circumstances under which the recipient claimed and obtained the benefit of the fund, is on page 19.

By an Order dated 15th January 1880 £100 was directed to be raised out of the like fund and paid to the Reverend Henry Lovelace HOULDITCH (one of the Trustees of the Charity), he, by his Solicitor, undertaking to apply the same for the benefit of Ann Gatchell Farrant WHEATON, Spinster. A Copy of the Order is set out on page 21 and a copy of an Affidavit of Julia WHEATON, setting out the circumstances under which the recipient claimed and obtained the benefit of the fund, is on page 23.

In the High Court of Justice Chancery Division

Between Her Majesty's Attorney General at the relation of Simon COCK

Thomas LOVELACE since deceased

And Between Her Majesty's Attorney General at the relation aforesaid

William LOVELACE and another

And Between Her Majesty's Attorney General at the relation aforesaid

William LOVELACE and others

[And Between Her Majesty's Attorney General at the relation aforesaid

William LOVELACE and others

Before 1852

Informant

Defendant

Informant

Defendants

Informant

Defendants

Informant

Defendants

The above 4th Cause seems to have been omitted by the copyist]

I **Amelia PIPER** of 6 Oxford Place, Stapleton Road in the City of Bristol and County of the same City, Widow, Make oath and say as follows:

Says:

1. Referring to the Affidavit of my late Husband William Henry PIPER and myself, filed in these Causes on the 29th day of January 1866 (*see 1866*), I say that there has been issue of our marriage, 8 children, that is to say, William Thomas PIPER, Henry Robert PIPER, Sophia Amelia PIPER, Kate Ann PIPER, Florence Jane PIPER, Samuel Edwin PIPER, Horatio PIPER and Arthur Lovelace PIPER. The Certificate now produced and shewn to me, marked

AA, refers to the Baptism of Arthur Lovelace PIPER, our 5th and youngest son, who was born on the 4th day of April 1871.

2. My husband the said William Henry PIPER died suddenly in the month of February last and left me without any means of support.

3. One of my sons is in a very delicate state of health & in consequence he is able to do but very little work.

4. Save & except an annuity of £12 a year, of which I am in receipt & some few articles of Furniture of trifling value, I am not possessed of any Fortune or property whatsoever, nor have I anything to depend upon for the support of myself and family, beyond the said Annuity & what little money my said son is able to earn.

Amelia PIPER.

Sworn at the City and County of Bristol, this 29th day of October 1879, before me Chas. BEVAN. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

(Recitation of Causes as before).

I **James THORN** of No. 12 Union St't, Exmouth in the County of Devon, Carrier & **Sophia Ann Lovelace THORN** his wife, severally make oath and say:

Says:

1. And first I, the said Sophia Ann Lovelace THORN, for myself, say that I am one of the Daughters of the late John CARTER of Exmouth aforesaid (a Defendant in the 4th above mentioned Cause) and Elizabeth his wife & which said John CARTER was one of the poor relations of John LOVELACE the Testator in the pleadings of these Causes mentioned and that I was married to the said James THORN on the 29th May 1860 at the Parish Church of Littleham and Exmouth in the said County of Devon. The Certificate now produced and shewn to me, marked with the letters TT refers to my said marriage.

2. There has been issue of my said marriage, nine children, one of whom John Carter THORN was born on the 25th July 1873 & he is the same person as John Carter, son of James THORN and Sophia Ann Lovelace his wife, named in the Certificate of birth now produced and shewn to me, marked with the letter U.

3. I have never received any benefit from the funds in Court to the credit of these Causes but my two sisters received marriage portions and each of my brothers received an educational allowance out of the said funds, as poor relations of the said Testator.

4. And I, the said James THORN, for myself, say that I have no other income whatever, except my earnings as a Carrier, which average about 18s/- per week, out of which I have to support myself, my wife and 5 children, one of whom is imbecile.

5. And we, the said James THORN and Sophia Ann Lovelace THORN, severally say that neither of us is possessed of or entitled to any fortune or property whatsoever, save and except certain articles of household furniture and wearing apparel, not exceeding in value the sum of £20.

James THORN, Sophia Ann THORN.

Sworn at Exeter in the County of Devon by the said James THORN, the 31st day of October 1881, Before me H.C. ADAMS. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

Sworn at Exeter in the County of Devon by the said Sophia Ann THORN, the 31st day of October 1881, Before me H.C. ADAMS. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

(Recitation of Causes as before).

I **Robert MELLUISH** of No. 60 Myddleton Street, Clerkenwell in the County of Middlesex, Trimming Seller. Make oath and say as follows:

Says:

1. My late wife Emily Lovelace MELLUISH was one of the Children of Edward John CARTER of Exmouth in the County of Devon, a Defendant in the 4th above mentioned Cause and one of the poor male relations of John LOVELACE, the Testator in these causes named.

2. I was married on the 20th day of May 1872, at the Parish Church of Withcombe Raleih (sic) in the said County of Devon, to my said late wife. The Certificate now produced and shewn to me, marked with the letters BB, refers to my marriage with the said Emily Lovelace MELLUISH.

3. There has been issue of the said marriage, 2 children, of whom Edw'd Robert MELLUISH the eldest son was born on the 23rd day of March 1873. The Certificate now produced & shewn to me, marked with the letters CC, refers to the birth of my said son.

4. My said late wife died on the 22nd day of August 1875.

5. And I say that I am a Trimming Seller, carrying on business at Myddleton Street aforesaid and have no income whatever, except what I derive from my said business, which amounts on an average to about £150 per Annum.

6. I am not possessed of or entitled to any Fortune or property whatsoever, save and except certain articles of Household furniture and wearing apparel and stock in trade in my business of a Trimming seller, not exceeding in value the sum of £400 or thereabouts.

Robert MELLUISH.

Sworn at No. 13 Gray's Inn Square in the County of Middlesex, this 13th day of April 1881, before me G.J. VANDERPUMP. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

(Recitation of Causes as before).

I **Henry HOULDITCH** of No. 25 Seaton Avenue, Plymouth in the County of Devon, late a Captain in Her Majesty's 25th Regiment of Foot, make oath and say as follows:

Says:

1. I am one of the poor relations of John LOVELACE the Testator in the Pleadings of these Causes named and a Grandson of Richard HOULDITCH and Anna Maria his wife, two of the Defendants in the third and fourth above mentioned Causes.

2. I was married on the 1st day of September 1873 at the Church of Ahmedabad in the Diocese of Bombay to Frances Farquarhson Valentine HAGART. The Certificate now produced and shewn to me, marked A, purporting to be a true copy of an entry in the Register of Marriages for Ahmedabad aforesaid, refers to my said marriage.

3. There has been issue of the said marriage, two children, of whom Francis Harry Lovelace HOULDITCH was born on the 16th day of July 1875. The Certificate now produced and shewn to me, marked B, purporting to be a certified extract from the Register Book of Baptisms kept for the Church of St. Mary, Aden in the Diocese of Bombay for the year 1875, refers to the Baptism of my said son Frances Harry Lovelace HOULDITCH.

4. And I say that I was formerly a Captain in Her Majesty's 25th Regiment of Foot but, in consequence of ill health, I was obliged to leave the service, which I did in the year 1879. Since then I have been quite incapacitated from obtaining any employment, owing to my being a great sufferer from inherited gout and, even if I could obtain any employment, I could not remain at it, in consequence of the very severe and uncertain attacks, to which I am subject.

5. I have no income whatever, except the interest arising from the sum of £950, due to me on a note of hand, amounting to the sum of £95, out of which I have to support myself, my wife and my said two children, leaving me little to provide my children with a suitable education.

6. I am not possessed of or entitled to any fortune or property whatever, save and except as aforesaid and certain articles of household furniture and wearing apparel, not exceeding in value the sum of £100.

Henry HOULDITCH, Capt.

Sworn at Plymouth in the County of Devon, this 25th day of July 1883. Before me F.R. STANBURY. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

(Recitation of Causes as before).

I **James Lovelace TOZER** of No. 19 New Street, Exmouth in the County of Devon, Ship Carpenter, make oath and say as follows:

Says:

1. I am one of the children of Eliza TOZER, formerly Eliza CARTER wife of James TOZER, late of Exmouth aforesaid, Watchmaker, one of the Defendants in the fourth above mentioned cause and which said Eliza CARTER was, by the Master's Report dated the 22nd November 1833, found to be one of the poor relations of John LOVELACE, the Testator in the pleadings of these causes named.

2. I was married on the 6th October 1867 at the Parish Church of Withecombe Raleigh in the said County of Devon to Louisa Veck DAVIS of Exmouth aforesaid, Widow. The Certificate of Marriage now produced and shewn to me, marked with the letters LT, purporting to be a certified copy of an entry in the Register of Marriages for the Parish of Withecombe Raleigh aforesaid, refers to my said Marriage.

3. There has been issue of the said Marriage, 5 children, 2 girls and 3 boys. Of the boys, Henry James Lovelace TOZER was born on the 20th May 1872 and Charles William Lovelace TOZER was born on the 4th September 1873. The Certificates now produced and shewn to me, marked respectively with the letters MT and NT, purporting to be certified copies from entries in the Register of Births for the Sub-District of Exmouth aforesaid, refer to the Births of my said sons Henry James Lovelace TOZER and Charles William Lovelace TOZER respectively.

4. And I say that I am a Ship Carpenter and have no income whatever, except my weekly wages of £1 per week, out of which I have to support myself, my wife and my said 5 children, leaving little or nothing to enable me to provide my children with a suitable education.

5. And I further say that I am not possessed of or entitled to any fortune or property whatsoever, save and except certain Articles of Household furniture, wearing apparel and tools, not exceeding in value the sum of £12.

6. And I further say that I and my brothers, Henry Lovelace TOZER and John Lovelace TOZER respectively, received educational allowances out of the funds in Court to the credit of these causes, as

J.L. TOZER.

Sworn by the said James Lovelace TOZER at Exmouth in the County of Devon, this 16th day of November 1882. Before me Herbert C. ADAMS. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

(Recitation of Causes as before).

