

prevented my writing
to you.

I hope to
see him in the
course of a few
days & will then
communicate again
with you - & probably
the best plan will
be that a meeting
should take place
on the locus in
quo between the
parties interested,
soon afterwards.

I have the honor
to be
Yr obed^t Serv^t
Hemaway

Copy. N^o 4.
To. Sir J. Winneaway
Dated 19. August
1850

D^r Barnes wrote
letter N^o 5- of which
there is no copy.
G. E. P.

16/23

Copy-
Mr Pady to
Sir J. Kennaway
1830.

16/23

Copy)

Feoffee Chamber Colyton

May 13th. 1850

Sir

As Feoffee and Chairman
of a Meeting of the Chamber of
Colyton held this day, I beg to
inform you that a deputation of
this Chamber, particularly request
the honour of an interview with
you respecting a part of the Charity
Trust of this Parish, and I shall
feel obliged by your naming an
early day, and hour, when it would
be most convenient for the deputa-
tion to wait on you —

I have the honour to be

Sir

Your very obedient servant

To/ Sir John Kenmaway } Jacob Pady
Bar^r, East Cot }
Lodge, near Honiton }

16/73

26/9

Cery N^o 3.

To Sir J. Knarway.

30 July 1850.

Copy.

Foffee Room Colyton, 30th July 1850,

Sir, On the part of the Foffees of Colyton I hasten to thank you for your letter of the 27th inst. and especially for the amicable tone by which it is chiefly distinguished and the desire it evinces to redress in a manner satisfactory to them the grievances of which they were unwillingly compelled to complain.

Participating to the utmost the spirit in which you have written the Foffees are unwilling you should be put to any expense in the matter if (with due regard to their integrity) the injuries set forth can be remedied in any other way than that costly, tedious and at least unsatisfactory process to which you allude in your letter, and as that expensive step relates only to one of their three grounds of complaint detailed in my letter of the 23 May - viz. the dyke which had been cut; and does not refer to the removal of the turf from another part of the 'Colyton Plot', nor allude to the still greater damage done to that field by the artificial diversion of the Current of the Otter (the change in whose course is productive of by far the most injurious consequences to that property and the remedying which would involve heavy outlay to you, the Foffees request me to suggest for your consideration, that as the mere refilling the trench will not be a compensation for even that section of the damage done in as much as the new soil will sink in the winter, and good pasture cannot be procured for at least three years, the easier mode of adjusting this painful affair to the entire satisfaction of all parties interested, will be, by the exchange of property, ~~the~~ being quite willing to accept any plot in the neighbourhood of Ottery of equal value at per acre (in point of soil) to that which is at present a subject of dispute - In the event of this proposal (which is made without prejudice to their case) not being

Auedra

Copy N^o 1-

23 May 1850.

To Sir J. Knarway

16/23

Copy N^o 1.

Feoffes Chamber Colyton 23. May 1850

Sir

As Chairman of a Committee appointed by the Feoffes of certain Charity lands (held for the benefit of the poor of Colyton) to investigate the cause of damage lately done to a portion of their estate adjoining certain lands belonging to you, I am under the painful necessity of calling your attention to the following facts.

Among other property vested in the Feoffes is a plot of land situated at Althington in the Parish of Ottery which plot is called "Colyton Plot" and is bounded by lands belonging respectively to yourself, Mr. Carpenter, Mr. Nutt, and Mr. Bacon.

Information has reached the Feoffes that the proprietors of these circumjacent premises had agreed between themselves to alter the course of the river Otter at the point where it flows through Mr. Carpenter's property before it enters the "Colyton Plot," that such alteration had been made, and that the change thus effected in the course of the stream, had seriously injured the Feoffe land, part of which had been washed away.

