

Dicitur in vobis in fine documenti  
 in Londona et alibi in Cantuaribus  
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To My Uncle & Cousins JOHN Dred  
 Setters, Water Ck 1890  
 H. de S. Kingdon Esq  
 H. Willhagie  
~~H. de S. Kingdon Esq~~

No. 100.

N.B. - All communications to this Board relating to different objects should be made **separately**, on foolscap paper, addressed to "The Secretary," and the postage prepaid.

CHARITY COMMISSION,

WHITEHALL, S.W.

*7 June* 1880.

"Charitable Trusts Acts."

DEPARTMENT OF ACCOUNTS.

At the head of  
your reply write

*Colyton*  
*Troffee Lands*

*Sir*

I have to acknowledge the receipt of *accounts for*  
*the past year.*

*Mr. D. Stokes*  
*Bailiff*

I have the honour to be,

SIR,

Your obedient Servant,

W. G. HAYTER,

*Registrar.*

(Copy)

Letters should be addressed—  
"The Secretary,  
Charity Commission,  
Whitehall,  
London, S.W."

CHARITY COMMISSION.

29. May 1888.

At the head of  
your reply write

B  
1921

Devonshire  
Colyton  
Thos. Holmes Charity  
Application of income

- N.B.—1. Every letter containing enclosures should enumerate them specifically, with a line in the margin for each.  
2. Write clearly on FOOLSCAP paper of the same size as this sheet.  
3. Communications relating to different objects should be made in separate letters.

Sir,

Your communications of the 21<sup>st</sup> March and 30<sup>th</sup> ult. have been under consideration.

According to the Trusts of this Charity the distribution of the benefits of the Charity is directed to be such a person as shall from time to time be appointed for that purpose by the heirs or executors of the Founder Thos. Holmes. The duties devolving upon the Feoffees and Twenty men or the Overseers of the Poor appear to be limited to demanding, if necessary, payment of the rentcharge from the owner of the land charged.

It appears therefore that neither the

J. W. Kingdon Esq.

Colyton

East Devon

owner of the land nor the feoffees nor the  
overseers are entitled to distribute the benefits of  
the Charity. Regard being had moreover to the  
length of time which has elapsed since the  
death of Thos. Holmes it is improbable that his  
right heirs upon whom would devolve the  
appointment of the "distributor" could now be  
found.

In these circumstances the proper course  
would appear to be that an Order should be made  
by this Board appointing administering Trustees  
and giving directions by way of Scheme for the  
future regulation of the Charity.

What report have they to  
give my scheme? & to  
be very sure the next  
order of the Board?

A form in which application for such an  
Order may be made is enclosed herewith.

Inasmuch as it appears that the owners of the  
property charged have in fact during a long  
period acted in the administration of the  
Charity, the application should be signed by you  
as the present owner and returned to this office.

AL

Jam. Gc.

Letters should be addressed—  
"The Secretary,  
Charity Commission,  
Whitehall,  
London, S.W."

CHARITY COMMISSION.

19 Sept. 1888

At the head of  
your reply write

B  
1951

Devonshire  
Colyton  
1. Holmes Charity

- N.B.—1. Every letter containing enclosures should enumerate them specifically, with a line in the margin for each.
- 2. Write clearly on FOOLSCAP paper of the same size as this sheet.
- 3. Communications relating to different objects should be made in separate letters.

Sir,

With reference to the first point raised in your letter received on the 5<sup>th</sup> inst. I am directed to enclose herewith a copy of a letter, which was addressed from this office on the 29<sup>th</sup> May last to Mr. F. W. Kingdon, the present owner of the land subject to the rentcharge belonging to this Charity, in reply to an enquiry made by him as to who were the proper persons to act in the administration of the Charity.

It will be observed upon a perusal of that letter that, in the opinion of the Commissioners, the proper course in the

A. Edwards Esq.  
Colyton

circumstances of the case, will be that a body of Trustees for the administration of the Charity should be constituted by an Order of this Board. Mr. Kingdon has not as yet made any reply to the suggestion that an application for such an Order should be made by him to the Commissioners.