I **Henry Lovelace TOZER** of No. 32 New Street, Exmouth in the County of Devon, Carpenter, make oath and say as follows:

Says:

1. I am one of the children of Eliza TOZER, formerly Eliza CARTER wife of James TOZER, late of Exmouth aforesaid, Watchmaker, one of the Defendants in the fourth above mentioned cause and which said Eliza CARTER was, by the Master's Report dated the 22nd November 1833, found to be one of the poor relations of John LOVELACE, the Testator in the pleadings of these causes named.

2. I was married first on the 30th day of September 1872 at the Parish Church of Withecombe Raleigh in the County of Devon, to Mary Charlotte PITTS of Withecombe aforesaid, Spinster. The Certificate of Marriage now produced and shewn to me, marked with the letters HT, purporting to be a certified copy given at the General Register Office, Somerset House of an entry in the Register of Marriages for the District of St. Thomas in the County of Devon, refers to my said first marriage.

3. There has been issue of the said marriage, two children, of whom John Henry Lovelace TOZER was born on the 17th day of June 1873. The Certificate now produced and shewn to me, marked with the letters JT, purporting to

be a certified copy from an entry in the Register of Baptisms for the Parish of Littleham cum Exmouth in the said County of Devon, refers to the baptism of my said son John Henry Lovelace TOZER.

4. I was married secondly on the 16th November 1877 at the Church of the Ascension, Lower Broughton, Manchester in the County of Lancaster, to Ann ROBINSON and there has been issue of such Marriage, two children, a boy and a girl.

5. And I say that I am a Carpenter and have no income whatever, except my weekly earnings, which average about 24/- per week, out of which I have to support myself, my wife and my said 4 children, leaving little to enable me to provide my children with a suitable education.

6. I am not possessed of or entitled to any fortune or property whatsoever, save and except certain articles of household furniture and wearing apparel, not exceeding in value the sum of £10.

7. I and my brothers, John Lovelace TOZER and James Lovelace TOZER respectively, received educational allowances out of the funds in Court to the credit of these causes, as poor relations of the said Testator.

Henry Lovelace TOZER.

Sworn at Exmouth in the County of Devon, this 16th day of November 1882. Before me Charles HAMILTON. . A Commissioner to administer Oaths in Her Majesty's Supreme Court of Judicature in England.

(Recitation of Causes as before).

I **Francis William WHEATON** of Station Yard, Datchet near Windsor in the County of Bucks. Railway Porter, make oath and say as follows:

Says:

1. I am one of the children of Richard Copplestone WHEATON, formerly of Market Street in the City of Exeter, Accountant, one of the Defendants in the fourth above mentioned cause and, by the Master's Report dated the 22nd November 1833, found to be one of the poor relations of John LOVELACE the Testator in the pleadings of these causes mentioned.

2. I was married on the 11th day of January 1873 at the Register Office in the District of Exeter in the County of Devon, to Caroline Mary MUNDEY of Exeter aforesaid, Spinster. The Certificate of Marriage now produced and shewn to me, marked with the letters FW, purporting to be a certified copy given at the General Register Office, Somerset House of an entry in the Register of Marriages for the District of Exeter aforesaid, refers to my said Marriage.

3. There has been issue of the said Marriage, 4 children, of whom 3 are now living; one of them Frederick William WHEATON was born on the 19th day of November 1874. The Certificate now produced and shewn to me, marked with the letters FWW, purporting to be a certified copy from an entry in the Register of Baptisms for the Parish of Holy Trinity, Windsor aforesaid, refers to the Baptism of my said son Frederick William WHEATON.

4. And I say that I am a Railway Porter in the employ of the London and South Western Railway Company and am not possessed of or entitled to any fortune or property whatsoever, save and except certain articles of household furniture and wearing apparel, not exceeding in the value the sum of £12 and my wages amounting to 18/- per week, out of which I have to support myself, my wife and my said children, leaving little or nothing to enable me to provide my children with a suitable education. I have recently buried one of my children, an Infant and my wife is in a delicate state of health and quite unable to assist me in any way in contributing towards the support of our family.

5. I and my Brothers, Harry WHEATON and Charles WHEATON, respectively received educational allowances out of the funds in Court to the credit of these causes, as poor relations of the said Testator.

F.W. WHEATON.

Sworn at New Windsor in the County of Berks, this 17th day of November 1882. Before me Henry DARVILL j^r. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

(Recitation of Causes as before).

Vice Chancellor MALINS at Chambers. Mr CLOWES Registrar.

Tuesday the 11th December 1877.

Upon the application of the Reverend Henry Lovelace HOULDITCH, one of the trustees of the charity in the pleadings mentioned and upon hearing the Solicitors for the Applicant and for Frederick RAMADGE and upon reading a joint Affidavit of Frederick Charles BARNSHAW and Alice Lovelace BARNSHAW his Wife filed the 13th November 1877, an Affidavit of Eliza BOWLING filed the 16th November 1877 and the Exhibit maked BB2, therein referred to an Affidavit of Jacob Samuel BOWLING filed the 29th January 1858, the Registrar General's Certificate dated the 6th December 1877 of the Marriage of Edward BOWLING with Eliza JONES and the Certificate of the fund:

It is Ordered that, so much of the £261.0.2 consolidated £3 per centum annuities in Court, to the credit of this cause "Attorney General v LOVELACE The education and marriage fund of the poor relation(s) of John LOVELACE deceased", as will raise £100, be sold.

And It is Ordered that the money to arise by such sale be paid to Alice Lovelace BARNSHAW the Wife of Frederick Charles BARNSHAW (a poor married female relation of the Testator John LOVELACE) on her separate receipt.

We **Frederick Charles BARNSHAW** of 5 Rue de Marbie, Nice in the Republique de France and **Alice Lovelace BARNSHAW** his wife, severally make oath and say:

Says:

And first I, the said Alice BARNSHAW, for myself say:

1. I am one of the children of Edward BOWLING, formerly of No 47 Clarendon Square in the parish of St. Pancras in the County of Middlesex, Barrister's Clerk (now deceased) and which said Edward BOWLING was a

Defendant in the fourth above mentioned cause and one of the poor relations of John LOVELACE, the Testator in this cause named.

2. I, this Deponent, being then a Spinster, was on the 5th day of June 1875 married to my present husband the said Frederick Charles BARNSHAW at St. Paul's Chapel of Ease in the Parish of St. John's, Battersea.

3. My father died when I was 5 years old and my mother had a hard struggle to bring up her family. From the age of 15 I have been at business and have always helped since then to support my said mother and, since the death of my brother Samuel Lovelace BOWLING in the year 1869, she has been entirely dependant on me. I was engaged in a house of business at Paris, up to the date of my marriage, at a salary of £40 per annum with board and lodging.

4. My husband, the said Frederick Charles BARNSHAW, is engaged in an English house of business here, where we have resided since our said Marriage, at a salary of 60 francs or £28.0 per week.

5. There has been two children born, issue of our said marriage and they are all now alive. My husband has depending on him, and living with him, being wholly maintained and supported out of his said salary of £28. 0 per week, his mother, my mother, our 2 young children and myself.

6. Both my husband's mother and my mother are (on account of their age) unable to do anything to support themselves and they have no income of their own and both will always continue dependent upon us; my health is very delicate indeed. The cost of living at Nice (where we are obliged to reside on account of my husband's business) is very dear and I can see no probability of our position being better than it is.

7. My late brother Samuel Lovelace BOWLING received an educational allowance out of the funds in Court to the credit of this cause, as one of the poor relations of the said John LOVELACE.

And we, the said Frederick Charles BARNSHAW and Alice Lovelace BARNSHAW, severally say:

Save as above appears, we are not, nor is either of us possessed of or entitled to any property or income whatsoever.

Alice Therese Lovelace BARNSHAW, Frederick Charles BARNSHAW.

Sworn by both the abovenamed Deponents at Nice in the Republic of France, this 3rd day of November 1877. Before me Charles WARRICK, Acting British Vice Consul, Nice.

I hereby declare that the above Alice Therese Lovelace BARNSHAW, Frederick Charles BARNSHAW signed the present deed in my presence and at this British Vice Consulate at Nice, the 3rd day of November 1877. Charles WARRICK, Acting Vice Consul.

(Recitation of Causes as before).

Vice Chancellor MALINS at Chambers. Mr LATHAM Registrar.

Thursday the 15th January 1880.

Upon the application of the Rev'd Henry Lovelace HOULDITCH, one of the Trustees of the Charity for the benefit of the poor relations of John LOVELACE in the pleadings of these causes mentioned and upon hearing the Solicitors for the Applicant and for the relator and for Frederick RAMADGE, one of the trustees of the Charity and upon reading an Affidavit of Francis Drake Walrond WHEATON and Julia his Wife filed the 8th April 1865, an Affidavit of Robert FARRANT filed the 9th April 1865 and the Exhibit F therein referred, to an Affidavit of Julia WHEATON filed the 8th January 1880 and the exhibit H therein referred to and the Certificate of the fund:

It is Ordered that, so much of the £155.14.10 consolidated £3 per centum annuities in Court, to the credit of "Attorney General v LOVELACE The education and marriage fund of the poor relations of John LOVELACE deceased", as will raise £100, be sold.

And It is Ordered that the money to arise by such sale be paid to the Applicant the Rev'd Henry Lovelace HOULDITCH, he, by his Solicitor, undertaking to apply the same for the benefit of Anne Gatchel Farrant WHEATON, spinster, a poor female relation of the Testator John LOVELACE.

(Recitation of Causes as before).

I **Julia WHEATON** of No. 10 Church Road, St. Thomas in the City of Exeter, Widow, make oath and say as follows:

Says:

1. My late husband Francis Drake Walrond WHEATON and myself were married on the 23rd day of August 1853 at the Parish Church of Hemyock in the County of Devon. There was issue of such marriage, two children and no more, of whom Anne Gatchel Farrant WHEATON was born in the year 1857 and she is the same person as Anne Gatchel Farrant, daughter of Francis Drake Walrond WHEATON and Julia his Wife, named in the Certificate of Baptism now produced and shewn to me, marked with the letter H.

2. My said daughter is at present employed as a Governess in the family of General DRENTELN at St. Petersburg, at a salary of £50 a year, which is her sole support and out of which said sum she has managed to save a little to help to support me and my son Francis Drake Walrond WHEATON, who is at Glasgow learning to become a Surgeon with this assistance. I have found it extremely difficult to support myself and my said son and I am unable to give her any assistance whatever.

