

*The below Summary is a work-in-progress, and subject to review.*

**Bankruptcy 1827-1867 of Samuel Churchill, solicitor (died 1840)**

**The National Archives, ref. B 3/1080**

**Summary of case file of Bankruptcy Commissioners**

Folio no.

1. Frontsheet of file for Commission of Bankrupt against Samuel Churchill (SC)  
26 March 1827.
2. Appointment of Bankruptcy Commissioners.
3. Examination 26 March 1827 of Thomas Barrett of Croughton, Northants, farmer, who said Samuel Churchill (SC) was indebted to him for £200 and upwards from 1 January 1824 to 6 March 1835.
4. Examination 26 March 1827 of John Churchill of Castle Street, Deddington, gentleman [first cousin], who said he had known SC for 9 months, and that SC was engaged in business as a felt manufacturer.
5. 26 March 1827 Request by SC for more time to deliver statement of affairs.
6. 26 March 1827 Formal declaration of bankruptcy.
7. London Gazette 27 March 1827.
8. Do
9. 30 March 1830 List of debts proved - Messrs. Kirby & Sedgeley £77 9. 7½
10. Proof of debt (form) sworn 30 March 1827 by Robert Kirby of Deddington, linen and woollen draper, and his partner, Timothy Sedgeley, for £77 9. 7½ for drapery and cloths.
11. 30 March 1827 Form of Submission of SC to the Bankruptcy Commissioners.
12. Proof sworn 5 April 1827 by Thomas Lee of Ducklington, gentleman, for judgment debt of £586 in King's Bench 1 July 1826. Promissory Note dated 10 November 1826 for £623 2.4. + interest signed by Rev. Benjamin Churchill.
13. Proof sworn 3 April 1827 by William Taylor Esq of Sandford House for judgment debt of £11,000 for loan + £1,216 interest accrued from 8 October 1824. Loan unsecured except for bond dated 8 April 1819 in penal sum of £22,000.
14. Do
15. Proof sworn 6 April 1827 by Charles Scott Murray Esq of Cavendish Square for £553 18. 6. judgment debt.

16. Proof (form) sworn 6 April 1827 by Maria Day of Gloucester Place, school mistress, and partners Sophia Day and Louise Day, for £233 1. 7. school fees for SC's daughters, Priscella and Eliza.

Proof (form) sworn 6 April 1827 by Thomas Greenwood Esq of Priory House, Wallingford for £8,690 loan and £626 3s. interest. Promissory Note 15 October 1825 for £8,690.

17. Proof (form) sworn 6 April 1827 by Charles Greenwood Esq of Wallingford for £1,102 loan.

18. Proof (form) sworn 6 April 1827 by Eleanor Hayes of 31 Arundel Street, Strand, widow, for £71 16. 2. for board and lodging.

19. Summary sheet of above 7 proofs £24,078 19. 3.

20. Solicitors' bill of costs 6 April 1827 £45 3s.

21. Do

22. Affidavit sworn 3rd April 1827 by George North Robinson of Leadwell House, Doctor of Medicine, confirming signatures of William Taylor and Harriet Hannah Holton of Sanford House, spinster, to power of attorney to John Aldridge and Ralph Coley Smith of Lincoln's Inn.

23. Do

24. Memorandum dated 6 April 1827 whereby George North Robinson of Leadwell House, Doctor of Physic, and Thomas Greenwood Esq of Priory House, Wallingford, appointed by the Creditors as Assignees of the estate and effects of the bankrupt, SC.

25. Memorandum dated 6 April 1827 signed by the Bankruptcy Commissioners confirming execution of assignment of bankrupt's estate and effects to Dr Robinson and Thomas Greenwood.

26. Memorandum dated 6 April 1827 signed by the Bankruptcy Commissioners confirming execution of bargain and sale of bankrupt's real estate to Dr Robinson and Thomas Greenwood.

27. Solicitors' bill of costs £28 0. 4.

28. Notice in *Jackson's Oxford Journal* of examination of SC on 8 May 1827.

29. London Gazette 4 May 1827.

30. Do

31. Petition by SC to extend time to deliver statement of affairs and date of examination by 49 days.

32. Do

33. 8 May 1827 Adjournment of examination to 26 June 1827; Submission by SC
34. Proof sworn 26 April 1827 by James Simon the Younger, of Oxford, draper and tailor, for £112.
35. Proof sworn 4 May 1827 by Mary Morris of Adderbury, widow, for £150 14s.
36. Proof sworn 5 May 1827 by George Ryman of Little Compton, yeoman, for £380 loan in 1814, and £27 interest. [Same since repaid.]
37. Do
38. Proof sworn 2 May 1827 by John Johnson [illiterate] of North Aston, yeoman, for £95 loan in 1814, and £4 5.6. interest. [Same since repaid.]
39. Do
40. Proof sworn 2 May 1827 by Ann Johnson of Over Norton, widow, for £400 loan in 1819, and £29 2s. interest. [Same since repaid.]
41. Proof sworn April 1827 by Rev. John Topham of Bromsgrove for £110 4.7. school fees for SC's sons Samuel and Richard.
42. Proof for the late John Allen of Deddington, for £500 loan in 1825 and £30 interest. Sworn 8 May 1827 by executrix, Elizabeth Richardson, wife of John Richardson of Old Bond Street, cheese monger.
43. Summary sheet of above next 7 proofs £1,839 5.1.
44. London Gazette 11 May 1827.
45. Do
46. Court Order 28 February 1842 approving surviving Creditors' Assignee's accounts from 1833.
47. Adjournment of examination of SC to 27 July 1827.
48. Proof sworn 26 June 1827 by Charles Scott Murray Esq of Cavendish Square for £20 17. 9.
49. Proof sworn 26 June 1827 by Joseph Bland of Covent Garden, tailor, as surviving partner of John Dunn, for judgment debt for £242 15s. loan.
50. Proof sworn 26 June 1827 by Thomas Foden Preedy of Abchurch Lane, mail guard, for £38 loan made 1825 and £2 13. 8. interest.
51. Proof of Elizabeth Walker, late of Dean, deceased, sworn by executrices Ann Lyse, single woman, Dean, on 3 May 1827, and Sarah Clapton [illiterate] of Warwick Lane, City of London, widow, on 31 May 1827 for £629 7s. incurred 1826.
52. Do

53. Proof sworn 1 May 1827 by William Insell, gentleman, for £1,060 loan and £182 4. 2. interest. Penal bond 1823 and Promissory Note.
54. Proof sworn 7 June 1827 by Thomas Waite [illiterate] of Deddington, labourer for £200 loan made 1824 and £2 13s. interest.
55. Proof sworn 30 April 1827 by Jane Knibbs [illiterate], housekeeper to Wiliam Cole of Bicester, draper for £100 loan in 1825 and £5 interest.
56. Proof sworn 8 May 1827 by Nathaniel Parsons of Radford, yeoman, for £100 loan in 1826 and £5 17. 6. interest.
57. Proof sworn 25 June 1827 by William Willetts of Bloxham, farmer, for £600 loan and £11 15. 3. and £19 15. 8. interest. Promissory notes for £200 (1810) and £400 (1820).
58. Do
59. Proof sworn 13 June 1827 by John Cook of Kidlington, woodward, for £200 loan in 1824 and £9 11. 3. interest.
60. Do
61. Proof sworn 19 May 1827 by Elizabeth Cooknell of Wootton, spinster, for £74 loan in 1824, plus £6 18. 4. interest and £1 wages due.
62. Do
63. Proof sworn 20 June 1827 by Rev. William Morice for £200 held by SC for composition for tithe and rent of Glebe land. [Expunged 1830.]
64. Proof sworn 4 May 1827 by Thomas Barrell of Croughton, farmer, for £200 loan and £9 11. 6. interest [no dates]. [Expunged 1830.]
65. Proof sworn 7 June 1827 by John Banwell of Bloxham, yeoman, for £500 loan and £18 17s. interest. Promissory Notes dated 1817 (£400) and 1819 (£100).
66. Do
67. Proof sworn 16 June 1827 by John Preedy of Bloxham, gentleman, for £250 loan in 1823 and £28 3.6. interest.
68. Proof sworn 12 May 1827 by William Catch of Deddington, blacksmith, for £27 loan in 1820 and £2 3s. interest.
69. Do
70. Summary sheet of above next 16 proofs £4,747 9. 7.
71. London Gazette July 1827
72. Further adjournment of SC's examination to 2 November 1827

73. Proof sworn 25 June 1827 by William Scott of Oxford, wine merchant, for self and his co-partner Edward Latimer, for £102 16. 6. for goods sold and delivered.

