

Box 1
Folder 13

Boyle

1717 G St., N. W.,
Washington, D. C.,
January 27, 1935.

Society for the Propagation
of the Gospel in Foreign Parts,
15 Tufton Street, S. W. 1,
London, England.

My dear Sirs,

Having occasion to do a bit of inquiry into the history of the College of William and Mary in Virginia as beneficiary of the fund created by the will of Robert Boyle in 1691, derived from the rents and profits of the Brafferton estate (near Boroughbridge, in Yorkshire), I am writing to you in the hope that you may be able to assist me.

In 1790, after the American revolution, the charity was new-modeled, and the funds diverted to a missionary society founded by Bishop Porteus, of London,—whose object was "the conversion and religious instruction of the Negroes in the British West-India Islands".

In THE VICTORIA HISTORY OF THE COUNTIES OF ENGLAND, Yorkshire, Vol. II, pp. 98 ff., published in 1923 by The St. Catherine Press, London, in closing the article on Brafferton, the statement is made that "The Society for Advancing the Christian Faith in the West India Islands now exercises the manorial rights".

My reason for troubling you with this inquiry is that I have been unable to secure any information about this Society either from the Chancellery of the British Embassy in Washington, or from the British Library of Information in New York. At the latter place, your address was given me with the suggestion that since your Society pursued a somewhat kindred aim, possibly you could enlighten me, or could forward my letter to the Society named.

Any information or references that you may be able to secure for me concerning the history of the application of this fund since 1790 until the present day (the purposes of the present Society, any interesting events in its history, the approximate value and annual income from the Brafferton estate, etc.) will be very much appreciated, especially if I could have a reply by April 1, 1935.

I do not expect you to go to any extraordinary inconvenience on my behalf, and I shall be happy to pay up to five dollars for any clerical expense that may be necessary for typing, or the like.

Assuring you of my gratitude for any assistance that you may render, I am,

Yours very truly,

TELEPHONE:
VICTORIA 1398 AND 1399
(2 lines.)

TELEGRAMS:
"GOSPELIZE, PARL., LONDON."
(=2 WORDS FOR UNITED KINGDOM.)

CODE:
PREMIER AND ECCLESIASTICAL.

The Society for the Propagation of the Gospel in Foreign Parts.

15 TUFTON STREET, WESTMINSTER, S.W.1.

Archives Department.

22nd February, 1935.

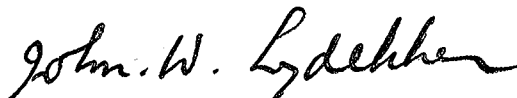
Dear Sir,

I have to acknowledge your letter of the 27th January concerning "The Society for Advancing the Christian Faith in the West India Islands", now known as the "Christian Faith Society".

I have forwarded your letter to the Secretary and Treasurer of this Society, whose address is:-

"The Sanctuary",
Westminster,
London,
S. W. I.

Yours truly,



(John W. Lydekker) Archivist.

Mr. Herbert L. Ganter,
1717 G St., N. W.,
Washington, D. C.,
U. S. A.

LEE BOLTON & LEE.

Henry L. Bolton.
Charles W. Lee.
H. Stuart Salter.
H.T.A. Dashwood.
M.T. Perkins.
Graham D. Heath.

TELEPHONES.
VICTORIA { 9307.
 { 9308.

TELEGRAPHIC ADDRESS.
"HYFOCO, PARL LONDON"

1, THE SANCTUARY,
WESTMINSTER, S.W.1.

11th March 1935,

Dear Sir,

Christian Faith Society

The Archivist¹ of the Society for the Propagation of the Gospel sent me recently a letter of 27th January to the Society. He could not give me any information about you nor the reason for the enquiry about our Society beyond your own mention of the College of William & Mary in Virginia.

This College up to the time of the American War did ^{even} renew grants for education under the Will of the Honourable R. Boyle so possibly the following may interest you.