3. My said daughter is not possessed of any fortune or property whatsoever, nor has she anything to depend upon for the support of herself, beyond her said salary and, as she is about to be married to Waldemar DRENTELN, a distant relative of the said General DRENTELN, holding a very junior Commission in the Russian Army and with very small pay, if a marriage portion were allowed to her out of the funds now in Court to the credit of these causes, as a poor female relation of the Testator John LOVELACE, pursuant to the Will of the said Testator, it would be of great benefit to her and enable her to provide herself with clothing and other necessaries for her said marriage.

4. My said son Francis Drake Walrond WHEATON received an educational allowance out of the said funds in Court, as one of the poor relations of the said John LOVELACE.

Julia WHEATON.

Sworn at the City of Exeter, the 7th day of January 1880. Before me T.E. DRAKE. A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

Suit commenced before 1852

In the High Court of Justice

Chancery Division

<u>Between</u>	His Late Majesty's Attorney General at the relation of Simon COCK and Thomas LOVELACE By <u>Original Information</u>	Informant Defendant
<u>And Between</u>	His Late Majesty's Attorney General at the relation of Simon COCK and William LOVELACE and Another By <u>Information of Revivor and Supplement</u>	Informant Defendants
<u>And Between</u>	His Late Majesty's Attorney General at the relation of Simon COCK and William LOVELACE and Others By <u>Supplemental Information</u>	Informant Defendants
<u>And Between</u>	His Late Majesty's Attorney General at the relation of George PITZ and William LOVELACE & others By <u>Supplemental Information</u>	Informant Defendants

And In the Matter of LOVELACE's Charity.

The Sixteenth Account of The Reverend William Paul Frederick RAMADGE Esquire and The Reverend Henry Lovelace HOULDITCH the acting Trustees of the Charity established in these Causes, being for three years from the 26th July 1879 to 26th July 1882.

<u>Receipts</u>		<u>Payments</u>	
	In respect of the Dividends on the £11,382.17.0 Consols. on the credit of the Cause		In respect of School Allowance for Samuel Edwin PIPER
1879		1879	
August 29	Half year Dividends due 5 th July 1879 less tax 152.10. 0	August 4	Paid Amelia PIPER School Allowance for her son Samuel Edwin PIPER from 25 th December 1878 to 20 th May 1879, when the allowance ceased 12. 2. 0
1880			
February 26	The like due 5 th January 1880 less tax 152.10. 0		
August 31	The like due 5 th July 1880 do. 152.10. 0		
1801			
March 10	The like due 5 th Jan. 1881 do. 151. 4. 0		In respect of School Allowances for <u>Horatio PIPER</u>
December 16	The like due 5 th July 1881 do. 152.10. 0	1879	
1882		August 4	Paid Amelia PIPER half a year's school allowance for her son Horatio PIPER due 25 th March 1879 15. 0. 0
February 15	The like due 5 th Jan. 1882 do. 152.10. 0		
July 31	The like due 5 th July 1882 do. 152.10. 0	1880	
	In respect of return of <u>Income Tax</u>	January 31	The like due 29 September 1879 15. 0. 0
1880		August	The like due 25 th March 1880 15. 0. 0
April 23	By cash from the Income Tax Commissioners for return of Income Tax paid on the dividends of the Charity Funds from the 5 th July 1877 to 5 th January 1880, both inclusive 16.18. 1	1881	
		February 17	The like due 29th September 1880 15. 0. 0
		July 11	The like due 25 th March 1881 15. 0. 0
		Sept. 29	The like due 29th September 1881 15. 0. 0
		1882	
		March 25	The like from 29th September 1881 to 1 st February 1882, when the allowance ceased 10. 0. 0
	Note: Pursuant to an Order dated 15 th January 1880, £102.0.11 of the £155.14.10 Consols. on the credit of the Cause, the Account "Education and Marriage Fund etc." were sold to pay a marriage portion of £100 to Anne Gatchel Farrant WHEATON, spinster, reducing the stock to £53.13.11 Consols.		In respect of School Allowances for <u>Arthur Lovelace PIPER</u>
		1880	
		January 31	Paid Amelia PIPER half year's school allowance for her son Arthur Lovelace PIPER due 25 th December 1879 15. 0. 0
		August 18	The like due 26 th June 1880 15. 0. 0
		1881	
		Feb'y 17	The like due 25 th December 1880 15. 0. 0
		July 11	The like due 24 th June 1881 15. 0. 0
		December 28	The like due 25 th December 1881 15. 0. 0

1882			
July 20	The like due 24 th June 1882	15.0.0	
	<u>In respect of School Allowances for Joseph Lovelace RIBBONS</u>		
1879			
August 4	Paid Mary Jane RIBBONS half year's School Allowance for her son Joseph Lovelace RIBBONS due 24 th June 1879	15.0.0	
1880			
January 31	The like due from 24 th June 1879 to 7 th December 1879, when the allowance ceased	13.11.4	
	<u>In respect of School Allowances for Silas WAGON</u>		
1879			
Aug't 4	Paid Silas WAGON's half year's school allowance for his son Silas WAGON due 26 th June 1879	15.0.0	
1880			
January 31	The like due 25 December 1879	15.0.0	
Aug't 18	The like due 24 June 1880	15.0.0	
1881			
July 11	The like due 24 June 1880 to 3 rd September 1880, when the allowance ceased	7.10.0	
	<u>In respect of School Allowances for Thomas Joseph Copplestone PETHYBRIDGE</u>		
1879			
August 4	Paid Emma Lovelace PETHYBRIDGE half year's School Allowance for her son Thomas Joseph Copplestone PETHYBRIDGE due 25 th March 1879	15.0.0	
1880			
January 31	The like due 29 September 1879	15.0.0	
August 18	The like due 25 th March 1880	15.0.0	
1881			
February 17	The like due 29 September 1880	15.0.0	
July 11	The like due from 29 September 1880 to 28 th February 1881, when allowance ceased	12.10.0	
	<u>In respect of School allowances for Henry Seaman CARTER</u>		
1879			
August 4	Paid Alfred Augustus CARTER half year's school allowance for his son Henry Seaman CARTER due 24 th June 1879	15.0.0	
1880			
January 30	The like due 25 December 1879	15.0.0	
August 18	The like due 24 June 1880	15.0.0	
1881			
July 11	The like due from 24 June 1880 to 30 th September 1880, when allowance ceased	7.10.0	
	<u>In respect of School Allowances for Arthur Lovelace JODE</u>		
1879			
August 14	Paid William Henry John JODE		

	half year's school allowance for his son Arthur Lovelace JODE due 24 June 1879	15. 0. 0
1880		
January 31	The like due 25 December 1879	15. 0. 0
August 18	The like due 24 June 1880	15. 0. 0
1881		
February 17	The like due 25 December 1880	15. 0. 0
July 11	The like from 25 December 1880 to 17 th May 1881, when the allowance ceased	12.10.0

In respect of School Allowances
for Joseph SMITH

1879		
August 4	Paid Joseph SMITH half year's school allowance for his son Joseph SMITH due 24 June 1879	15. 0. 0
1880		
January 31	The like due 25 th December 1879	15. 0. 0
August 18	The like from 25 th December 1879 to 13 May 1880, when the allowance ceased	11. 9. 7

In respect of School Allowances
for John Carter THORN

1881		
December 28	Paid James THORN 5 months school allowance for his son John Carter THORN due 25 th December 1881	12.10.0
1882		
July 20	The like half year's school allowance due 24 June 1882	15. 0. 0

In respect of School Allowances
for Edward Robert MELHUISH

1881		
September 29	Paid Robert MELHUISH half year's school allowance for his son Edward Robert MELHUISH due 29 September 1881	15. 0. 0
1882		
March 25	The like due 25 th March 1882	15. 0. 0
1880		
August 11	Paid for stamped cheque book at the London Joint Stock Bank	4. 2
	Paid Messrs NORRIS & GORDON the Costs of Mr Frederick RAMADGE up to and including the 19 th day of December 1881 relating to the present account	28.12.5
	The like Messrs CREE & Son the Costs of the said Frederick RAMADGE from the 19 Dec'r 1881 and of Rev'd H.L. HOULDITCH relating to the present account	62.14.5
	The like Mr HARRISON the costs of Rev'd Wm. PALM (<i>sic</i>) of do.	23.19.8
	Ad val. on taking this a/c	<u>11.0</u>

Total receipts £1083. 2. 1

Total payments £695.14.7

Summary

Total amount of receipts	1083. 2. 1
Balance due from the Trustees on their 15 th account	<u>38.5.11</u>
	£1221. 8. 0

Total amount of payments 695.14.7
Balance due from Trustees £ 525.13.5

By Order dated 31 March 1885, Edward Holroyd HOULDITCH and Walter PRING were appointed trustees (jointly with Henry Lovelace HOULDITCH), in place of William PALIN, who died in October 1882 and Frederick RAMADGE, who was discharged at his own request.

[Printed]

General Charity – **LOVELACE**'s
C./12,148

In Her Majesty's High Court of Justice (Chancery Division)

Discharge. Appointment of Trustee

CHARITY COMMISSION

In the Matter of the Charity created by the Will of JOHN LOVELACE, for the benefit of poor relations of the Testator; and

In the Matter of "The Charitable Trusts Acts, 1853 to 1869."