A Committee consequently made a visit to the spot and found not only, waste of the nature referred to had ensued by the ^{artificial} change of the current, but that additional, and harmful damage had been done by a dyke having been cut on the east side of the boundary rails which divide your land from ours, such dyke having been made to connect two dykes which flow on the North and South sides of your adjoining Meadow, not only was this mischief done but the soil which was of first rate quality, has been removed and carried off the premises. This dyke is 160 feet long, 16 feet wide, and 5 feet deep, and further damage has been done by the carrying off, of a considerable portion of turf, which had been cut and removed from that part, the "Colyton Plot" lying between the river and your rails.

From a report of the Committee to the Chamber of Feoffes, it was deemed desirable that a deputation of that body should have waited on you, to state their complaint, but your note in reply to our application for such interview, having referred us to Mr. Smith, we had a conference with him on these matters on

Saturday

but the interview with him having been unsatisfactory except in so far as he admitted that the change in the course of the river had been effected in consequence of the orders of the proprietors of the highbanking lands, we are driven to the unavoidable step of laying a statement of our grievances before yourself, judging that it would be uncourteous to resort to those legal proceedings for redress which as the Trustees of a Charity we should be responsible to the Lord Chancellor for not taking earlier notice of, we had endeavoured to procure from you a compensation for the damages sustained, grievances complained of by us, and an equitable adjustment of the differences consequently now existing between us -

Requesting the favour of an early reply a meeting of the Chamber being about to be holden in the course of a few days when it would be desirable to place your letter in the hands of the Chairman - I have the honour to be

To Sir John Hennaway Bart.
Pictou House

Yours very obedient humble servant

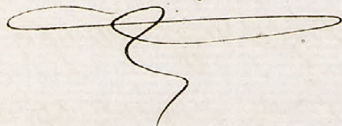
Clarendon Somerset

George Esq. Powell
Chairman

Attested Copy - 23rd May 1850.

Jacob Pady Chairman

J. Pady



RECEIPTS AND DISBURSEMENTS

FOR THE

Colyton Feoffee Property,

From Lady-day, to Michaelmas, 1839.

Receipts.

	£.	s.	d.
By Balance in hand at the Lady-day Audit,	5	6	11½
— Sundry Receipts of Rent from Tenants,	129	13	2¾

Disbursements.

	£.	s.	d.
To 1 Year's Land-tax, Poor-rates, and Quit-rents,	5	18	1
— Half Year's Salary to the School Master,	16	5	0
— Half Year's Ditto to the Bailiff,	2	10	0
— Half Year's Salary, and Expences attending the Water-course, ...	1	4	9
— Horsehire, and Expences of several Journies to Honiton & Ottery, ...	2	9	10
— Advertisement in News-paper, Postages, &c.	1	1	4
— Masons, Carpenters, and Thatchers, as per Vouchers, ..	7	10	9
— Ironmongery Goods, and Smiths' Work, as per Vouchers,	4	4	11½
— Reed, as per Voucher, used on Lovehayne Farm,	4	14	6
By Balance in the Bailiff's hand.	89	1	0
<hr/>			
£. 135 : 0 : 2½ £. 135 : 0 : 2½.			

November 5th, 1839, the above Accounts were examined and allowed by the Trust.

Present RENTAL of the FEOFFEE ESTATE.

	£.	s.	d.
Lovehayne and Buddleshayes Farms,	120	0	0 per Annum.
Shambles, Tolls of Fairs, &c.	4	5	0
Colyford Farm,	54	0	0
Three Houses in Colyford,	15	0	0
Head Rents for a House and Lands on Lease, in Colyford, and in Colyford Common Meadow,	1	1	10
One Field in Sidbury,	2	2	0
Five Fields in Ottery St. Mary,	24	0	0
Three Houses in Ditto,	30	0	0
One Field at Alphington,	1	0	0
Hampton Farm, in Shute,	24	0	0
Seven Houses, in Honiton,	37	5	0
Head Rents for Houses and Lands on Lease, in Honiton,	1	17	0

W. Skinner, Printer, Colyton.

Correspondence
with Sir J^r. Kenningway^{ts}
respecting
Encroachment on
the
"Colyton Plot"
Attery St. Mary
1850, 1851 & 1852

v. 26

16/23