74. Do

75. Proof sworn 14 July 1827 by John Davis of Adderbury, land surveyor, for £34 13s. for professional work.

76. Proof sworn 16 June 1827 by Nehemiah Gilkes of Sibford for £170 loan and £13 2. 9. interest. Promissory Note 1822 for £400. [Part repaid.]

77. Power of Attorney executed 18 April 1827 by Rev. Nicholas Peter Dobrée of Guernsey to Harry Hankey Dobrée and Bonamy Dobrée, of Old Broad Street, merchants.

78. Do

79. Do

80. Do

81. Proof sworn 5 May 1827 by Rev. Nicholas Peter Dobrée of Guernsey for £112 3. 1½ for money had and received by SC for the use of the deponent.

82. Do

83. Proof sworn 27 July 1827 by Charles Mayo, late of Epsom, now Cheam, Doctor of Civil Law, for £177 2. 2. for education and board of infant sons Samuel and Richard.

84. Proof sworn 15 May 1827 by Elizabeth Lee (née Baston) and Edward Lee, cordwainer, of Wootton for £190 loan and £6 10. 1. interest. Promissory Note 1826.

85. Do

86. Proof sworn 23 June 1827 by John Burn of Southampton, wine merchant, for £20 8s. for goods sold and delivered.

87. Do

88. Proof dated 3 May 1827 by Thomas Randle of Bloxham, carpenter, for £400 loan and £23 4. 9. interest. Promissory Notes for £125 (1816), £100 (1821) and £175 (1825).

89. Do

90. Summary sheet of above next 8 proofs. [No sum total.]

91. Memo dated 27 July 1827 by Thomas Greenwood and George North Robinson (Creditors' Assignees) to allow SC £25 for maintenance of self and family from June to 2 November 1827 and £3 per week thereafter.

92. London Gazette October 2027.

93. Further adjournment of SC's examination to 14 December 1827.
94. Proof sworn 1 November 1827 by John Stilgoe of Duns Tew, yeoman, for £20 5s. for goods sold and delivered.
95. Proof sworn 1 October 1827 by Elizabeth Morris of co. Warwick, spinster, for £40 loan and £1 5s. interest. Promissory Note 1823 for £28.
96. Summary sheet of above next 2 proofs. £61 10. 6.
97. Memo dated 2 November 1827 by Thomas Greenwood and George North Robinson (Creditors' Assignees) to allow SC £3 a week for maintenance of self and family until 14 December 1827.
98. London Gazette 11 December 1827
99. Do
100. Proof of evidence sworn 6 December 1827 by Charles Haldon of Oxford, foreman to Ann White, John Evetts and John Humphries, printers and publishers, for £57 8. 6. for materials found and provided and work and labour done and performed and money paid and expended. Promissory Note 11 Sept 1826.
101. Proof sworn 5 July 1827 by Ann Taylor of Souldern, widow, for £100 loan and interest. Promissory Note 22 July 1826.
102. Proof sworn 8 December 1827 by William Hudson of Deddington, grocer, for £1,504 12. 9. balance of account.
103. Summary sheet of above next 3 proofs. £1,665 1. 3.
104. Further adjournment of SC's examination to 22 January 1828.
105. London Gazette 1 January 1828
106. Do
107. Further adjournment of SC's examination to 19 February 1828.
108. 22 January 1828 Minutes of creditors' meeting at Guildhall Coffee House. Assignees authorised to realise assets &c.
109. London Gazette January 1828
110. Proof of debt sworn 11 January 1828 by Michael Rose of North Aston, yeoman, for £300 loan and £42 3s. interest. Promissory Note dated 1823.
111. Proof (form) sworn 11 December 1827 by Edward Hatten of Deddington, gentleman, for £1,406 17s.

Claim for work and labour & care and diligence done and bestowed / [journies] done and performed and money paid laid out on [land] [ ] [ ] / as the land Agent and Surveyor of the said bankrupt [ ] [ ] [ ] [ ] /

[ ] buying selling and letting of divers farms lands and dwelling houses and other Businefs of the said bankrupt And for the use / and hire of divers Horses Chaises and special Messengers [ ] / [and] [furnished] by this Deponent to the said Bankrupt [to] his request And / also for money lent and advanced by this deponent to the said Bankrupt and for Goods sold and delivered / by this deponent to the said Bankrupt at his request And this Deponent / saith that he hath not, nor [ ] [person] by his order or to his / knowledge and belief [ ] [ ] or received any manner / of satisfaction or security for the said debts or any part thereof whatsoever.

*[Scan is very indistinct.]*

112. Proof sworn 18 January 1828 by Thomas Cleaver of South Newington for £144 19s. loan plus interest. Promissory Note [date ?]. *[Scan indistinct.]*

113. Promissory Note dated 1821 by SC to Elizabeth Biddle for £220.

114. Above Promissory Note referenced in below affidavit of Jonathan Biddle.

115. Proof sworn 9 February 1828 by Jonathan Biddle, co. Warwick, farmer, for £220 loan and £2 interest. Promissory Note 1821.

116. Proof sworn 1 February 1828 by John Fowler of Ardley, yeoman, for £50 loan and £4 10s. interest. Promissory Note 1822.

117. Summary sheet of above next 5 proofs. £2,170 9s.

118 - 121.

19 February 1828 Minutes of examination of SC. The financial schedules and accounts A to Z produced by the Bankrupt for the Assignees not with court file.

SC questioned as to why he conveyed unencumbered property to trustees in July 1826. He said it was his own idea, under advice from Mr. James [solicitor] and his brother [Benjamin]. The purpose was to raise money. It was more efficient than individual mortgages or sales.

SC was questioned about legal proceedings and executions by creditors current at the time of executing the trust deeds. SC's debts were recorded in ledgers or bill books.

Trustees raised some money by mortgages to discharge debts due to 'urgent' creditors. SC thought his debts amounted to at least £50,000 in July 1826. He must have had some statement of his property and debts, although he could not now recollect it.

Under further questioning about the extent of his debts, SC was vague, initially saying £50,000 to £60,000. He believed a list of debts was delivered at the time to Mr. James.

122. 19 February 1828 Form of adjournment of examination.

123. Affidavit dated 18 February 1828 by William Rogers of Wallingford, gentleman, confirming signature of Charles Greenwood Esq of Wallingford, to Letter of Attorney below.

124. Do

125. Letter of attorney dated 18 February 1828 by Charles Greenwood Esq of Wallingford, appointing Thomas Greenwood Esq of Wallingford as his attorney in SC's bankruptcy proceedings.

126. 19 February 1828 Minutes of creditors' meeting at Basinghall Street. Assignees authorised to realise assets &c.

127. Frontsheet.

128-130.

20 February 1828 Continuing examination of SC. Questions about the schedules and accounts which he had prepared for the Assignees.

SC believed that:

- his freehold estates were worth at least £50,000 in July 1826;
- he also held 'collegehold' [i.e. leasehold] estates worth £10,000 at the time.

SC was also entitled to his share in the partnership of Churchill and Field, including various amounts not yet billed.

SC could not be more specific about quantifying his share in the partnership assets in July 1826 as Mr. Field's interest was not yet settled. He was probably entitled to £2,000 or £3,000 alone.

SC's other property in July 1826 comprising his household furniture, horses and carriages was sold at auction in July 1827. The net proceeds were about £1,400.

Questioning then turned to SC's interest in the partnership of Churchill and Field. No accounts had been drawn up for 25 years. SC thought his share was worth nearer £10,000 than £5,000. Some £4,000 or £5,000 was probably owing to the partnership. There were no other firm assets apart from the house now occupied as offices by Mr. Field.

As to whether SC was insolvent when he executed the indentures on 17 and 18 July 1826, he had "no such idea", but he now believed that he was insolvent.

131 - 137



Minutes of examination at Alice's Coffee House, Westminster, on 10 November 1828, of Joseph Buckingham of Steeple Aston, servant to Mr. Hitchcock [solicitor], previously servant to SC from 1 January 182[1] to June 1827.