Whereas an application in writing, for the purposes of the following Order was made to The Board of Charity Commissioners for England and Wales, on the 17th day of January 1885, in the matter of the above-mentioned Charity, by

FREDERICK RAMADGE, of No. 4 New Square, Lincoln's Inn, in the County of Middlesex, Barrister-at-Law; and the

Reverend HENRY LOVELACE HOULDITCH, of Alphington, in the County of Devon, Clerk in Holy Orders; who were then the surviving Trustees of the said Charity:

And whereas the gross annual income of the said Charity amounts to £50 or upwards:

And whereas it is desirable that the said

FREDERICK RAMADGE,

who is willing to be discharged from the said Trust, should be discharged accordingly from being a Trustee of the said Charity; And that new Trustees thereof should be appointed:

And whereas notice of the intention of the said Board to make an Order for the foregoing objects has been published by the advertising of the same, according to the direction of the said Board, in "The Times" and "The Daily News" newspapers respectively, on the 29th day of January 1885, and in the "Exeter and Plymouth Gazette" newspaper on the 30th day of January 1885, being in each case more than one calendar month previously to the date hereof:

And whereas no notice of any objection to the said proposed Order has been received by the said Board:

Now the said Board do hereby Order, That the said

FREDERICK RAMADGE

be, and he is hereby discharged from being a Trustee of the said Charity:

And that

EDWARD HOLROYD HOULDITCH, Solicitor; and

WALTER PRING, Brewer, both of the City of Exeter;

(who have respectively signified in writing to the said Commissioners their willingness to accept and act in the Trust) be, and they are hereby appointed to be Trustees for the administration of the said Charity, in addition to, and jointly with, the said

HENRY LOVELACE HOULDITCH,

the continuing Trustee thereof:

And the said Board do further Order, That the dividends to accrue due upon the stocks, funds, and securities held or to be held by "The Official Trustees of Charitable Funds" in trust for the said Charity, shall be paid or remitted by the said Official Trustees from time to time unto the Trustees for the time being of the said Charity, or any one or more of them, or unto the person or persons who shall for the time being be authorised by the said Trustees to receive the same, upon their or his receipt, and that the same shall hereafter be applied by the said Trustees, for the purposes of the said Charity.

Sealed by Order of the Board this 31st day of March 1885.

HENRY M. VANE, Secretary.

As a result of the Charitable Trusts Acts 1853 to 1869, it was possible for the control of charities to be removed from the Court and brought under the Charity Commissioners. Funds previously held in Court would similarly be transferred to the Official Trustees of Charity Funds. The formal process of having to petition the Court to change trustees, approve and pay grants to applicants, sell part of the investment, carry out minor modifications of the Scheme and submit three yearly accounts was long winded, time consuming and expensive in terms of legal fees. The latter was largely responsible for the dwindling capital of the Trust.

By order dated 12th June 1885 the Charity Commissioners authorized the trustees to apply to the Court to discharge the decree of 26th July 1836 and to transfer the Trust's funds and investments to the Official Trustees of Charitable Funds.

Rev'd Henry Lovelace HOULDITCH died on 20 June 1885.

The trustees duly petitioned the Court on 9th July 1885 for LOVELACE's Charity to be brought under the control of the Charity Commissioners and the hearing took place in Chambers on 27th March 1886.

High Court of Justice Chancery Division

Mr Justice PEARSON

Saturday 18 July 1885

Attorney General v LOVELACE

Brief

Petition for Transfer of Funds in Court to the Official Trustees of Charity Funds.

Mr Justice PEARSON 1 Aug 1885. The Petition to S.O.

Restored for Saturday 27 March 1886

9th July 1885. The Court doth Order that all parties concerned do attend hereon on Saturday day the 18th day of July 1885 and hereof give notice forthwith. P.J. KING.

Before 1852

In the High Court of Justice Chancery Division

Mr Justice PEARSON

Between His late Majesty's Attorney General at the relation of Simon COCK
and Thomas LOVELACE since deceased

Informant
Defendant

By original Information

And Between His late Majesty's Attorney General at the relation of Simon COCK
and William LOVELACE and another

Informant
Defendants

By Information of Revivor and Supplement

And Between His late Majesty's Attorney General at the relation of Simon COCK
and William LOVELACE and others

Informant
Defendants

By Supplemental Information

And Between His late Majesty's Attorney General at the relation of George PITZ
and William LOVELACE and others and Jacob Samuel BOWLING and
Lucy his wife, Thomas BOWLING, George BOWLING, James BOWLING,
Richard BOWLING, Sophia BOWLING (since deceased), Edward BOWLING
and Lucy BOWLING, Mary Ann BOWLING and Elizabeth BOWLING
(both since deceased) and Ann LOVELACE, Edward EVANS and Ann Bowden
his wife, William LOVELACE, Thomas John LOVELACE, James Bowden
LOVELACE and William BOWLING, when within the Jurisdiction

Informant

Defendants

By Supplemental Information

**In the Matter of LOVELACE's Charity and of the Charitable Trusts Acts 1853 to 1869
To Her Majesty's High Court of Justice.**

**The humble Petition of Edward Holroyd HOULDITCH, Solicitor and Walter PRING, Brewer, both of the
City of Exeter.**

Sheweth as follows:

1. Your Petitioners are the surviving Trustees of a certain charity known as "LOVELACE's Charity", founded by the Will dated 13th day of December 1801 of John LOVELACE deceased.
2. In the year 1828 an Information entitled "The Attorney General v LOVELACE" was filed by the Attorney General at the relation of one Simon COCK, for the purpose of establishing a charitable trust, created by the said Will of the said John LOVELACE deceased.
3. By the Decree made in the said Cause on the 22nd day of November 1834, it was declared that the trust contained in the Testator's will was good as a charitable trust and it was ordered that the charity should be established and that it should be referred to the Master to settle and approve of a scheme for the application of the charity, proper regard being had to the directions in the Testator's Will and that the Master, having regard to the Will, should be at liberty to appoint one or more Trustees or Trustee of the charity, if he should think it necessary.
4. By another order made in the Cause on the 31st day of October 1835, it was declared that the male children, poor relations of the Testator John LOVELACE, were alone entitled to the provision for education made in his Will.
5. In pursuance of the said Decree of the 22nd day of November 1834, the Master made his report dated the 18th day of July 1836 and thereby, after setting forth the Will of the Testator, certified that there was then standing in the name of the Accountant General, to the Credit of the before mentioned Cause Attorney General v LOVELACE, the sum of £11,622.8.2 Consols, producing an annual income of £348; it had been considered:
that the male Children, poor relations of the Testator, who were or should be between the ages of 8 and 15 years inclusive, should, out of the income of the said £11,622.8.2 Consols in Court as aforesaid, be taught reading, writing and arithmetic and be maintained.

That there were then only eight male Children, poor relations of the Testator, who were between the ages of 8 and 15 years.

That it was apprehended that each of such Children might be educated and maintained for the sum of £30 per annum and that the relator had laid before him the scheme herein set forth.

And that he, the Master, had considered such scheme and had settled and approved thereof, regard being had to the directions in the Testator's Will and he thought it necessary, having regard to such Will, to appoint William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE to be Trustees of the Charity.

6. The said Master's Report was duly confirmed by an Order made in the Cause on the 18th day of July 1836 and, by another Order made in the Cause on the 26th day of July 1836, it was Ordered amongst other things that the before mentioned William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE should be appointed Trustees of the Charity in question.

And that the interest to accrue due from time to time on the £11,622.8.2 Consols, then standing in the name of the Accountant General, in Trust in the Cause Attorney General v LOVELACE, should be paid to the abovenamed William LOVELACE, Edward HOULDITCH and Samuel GIRDLESTONE, as such Trustees as aforesaid.

And that they should apply the same, or so much thereof as might be necessary, in maintaining and educating, according to the Will of the Testator and the scheme approved of by the Master, the poor male Children of the relations of the Testator, who might be from time to time between the ages of 8 and 15 years and, for that purpose, place them at such Boarding Schools or Day Schools, as they might think proper and pay a sum for each such Child, not exceeding £30 a year, the same to be paid wholly to the Keeper of such Boarding or Day School, where such Child should be placed or partly to the Keeper of such School and partly to the Parents and friends of such Child as the Trustees should think fit and, if any surplus of such interest should remain in their hands after educating and maintaining the male Children, It was Ordered that the Trustees should be at liberty to apply the same, as far as the same would extend, or such parts thereof as they should think fit, in payments, not exceeding from £50 to £100 each in any one year, to or for the separate use and benefit of such of the poor female relations of the said Testator who might happen to marry.

And the Trustees were to be at liberty to apply to the Court for permission to advance by way of loan (having regard to the provisions of the Testator's Will in that respect), one or two sums, not exceeding £500 each, as occasion should arise, for the purpose of establishing the Youths in the World and subject to the variations therein, consequent to the directions thereinbefore given, it was thereby Ordered that the said Master's Report should be confirmed.

And that the Trustees should pass their accounts of the application of the residue of a sum of £870.4.6, after paying the costs and sums therein mentioned and of the interest of the said Bank £3 per cent annuities, at the end of one year from the time and thenceforth at the end of every third year, before the Master, unless called upon to do so at the expiration of shorter periods and, in passing their accounts, it was ordered that they should be allowed all expenses respecting the Charity and the costs of all parties of passing the Accounts.

And it was ordered that they should pay the balance of such accounts, if any, into the Bank, to the Credit of the Cause "Attorney General v LOVELACE", to an Account to be entitled "The Education and Marriage Fund of the poor relations of John LOVELACE deceased", to be applied in like manner as occasion might require and the Court should order.

7. New Trustees of the said Charity were from time to time appointed under the order of the Court, in the place of deceased or retiring Trustees and eventually, by an order made in the Cause on the 24th day of March 1866, it was Ordered (amongst other things) that William PALIN and Frederick RAMADGE be appointed Trustees of the LOVELACE Charity, jointly with the said Edward HOULDITCH, in the place of William SPEED, who was then desirous of being discharged from the trusts of the said Charity and of Edward PIZEY, then deceased.

8. By another Order made in the Cause on the 8th day of August 1867, upon the application of the said Edward HOULDITCH, it was ordered (amongst other things) that The Reverend Henry Lovelace HOULDITCH be appointed a New Trustee of the said Charity, in substitution for the said Edward HOULDITCH and in addition to the said William PALIN and Frederick RAMADGE, the continuing Trustees.

9. The said Edward [*William intended*] PALIN died in the month of October 1882 and by an Order made by the Board of Charity Commission[er]s for England and Wales on the 31st day of March 1885, in the matter of the said Charity and of the Charitable Trusts Acts 1853 to 1869, it was Ordered that the said Frederick RAMADGE should be discharged from being a Trustee of the said Charity and that your Petitioners Edward Holroyd HOULDITCH and Walter PRING be appointed to be Trustees for the administration of the said Charity, in addition to and jointly with the said Henry Lovelace HOULDITCH, the continuing Trustee thereof.