The Hon: Robert Boyle by his Will, dated the 18th of July 1691, directed the Residue of his personal Estate to be laid out by his Executors "for Charitable and other pious and good Uses, at their discretion;" but recommended to them to lay out the greater part thereof "for the Advance or Propagation of the Christian Religion amongst Infidels"

Estate bought at Brafferton Yorkshire. Nett Rents to be paid to College of William & Mary in Virginia for education and instruction of Indian Children.

This was done down to the time of the American War.

After conclusion of War Bishop Beilby of London applied to the Court of Chancery on ground that America no longer formed part of His Majesty's foreign Dominions and Scheme was sanctioned for income to be applied for the Conversion and Religious Instruction and Education of the Negro Slaves in the British West India Islands (they being Infidels in His Majesty's Dominions) under the direction of a Society to be incorporated by a Charter from the Crown, if His Majesty should think fit to grant the same.

In 1793 George 3rd granted a Charter to a Corporate Body by name of "The Society for the conversion and religious instruction and education of the Negro Slaves in the British West-India Islands.

Towards end of 1834 the Society was advised that owing to Act for Abolition of Slavery they must apply for authority to change name and ultimately William IV granted a second Charter to "The Society for advancing the Christian Faith in the British West India Islands and elsewhere in the Dioceses of Jamaica and of Barbadoes and the Leeward Islands and in the Mauritius"

Since that time grants have been made to the various Bishops for purpose of Education in their Dioceses.

I am,
Yours faithfully,



Treasurer & Secretary

Herbert L. Ganter Esq
1717 G. Street, N.W.
Washington D.C.

1717 G Street, N. W.,
Washington, D. C.,
March 27, 1935.

Henry L. Bolton, Esq.,
Lee, Bolton & Lee,
1, The Sanctuary,
Westminster, S. W. 1,
London, England.

Dear Sir,

I wish to thank you for both your courtesy and your promptness in answering the questions contained in my letter of January 27th addressed to the Society for the Propagation of the Gospel, and which was forwarded to you by their Archivist.

The reason for my requesting the information is this (I am sorry my brief note was not clear on the point):

I have recently been assembling some historical material about the College of William and Mary (of which I am a graduate) pertaining to the Boyle Charity. Nothing had been gathered on that incident of the College history by anyone since the decision in 1790. Having got such information as was available from the Reports by Brown and Vesey, Jr.; from the Hodgson LIFE of Bishop Porteus; from citations and comment in subsequent cases and textbooks, both English and American; and from sundry biographical and historical books, it was a matter of curiosity to know whether the fund was still in existence.

A recent volume of Reports by the American Historical Association has several references to the Incorporated Society for the Conversion and Religious Instruction and Education of the Negro Slaves in the British West-India Islands, the last Report of which missionary society is given as 1833. Knowing that emancipation of negro slaves in the British West Indies was accomplished in 1834, I was interested to know what happened to the Charity after that. The reference in the 1923 edition of the Yorkshire County Record brought the information that the fund was then being administered by the Society for Advancing the Christian Faith in the British West India Islands.

So my letter was purely for the purpose of ascertaining whether, after almost 250 years, the pious bequest of Mr. Boyle was still being administered. Your reply has furnished the information which I was unable to obtain in this country from such sources as suggested themselves.

Allow me to repeat my thanks for your courtesy, and believe me to be, with every good wish,

Gratefully yours,

1717 G Street, N. W.,
Washington, D. C.,
March 27, 1935.

John W. Lydskker, Esq., Archivist,
The Society for the Propagation of
the Gospel in Foreign Parts,
15 Tufton Street,
Westminster, S. W. 1,
London, England.

Dear Sir,

I wish to thank you for your courteous letter of February 22nd,
and especially for your kindness in forwarding my inquiry of January 27th
to The Christian Faith Society.