SC away from home for 9 weeks from mid-February 1826. Mr. James James (SC's solicitor) and brother, Mr. Benjamin Churchill, present on several occasions when SC told Buckingham to say 'Not at home' to creditor's servant.

Another creditor also frequently called for money.

Mr. James frequent visitor.

SC's cousin John Churchill also kept visitors at bay.

Escape of SC from sheriff's officers from Oxford via Aynho to London.

Creditors complained SC never at home when they called or did not keep appointments.

The foregoing was the subject of general observation in the neighbourhood.

Sheriff's officer stayed in the house for several months to mid-August 1826 levying execution on SC's effects.

138 - 139.

Minutes of examination on 11 November 1828 of William East, a Quaker.

East was SC's clerk 1796 to 27 March 1827.

SC was considerably in debt, and could not meet his payments when they fell due in 1825 and 1826.

Regarding SC's lack of funds to pay the legacies under Mary Henshall's will:

- unsuccessfully tried to borrow money;
- avoided 2-day meeting in March 1826 at the Fox Inn, North Aston;
- disappeared 9 February to 9 April 1826.

Directions to East to prepare discharges for legacies originally came from SC's brother, John Churchill.

James James of Aylesbury a friend and relation of SC, rather than his solicitor.

140 - 141.

Continued examination 13 November 1828 of William East.

Without explanation Mr. James threw the deeds of SC's own properties into a large sack and took them away in a chaise. No inventory or list was prepared.

5 creditors or their servants called whilst SC was absent 9 February to 9 April 1826.

Letters forwarded to an anonymous forwarding address.

Mr. James and Benjamin Churchill in house 3 days in July 1826 when executions took place.

SC absent several times totalling 2-3 weeks 9 April - 18 July 1826.

142. Illegible letter(s) 1828.

143. Do.

144. Do.

145. Frontsheet

146 - 147.

Minutes of examination on 13 November 1828 of John Churchill of Deddington, brother.

SC had expected a loan to fund the payment of the legacies unpaid to the Pearsons under Mrs. Henshall's will.

Sheriff's officers in house 2-3 months in mid-1826.

SC executed the deeds of trust on 17 and 18 July 1826 to raise money.

Mutual releases by SC and brother on 13 July 1826 related to the deeds of trust.

SC sought release from £8,000 legacy due to brother under father's will [died 1808].

John Churchill non-committal about whether on balance he was in debt to SC, but "I dare say I may have been indebted to my brother".

148 - 150.

Minutes of examination on 14 November 1828 of John Churchill of Castle Street, Deddington, first cousin.

Place of business Bartlett's Buildings in City of London.

SC sought his advice in February 1826 following dissolution of his partnership with Samuel Churchill Field, whilst he was absent from Deddington.

Deponent took part in negotiations between SC and Mr. Cooper of Henley to borrow a considerable sum secured by mortgage, which fell through in April 1826.

Cousin continued to advise him since then.

Many absences by SC April to June 1826, but not for any length of time. It was his custom to ride out on his horse almost daily during the hours of business.

Deponent spent time in SC's house; Churchill played down visits by creditors.

Executions of SC's goods in April to June 1826:

|                  |             |               |
|------------------|-------------|---------------|
| Fox Inn          | £414 16s.   | 7 April 1826  |
| Bainbridge       | £1,027 10s. | 29 April 1826 |
| Sochie           | £218 5s.    | 16 May 1826   |
| W.H. Churchill   | £1,711 10s. | 3 June 1826   |
| Joseph Churchill | £3,050      | 3 June 1826   |
| Baker & Hodgson  | £71 10s.    | 11 July 1826  |

Cousin asked creditors to call again, referring callers to William East, SC's clerk.

151 - 155.

Further examination of John Churchill, first cousin, on 18 November 1828.

At least 4 other law suits April to June 1826.

In June 1826 it was proposed to transfer SC's assets to 4 trustees, Mr. Shallow, Rev. Mr. Gordon, Rev. Benjamin Churchill and James James, but the measure went off.

Cousin present when Mr. James removed SC's title deeds in a sack in July 1826. No schedule drawn up at the time.

SC executed deeds of trust on 17 and 18 July 1826. Cousin not present.

On 9 November 1826 a Sheriff's officer called Shepherd came in a post chaise with an arrest warrant for SC and to take him to Oxford gaol, in company with Charles Pearson, one of Mrs. Henshall's legatees.

Deponent told officer SC ill in bed, and sent his servant for Mr. Turner, surgeon.

Cousin sent another note to SC's wife to get SC out of house to Aynho in neighbouring Northamptonshire.

SC escaped by back door through the garden. Cousin subsequently walked with SC to Aynho, from whence he took the mail coach to Aylesbury.

Deponent not present when SC, Mr. Benjamin Churchill and Mr. James executed securities to Lord Carrington, Mr. Greenwood, Mr. Crouch, Mr. Brundrett, Mr. Borton, Mr. Jackson and Mrs. Rolls [executrix of Mrs. Mary Weston].

5 legal actions pending on 17 July 1826, one for £7,000, which secured.

Rev. Mr. Benjamin Churchill was SC's brother.

Cousin approved of SC's conveyance to trustees. Purpose to raise money, and to settle his affairs by selling such properties as was necessary.

Deponent did not consider impact of such a conveyance on current legal actions or executions, although this may well have been the objective.

Did not believe SC committed act of bankruptcy in June 1826.

Cousin and James discussed the possibility of SC going to gaol in February or March 1827.

Trustees of proposed deed of trust were Rev. B. Churchill and Mr. James.

In letter to SC, cousin said "Carrington mortgage good". He could not now remember what he meant by this.

156 - 158.

Minutes of examination on 24 November 1828 of James James of Aylesbury, gentleman, at Alice's Coffee House, Westminster.

SC and the Deponent had married sisters.

Mr. James had had no transactions with SC before July 1826, when it was suggested that he might help to raise money for the bankrupt.

At the time SC was seeking to raise £20,000 on security from Mr. Cooper, a Henley solicitor, who already had secured dealings with SC.

Mr. Cooper said SC had had a fall from his horse which much injured his health.

Mr. Cooper advised SC to give up business and let friends settle his affairs.

Mr. James acted as SC's solicitor in these transactions.

SC said that £15-20,000 would answer all his purposes.

SC told the Deponent he was a sick man.

SC said his property was yielding £2,000 a year rental income.

Mr. Cooper told Mr. James that SC had not sent two releases for legacies payable to his two brothers under their father's will [1808] and thereby charged on his real property.

The Deponent told SC that if he raised any money, he would need SC's freehold properties to be conveyed to trustees to avoid giving individual powers of sale to lenders.

SC accordingly conveyed the real property to James James and Mr. Benjamin Churchill [brother] as trustees on 17 and 18 July 1826.

The two trustees then raised £5,000, part paid to Mr. Cooper in discharge of executions.

SC had issued a statement in writing that his property was worth £30,000 after payment of debts. Mr. James thought this was in July 1826 before the execution of the trust deeds. He believed it to be correct at the time, but not now given the declaration of bankruptcy. Whereabouts of statement not known.

On the basis of a rental income of £2,000 a year, the Deponent believed SC to be a rich man. A local solicitor, Mr. Lock, said he could get him a secured loan of £20,000 to £30,000.

159. Accounts of SC's trustees, Benjamin Churchill and James James, for 2H1826, settled 31/1/1828. Footings £6,113 8. 4.

160. Backsheet.

161 - 163.

Further examination of James James on 24 January 1829 at Alice's Coffee House, Westminster.

Deponent raised £5,000 from Lord Carrington in August 1826.

Explanation of above accounting entries.

Mr. James prepared a general charge over SC's property to Mr. Brundrett of the Temple in January 1827.

Deponent prepared several mortgages to Mr. Borton and Mr. Jackson in January 1827.

Title deeds of Clifton estate had been deposited with Borton and Jackson in 1823 to secure advances.

164 - 168.

Further examination of James James on 26 January 1829.

SC owed £500-600 for legal fees to Deponent, who claimed a lien over SC's deeds. He declined to apportion the fees between the trust deeds and defending actions.

Several deeds by way of security executed in January 1827, to prevent judgments being executed on SC's property.