10. In pursuance of the said Decree of the 26th day of July 1836 and of several subsequent Orders made in that behalf, the income of the funds from time to time standing in Court to the Credit of the Cause, has been paid to the Trustees for the time being of the Charity, who have from time to time passed their triennial accounts. The last of such accounts was passed in the year 1882.

11. The said Henry Lovelace HOULDITCH died on the 20th day of June last, leaving Your Petitioners the sole surviving Trustees of the said Charity.

12. There are now standing in Court to the Credit of the said Cause, the sum of £10,382.17.0 Consolidated £3 per cent annuities and the sum of £150.11.0 Cash and there are also standing in Court to the Credit of the said Cause "the Education and Marriage Fund of the poor relations of John LOVELACE deceased", the sum of £53.13.11 Consolidated £3 per cent annuities and £-.15.7 cash. And there is now in the hands of your Petitioners, as Trustees of the said Charity, the sum of £746.1.9 Cash.

13. By an Order or Certificate under the Seal of the Board of Charity Commissioners for England and Wales dated the 12th day of June 1885, the said Board authorised the Trustees of the said Charity to make application to this Honorable Court, either by Petition or by procedure before a Judge of the said Court sitting at Chambers, as they

might be advised, for an Order discharging the Decree dated the 26th day of July 1836 and made in the Cause "Attorney General v LOVELACE", under which the Accounts of the said Charity are passed by the said Trustees in the Chambers of the Judge to whom the said Cause is attached.

And directing the transfer in the books of the Governor and Company in the Bank of England to the account of "The Official Trustees of Charitable Funds" in trust for the said Charity of the sum of £10,382.17.0 Consolidated £3 per cent annuities, standing in the said Court to the Credit of the said cause and of the sum of £53.13.11 like annuities, standing in the said Court to the credit of the said Cause "The Education and Marriage Fund of the poor relations of John LOVELACE deceased".

And also directing the transfer, upon the requisition of the said Official Trustees of Charitable Funds, to their Account entitled "The Official Trustees of Charitable Funds" at the Bank of England, of any Cash which may be in the said Court, to the same Credits, payable to the said Official Trustees at the time of such transfer as aforesaid and for any Order properly incidental to the said application, which the said Court shall think fit to make thereon.

Your Petitioners therefore humbly Pray

1. That the costs of all parties, properly appearing of this application, may be taxed. And that the amount of such Costs when taxed may be directed to be retained and paid out of the said sum of £746.1.9 in the hands of your Petitioners.

2. That the said sum of £10,382.17. 0 Consolidated £3 per cent annuities and £150.11.0 Cash standing in Court to the Credit of the said Cause and also the said sums of £53.13.11 like annuities and £-.15.7 Cash standing in Court to the Credit of the said Cause "The Education and Marriage Fund of the poor relations of John LOVELACE deceased" may be transferred upon the requisition of the Official Trustees of Charitable Funds to the Account entitled "The Official Trustees of Charitable Funds" at the Bank of England.

3. And that thereupon, all further proceedings under the said Decree of the 26th day of July 1836, so far as the same relate to the passing of their accounts by the Trustees of the said Charity in the Chambers of the Judge, to whom the said Cause is attached and to the payment of the balance of such accounts into Court may be stayed.

Or that such further Order may be made in the premises, as to this Honorable Court shall seem meet.

And your Petitioners will ever pray etc.

It is intended to serve this Petition on Her Majesty's Attorney General.

[Printed]

General Charity – LOVELACE's
C./12,148

In Her Majesty's High Court of Justice (Chancery Division)

Certificate to High Court of Justice

CHARITY COMMISSION

In the Matter of the Charity created by the Will of JOHN LOVELACE, for the benefit of Poor Relations of the Testator; and

In the Matter of "The Charitable Trusts Acts, 1853 to 1869."

Whereas the Trustees of the above-mentioned Charity have represented to The Board of Charity Commissioners for England and Wales that they desire to make an application to the High Court of Justice, for the Order herein-after mentioned:

Now the said Board do, by this their Order or Certificate, Authorise the said Trustees to make application to Her Majesty's High Court of Justice (Chancery Division) either by Petition or by Procedure before a Judge of the said Court sitting at Chambers, as they may be advised, for an Order discharging the Decree, dated the 26th day of July 1836, and made in the cause "Attorney-General v LOVELACE", under which the accounts of the said Charity are passed by the said Trustees in the Chambers of the Judge to whom the said cause is attached:

And directing the transfer in the books of the Governor and Company of the Bank of England to the account of "The Official Trustees of Charitable Funds," in trust for the said Charity, of the sum of £10,382.17s. Consolidated £3 per cent. Annuities standing in the said Court to the credit of the said cause, and of the sum of £53.13.11 like Annuities standing in the said Court to the credit of the said cause, "The Education and Marriage Fund of the poor relations of John LOVELACE, deceased:"

And also directing the transfer, upon the requisition of the said Official Trustees of Charitable Funds, to their account entitled "The Official Trustees of Charitable Funds" at the Bank of England, of any cash which may be in the said Court to the same credits payable to the said Official Trustees at the time of such transfer as aforesaid, and for any Order properly incidental to the said application which the said Court shall think fit to make thereon.

Sealed by Order of the Board this 12th day of June 1885.

HENRY M. VANE, Secretary.

Affidavit of Thomas CREE of No. 13 Gray's Inn Square in the County of Middlesex, Gentleman. – Sworn 13th of July, Filed 14th July 1885.

Says:

1. I knew and was acquainted with the Reverend Henry Lovelace HOULDITCH, late of Alphington in the County of Devon, Clerk in Holy Orders & one of the Trustees of the Charity established in these causes, having acted as his Solicitor in the said causes for 15 years and upwards.

2. The said Rev. Henry Lovelace HOULDITCH died in the month of June last and he is the same person named in the certificate of Burial, now produced and shewn to me, marked with the letters HLH, purporting to be an extract from the register of Burials for the parish of Holcombe Burnell in the said County of Devon.

Whilst the work of bringing forward a new Scheme, that would be acceptable to both the Court and Charity Commissioners, was continuing, the trust's business carried on as before.

General Form of Summons.
Before 1852

In the High Court of Justice.

CHANCERY DIVISION.

Mr Justice NORTH

BETWEEN Her Majesty's Attorney General at the relation of Simon COCK
and Thomas LOVELACE (since deceased)

Informant

And other Causes

Defendant

Let all parties concerned attend the Judge in Chambers, Royal Courts of Justice, Strand, London, on Tuesday the 1st day of June 1886, at 12 o'clock noon on the hearing of an application on the part of Edward Holroyd HOULDITCH and Walter PRING, the surviving Trustees of the Charity in the pleadings in these Causes mentioned, that, out of the funds in their hands, the sum of £30 Per Annum may be allowed by them to Alice Lovelace BARNSHAW of No. 148 Brecknock Road, Tufnell Park in the County of Middlesex, Widow, for the maintenance and education of her son Albert Ernest Lovelace BARNSHAW, such allowance to commence from the 25th day of March 1886; and that the sum of £100 may be also allowed by them to Kate Ann PIPER, Spinster, a poor female relation of the Testator John LOVELACE.

Dated this 27th day of May 1886

This summons was taken out by CREE & Son of 13 Gray's Inn Square, Middlesex, solicitors for the applicants.

To the Attorney General and to Messrs HARE & Co. his Solicitors.

High Court of Justice Chancery Division

Filed 28th May 1886

Attorney General v LOVELACE

Copy Affidavit of Alice Lovelace BARNSHAW

Filed on behalf of Edward H. HOULDITCH & another, the Trustees. By CREE & Son.

Received by CREE & Son 31st May 1886.

In the High Court of Justice

Chancery Division

Filed 28th May 1886

Before 1852

Between Her Majesty's Attorney General at the relation of Simon COCK
Thomas LOVELACE since deceased

Informant

Defendant

And Between Her Majesty's Attorney General at the relation of Simon COCK
William LOVELACE and another since deceased

Informant

Defendants

And Between Her Majesty's Attorney General at the relation of Simon COCK
William LOVELACE & another

Informant

Defendants

And Between Her Majesty's Attorney General at the relation of Simon COCK
William LOVELACE & others

Informant

Defendants

I Alice Lovelace BARNSHAW of No. 148 Brecknock Road, Tufnell Park in the County of Middlesex, Widow, make Oath and say as follows:

1. Referring to the Affidavit of my late husband Frederic Charles BARNSHAW and myself filed herein on the 13th of November 1877, I say that there has been issue of our Marriage, two children, the eldest of whom, Albert Ernest Lovelace BARNSHAW was born on the 22nd day of April 1876.

2. At the time of my said husband's death, which took place in the month of March 1885, we were and had been for some time residing in Paris, where he was employed. Prior to his decease he had been ill for six months and at his death I was left without any means of support and in order to pay the expenses of his funeral and doctor's bill, rent and other debts, I was obliged to part with the greater part of my Furniture.

3. After my said husband's death I obtained a situation in Paris at a children's outfitters, my Salary being about twenty five shillings a week, out of which I had to support my Mother, who was living with me (but who, on account of her age, is entirely unable to support herself), my two children and myself, leaving me little or nothing to provide my children with education.

4. In the month of February last, through the kindness of some friends, who advanced me the money, I came with my two children to London, in hope of restoring my health and also in the hope of obtaining a better situation. Within the past three weeks I have obtained employment as a Saleswoman at Messrs NICHOLLS's in Regent Street, at a Salary of thirty five shillings per week.

5. My Mother remains at present in Paris until I am able to provide the expense of her coming over here. In the meantime she is being entirely supported out of my earnings. Both my said children are in delicate health and the eldest is just recovering from an attack of Bronchitis.

6. Save and except my said earnings and some few Articles of furniture and wearing apparel of trifling value, I am not possessed of any property or income whatsoever.

Sworn at No. 13 Gray's Inn Square in the County of Middlesex, this 26th day of May 1886.

(sgd.) Alice L. BARNSHAW

Before me T. Parker DIXON, A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

In the High Court of Justice Chancery Division

Filed 22nd June 1886

Attorney General v LOVELACE

Copy Affidavit of Amelia PIPER in support of application for a Marriage portion for her Daughter.