Mr. Henry L. Bolton, their Secretary, has been good enough to
give me the information I sought, which was simply for the purpose of
tracing the history of this interesting incident pertaining to the College
of William and Mary (of which I am a graduate) down to the present day.

Assuring you of my appreciation, I am, with every good wish,

Sincerely yours,

BRAFFERTON MATERIAL

See letter to Garter
Nov. 25 1935
M. G. I.
also Jan 25, 36.

1. 17 Kodak pictures of Brafferton Estate.
2. Fulham Mss. Virginia End Box. No. 239
Rules and Methods agreed on for settlement of Mr. Boyles Charity in Virginia.
3. Treasury 64, vol. 90 pp. 82-85
Memoriall of what Coll. Spotswood Govr. of Virginia etc.
4. Photostat of pub. entitled "Society for advancing The Christian Faith in the British West India Islands and in the Mauriti^{as}s. 18 sheets.
5. Attorney-General v. City of London.
6. Attorney-General, at relation of Bishop of London v. College of William and Mary in Virginia, the City of London, and others, Nov. 12, 1790.
7. Chancery Decrees and Orders. 1790 A. pp. 129^d-133^d.
8. Chancery Decrees and Orders, 1791 A. ff 413-415.
9. Notes on the Case of the College of William and Mary, and their Trust Funds.
10. C 12 Bundle 1995. The Attorney-General, cop. B, (On information of the Bishop of London) versus Lloyd.
11. C 12-1711. Attorney-General v. Coslobadie, Cop. C.
12. C 12 1706-8. Membrane 2. Cop. D.
13. C 12 1706-8. Membranes 4 and 5. Cop. E.

January 25, 1936.

Dear Doctor,

I am returning herewith part of the manuscripts in the Boyle Charity which you sent me some time ago.

For your convenience, I return also your list of items sent me, for the comment which I set out below is made according to the numbered items thereon. I will return the transcripts not included herein just as soon as I can go over them and comment on such new light as they throw on the Charity, supplementing the NOTES I made for your Magazine.

✓ 1. 17 Kodak pictures of Brafferton Estate. Thanks ever so much for letting me get a look at them. I found them very interesting, and if ever I get to Europe again, I'd like to pay a visit to the Manor some day.

By the way, ought there not to be some date written on them, indicating when they were taken, for future reference?

✓ 2. Fulham Mss. Virginia 2nd Box. No. 239. These are the Rules and Methods agreed on by Bishop Compton and the Earl of Burlington in 1697. You reprinted them in 1930--10 W&MQ (2) 68-69.

✓ 3. Treasury 64, vol. 90 pp. 82-85. This "Memoriall" of Coll. Spotswood is supplementary to the two letters of Spotswood I used in my article (15 W&MQ (2) 366-368).

There are 4 papers transcribed:

(a) This paper, not dated, seems to be Bishop Compton's statement regarding Governor Spotswood's Memorial sent to him, the Bishop, suggesting that Queen Anne grant from her quitrents in Virginia sufficient sums to provide for building two churches and schools, and furnish each with minister and schoolmaster.

(b) This paper, dated Nov. 8, 1712, but not signed, and not addressed to anyone, refers to a "Mr. Lowndes". The signature of "Wm. Lowndes" appears on the third paper. From the contents of these two, (b) and (c), I suppose that (b) is Spotswood's "Memorial", transmitted to Bishop Compton, and by him with (a) above to the Earl of Dartmouth, who in turn sent it to "My Lord Treasurer", as I gather from (c). However, I am not certain of this.

(c) This paper, dated Nov. 26, 1712, signed by "Wm. Lowndes", from "Treasury Chambers". Since it commences "My Lord Treasurer having received" from Dartmouth, Spotswood's Memorial sent to Compton, and then states "His Lordship commands me", I suppose that Lowndes is one of the Treasurer's secretaries or assistants. Lowndes states that he was commanded by the Lord Treasurer to transmit Spotswood's Memorial "to You, and desire you to peruse and consider the several matters therein contained and let him have your opinion thereupon what you think proper for Her Majesty to do therein".