£2,000 judgment debt to Mrs. Keziah Greenwood. Following negotiations with her solicitors, Messrs. Baker and Hodgson, the parties executed a general charge in January 1827 although it was antedated 27 October 1826 when it was first mooted.

Questioning whether purpose of the two deeds of trust was to disadvantage creditors.

Mr. James said he was only generally aware of other creditors. He did not consider whether they might be prejudiced by the deeds of trust. He declined to swear positively that he never said the deeds would be an impediment to enforcement proceedings by creditors.

169 - 175.

Further examination of James James on 27 January 1829.

Detailed questions about the preparation and execution of the above general charge to Mrs. Keziah Greenwood.

The Deponent denied knowledge that SC instructed his servant to tell callers he was not at home.

Mr. James sought professional advice from a Conveyancer as to the propriety of the trustees in executing a general charge to Mrs. Greenwood.

£5,000 and £100 were received under the trust deeds. Other sums for which securities were executed by the trustees were for debts previous to July 1826.

Deponent also acted for Lord Carrington and declined questions about that transaction.

In October 1826 Mr. James persuaded Mr. Brundrett not to enforce his judgment as the Deponent had a promise of £10,000 upon the security of the trust property by Christmas, and if that did not materialise the trustees would execute a charge over the trust assets.

The charge in favour of Mr. Brundrett was not executed until January 1827 although it was antedated the date in October 1826 when Mr. Brundrett agreed to accept the security.

As regards SC's Clifton estate, the deeds had been deposited with Mr. Borton and Mr. Edward Jackson to secure a loan by them, but in March 1826 they had lent the deeds to SC to enable him to prepare proper security documents. The issue was raised with Mr. James in September 1826 who, after obtaining SC's confirmation, completed the securities.

No documents executed under trust deeds after January 1827 except that to Mrs. Rolls [executrix of Mrs. Mary Weston].

Mr. James had been seeking to prevent executions of SC's estate by granting security to specific creditors.

The Deponent at first refused to answer questions whether SC left home to avoid arrest on 9 November 1826. He then admitted that he had been summoned to Deddington House the following day.

As regards the judgment obtained by Mrs. Rolls for a loan in 1824 secured by mortgages over land at Barton and SC's dwelling house in Deddington, which was part of the property comprised in the trust deeds, to avoid execution, following negotiations begun in October 1826, Mr. James agreed to provide further security. Deeds were accordingly executed, by the Deponent in March 1827, although they were antedated.

Security for £700 was also given to Mr. Crouch, as trustee for Mr. Hanley, when the latter advanced £100 to SC, in addition to an existing unsecured loan of £600. The deed, which was antedated, was executed by Mr. James in December 1826.

The Deponent also acted as solicitor for Lord Carrington, Mr. Edward Jackson, Mr. Henry Borton, Mr. Crouch and Mr. Brundrett.

176. London Gazette 26 March 1830

177. Do

178 - 197.

Creditors' Assignees' receipts and accounts April 1827 to April 1830

Receipts include rent (e.g. Edward Hatten, National School)

Footings £6,880 14. 0½

Assignees in credit by £1,029 19. 8.

198. London Gazette 21 May 1830

199. Do

200. 4 June 1830 Balance sheet of assets, liabilities and mortgages.

Schedules A to H not with file.

Value of mortgaged freehold and leasehold land £46,130.

Trust and executorship debts (list E) £9,680 2. 10.

General debts and liabilities (list F) £47,553. 12. 5.

Deddington Friendly Benefit Society £218 4. 7.

Mr. S.C. Field (ex Partner) purchased Great House Farm (£6,335 11. 5.), Wadfield Farm (£6,225 3. 1.) and an Auction Mart share and offices in Deddington for £421 15. 5.

Deficiency £15,388 1. 9.

201. Backsheet.

202. Profit of partnership due to SC £9,037 14. 2.

Profit in which Mr. S.C. Field claims to share £2,992 14. 8.

Profit from Turnpike Clerkships in which Mr. Field also claims to participate £6,299 0. 2.

SC's freehold and leasehold estates worth c. £2,000 p.a., but no surplus after providing for outgoings, charges, &c.

Expenses of SC and family for 18 years £18,000.

Outlay on SC's house and grounds £4,000.

Claim by Prentice for £5, 269 and £3,161 interest from 1815.

Claim by Griffin for £4,707 and £2,824 interest from 1815.

SC submitted ex Partner Mr. S.C. Field liable for half the above losses.

Loss of Richard Greenwood £4,540.

July 1826 Mutual releases between SC and brother John Churchill:

- no account stated;
- since estimated SC ceded c. £10,000.

"Mr. J. C. was to have had one third of the partnership business which he gave up without consideration or stipulation: Mr. Field has had the benefit of the relinquishment q. if it can form the subject of a Claim upon him."

203. Losses b/f £73,656 5. 3. Right hand column blank.

204. Losses on 4 business loans, Turnpike securities, legal expenses.

General bad debts £4,920.

Left hand column blank. Total losses/liabilities £73,656 5. 3.

205. Backsheet.

206. Declaration dated 4 June 1830 by SC of the veracity of the submitted papers.

207. Proof of debt sworn 21 June 1828 by William Blacklidge of co. Lancs, gentleman, for £692 5s. loan and interest. Promissory Note 1815.

208. Do

209. Summary sheet - above debt only.

210. London Gazette 8 June 1830.

211. Do

212. Summary of Messrs. Aldridge & Colley Smith's bills.

213. Do. Total £1,787 7. 5.

214. Summary of Messenger's bills £54 1. 4.

215. Frontsheet.

216. Summary of bills of Thomas Hambey, messenger, June 1827 to April 1830 (e.g. ads in Gazette) £46 10s.



217. Do

218. Receipts and payments of the Assignees (for the creditors) of SC's estate, Messrs. Robinson and Greenwood 16 April to 22 June 1830. Receipts £5,091. 8. 3. Balance at disposal of Assignees £2,787 13. 6.

219. Breakdown of £5,091 8. 5. *[sic]*

220. Acknowledgement 22 February 1830 by Thomas Lee of Duckington, gent., that debt of £586 discharged by Rev. Benjamin Churchill.

221. Backsheet.

222. Acknowledgement 23 April 1830 by Rev. Henry Morice of Ashwell, for late William Morice of Tackley, that debt of £200 discharged.

223. Confirmation by Bankruptcy Commissioners of expunging of above 2 debts.

224. Proof sworn 22 April 1830 by Henry Rowland Berkeley, Doctor of Law, of co. Worcs, as executor of the late Rev. Thoms Berkeley of Wotton for £383 9. 9. subject to a law suit in King's bench.

225. Proof sworn 18 March 1828 by Alexander Kirby of Stoke Lyne, blacksmith, for £189 loan and £4 4. 9. interest. promissory Note 1822.

226. Proof sworn 30 April 1830 by John Platford of co. York, gentleman, for £64 11s.

227. Proof (form) sworn 15 April 1830 by Edward Hatten of Dunstew, gentleman, for £1,628 loan and £12 10. 2. interest. Promissory Note (1823) for £1,850 and interest. Part repaid.

228. Proof (form) sworn 29 June 1830 by William Hatten of Dunstew, blacksmith, for £160 loan and £5 6s. interest. Promissory Note (1822) for £135.

229. Proof sworn 18 March 1828 by John Borton of Stoke Lyne, farmer, for £47 10s. for goods sold and delivered.

230. Proof sworn 13 April 1830 for the late Solomon Buller of Deddington, tailor and staymaker, by Daniel Bennett of Banbury, baker, and Sarah his wife (late Sarah Buller, widow) for £212 10s. loan and £16 4. 2. interest. Promissory Note (1812) for £400 and interest.

231. Do

232. Proof sworn 19 June 1830 by Timothy Rhodes Cobb of Banbury [banker], for himself and Thomas Cobb, for dishonoured Bill of Exchange (1824) for £90 17. 6.

233. Do

234. Proof sworn 18 March 1828 by Hannah Bonham, servant to Edward Jackson of Stoke Lyne, farmer, for £292 loan and £29 17. 6. interest and £8 principal. Promissory Note (1823) £292 and interest.

235. Do

236. Proof sworn 10 April 1830 by Catherine Dolley of Deddington, spinster, for £1,000 loan. Bond (1825) in penal sum of £2,000.

237. Proof sworn 10 April 1830 by Sarah Winkingham of Deddington, spinster, for £90 loan and £1 13. 9. interest. Promissory Note (1825) £90 and interest.