## 2. Parish Lands

It is presumed that by the expression "Income of the Chamber" used in your letter is meant the Income derived from the Charity called the Parish Lands - A further communication will in due course be addressed to you in answer to the enquiry made in your letter with regard to the legality of setting aside a portion of this income for the purpose of bringing a supply of drinking water into the Town, but I am to request that you will, in the first instance, inform me whether any scheme has been established by the Court of Chancery for the regulation of

this Charity.

I am, Sir,

Your obed<sup>t</sup> servant  
J. N. Gauntlett

Colyton

Feb<sup>y</sup> 1-1889

To A de S Kingdon. Esq<sup>r</sup>  
Sir

I am directed by  
Mess<sup>rs</sup> Kettle & Rogers, the subcommittee  
appointed by the Chamber, to  
communicate with the Charity  
Commissioners in reply to their  
communication of Sept<sup>r</sup> last, (with  
regard to the water supply) <sup>to inform</sup> you  
~~and~~ that the reply thereto has been  
framed and forwarded by them.

Your obt<sup>d</sup> Servant-

Albert-Edwards

701-

Devonshire, Colyton, 13, 1921

To The Secretary Charity Commissioners White Hall  
London.

With reference to the second part of your communication dated 19 Sept<sup>r</sup> 1888, - I am requested by the Chamber of Feoffees of Colyton, to give you full information with reference <sup>thereon</sup> ~~to your inquiry~~, about the gift of ~~the~~ <sup>early</sup> in the ~~17<sup>th</sup>~~ <sup>16<sup>th</sup></sup> Century, the then Lord of the Manor made over to the Feoffees an abundant spring of water, arising ~~about some what less than a half~~ a little <sup>more than</sup> ~~beyond~~ <sup>on a hill side</sup> a q<sup>r</sup> of a mile out of the Town. This gift was supplemented by permission of the intermediate Land owners to convey it by a new channel to the highest point above the Town, and thence it was taken by ~~an~~ open channels through the main streets, ~~at the lower~~ with occasional deepening pools called "pails". The <sup>primary</sup> object of the gift of this water, was for ~~the extinguishing of fires, as Colyton~~ ~~at that period~~ <sup>the houses in Colyton were wholly thatched at that</sup> ~~time this period~~, as at this period the houses at Colyton were wholly thatched. In addition to this the water was, ~~used for~~ and has continued to be, used for laundry and other purposes, otherwise than except drinking. In the exercise of the extended usefulness <sup>of</sup> this ~~property~~, about ~~50~~ <sup>50</sup> years ago, the Feoffees covered in this water course, ~~by~~ and distributed it by pipes to various points in the Town, where they erected Conduits in the place of the original Piping pools. They also constructed several Tanks of considerable size, for the use of Engines in case of fire, ~~& which has been a great benefit~~ which has resulted in the saving of much property. The Tanks are also used in summer time for scouring & flushing ~~the~~ the Sewers of the Town.

No 2

With a view of conferring a still greater benefit to the  
Inhabitants of Colyton, a large proportion of whom  
are poor Cottagers, & owing to the peculiar formation  
of Strata on which Colyton is situate, it ~~has~~ <sup>having</sup> been found  
that a ~~large~~ <sup>considerably number</sup> proportion of the wells from which  
drinking water is derived, ~~have been found~~ <sup>are</sup> contaminated  
& unfit for such use; the Feoffees have long contemplated  
~~bringing down~~ conveying into the Town a  
supply of drinking water from their Spring Head;  
and a few years ago by a <sup>unanimous</sup> resolution of the Feoffees this desire  
took definite form, and the ~~expence~~ <sup>nucleus</sup> of a fund was  
set aside, <sup>for that purpose,</sup> which has been supplemented from time to  
time, as they found themselves in position to do,  
which now amounts to . . . and they further ~~propose~~  
that believe that a sum of ~~£200~~ two to three hundred  
Pounds ~~set aside~~ <sup>in addition set</sup> as opportunity offers, will furnish  
the means of ~~the~~ attaining the object they have in view,  
so that ultimately a supply of drinking pure water for  
drinking purposes may be afforded, <sup>in addition and</sup> ~~separately~~  
separately at their ~~for~~ present Conduits, &