Since there is no addressee, I cannot figure out who this person is. I do not think it can be the signer of the fourth paper, since that starts out acknowledging a letter of December 13, and is not addressed to anyone. I notice it is sent from "Whitehall", also.

(d) This paper, referred to in (c), dated Dec. 18, 1712, from Whitehall, bears no addressee. I suppose from its phrasing--"proposed to my Lord Treasurer" ". . . His Lordship thereupon directed me to lay before him" . . . "I laid before his Lordship, on the 8th instant, a Report" . . . "and now humbly present a State of an Account . . . with a copy of a letter . . . which is in obedience to his Lordship's commands". It is signed "W. B." Is this another Treasury officer? I suppose it is, though I don't know where to look just now to identify, if possible, such a signature. I'll try to decipher and get some more information on these from time to time by keeping an eye out in my reading.

4. Photostat of "Society for Advancing the Christian Faith". 18 sheets. This book, printed in 1836, at London, is an account of the two societies which were formed after Porteus had his scheme for diverting the Boyle funds from the College to his abolitionist hobby. I wish I had had this before I finished my last installment in the October, 1935, Magazine. On page 372 of that number, I used an excerpt from Hodgson's LIFE of Porteus about the Society; and on pages 376-77 I noted such other references as I could find to the work of the Society.

The photostat may be briefly summarized as follows:

- Pages 2-5: This gives an account of the Boyle charity
" 5 : Narrates the suit in 1790
" 5-8: Tells about Porteus's Incorporated Society for the Religious Instruction and Education of Negro Slaves. This was the Society which grew out of the plan Porteus offered at the 1790 trial for applying the Boyle funds de novo. It was incorporated in 1793. No. 8 of the transcripts on those listed which you sent me is the Chancery Order of April 23, 1791 (?), approving Porteus's scheme. I discuss this #8 later.
" 8-11: Is an account of the Society incorporated in 1834--Society for Advancing the Christian Faith in the British West-India Islands. Because of the emancipation of slaves in English possessions in 1834, the purposes of Porteus's Society were no longer proper; so a new Society was formed to carry on under the changed conditions. This is the Society which is still in existence. I remark on it on page 377, October, 1935, Magazine.
" 13-24: A copy of the Charter for Porteus's Society.
" 25-32: " " " " " " the Society incorporated in 1834.

From this book there may be found some of the financial statement as to the funds taken over after the 1790 suit, and of the later financing. Also, in the charters, the names of the members of the Society. I was interested to see the name of Sir William Scott (Lord Stowell), brother of Lord Eldon.

✓ 5. Attorney-General v. City of London. This item of long-hand, ink, notes on the papers in the case, is on stationery of Stokes & Cox, attorneys, London. Are these the persons who made or had made the typewritten transcripts?

It is remarked that the pleadings extant in the case are "very numerous", but that "the whole story...except in respect of details...irrelevant to the present inquiry...can be found in:

- "(a) Order in Chancery, 1790 A. ff. 129-134. (I. E., #7 on your transmittal list)
- "(b) Master's Reports, 4 Aug. 1791, and 14 Feb. 1792. (These do not seem to be among the transcripts, but they evidently referred to the opinion of the Master on Porteus's scheme for applying the Boyle fund to his new purpose.)
- "(d) Order of Apr. 23, 1792. (1791 on the transcript: I think 2 is correct; this is #8 below)

✓ 6. Attorney-General v. City of London. This is a typewritten copy of Vesey, Jr.'s, report of the case. It is Appendix II of my article (15 W&MQ (2) 383-4).

7. Chancery Decrees and Orders. 1790A. I will go into this later and give you a summary of the additional data which they supply.

8. Order (1791). 1791A. This is apparently item (c) of #5 of your transmittal list. This, too, has some supplementary data which I will send you as soon as I can get around to it.