238. Do

239. Dividend Warrant 1853. 4th dividend 2<sup>3</sup>/<sub>4</sub>d.

240. Blank.

241. Blank.

242. Dividend Warrant 1852. 3rd dividend 1s. 7<sup>1</sup>/<sub>2</sub>d.

243. Do

244. Do

245. Do

246. Do

247. Do

248. Do

249. Request 25 June 1859 for payment of cancelled Dividend Warrant by executors of Elizabeth walker.

250. Do by Thomas Foden Preedy 21 April 1858.

251. Do (undated) regarding 4th dividend by William Hudson.

252. Do (undated) by executor of Elizabeth and Edward Lee.

253. Do (undated) regarding 3rd and 4th dividends by Elizabeth Morris.

254. Do by executor of Edward Lee 24 July 1857.

255. Ledger with dividend payment to 2 of the creditors.

256. Claim by William Henry Churchill of Great Milton, farmer, for judgment debt of £1,211 10s. in King's Bench on 1 June 1826.

257. Claim (undated) by William Bygrave of Deddington, plumber as executor of Mary Bygrave, late of Aynho, widow, for £3,750 4. 2. loan and interest.

Bond (1812) for £1,000 and 5% interest, Promissory Note (1809) for £500 and Promissory Note (1812) for £200 and interest.

258. Do

259. Proof (form) sworn 29 June 1830 by James Booth of Bermondsey, potato merchant, as holder of Promissory Note dated 5 January 1827 drawn by SC in favour of Joshua Hartley for £49 10s. for goods sold and delivered.

260. Proof sworn 2 May 1828 by James Merry of Crowton, miller, for £303 15s. loan and £44 12. 8. interest. Promissory Note (1819) for £600 and interest.

261. Proof (form) sworn 12 June 1828 by Elizabeth Stratford, of Oxford, widow, for £100 loan and £9 10s. interest, and £32 10s. loan. Promissory Note (1821) for £100 and interest.

262. Proof sworn 29 June 1830 by Richard Sessions of Deddington, labourer, for £40 10s. wages for 1½ years for his services as Groom and general servant, and for £5 laid out and expended for SC.

263. Do

264. Proof sworn 6 June 1830 by John Trafford of Kirtlington, maltster, executor of Patience Walker of Kirtlington, widow, for £361 6s. judgment debt (1827).

265. Proof sworn 25 June 1830 by George Whetton of Deddington, cordwainer, for self and Thomas Whetton, co-partner, for £165 6. 1. balance of account and £12 13s. interest.

266. Endorsement by George Whetton 1844.

267. Proof sworn 10 April 1830 by Samuel French of Deddington, sawyer, for £8 12s. for sawing wood and other work and labour.

268. Claim 29 June 1830 by William Henry Miller of London, grocer, for £300 under will of late Robert Miller and 1/3rd of £400 under same will.

269. Proof (form) sworn 29 June 1830 by George Chilton of Chancery Lane, gentleman, for £75 17. 11. for work and labour done and money laid out and expended.

270. Summary sheet (1830) of 22 further proofs £10,229 7. 8. and 2 more claims £598 12. 8.

271. 29 June 1830 Declaration of 1st dividend of 1/- in the £, total £2,330 11s.

272. London Gazette 23 March 1830

273. Do

274. 16 April 1830 Resolutions by Creditors assenting to the following actions by the Assignees:

- to take legal actions against various parties to undo recent transactions or mortgages;
- to let SC's house and other property;

- to sue Samuel Churchill Field for anything owing from dissolved partnership;
- to purchase interest of William Henry Churchill of collegehold lands in Clifton now occupied by James East;
- to renew collegehold leases;
- to sell by public auction turnpike road securities;
- to recover balance due on cash account between SC and Mr. John Churchill of Deddington [brother] and take counsel's opinion on effect of mutual releases;
- to renew lease of Appletree Farm, Deddington.

275. Do

276. Do

277. Do

278. Do

279. Backsheet.

280. Affidavit sworn 5 November 1830 by Ralph Colley Smith of Lincoln's Inn that at creditors' meeting on 16 April 1830 the Assignees accounted for £21,532 3s. of debts proved of £35,104 4. 7., and that 1/3rd other creditors did not attend.

281. Assent 5 November 1830 by Commissioners in Bankruptcy to implementation of creditors' resolutions by the Assignees.

282. Commencement of suits by Assignees, Robinson v. Carrington and Robinson v. Field.

283. Copy 1820-1825 cash account of SC at Walker & Co. (bankers).

Footings £8,766 14. 4. Balance due £1,270 19. 7.

284. Affidavit sworn 14 April 1832 by Thomas Richard Walker of Oxford, banker, that £1,207 17s. due from SC, for which Walker claims security upon lease of Appletree's Farm.

285. Determination 14 April 1832 by Bankruptcy Commissioners that Walker and co-partners have equitable mortgage over Appletree's Farm, which should be sold by public auction.

286. Do

287. London Gazette 5 June 1832

288. Do

289. Do. Reference to the Assignees paying to the parish officers of Deddington or to Mr. William Hudson, as treasurer, the sum of £36 9s. 3d. assessed upon the

Assignees, as landlords of the Bankrupt's freehold and leasehold estates, for the purpose of enabling or assisting certain poor inhabitants of the Parish of Deddington to emigrate to the North American colonies.

290. Do. Auction particulars of Appletree's Farm.

291. Do. Convening creditors' meeting in Oxford to authorise Assignees to pursue specified legal claims.

292. 23 June 1832 Resolutions of creditors at King's Arms, Oxford, ratifying Assignees actions and authorising further legal actions.

293. Do

294. London Gazette September 1832.

295. List of 9 creditors at creditors' meeting on 13 October 1832, including:

Dr. Robinson [for William Taylor] £12, 216

Mr. Wm. Bygrave [executor] £3,750 4. 2.

Thomas Greenwood £9,316 3. 0.

296. Letter of authority dated 11 October 1832 from Thomas Greenwood, Wallingford, to Ralph Colley Smith.

297. Assent dated 13 October 1832 by creditors representing over one-third by value of creditors to the Assignees settling partnership claim (with S.C. Field) against John Wells.

298. London Gazette June 1833

299. Summary of solicitors' bills April 1830 to July 1833 £1,996 12. 2.

300. Do

301. Creditors' meeting 2 July 1833. Resolutions authorising surviving trustee, George North Robinson, M.D., to meet SC's obligations regarding local turnpike trusts, to obtain SC's securities over tolls, and for sale of 2 estates.

302. Do

303. Memo 1 July 1833 by Bankruptcy Commissioner acknowledging receipt of Assignee's accounts.

304. Backsheet.

305. Assignee's accounts 22 June 1830 to 1 July 1833.  
Receipts largely rentals.

Travel expenses to the City for 7 local witnesses January/February 1833 (317).

Gross receipts £6,122 13. 9. Expenses £4,764 1.5.

Surplus £1,358 12. 4.

306 - 318. Do

319. 31 December 1841 Appointment of George John Graham as Official Assignee.

320. Affidavit 23 February 1842 by Dr. George North Robinson of Leadwell House Esq with Assignee's accounts from 1 July 1833 annexed.

321. Assignee's accounts 1 July 1833 to 23 February 1842.

Receipts and expenses.

[Paid Edward Hatten £97 5 November 1835.]

Footings £1,359 9. 4.

322 - 326. Do

327. 31 January 1842 Court form adjourning audit of Assignee's accounts to 28 February 1842.

328. Accounts of Official Assignee 1842.

329. 28 February 1842 Court Form: Confirmation of Official Assignee's accounts. £1,200 in bank.

330. Abstract of solicitors' bills July 1833 to 28 July 1842. Total £1,136 9. 2.

331. 26 January 1844 Power of Attorney by George North Robinson Esq as surviving Assignee, and executor of William Taylor Esq., late of Sandford House, in favour of John George Graham Esq of Basinghall Street [Official Assignee] and Frederick Gwatkin of Lincoln's Inn [solicitor], to attend creditors' meeting at the Star Hotel, Oxford, on 27 January 1844, and to vote in favour of a compromise in the continuing law suit in Chancery against Mrs. Catherine Field as executrix of Samuel Churchill Field [died 1833].