It should be stated here, that ~~the~~ <sup>the</sup> ~~large~~ <sup>the</sup> ~~proportion~~ <sup>the</sup>  
of Cottage property in Colyton, is very badly supplied  
by wells, and that the majority of their Occupiers  
~~are~~ <sup>is</sup> dependant for their supply of drinking water  
~~on~~ <sup>on</sup> the beneficence of their <sup>better</sup> conditioned Neighbours —  
The Feoffees as a body feel fully persuaded that they  
are acting quite in accordance with the spirit of  
the Trust in carrying out what may be entitled an absolutely  
necessary scheme. ~~But in confirmation of their wishes~~  
~~they would desire the opinion of the~~ But they would  
rather desire to have their wishes considered and  
confirmed with regard to this object by the <sup>opinion of the</sup> Commissioners,  
with regard to this object. In reply to you



Town Clerk's Office,  
Honiton 16 June 1892

Dear Sir,

Nick Plot.

I propose to make an  
application to the Judge  
to morrow (Friday) afternoon for a  
new trial. I think it would  
be desirable for you to be there  
and to bring up the Rent  
Books, and if to Kingdon or

one of the other feoffees were there  
it would be desirable.

Your truly

G. S. Sweet

W. Albert Edwards  
Agent Overseer  
Colyton

I want some one to know exactly  
what the P.M. consists of - how  
many trees are there - what is the  
exact size -

Town Clerk's Office.  
Honiton 30 April 1892

Dear Sir,

With Ref.

Are there not some  
published regulations as to  
the holdings of the All Saints?  
I have some impression that  
they provide for a six months  
notice to quit.  
The Agricultural Holdings Act

only applies to a "holding  
that is ~~is~~ wholly agricultural  
or wholly pastoral or in part  
agricultural and as to the  
residue pastoral or in whole  
or in part - cultivated as a  
Market Garden" -

The Judge will find this not  
in looking at the act but  
he will no doubt try to assist  
us on some other point.

Yours truly

W. Albert Edwards Esq. Solicitor

Town Clerk's Office,  
Honiton 24 April 1892

Dear Sir

Reck P.C.C.

Mr Stokes called and  
handed me your letter to  
him. I hope it will not  
be inconvenient for you to  
return before Friday.

The case is then to be tried  
& we shall have to prove

The value to suit by Yourself  
& the person who accompanied  
you.

We shall require the rent  
books from 1857. as before  
& we must have Mr.  
Stokes to show what he  
received and the other  
Baileys - we must have  
Miss Litch to prove her  
father's hand writing & to repeat

What she stated last time  
and we must have Mr  
Farmer. - I wish to  
hear -

I do not think we shall  
require the deeds. It is a  
matter between Langford &

Grant according to the  
Judge's view - The

principal thing to prove will  
be the payment of rent by  
Mrs Long & the acting of Mrs  
Clarke as her deputy -

Yours truly

J. Sweet

To Albert Edward

79 Denmark Road  
Camdenwell.



Town Clerk's Office,  
Honiton 3 Oct 1891

Dear Sir

Yourselves - v. Kettle ran

Rich Plot.

I think the safest plan is  
to wait until the expiration  
of the year from the date of  
the notice before re commencing  
proceedings as no question

can then be raised as to the date

of the commencement of the Tenancy

<sup>LD</sup>  
The Chairman  
of the City Ten Feoffees. Yours truly  
Geo Tovey

145. — *Summons to Witness to give Evidence.*

No. of Plaint *S* 370

IN THE COUNTY COURT OF DEVONSHIRE, HOLDEN AT AXMINSTER.