✓ 9. Notes on the Case of the College of William and Mary. These were prepared evidently by whoever made the transcripts--Stokes & Cox?

On sheet 1, the Notes summarize the pleadings in two supplementary suits, which were collateral proceedings instituted in keeping with Chancery practice to have all relevant parties brought in, and to have everything in writing.

In the first suit, Attorney-General v. Lloyd (Lloyd was one of O. Hanbury's executors, and Agent for the College after the former's death), the Information was not copied; but the Answer of Lloyd (COPY B) is copied in part--the transcript stating "not copied, because fully summarized in the decree of 1790; but appended to it is the following schedule of account", which is then copied. The summary mentioned is found on pages 17-26 of the Decree of 1790. COPY B is No. 10 on your list.

In the second suit, Attorney-General v. Costobadie (Costobadie was one of the executors of John Clough, the receiver of the rents under the Agents; and Clough must have died some time after December 15, 1789, for he signed his Answer in the principal suit on that date), the Information is not given. However, the Answer of the College is copied (COPY C: #11 on your list). I am not quite clear about these pleadings as yet: The Information is said to be April 21, 1790, whereas the Answer is dated Dec. 31, 1789, as I now see it. I'll try to figure out the reason for this later.

On sheet 2 of these Notes, a list of 5 pleadings is set out. They seem to be from a different folio or bundle. I don't know whether they are part of the supplementary suits, or whether they are part of the main litigation--Attorney-General v. London, though I suppose they are part of the latter. Of the 5 pleadings listed, only 2 are among the transcripts:

(b) Answer of Samuel Gist and William Anderson, agents of the College after the death of Hanbury, and successor to Lloyd. The answer is dated December 15, 1789. It is COPY D (#12 on your list).

(d) Answer of John Clough, receiver of rents for the Agents, dated January 4, 1790. This is COPY E (#13 on your list).

The following seem not to have been transcribed:

(a) Answer of Barclay and Gurney, who, with Lloyd, were executors of O. Hanbury, dated Feb. 9, 1789. A summary of the Answer appears at pp. 26-27 in the 1790 Decree.

(c) Answer of the S. P. G., dated Feb. 3, 1789. This appears at pp. 27-29 in the 1790 decree.

(e) Answer of the Corporation of London, dated July 2, 1789. This appears at p. 29 of the 1790 decree.

These are among those who were classed as "formal defendants" in the report.

- ✓ 10. COPY B. Answer of John Lloyd (Jan. 17, 1789). I will discuss this later.
11. COPY C. Answer of the College (Dec. 31, 1789) I will discuss this later.
12. COPY D. Answer of Gist and Anderson, agents of the College (Dec. 15, 1789) I will discuss this later.
13. COPY E. Answer of John Clough (January 4, 1790). I will discuss this later.

I am returning herewith all the above items except Nos. 7, 8, 10, 11, and 13. As soon as I can get some time, I will report on them.

Thanks very much for letting me have the use of these: they have been very instructive.

Sincerely,

Herbert L. Ganten

June 29, 1936.

Dear Doctor,

After these many months of delay, I get back to the Boyle transcripts which you sent me last Fall, some of which I returned to you last January, the balance in March.

Supplementing my letter of January 25, 1936, this deals with the items (Nos. 7, 8, 10, 11, 12, and 13 of the original list you sent me) which I stated I would attend to later.

For convenience, on separate sheets I have made, as accurately as possible, summaries of the principal data contained in each item, so that you may attach them to the transcripts for ready reference; and I include also a "master" summary of those data with references:

- (1) to the pages of the Quarterlies in which my article appeared, and
- (2) to the transcript pages where the facts are to be found.