332. Do

333. Power of attorney dated 2[0] January 1844 in same terms as above power by William Parsons Esq of Taunton as administrator of the late Harriet Hannah Parsons (formerly Harriett Hannah Holton, spinster), who beneficially interested in the debt proved by the late William Taylor Esq of Sandford House.

334. Do

335. Confirmation of due execution of the above.

336. Backsheet.

337. Statement to creditors [undated] setting out proposed settlement of suit by the creditors' Assignee against the executrix of Samuel Churchill Field as to entitlement to the proceeds of stewardships and clerkships.

S.C. Field joined the partnership in October 1800. Samuel Churchill senior died in April 1808. SC and S.C. Field were partners until December 1825. No accounts between partners and no partnership agreement. Action by Assignee against S.C. Field in 1831 to render an account. SC claimed relevant profits all belonged to his father, and after 1808 to him. Field claimed he was entitled to a half-share from 1800 to 1825, less £100 per annum to Samuel Churchill senior up to 1808.

After lengthy negotiations, compromise before the creditors that S.C. Field's executrix should take £2,000 and the Assignee the balance about £4,300. Monies mainly in form of Exchequer Bills.

338. Do

339. Do

340. Backsheet.

341. 27 January 1844 Minute of creditors' meeting at the Star Hotel, Oxford. List of creditors present and value of debts proved.

342. Form of assent signed by creditors.

343. List of Assignee's expenses June 1844 £67 1. 4½

344. Proof of debt sworn 13 June 1844 by Thomas Lymath of Little Tew, blacksmith, as executor of Joseph Lymath the elder, late of Deddington, blacksmith, for £67 1. 4. for work and labour done by late Joseph Lymath.

345. Proof (form) sworn 21 February 1844 by Thomas Lymath of Little Tew, blacksmith, for £122 loan and £6 interest. Promissory Note (1818) for £100 and interest.

346. Backsheet.

347. Proof sworn 20 August 1830 by Sarah Lambert of Banbury, widow, for £197 for money had and received by SC to and for her use.

348. Proof sworn 2 July 1832 by Robert Jarvis of Banbury, auctioneer and shopkeeper, for £15 15s. for goods sold and delivered.

349. Proof sworn 30 June 1832 by Robert Jarvis of Banbury, auctioneer, as executor of the late John Williams of Adderbury, yeoman, for £121 loan and interest. Promissory Note (1820) for £100 and interest.

350. Do

351. Proof sworn 10 June 1844 by Thomas Heritage of Deddington, clog maker, for self and James Whitelock as Stewards of the Three Horse Shoes Friendly Society for £200 loan and £8 5s. interest. Promissory Note (1826) £220 and interest.

352. Do

353. Backsheet.

354. Proof sworn 13 June 1844 by William Freeman of Deddington, slater and plasterer, for £23 18. 9. for goods sold and delivered and for work and labour done and performed.

355. Statement of account of carpentry work by Robert Franklin in 1825 and 1826.

356. Proof sworn 13 June 1844 by Robert Franklin of Deddington, carpenter, for £99 8. 5. for goods sold and delivered and for work and labour done and performed.

357. Affidavit sworn 12 June 1845 by Henry Davis of Bloxham, gentleman, as executor of Rev. Harry Davis of Bloxham, as heir of the late William Davis of Milcomb, gentleman.

SC indebted in principal sums of £200, £100 and £157 13. 9. and interest £77 18s. from 28 October 1823 to 26 March 1827. SC sole executor of William Davis, and misapplied assets. Bond by SC to Harry and William Davis for £800 and 5% interest dated 1799. SC received £100 from Rev. Harry Davis on 27 May 1807. Also Promissory Note (1823) for £157 13. 9.

358. Do

359. Do

360. Affidavit sworn 12 June 1844 by Joseph Churchill of Woodeaton, farmer, for £524, balance of judgment debt in King's Bench dated 1 June 1826 for £3,099. Deponent also holds Promissory Note for £537 dated 26 December 1825 payable to Frederick Lock or order, and endorsed over to deponent.

361. Backsheet.

362. William Bygrave's statement of account with SC 1824-1826, showing balance due £167 15. 2. Exhibited 14 June 1844.

363. Proof (form) sworn 14 June 1844 by William Bygrave of Deddington, plumber and glazier, for £167 15. 2. balance of account for work done and labour and money lent and advanced 1825-1827. Promissory Note (£100).

364. Proof sworn 31 August 1830 by Elizabeth Sessions of Deddington, wife of Richard Sessions, labourer (previously Elizabeth Watkins, spinster) for £18 4s. for 1¼ years wages as cook in the family.

365. Backsheet.

366. Proof sworn 14 June 1844 by George Eustace Petty of Deddington, brewer and maltster, for £24 19. 9. for goods sold and delivered 1825-1827.

367. Affidavit [undated] sworn by Henry Staunton of 15 Upper Thames Street, Esq. SC a trustee under a settlement made in 1801. SC admitted 5 August 1831 that he was indebted to deponent as new trustee for £650. Leave of court 19 December 1831 to prove for £510.



368. Backsheet.

369. Proof sworn 21 October 1831 by Catherina Rolls of Somerset, widow, as executrix of late Mrs. Mary Weston of Deddington, widow, for £394 19. 8. due on the balance of the accounts between SC and the deceased.

370. Proof [undated] sworn by E. Litchfield as agent for Pearson family legatees under the will of late Mrs. Mary Henshall for £3,870 for unsatisfied Chancery judgment debt dated 4 December 1826 and interest on £4,500 from 10 April 1821 to 26 March 1827. Bond by SC to Mrs. Henshall.

371. Affidavit sworn 4 April 1844 by Charles Faulkner of Deddington, gentleman. SC was surviving trustee of £700 under marriage settlement established by deponent's father, Rev. John Faulkner, in 1794. Deponent surviving beneficiary following death of mother, Elizabeth Faulkner (née Dolly) on 13 May 1836. Claim for £700 and interest .

372. Do

373. Do

374. Backsheet.

375. 14 June 1844 Account of Official Assignee.

376. Bankruptcy accounts 1842-1844. Footings £3,168 11. 10.

377. Official Assignee's accounts 1842-1844. Footings £7,332 4. 1.

378. Do

379. Proof sworn 18 June 1844 by Edward Holloway of Aynho, farmer, father of a Friendly Society held at the Cartwright Arms Inn at Aynho, called the Red Lion Club. Loan £100 and £3 9s. interest.

380. Proof sworn 18 June 1844 by Thomas Bygrave, maltster, father of a Friendly Society held at the White Horse Inn at Aynho, called the White Hart Club. Loan £30 and £2 17s. interest.

381. Proof sworn 29 June 1830 by Joseph Ball of Banbury, shoemaker, for £12 10. 6. for work and labour done, materials provided and goods sold and delivered.

382. Backsheet.

383. 14 June 1844 Declaration of 2nd dividend by Bankruptcy Court. 1st dividend of 1/- in the pound declared 29 June 1830. Declaration of 2nd dividend of 2/- in the pound (£5,864 6. 7.). Debts proved to date £54,433 0. 2.

384. Loose sheet.

385. 14 June 1844 Schedule of debts proved 1827-1844 and amount of 2nd dividend payments due. List includes place of residence and occupation of creditors. Surnames B to F (33 names). [Edges partly torn.]

386. List of 19 debts proved after payment of 1st dividend on 14 June 1830.

387. List of 2 further claims:

|  |                    |
|--|--------------------|
| Legatees of Mrs. Mary Henshall                 | 3,870              |
| Catharina Rolls, executrix of Mrs. Mary Weston | <u>3,941 9. 8.</u> |
|  | 8,426 12. 11       |

388. List of debts proved 1827-1844 and amount of 2nd dividend payments due continued. Surnames G to P (33 names).

389. Do surnames S to W (20 names), and 3 further claims.

91 proofs and claims in toto ff.385-389.

390. 1 July 1844 Court order for sale of £4,000 Exchequer Bills.

391. 18 July 1844 Order to pay £507 3. 1. to Official Assignee to discharge solicitors' bills and other expenses.

392. Order 18 July 1844 for payment of £5,863 4. 3. to 'The Dividend Account'.

393. 12 April 1853 List of 4 further proofs of debt c. £3,510.