Filed on behalf of Edward Holroyd HOULDITCH and another, the Trustees.

Rec'd by CREE & Son 24/6/86.

In the High Court of Justice

Chancery Division

Before 1852

Filed 22nd June 1886

<u>Between</u>	Her Majesty's Attorney General at the relation of Simon COCK Thomas LOVELACE since deceased	Informant Defendant
<u>And Between</u>	Her Majesty's Attorney General at the relation of Simon COCK William LOVELACE and another since deceased	Informant Defendants
<u>And Between</u>	Her Majesty's Attorney General at the relation of Simon COCK William LOVELACE and others	Informant Defendants
<u>And Between</u>	Her Majesty's Attorney General at the relation of Simon COCK William LOVELACE and others	Informant Defendants

I Amelia PIPER of Rabbits Barrow, Fishponds near Bristol in the County of Somerset, Widow, make Oath and say as follows:

1. My Daughter Kate Ann PIPER, named in my Affidavit filed herein on the 31st October 1879, was born on the 23rd day of June 1855.

2. My said daughter is at present employed as a Milliner at Mrs CLAYDON's, No. 7 Stokes Croft, Bristol, at a Salary of £24 per Annum, which is her sole support and out of which she, with the assistance of her brothers and sisters, have to help to support me. My said daughter does not reside with me but with Mrs RUMENS at No. 2 Bouverie Street, Upper Easton, Bristol.

3. My husband died in the month of February 1879 and left me without any means of support and since then I have found it extremely difficult to maintain myself and such of my children who have resided with me and I am consequently unable to give my said daughter any assistance whatever. My Son Arthur, who resides with me has recently gone out to work and earns three shillings and sixpence per week. Save and except his earnings and an Annuity of £12 a year, of which I am in receipt and some few Articles of Furniture and of Clothing of trifling value, I am not possessed of any property or Income whatsoever.

4. My said daughter is not possessed of any property or income whatsoever, beyond her said Salary. She is to be married in the month of December next to Alfred LANGABEER, who is employed as a Clerk with Messrs WEBB, ALDRIDGE & Co. of Bristol, at a Salary of thirty shillings per week, which, as I am informed and verily believe, constitutes the whole of his Income and except this he has no other income or property. If a Marriage portion were allowed my said daughter out of the funds belonging to this charity, as a poor female relation of John LOVELACE the Testator, pursuant to his Will, it would be of great benefit to her and enable her to provide herself with clothing and other necessaries for her said Marriage.

Sworn at the City and County of Bristol the 15th day of June 1886.

(sgd.) Amelia PIPER

Before me E.M. HARWOOD, A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

Before trustees could be appointed under the new Scheme, it was necessary for Affidavits to be sworn of their good character and suitability. The nominated trustees also had to signify their willingness to accept office.

In the High Court of Justice

Before 1852

Chancery Division

<u>Between</u>	Her Majesty's Attorney General at the relation of Simon COCK Thomas LOVELACE (since deceased)	Informant Defendant
<u>And Between</u>	Her Majesty's Attorney General at the relation of Simon COCK William LOVELACE and another	Informant Defendant
<u>And In the Matter of</u>	LOVELACE's Charity	

I Robert Taylor CAMPION of No. 8 Bedford Circus, Exeter in the County of Devon, Solicitor, make oath and say as follows:

1. I have for Fifteen years last past, known and been well acquainted with The Reverend Charles WOLSTON of Tornewton House near Newton Abbott in the County of Devon, Clerk, the person proposed to be appointed a new Trustee of the above named Charity.
2. The said Charles WOLSTON is a Clerk in Holy Orders and Rector of [blank] in the said County of Devon and is, as I am informed and believe, connected on his Mother's side with John LOVELACE the Testator. The said Charles WOLSTON is the owner of Tornewton Estate aforesaid and is a person of business habits, good credit and of strict honour and integrity.
3. In my judgement and opinion the said Charles WOLSTON is a fit and proper person to be appointed a new Trustee of the said Charity.

Rob't T. CAMPION.

Sworn at the City of Exeter this Fourth day of December 1886 Before me Geo. Fred. TRUSCOTT,
A Commissioner to administer Oaths in the Supreme Court of Judicature in England.

In the High Court of Justice

Before 1852

Chancery Division

Attorney General v LOVELACE

In the Matter of LOVELACE's Charity

I the undersigned, the Reverend Charles WOLSTON of Tor Newton House near Newton Abbott in the County of Devon, Clerk in Holy Orders and Rector of Torbryan in the same County, do hereby consent to act as a Trustee of the above named Charity.

Dated this fourth day of December 1886. Charles WOLSTON.

I Thomas CREE of No. 13 Gray's Inn Square in the County of Middlesex, Gentleman, a Solicitor of the Supreme Court, hereby certify that the above written signature is the signature of the Reverend Charles WOLSTON, the person mentioned in the above written consent. Tho's CREE.

In the High Court of Justice

Before 1852

Chancery Division

Between Her Majesty's Attorney General at the relation of Simon COCK
Thomas LOVELACE (since deceased)

Informant

Defendant

And Between Her Majesty's Attorney General at the relation of Simon COCK
William LOVELACE & another

Informant

Defendants

And In the Matter of LOVELACE's Charity

I Frank HUTCHINGS of the Castle of Exeter in the County of Devon, gentleman & Clerk to the county Treasurer of Devon, make Oath and say as follows:

3. I have for 50 years last past known & been well acquainted with Samuel Dyer KNOTT of Alphington in the County of Devon, retired Accountant, a person proposed to be appointed a new Trustee of the above name(d) Charity and I have also for 25 years last past known & been well acquainted with Arthur Johnston MACKEY of No. 2 The Close in the City of Exeter, Barrister at Law, also a person proposed to be appointed a new Trustee of the above named Charity.
4. The said Samuel Dyer KNOTT and Arthur Johnston MACKEY are persons of Business habits, good credit & strict honour and integrity.
3. In my Judgment & Opinion the said Samuel Dyer KNOTT and Arthur Johnston MACKEY are fit & proper persons to be appointed Trustees of the said Charity.

F. HUTCHINGS.

resworn in the City of Exeter this 30th day of Dec'r 1886 Before me W. BATTISHILL, a Comm'r etc.

In the High Court of Justice

Before 1852

Chancery Division

Attorney General v LOVELACE

In the Matter of LOVELACE's Charity

I the undersigned, Samuel Dyer KNOTT of Alphington in the County of Devon, retired Accountant, do hereby consent to act as a Trustee of the abovenamed Charity.

Dated this twenty first day of December 1886. S. Dyer KNOTT.

I Thomas CREE of No. 13 Gray's Inn Square in the County of Middlesex, Gentleman, a Solicitor of the Supreme Court, hereby certify that the above written signature is the signature of Samuel Dyer KNOTT, the person mentioned in the above written consent. Tho's CREE.

In the High Court of Justice

Before 1852

Chancery Division

Attorney General v LOVELACE

In the Matter of LOVELACE's Charity

I the undersigned, Arthur Johnston MACKEY of No. 2 The Close in the City of Exeter, Barrister at Law, do hereby consent to act as a Trustee of the abovenamed Charity.

Dated the twenty second day of December 1886. Arthur J. MACKEY.

I Thomas CREE of No. 13 Gray's Inn Square in the County of Middlesex, Gentleman, a Solicitor of the Supreme Court, hereby certify that the above written signature is the signature of Arthur Johnston MACKEY, the person mentioned in the abovementioned consent. Tho's CREE.

Approval of a new Scheme for the operation of LOVELACE's Charity, albeit retaining the previous qualifications, and consent to transfer its funds to the Official Trustee was finally approved on 7th February 1887.

7th February 1887

**IN THE HIGH COURT OF JUSTICE.
(CHANCERY DIVISION.)
MR. JUSTICE NORTH.
ATTORNEY GENERAL v. LOVELACE.**

ORDER approving Scheme and directing Transfer of Funds to the Official Trustees.

IN THE HIGH COURT OF JUSTICE. (CHANCERY DIVISION.)
MR. JUSTICE NORTH at Chambers.

Before 1852.
Folio 42.

Monday the 7th day of February 1887.

Mr. KOE Registrar.

Between His late Majesty's ATTORNEY GENERAL at the Relation of SIMON COCK THOMAS LOVELACE since deceased By Original Information	Informant Defendant
AND	
Between His late Majesty's ATTORNEY GENERAL at the Relation of SIMON COCK WILLIAM LOVELACE and Another By information of Revivor and Supplement	Informant Defendants
AND	
Between His late Majesty's ATTORNEY GENERAL at the Relation of SIMON COCK WILLIAM LOVELACE and Others By Supplemental Information	Informant Defendants
AND	
Between His late Majesty's ATTORNEY GENERAL at the Relation of GEORGE PITZ WILLIAM LOVELACE and Others and JACOB SAMUEL BOWLING and LUCY his Wife THOMAS BOWLING GEORGE BOWLING JAMES BOWLING RICHARD BOWLING SOPHIA BOWLING (since deceased) EDWARD BOWLING and LUCY BOWLING MARY ANN BOWLING and ELIZABETH BOWLING (both since deceased) and ANN LOVELACE EDWARD EVANS and ANN BOWDEN his Wife WILLIAM LOVELACE THOMAS JOHN LOVELACE JAMES BOWDEN LOVELACE and WILLIAM BOWLING when within the Jurisdiction	Informant Defendants
By Supplemental Information	

In the Matter of LOVELACE'S CHARITY and of The Charitable Trusts Acts 1853 to 1869.