I do not think a very readable article could be worked up now, for the reason that the material is piecemeal. If it had been available before I sent you the article, it would have permitted of more detailed (and in some instances, of more accurate) narration; though there aren't so many corrections to be made, as you will note. However, there are facts that could be used--such as, the income derived by the College, as taken from their, and from the Receiver and the Agent, accounts; the steps in the legal procedure--because of the availability of these added pleadings (though you will note that, as was stated in Item #5, these are not the complete papers--merely enough to give the main outlines); and other such fillers-in. It is because of this that I think the better thing is to summarize the salient points contained in the papers, for more convenience in using them in the future. So much of the matter contained in the pleadings is merely a re-hash of the history of the fund: English equity pleading at that day was terribly repetitious. You will note the collateral suits (Items #10, Answer of Lloyd, in Attorney-General v. Lloyd; and #11, Answer of the College, in Attorney-General v. Costobadie, et als.)--~~due~~, as I make it out, because at that date, every time there was a change in parties (whether because of birth, death, new office, or the like), new court proceedings had to be gone through. You will remember Jarndyce v. Jarndyce, in BLEAK HOUSE.

I hope you will find this satisfactory, and I hope it will assist any person who may want to look into the case in the future.

With best wishes.

Sincerely,

Herbert L. Gantner

Supplement to Boyle article:

		Transcript	
		<u>Item No.</u>	<u>Page</u>
<u>15 W&MQ (2)</u>			
<u>Jan., 1935</u>			
17	Boyle was member of Trinity College, Cambridge, <u>not Oxford</u>	7	15
28	Mr. Richard Burn, of Duke St., Westminster, was Solicitor for Bishop Porteus	13	1
30	Clough appointed Receiver Aug. 9, 1763, by Capel and Osgood Hanbury	7	30
	Death of Clough (after Jan. 4, 1790--Item #13)	7	17
	Costobadie, Dunnington and Mills Clough executors		
<u>July, 1935</u>			
214	Substance of:		
	Original information and bill	7	1-17
	Answer of J. Lloyd (see also Item #8, Attorney- General v. J. Lloyd, Jan. 17, 1789)	7	17-26
	Answer of Barclay and Gurney, executors of O. Han- bury	7	26
	Answer of Corporation for Propagation of Gospel in New England	7	27
	Answer of City of London	7	29
	Answer of Costobadie, Dunnington and Mills, execu- tors of J. Clough (Answer of J. Clough, Jan. 4, 1790, see Item #13)	7	17, 30
	Answer of College (in Attorney-General v. Costo- badie, Dec. 31, 1789; see also Item #11	7	31
	Gist and Anderson appointed College Agents, May 4, 1787	8	2
	Gist and Anderson notified Clough, Sept., 1787 (June 6, 1788: Item #12)	8	3
	Answer of Gist and Anderson, Dec. 15, 1789	12	
	Death of Capel Hanbury, 1771; Osgood Hanbury, Jan. 11, 1784; Lloyd made partner	7	12
	Lloyd appointed Agent, 1784; continued after death of Osgood Hanbury (See also Item #12, p. 6)	7	12
214-215	Accounts of John Clough re Brafferton receipts (See also Item #13)	7	30-1
217	Corporation for Propagation of Gospel in New England to continue to receive annuity	8	5-7, 10
217	"John" Mitford correct	11	6
225-226	Costs of suit) 7	41
) 8	10
225	Mr. Orde, Master in Chancery	7	41
226	Henry Hoyle Oddie, solicitor for Clough (of firm of Foster & Oddie)	13	6
<u>Oct., 1935</u>			
376	Report of Society founded by Porteus for helping Negroes in West Indies	4	