394. Affidavit sworn 11 April 1853 by William Baylis of Enstone, farmer, as surviving executor of will of Richard Taylor proved 5 February 1853. SC was trustee of will of late Thomas Curtis of Deddington. Beneficiary Sophia Curtis, widow, who married Richard Taylor of Neat Enstone, both now deceased.  
SC indebted to estate for £1,061 13s. on account of £1,000 legacy under will trust (no date given).

395. Do

396. Frontsheet.

397. Backsheet.

398. Affidavit sworn 11 April 1853 by Edward Mobbs of North Aston, farmer, for £40 loan and £1 14. 2. interest for account of his mother-in-law, Francis Castle of Bloxham. Promissory Note (1816) endorsed to deponent.

399. Do

400. Proof sworn 12 April 1853 by Sarah Hanley of Middx, widow, executrix of William Hanley, deceased for a loan of £700 and £21 19. 2. interest.  
Promissory Notes for £500 and £100, both dated 14 March 1826, and mortgage for £700 and interest dated 9 August 1826 by SC's trustees Benjamin Churchill and James James.

401 - 415. Affidavit sworn 30 December 1851 by Joseph East (otherwise Gardner) of Clifton, farmer, and William Gardner of Hanley, farmer.

William East of Clifton died 1814, leaving a widow, Elizabeth, 6 sons and 1 daughter. 21 year lease of lands in Clifton from Dean and Canons of Windsor. Elizabeth East continued farming business, and deposited profits totalling £1,685 with SC for account her late husband's estate as follows:

|             |                                      |
|-------------|--------------------------------------|
| 15 Mar 1815 | £100                                 |
| 28 Mar 1815 | £100                                 |
| 2 Sep 1815  | £300                                 |
| 11 Sep 1815 | £160                                 |
| 25 Sep 1815 | £120                                 |
| 30 Sep 1815 | £165                                 |
| 9 Oct 1815  | £210                                 |
| 14 Oct 1815 | £200                                 |
| 16 Oct 1815 | £100                                 |
| 4 Nov 1815  | £100 minus £32 15s. advanced to son. |

Monies to be held by SC to pay the 'fine' for the renewal of the lease. Transpired several years later in June 1827 that SC had neither paid the 'fine' nor renewed the lease. SC had misapplied and converted to his own use the sums deposited with him. When discovered, the 21 year term had nearly expired.

In September 1822 John Gardner married Elizabeth East. Following SC's bankruptcy in March 1827, John Gardner agreed to procure the renewal of the lease and pay the 'fine' out of his own pocket, as well as paying to William East's children the sums they would otherwise have received under their father's trust.

William and Elizabeth's children were John East, William East, Henry East, James East, Thomas East, Robert East and Mary East.

John Gardner paid the £600 legacy to William East's children when the youngest attained 21, although son William had pre-deceased.

Of the 4 original trustees:

- James East died shortly after the death of the testator;
- John Stilgoe died 1839;
- SC died 1840;

- John Gardner died 1850.

Joseph East (otherwise Gardner) was the illegitimate son of John Gardner and Elizabeth East before they married.

On 3 September 1846 John Gardner settled assets in family trust. beneficiaries wife, Elizabeth, and then Joseph East and William Gardner. Elizabeth pre-deceased John Gardner, who died in April 1850. Accordingly, William Gardner entitled to £1,685 deposited with SC and 5% interest, upon trust for Joseph East.

416. Backsheet.

417 - 422. Affidavit sworn 11 April 1853 by John East of Deddington, farmer, and Robert East of Deddington, [draper]. Late father William East of Clifton, yeoman [died 1814]. Annexed receipts and releases of legacies paid under father's will to the 2 deponents and their brothers Henry East, James East, Thomas East, and sister Mary East (married John Stilgoe).

Leasehold estate valued at £7,500 in 1815 (assuming lease just renewed for 21 years).

Deponents confirm statements in above affidavit sworn 30 December 1851 by Joseph East (otherwise Gardner) of Clifton, farmer, and William Gardner of Hanley, farmer.

Lease should have been renewed in April 1816. £859 5. 6. 'fine' paid for renewal of lease, which not renewed until June 1827.

Deponents' step-father John Gardner agreed to pay legacies out of residuary estate of their late father, William East, so not prejudiced by SC's bankruptcy.

Corresponding claims against SC transferred to John Gardner. Deponents' brothers James East and Thomas East live considerable distance from Deddington. Brother Henry East, sister Mary Stilgoe and husband John Stilgoe, now dead.

423. 9 March 1852 List of 21 creditors who received 3rd dividend (£367 11. 1.).

424. Do

425. Request [undated] for dividend payment of £34 14. 5. by Joseph Slatter, surviving executor of David Fortnam.

426. Dividend Warrant 1 January 1852 to Joseph Slatter. 1st, 2nd and 3rd dividends totalling 4/7½d. in the pound.

427. Dividend Warrant 14 June 1844 to Ann Taylor. 2nd dividend of 2/- in the pound. £10 6s.

428. Request [undated] for dividend payment of £10 6s. to Ann Taylor by Sarah Astell, her executrix.

429. Request [undated] for dividend payment of £4 15s. by John Borton.

430. Dividend Warrant 14 June 1844 to John Borton. 2nd dividend of 2/- in the pound. £4 15s.

431. Request [undated] for dividend payment of £6 9. 1. by Richard Dawson, executor of John Platford (65).

432. Dividend Warrant 14 June 1844 to John Platford. 2nd dividend of 2/- in the pound. £6 9. 1.

433. Receipts and payments by Official Assignee 1853. Further proofs claiming payment of 1st., 2nd., 3rd. and 4th. dividends totalling 4/10<sup>1</sup>/<sub>4</sub>d. 4th dividend 2<sup>3</sup>/<sub>4</sub>d.

434. Do

435. Do

436. 1 January 1852 Court order.

|                           |                           |           |
|---------------------------|---------------------------|-----------|
| 1st dividend 29 June 1830 | 2nd dividend 14 June 1844 | Total 3s. |
|---------------------------|---------------------------|-----------|

Further dividend 1/7<sup>1</sup>/<sub>2</sub>d.

437. Petition dated 5 November 1845 by Richard Pearson, Thomas Pearson and Charles Pearson, all of Crawley, Oxon, and others, beneficiaries of the will trust of Mrs. Mary Henshall, seeking admission of their proofs of debt and participation in dividends declared.

438. Do

439. Do

440. Backsheet.

441. Proof sworn 6 February 1846 by Charles Pearson of Crawley, Oxon, yeoman, as administrator *de bonis non* of the residue of late Mrs. Mary Henshall's assets (as no executor capable of acting). SC, as sole surviving trustee before his death in 1840, owed £3,449 9. 4. principal and interest under a bond dated 10 October 1810 between SC and Mary Henshall in the penal sum of £10,000 to secure a £5,000 loan and 5% interest.

Accounting entries 1823-1827 between SC and the estate of Mary Henshall subjoined. Footings £4,013 9. 4.

442. Do

443. Paper admitting above proof for £3,449 9. 4.

444. Order dated 26 February 1846 to pay Charles Pearson as administrator of estate of Mary Henshall deceased dividend at the rate of 3/- in the pound on proof for £3,449 9. 4.

445. 9 June 1846 Order to lay out £257 13s. to credit of bankrupt's estate in purchase of Exchequer Bills.
446. List of 3 disbursements £1 5. 2.
447. Frontsheet.
448. 13 October 1845 List of 11 creditors and dividends paid (£90 16. 11.).
449. Blank sheet.
450. 13 October 1845 List of 3 creditors and dividends paid £33 12. 4.
451. January 1850 Request for dividend payment of £26 15. 7. by Henry Davis, one of surviving executors of Rev. Harry Davis of Bloxham.
452. 8 October 1849 Order to lay out £389 17. 5. to credit of bankrupt's estate in purchase of Exchequer Bills.
453. Accounts of Official Assignee 1844 and 1852.
454. Do 1852.
455. Request 8 December 1849 by John Hale of London Esq., and Henry Davis of Bloxham, gentleman, executors of the late Rev. Harry Davis of Bloxham, for payment of 1st dividend £26 15. 7.
456. 14 June 1844 Dividend Warrant to pay 1st dividend of 1/- in the pound (£26 15. 7.) to executors of Rev. Harry Davis.
457. Brief note 24 February 1865 recording 3 disbursements 11s. 1d.
458. Backsheet.
459. Proof sworn 25 June 1855 by William Gardner of Hanley Mill, miller, for £160 owing to late John Gardner of Clifton, farmer, and Elizabeth his wife (formerly Elizabeth East, widow).
- Elizabeth Gardner died 12 December 1848, intestate.
- John Gardner died 28 April 1850, intestate.
- Administration of John Gardner's estate granted 2 June 1853 to William Gardner, since deceased, brother of John Gardner.
- William Gardner died 9 July 1854, intestate.
- Administration granted 19 February 1855 to son, William Gardner.
- Promissory Notes by SC to Mrs. Elizabeth East for £60 12 December 1818 and for £100 21 April 1821.
460. Do

461. Do

462. Proof, probably sworn 1855, by William Henry Miller of London, grocer, only first page extant, for £433 6. 8. under a will trust dated 27 January 1808 by late John Miller of Waterperry, gentleman, settling £300 on Emanuel Roads, Susanna Field and SC.