BETWEEN

*The Feoffees of the poor of Colyton* Plaintiffs  
AND

*Richard Kestle and Henry Bowler both of Colyton* Defendants

You are hereby required to attend at a Court to be holden at the Police Station,  
Axminster, on *Thursday* the *18<sup>th</sup>* day of  
*December* 1890, at the hour of TEN in the Forenoon, to give  
Evidence in the above Action on behalf of the *Plaintiffs* -

In default of your attendance, you will be liable to a penalty of Ten Pounds.

Dated this *15<sup>th</sup>* day of *December* 1890.

WILLIAM FORWARD, *Registrar of the Court.*

To *Walter Barratt*  
of *Colyton*

*Hours of attendance at the Office of the Registrar, at Axminster, from Ten till Four o'clock,  
except on Saturdays, when the Office will be closed at One o'clock.*

1780 ..100

No. of Plaintiff S. 370

IN THE COUNTY COURT OF DEVONSHIRE, HOLDEN AT AXMINSTER.

Between The Feoffees of the Moor of Colyton Plaintiff. <sup>o</sup>  
AND

Richard Kettle and Henry Fowler both of Colyton Defendant. <sup>o</sup>

You are hereby required to attend at **Axminster**, on Friday  
the 13<sup>th</sup> day of March 1891, at the hour  
of Ten in the fore noon, to give Evidence in the above Action on  
behalf of the Plaintiffs -

In default of your attendance you will be liable to a Penalty of Ten pounds.

Dated this 10<sup>th</sup> day of March 1891.

WILLIAM FORWARD, *Registrar of the Court.*

To M<sup>r</sup> James Sweetland  
of Colyton

*Hours of attendance at the Office of the Registrar, at Axminster, from Ten till Four o'clock,  
except on Saturdays, when the Office will be closed at One o'clock.*

No. of Plaintiff 8370

IN THE COUNTY COURT OF DEVONSHIRE, HOLDEN AT AXMINSTER.

Between The Feoffees of the Poor of Colyton Plaintiff  
AND

Richard Kettle and Henry Fowler both of Colyton Defendant

You are hereby required to attend at Axminster, on Friday  
the 13<sup>th</sup> day of March 1891, at the hour  
of Ten in the Fore noon, to give Evidence in the above Action on  
behalf of the Plaintiffs

In default of your attendance you will be liable to a Penalty of Ten pounds.

Dated this 10<sup>th</sup> day of March 1891.

To M<sup>r</sup> William Dornett  
of Colyton  
WILLIAM FORWARD, Registrar of the Court.

Hours of attendance at the Office of the Registrar, at Axminster, from Ten till Four o'clock,  
except on Saturdays, when the Office will be closed at One o'clock.

To Pinner to prepare a  
plan.?

Yours truly

Geo. Soud

F. W. King the Kingdon by

Cham

would it be desirable for me  
to see the <sup>part</sup> witnesses (if any)  
on Wednesday?

Honiton

15 Dec. 1890

Dear Sir.

I shall be glad to hear  
if you have more evidence  
similar to the Thames  
Shawbridges - I have  
sent a summons to the  
Farmers. Have you instructed

Honiton

1 June 1891

Dear Sir

Colyton Toppes .. Kettle

I enclose my Bill of Costs  
as requested -

Yours truly

Geo. Sweet

W Edwards

Steward to Toppes

The shorthand writer's Bill for his  
notes you have - I have not included it.

an able workman or it is equally unjust to  
tax the Parish for <sup>15<sup>l</sup></sup> the support a man who is  
~~is~~ capable of earning 3<sup>s</sup>. per day. The  
Day for that week at least should be struck  
off. We imagine that Mr Every will at once  
see the justice of deducting these <sup>(Am<sup>ts</sup> ~~to~~ regret)</sup>  
the bill of costs was not sent to them before it  
<sup>The Feoffees</sup> was taxed, as they would then have drawn your  
attention to the above and several other items  
Mr Knjdon will hope to see you tomorrow