UPON THE APPLICATION of Her Majesty's Attorney General and upon hearing the solicitors for the Attorney General and for Edward Holroyd HOULDITCH and Walter PRING the surviving trustees of LOVELACE's Charity founded under the will dated the 13th December 1801 of John LOVELACE deceased and upon reading the order of Charity Commissioners dated the 31st March 1885 and the 12th June 1885 the Master's report dated the 18th July 1836 the order dated the 26th July 1836 the petition presented the 9th July 1885 registrar's note of adjournment into Chambers dated the 27th March 1886 an affidavit of Thomas CREE filed the 14th July 1885 and the exhibit marked HLH therein referred to an affidavit of Robert Taylor CAMPION filed the 7th December 1886 an affidavit of Frank HUTCHINGS filed the 4th January 1887 the consent dated the 4th December 1886 of the Reverend Charles WOLSTON the consent dated the 21st December 1886 of Samuel Dyer KNOTT the consent dated the 22nd December 1886 of Arthur Johnston MACKEY and the Paymaster's certificate of fund -

IT IS ORDERED that the scheme which is set forth in the schedule hereto and which has been approved by the Judge be carried into effect.

And It is ordered that the funds in Court be dealt with as directed by the schedules hereto and the Official Trustees of Charitable Funds are to hold the consols and cash transferred and paid to them under this order upon the trusts of the said scheme.

And It is ordered that the costs (including any charges and expenses properly incurred) of the said Edward Holroyd HOULDITCH and Walter PRING, the surviving trustees of the said charity and their predecessors and of the

Attorney General of and relating to the petition preferred by the said trustees on the 9th July 1885 and this application and the settling of the said scheme and otherwise in relation to the charity and not already taxed or allowed to be taxed by the taxing master as between solicitor and client.

And It is ordered that the said Edward Holroyd HOULDITCH and Walter PRING the surviving trustees do retain and pay the said costs out of the moneys in their hands subject to the trusts and be allowed the same in passing their account hereinafter mentioned.

And It is ordered that the said Edward Holroyd HOULDITCH and Walter PRING do pass a final account and pay the balance which shall be certified to be due from them upon passing such account into the Bank to the account of the Official Trustees of Charitable Funds to be invested in the names of the Official Trustees of Charitable Funds in Consolidated Three pounds per centum annuities for the benefit of the said charity.

And It is ordered that all further proceedings in these causes except such as may be necessary or proper to carry this order into effect be stayed.

And any of the parties are to be at liberty to apply to the Judge in chambers as advised.

**SCHEDULE.
SCHEME.**

1. The charity and its endowments shall continue to be managed and administered by trustees the full number of whom shall be five subject to and in conformity with the provisions of this scheme under the title of "LOVELACE'S Charity."

2. All stocks shares funds and securities belonging to or applicable for the purposes of the Charity shall after payment of the costs charges and expenses properly payable thereout be vested in and transferred to the Official Trustees of Charitable Funds in trust for the charity and all sums of cash belonging to or held in trust for the charity and not required for the current expenditure thereof shall be forthwith invested in the purchase of Government securities in the names of the said official trustees in trust for the charity.

3. The following persons shall be the first trustees under this scheme The said Edward Holroyd HOULDITCH, the said Walter PRING, Charles WOLSTON of Tor Newton House in the county of Devon, clerk in holy orders, Samuel Dyer KNOTT of Alphington in the county of Devon, gentleman and Arthur Johnston MACKEY of the city of Exeter, barrister-at-law.

4. Any trustee of the charity who shall become bankrupt or incapacitated to act or shall not attend any meeting of the trustees during a consecutive period of two years or shall express in writing his wish to resign shall immediately cease to be a trustee and the trustees shall cause a record of the fact to be entered in their books and thereupon or upon the death or resignation of any trustee a new trustee shall be appointed within one calendar month by the surviving or continuing trustees or trustee who shall forthwith send notice of such appointment with all proper information to the Charity Commissioners for England and Wales at their office in London but so that no such appointment shall be valid until it is approved by the said commissioners and their approval certified under their official seal provided nevertheless that until any vacancy amongst the trustees shall be filled up the surviving or continuing trustees not being less in number than three shall have full power to act for all purposes in the administration of the charity.

5. The trustees shall hold general meetings for transacting the business of the charity at least four times in every year at such convenient place as they may from time to time appoint such meetings to be held on the first Wednesday in the months of January April July and October respectively unless the trustees shall appoint some other day for the holding of any of such meetings the trustees may hold a special meeting when and so often as they shall consider it expedient or necessary for transacting the business of the charity at such time and place as they may determine Notice of every meeting shall be given by the clerk of the charity in writing to each trustee seven clear days at least before the time appointed for holding the same such notice to be delivered at or sent by post to the residence of each trustee The trustees may adjourn any meeting as they shall think fit.

6. There shall be a quorum when three trustees are present at any meeting. If a quorum shall not have assembled within half-an-hour after the time appointed for any meeting or in case of the business at any meeting not being fully completed the trustees or trustee present or the clerk if no trustee be present may adjourn the meeting to a subsequent day of which due notice in writing shall be officially given to each of the other trustees.

7. The clerk of the charity when directed by any trustee shall summon a special meeting giving seven days previous notice in writing to the other trustees and specifying in such notice the object of the meeting.

8. All matters and questions shall be determined by the majority of the trustees present at any meeting. Any resolution of the trustees may be rescinded or varied from time to time by the trustees at a special meeting.

9. A minute book and proper books of account shall be provided by the trustees and minutes of the appointment of every new trustee and of all proceedings of the trustees shall be entered in such minute book and signed by the trustees present at the meeting at which the proceedings shall have taken place or one of such trustees either at the conclusion of the meeting at which the proceedings may have taken place or at a subsequent meeting.

10. Full accounts shall be kept of the receipts and expenditure of the trustees in respect of the charity in books to be provided for that purpose and such accounts shall be stated for each year and examined and passed at the first ordinary meeting in the ensuing year a copy of the accounts so passed shall be signed by the trustees or three of them who shall cause sufficient accounts of all receipts and payments on account of the charity to be forwarded to the said commissioners and to be published in accordance with the provisions of The Charitable Trusts Acts.

11. The trustees may appoint some proper person to act as clerk to the trustees during their pleasure at an annual salary the amount whereof shall be subject to the approval of the said Commissioners. The duties of the clerk shall be to attend the trustees at their meetings to keep the accounts of the Charity and to furnish and send duplicates or true copies thereof in manner directed by the Charitable Trusts Acts or otherwise for the time being by law required to

preserve subject to the direction of the trustees all vouchers for payments made on behalf of the charity to enter in the minute book the minutes of every meeting of the trustees and to perform all such other duties connected with the administration of the charity as shall be reasonably required of him by the trustees.

12. The trustees shall from time to time appoint some fit bankers to the charity during their pleasure with whom shall be deposited all moneys of the charity not immediately required for the purposes thereof. The trustees shall take care that the dividends of any stock belonging to the charity shall be paid direct to such bankers by the Official Trustees of Charitable Funds.

13. All payments on account of the charity shall be made by cheque or order of at least two of the trustees countersigned by the clerk and no such cheque or order shall be signed or countersigned except under the authority of an order of the trustees at a meeting duly convened but the trustees may make provision for small and casual payments by giving the clerk from time to time a cheque for petty cash for such amount not exceeding £20 as they may think necessary of which he shall duly dispose and for which he shall account.

14. All persons who at the time of this scheme coming into operation shall be actual recipients of the benefit of the charity may continue to receive the same benefits as theretofore subject to the then existing conditions and regulations.

15. Subject to the reservation mentioned in the last preceding clause the income of the charity or so much thereof as may be necessary shall be applied by the trustees after payment thereof of the proper outgoings and expenses of management in maintaining and educating according to the will of the founder John LOVELACE the poor male children relations of the founder who may be from time to time between the ages of 8 and 15 years and for that purpose placing them at such boarding schools or day schools as the trustees may think proper Provided that no larger annual sum shall be paid for any child than £30 which sum may be paid wholly to the keeper of any such boarding school or day school where such child shall be placed or partly to the keeper of such school and partly to the parents or friends of such child as the trustees shall think fit.

16. And if any surplus of such income shall remain in their hands after educating and maintaining the said male children the trustees shall be at liberty to apply the same as far as it will extend or such part thereof as they shall think fit in payments not exceeding from £50 to £100 each in any one year to or for the separate use and benefit of such of the poor female relations of the founder who may happen to marry on their sole receipts respectively which receipts shall be sufficient discharges to the trustees.

17. The future recipients of the charity shall be selected and appointed by the trustees from time to time from applicants having the prescribed qualifications but the trustees shall when and so far as practicable make it a condition of granting relief that some payment or contribution for the benefit of the person relieved shall be made or agreed to be made by the relations or friends of such person the trustees shall require such evidence as they may deem fit in each case of the existence and sufficiency of the qualifications of the applicants and recipients both in regard to their kinship to the founder and otherwise.

18. For want of a sufficient number of objects qualified under the preceding clauses of this scheme the trustees shall apply to the said Charity Commissioners for the establishment of a scheme for the application of the surplus of the income of the charity remaining in their hands.

19. The trustees may with the approval and sanction of the said commissioners from time to time advance by way of loan out of the capital of the charity fund to any of the aforesaid poor male relations of the founder any sum not exceeding £500 for the purpose of establishing him in the world provided that not more than two of such advances shall be existing at the same time and that security shall be given to the satisfaction of the trustees for the repayment of the sum advanced by such instalments and for payment of interest in the meantime at such rate and in such manner as the said commissioners may approve.

20. The trustees may from time to time make all necessary and proper regulations for the conduct and administration of the charity in conformity with the provisions of this scheme. The appropriations of the benefits of the charity shall be made from time to time in the exercise of their discretion at meetings of their body and not separately by any individual trustee or trustees.

21. No trustee shall receive any benefit directly or indirectly from the funds of the charity.

22. The trustees shall cause this scheme to be printed and a copy to be given to every trustee and to the clerk of the charity upon his appointment and copies shall be sold at not exceeding six pence a copy to all persons applying for the same.

23. If any doubt or question shall arise among the trustees or any of them as to the construction or proper application of any of the provisions of this scheme or the management of the charity application may be made by the trustees to the Charity Commissioners for their opinion and advice which when given shall be conclusive upon all persons affected thereby.

24. This scheme shall come into operation as soon as an order shall be made authorising the transfer of any fund applicable for the purposes of the charity to the said Official Trustees of Charitable Funds.

PAYMENT SCHEDULE I.

In the High Court of Justice. (Chancery Division).

7th February, 1887.

Attorney General v. LOVELACE.

LEDGER CREDIT. – As above.