463. Sheet listing last 3 proofs of debt.

464. Sheet listing 2 claims and 1 proof.

465. Proof sworn 25 July 1854 by Dr. Thomas Robbyn of Somerset, administrator of the estate of Mrs. Mary Weston, widow, deceased left unadministered by her late executrix Catherina Rolls. SC indebted to Mrs. Weston for £394 19. 8. No security or Promissory Note.

466. Proof, probably sworn 1855, by William Gardner, of Hanley Mill, miller, only first page extant, for £400 owing from SC to John Gardner deceased, late of Clifton, widower, who died intestate on 2 June 1853. Administration granted to William Gardner, since deceased.

467. Request [undated] for dividend payment of £9 1. 9. by Timothy Rhodes Cobb, Timothy Cobb and Thomas Cobb.

468. Dividend Warrant dated 14 June 1844 for £9 1. 9. to above. 2nd dividend of 2/- in the pound.

469. Court order dated 6 January 1852 for sale of 3 Exchequer Bills for £500.

470. Court memorandum 1 January 1852 that Official Assignee's accounts showed £13 13. 11. in his hands, £4,412 8. 2. in hands of the Accountant in Bankruptcy, and £500 in Exchequer Bills.

471. List 1 January 1852 of 1 further proof and 2 further claims aggregating £1,775 -. 8. and 3 dividends aggregating 4/7½d. (£410 9. 6.).

472. Schedule 1 January 1852 of 87 debts proved by creditors (no addresses), and 2 claims, aggregating £54,012 9. 6.

3rd dividend of 1/7½d. aggregating £4,388 10. 3.

473. Do

474. Do

475. Do

476. Court order 23 January 1852. £18 5. 1. due to Official Assignee.

477. Court order 23 January 1852. £4,798 19. 9. to be paid into the Dividend Account for the Creditors.

478. Costs of the Assignee (£7 5. 6.) in 1845 responding to suit by Richard Pearson and others [beneficiaries under will of Mrs. Mry Henshall.]

479. Backsheet.

480. Detailed narrative bill of costs and disbursements of Messrs. Colley Smith Hunter and Gwatkin from 15 June 1844 to 7 January 1852 (85 5. 8.).

481 - 495. Do

496. Addendum, costs taxed as £92 17. 0.

497. Backsheet.

498. Detailed narrative bill of costs and disbursements of Messrs. Colley Smith Hunter and Gwatkin from 11 June 1845 to 1851 (£21 17. 3.) regarding claim of Messrs. Churchill and Field against the estate of Richard Griffin, an insolvent.

499. Do

500. Do

501. Backsheet.

502. Affidavit sworn 11 April 1853 by William Gardner of Hanley, Oxon, farmer, and Joseph East (otherwise Gardner) of Clifton, farmer.

William Gardner referred to account of self and brother, John Gardner, with Messrs. Gibbins and Gillett, bankers, Banbury. Debit £1,827 17s. on 26 June 1827 to pay fine for renewal of lease mentioned in affidavit by self and Joseph East sworn 30 December 1851 [*see folio 401*]. Sum repaid by John Gardner to bankers out of own moneys.

Joseph East said late father, John Gardner, told him many times not worth submitting his claim whilst interim dividends being paid, although he was unaware of the creditors' meeting before 3rd dividend declared.

503. Do

504. Do

505 - 510. Affidavit sworn 30 December 1851 by William Gardner of Hanley, Oxon, farmer, and Joseph East (otherwise Gardner) of Clifton, farmer. Latter's mother, Elizabeth East of Clifton, then widow, made below loans to SC:

£60 Promissory Note 12 December 1818

£100 Promissory Note 21 April 1821

In September 1822 Elizabeth East married John Gardner, and the above moneys therefore became the property of John Gardner.



12 March 1825 Loan to SC of £400 and interest, evidenced by Promissory Note.

3 September 1846 Family settlement by John Gardner.

Elizabeth Gardner predeceased husband, who died April 1850.

William Gardner now entitled to above £560, in trust for Joseph East.

511. Affidavit sworn 31 December 1851 by 3 surviving sisters of late Richard Taylor of Clifton. Claim for £1,061 13s. in respect of a legacy for £1,000 under will of Thomas Curtis deceased, to Sophia Taylor (née Curtis), the wife of Richard Taylor, who predeceased him. Taylor died in 1850.

512. Affidavit sworn 30 December 1851 by Joseph Slatter of Ilbury, in the parish of Deddington, farmer, as surviving executor of will of David Fortnam, late of Great Barford, horse dealer, for £100 loan and £50 2. 10. interest. Promissory Note 24 December 1814 to Mrs. Ann Fortnam.

513. Do

514. Court order 12 April 1853 confirming £7,616. 9s. in hands of Official Assignee and £1,274 9. 10. with the Accountant in Bankruptcy.

515. Court order 5 May 1853 to pay £1,233 10. 11. to the Dividend Account.

516. February 1865 Amount of messenger's disbursements £1. 11. 3.

517. 12 April 1853 Schedule listing 3 more debts proved, including Gardner's, and total dividends.

518. 12 April 1853 Schedule of 88 debts proved by creditors (no addresses) and 3 claims aggregating £55,787 10. 2.

4th dividend of 2 pence 3 farthings in the pound, total £639 4. 8.

519 - 522. Do

523. 5 May 1853 Court order to pay 4th dividend of 2¾ pence.

524. Dividend Warrant 5 May 1853 to pay £245 10. 1. dividend for account of late William Baylis.

525. Dividend Warrant 6 July 1855 to pay total dividend of £105 3. 6. (4/10¼d. in pound) to William Henry Miller.

526. Dividend Warrant November 1854 to pay total dividend of £95 17. 2. (4/10¼d. in pound) to Thomas Robbyn, administrator of late Mrs. Mary Weston of Deddington.

527. Account of Official Assignee 1853 - 1862. Endorsed 1 November 1865.

528. Account of Official Assignee 1844 - 1851.

529. 1 November 1865 Court order to pay £212 6. 4. into the Dividend Account.

530. 1 November 1865 Court order to pay £21 10. 5. to the Official Assignee.

531. 25 February 1865 Court order to pay 5th dividend to creditors of  $\frac{7}{8}$ th of a penny.

Total debts proved £58,232 18. 8.

532. Dividend Warrant 6 July 1855 for £135 18. 4. in favour of William Gardner, as administrator of John Gardner and Elizabeth Gardner; part claim as trustee of Joseph East (otherwise Gardner).

533. 4 August 1854 Schedule of 2 more claims admitted:

- Samuel Field as receiver and treasurer of the Deddington Charity Feoffees for £86 10. 10.

- Thomas Robbyn M.D. as administrator of late Mrs. Mary Weston of Deddington for £394 19. 8.

534. Affidavit sworn 2 August 1854 by Samuel Field of Deddington, solicitor. SC had been receiver and treasurer of Deddington Charity Feoffees from 1811 until his bankruptcy in 1827. SC held £300 belonging to the feoffees, on which he duly paid 4% p.a. interest. Deponent receiver and treasurer from 1827 to present time. SC indebted to Feoffees for £86 10. 10. at time of bankruptcy.

535. Do

536. Do

537. Schedule of 95 creditors, with omissions, listing 5th dividend payments totalling £130 8. 2.

538. Do

539. Do. Stamped "Cancelled 8 Jan. 1867".