FUNDS IN COURT £10,382.17s. 0d. Consols. £602. 4s. 0d. Cash.

Particulars of payments transfers

Amounts.

	the £155.14.10 Consols, part thereof and on the £53.13.11 Consols. residue thereof, on the Credit of the Cause, <u>The Account Education and Marriage Fund etc.</u>		1886 Ap'14	The like due 4 th April 1886, when allowance ceased	8. 7. 3
	<u>Note.</u> Pursuant to an Order dated 11 th December 1877, £105.5.4 of the £261.0.2 Consols, was sold to pay a Marriage portion of £100 to Mrs BARNSHAW, reducing the Stock to £155.14.10 Consols; and pursuant to another Order dated 15 th January 1880, £102 0.11 of the said £155.14.10 was also sold to pay a Marriage portion of £100 to Anne Gatchel Farrant WHEATON, reducing the Stock to <u>£53.13.11 Consols.</u>		1882 Dec'r 25	In respect of School Allowances for <u>John Carter THORN</u> Paid James THORN half year's allowance for his Son John Carter THORN due 25 th December 1882	15. 0. 0
			1883 June 25	The like due June 24 th 1883	15. 0. 0
			Dec'r 25	The like due Dec'r 25 1883	15. 0. 0
			1884 June 24	The like due June 24 th 1884	15. 0. 0
			Dec'r 25	The like due Dec'r 25 th 1884	15. 0. 0
			1885 June 24	The like due June 24 th 1885	15. 0. 0
			Dec'r 25	The like due Dec'r 25 th 1885	15. 0. 0
			1886 June 30	The like due June 24 th 1886	15. 0. 0
			Dec'r 25	The like due Dec'r 25 1886	15. 0. 0
1883 1 st February	Half year's Dividend on the £261.0.2 Consols. due 7th January 1878 less tax	3.17.4	1882	In respect of School Allowances for <u>Edward Robert MELHUIISH</u>	
do.	The like on the £155.14.10 Consols. due 6 th July 1878 less tax	2. 5. 9	Sep. 29	Paid Robert MELHUIISH half year's allowance for his Son Edward Robert MELHUIISH due September 29 th 1882	15. 0. 0
do.	The like 7 th January 1879 less tax	2. 5. 9			
do.	The like 7 th July 1879 less tax	2. 5. 9	1883		
do.	The like 6 th January 1880 less tax	2. 5. 9	March 29	The like due March 25 th 1883	15. 0. 0
do.	The like on the £53.13.11 Consols. due 6 th July 1880 less tax	15. 9	Sep. 29	The like due Sep. 29 th 1883	15. 0. 0
do.	do. 6 th January 1881 less tax	15. 8	M'ch 25	The like due March 25 th 1884	15. 0. 0
do.	do. 6 th July 1881 less tax	15. 9	Sept. 29	The like due Sep. 29 th 1884	15. 0. 0
do.	do. 6 th January 1882 less tax	15. 9	1885		
do.	do. 6 th July 1882 less tax	15. 9	M'ch 25	The like due March 25 th 1885	15. 0. 0
do.	do. 6 th January 1883 less tax	15. 7	Sept. 29	The like due Sept. 29 1885	15. 0. 0
24 th July 1884	do. 6 July 1883 less tax	15. 9	1886		
16 Jan'y 1885	do. 6 January 1884 less tax	15. 9	M'ch 25	The like due March 25 1886	15. 0. 0
14 th Oct'r 1885	do. 7 July 1884 less tax	15. 9	Sep. 29	The like due Sept. 29 th 1886	15. 0. 0
April 9 th	do. 6 January 1885 less tax	15. 8	M'ch 25	The like due March 25 th 1887	15. 0. 0
	<u>Note.</u> The said sums of £10,382.17.0 Consols. with £602.4.0 Cash, the total amount of the Dividends due thereon, unreceived from the 7 th July 1885 to the 6 th January 1887, both inclusive and the said sum of £53.13.11 Consols. with £3.2.4 Cash, the total amount of the Dividends due thereon, also unreceived for the like period, have been, pursuant to an Order dated the 7 th February 1887, transferred to the Official Trustees of the Charitable Funds, to be dealt with as therein directed.		1883 Dec'r 25	In respect of School Allowances for <u>Francis Harry Lovelace HOULDITCH</u> Paid Henry HOULDITCH proportion of allowance from 16th July 1883 (when same commenced) to 25 Dec'r 1883 for his son Francis Harry Lovelace HOULDITCH	13. 5. 6
			1884 June 24	The like half year's allowance due June 24 th 1884	15. 0. 0
			Dec'r 25	The like due Dec'r 25 1884	15. 0. 0
			1885 June 24	The like due June 24 th 1885	15. 0. 0
			Dec'r 25	The like due Dec'r 25 1885	15. 0. 0
			1886 June 30	The like due June 24 th 1886	15. 0. 0
			Dec'r 25	The like due Dec'r 25 1886	15. 0. 0
1883	<u>In respect of return of Income Tax</u>			In respect of School Allowances for <u>Frederick William WHEATON</u>	

April 10	By Cash from the Income Tax Commissioners for return of Income Tax paid on the dividends of the Charitable Funds	22.18.1	1883 M'ch 29	Paid Francis William WHEATON proportion of Allowance from 25 th November 1882 (when same commenced) to 25 th March 1883, for his son Frederick William WHEATON	10. 0. 0
1886 Sept. 13	The like	14. 6. 9	Sept. 29	The like half year's allowance due 29 th Sept. 1883	15. 0. 0
			1884 M'ch 25	The like due 25 th March 1884	15. 0. 0
			Sept. 29	The like due 29 th Sept'r 1884	15. 0. 0
			1885 March 25	The like due 25 th March 1885	15. 0. 0
			Sept. 29	The like due 29 th Sept'r 1885	15. 0. 0
			1886 M'ch 25	The like due 25 th March 1886	15. 0. 0
			Sept. 29	The like due 29 th Sept'r 1886	15. 0. 0
			1887 M'ch 25	The like due 25 th March 1887	15. 0. 0
				In respect of School Allowances for <u>John Henry Lovelace TOZER</u>	
			1883 M'ch 29	Paid Henry Lovelace TOZER proportion of Allowance from 25 th Oct'r 1882 (when same commenced) to 25 th March 1883, for his Son John Henry Lovelace TOZER	12.10.0
			Sept. 29	The like half year's allowance due 29 th Sept. 1883	15. 0. 0
			1884 March 25	The like due 25 th March 1884	15. 0. 0
			Sept. 29	The like due 29 th Sept'r 1884	15. 0. 0
			1885 March 25	The like due 25 th March 1885	15. 0. 0
			Sept. 29	The like due 29 th Sept'r 1885	15. 0. 0
			1886 March 25	The like due 25 March 1886	15. 0. 0
			Sept'r 29	The like due 29 th Sept. 1886	15. 0. 0
			1887 March 25	The like due 25 th March 1887	15. 0. 0
				In respect of School Allowances for <u>Henry James Lovelace TOZER</u>	
			1883 M'ch 29	Paid James Lovelace TOZER proportion of allowance from 4 th October 1882 (when same commenced) to 25 th March 1883, for his Son Henry James Lovelace TOZER	14. 8. 6
			Sept. 29	The like half year's allowance due 29 th Sept'r 1883	15. 0. 0
			1884 March 25	The like due 25 th March 1884	15. 0. 0
			Sept. 29	The like due 29 Sept'r. 1884	15. 0. 0
			1885 March 25	The like due 25 March 1885	15. 0. 0
			Sept. 29	The like due 29 th Sept'r 1885	15. 0. 0
			1886 March 25	The like due 25 th March 1886	15. 0. 0
			Sept. 29	The like due 29 th Sept. 1886	15. 0. 0
			1887 March 25	The like due 25 March 1887	15. 0. 0

In respect of School Allowances
for Charles William Lovelace
TOZER

1883			
M'ch 29	Paid James Lovelace TOZER proportion of allowance from 4 th October 1882 (when same commenced) to March 25 th 1883, for his Son Charles William Lovelace TOZER	14. 8. 6	
Sept. 29	The like half year's allowance due 29th Sept. 1883	15. 0. 0	
1884			
M'ch 25	The like due 25 th March 1884	15. 0. 0	
Sept. 29	The like due 29th Sept. 1884	15. 0. 0	
1885			
M'ch 25	The like due 25th March 1885	15. 0. 0	
Sept. 29	The like due 29th Sept. 1885	15. 0. 0	
1886			
M'ch 25	The like due 25th March 1886	15. 0. 0	
Sept. 29	The like due 29 th Sept. 1886	15. 0. 0	
1887			
March 25	The like due 25th March 1887	15. 0. 0	

In respect of School Allowances
for Albert Ernest Lovelace
BARNSHAW

1886			
Sept. 29	Paid Alice Lovelace BARNSHAW half year's allowance for her Son Albert Ernest Lovelace BARNSHAW due 29 th Sept'r 1886	15. 0. 0	
1887			
M'ch 25	The like due 25 M'ch 1887	15. 0. 0	
Jan'y 8	Paid Mrs LANGABEER (Kate Ann PIPER) Marriage portion sanctioned 26 June 1886	100. 0. 0	
1883			
M'ch 29	Paid Messrs CREE & Son the Trustees' Costs under Order dated 13 th Dec'r 1882	7.13. 7	
1884			
M'ch 26	Paid for Stamped Cheque Book at the London Joint Stock Bank	4. 2	
1887			
	Paid Messrs CREE & Son proportion of taxed Costs of the Trustees under Order dated 7 th Feb'y 1887	86.16. 1	
	Paid Messrs CREE & Son the Costs of the Trustees relating to the present Account	17. 7.10	
	The like Messrs HARE & Co. proportion of the Costs of The Attorney General under Order dated 7 th Feb'y 1887	60.10.0	
	The like Messrs HARE & Co. the Costs of the Attorney General relating to the present Account	<u>7. 8.10</u>	
Total Receipts	<u>£817. 7. 4</u>	Total Payments	<u>£1343. 0. 3</u>

Summary

Total amount of Receipts	817. 7. 4
Balance due from the Trustees on their 16 th Account	<u>525.13. 5</u>
Total amount of Payments	1343. 0. 9