Item No. 7: Chancery Decree, 1790A

Page

- 1 Substance of original bill and information (to p. 17):
- 7 Decree of June 9, 1768: Rules of Bishop of London and Earl of Burlington amended
- 9 Hearing of May 14, 1773: re sale of timber; Mr. Harris, Master, to supervise
- 10 Hearing of Dec. 14, 1773: Harris's report; terms of; (see also p. 42)
- Feb. 8, 1774: timber sold before Master to Mr. George Atkinson
- 12 Osgood Hanbury, Agent of College, died Jan. 11, 1784 (see also p. 30)
- John Lloyd "soon after appointed agent for College"
- Gist and Anderson "lately appointed" agents for College (see also p. 39)
- 13 Osgood Hanbury: "appointed Lloyd, Barclay, Gurney, executors" (see also p.21)
- 15 "No such account hath at any time within many years past been transmitted to the Bishop of London for the time being or to the President for the time being of Trinity College in Oxford of which the said Robert Boyle was considered to have been a member or to the President of Trinity College in Cambridge of which College he was really a member."
- 22 Sept. 22, 1784: Letter from Bishop Lowth to John Lloyd (?)
- 17 Death of John Clough; his answer; his executors--Costobadie, Dunnington, Mills
- Answer of John Lloyd
- 25 Bloyd believes "that the College is almost if not entirely supported and maintained by the said States of the Province of Virginia
- Violation of treaty of 1783 by Virginia re payment of debts to British
- 26 Receipts from Brafferton "invested in Navy Bills"
- Answer of Barclay and Gurney, executors of Osgood Hanbury
- 27 Answer of Company for Propagating Gospel in New England
- 28 CPG patent from Charles II
- 28-9 CPG apply funds to neighboring provinces
- 29 Answer of City of London
- 30 Answer of Costobadie, Dunnington and Mills, executors of John Clough
- Clough appointed by Capel and Osgood Hanbury, Aug. 9, 1763, Brafferton receiver
- Capel Hanbury died in 1771 or 1772
- Remittances to Lloyd till June, 1788, when Gist and Anderson appointed Agents by College
- 31 Amount of balance remaining in his hands
- Answer of College
- 32 History of College; history of Boyle fund, etc.; history of litigation
- 38 Sums due to College from fund, timber, etc.
- 39 Gist and Anderson appointed College Agents
- 40 Articles 4, 5, and 6 of Treaty of 1783
- 41 Chancellor orders: Porteus's bill dismissed
- Executors of O. Hanbury and Clough be paid costs
- Porteus to lay a scheme before Master Ord for new application of funds
- "All other parties be paid their costs of this suit to be taxed by the said Master out of the estate in question"
- Receiver be continued, and pass his accounts before said Master and pay his balances into the Bank with the privity of the Accountant-General of this court to be placed to the credit of this cause, subject to the further order of this court, and any of the parties are at liberty to apply to this court as there shall be occasion.

Item No. 8: Order of April 23, 1791

Page

- 1 Porteus on Mar. 12, 1791 "preferred petition" to Chancellor re case
Ordered to lay scheme before Master Ord
All costs to be taxed out of estate
- 2 Receiver to pass accounts to Master, balances into Bank
Aug. 4, 1790, Master made general report (This date seems to be wrong)
- 2-3 Terms of report: negroes in British West Indies; condition of slaves, etc.
- 4 Personnel of Society for Conversion and Religious Instruction and Educa-
tion of Negro Slaves (See also photostat of 1836--Item No. 4)
- 5 Master certified scheme as fit and proper; Society for Propagation of
Gospel in New England to retain L90 annuity
- 6 Use of funds among Indians of New Brunswick
- 7 Location: "District of Moductie the upper part of the Kenerabacaes River
and at Manguville in the neighbourhood of Iredericton"
Master certified scheme as all right
August 4, 1791: Porteus petitioned report to be confirmed
- 8 August 9: Petition heard and Master ordered to state grounds on which he
proceeded in making last report.

Master's report of February 14, 1791
- 9 All parties concerned ordered to attend Chancellor this day (Apr 23, 1791)
Counsel for Petitioners and Corporation (Society) for Propagation of
Gospel in New England attended; no others, though served with copy of
petition
Data considered: Boyle will; decrees, reports, etc.
Ordered by Chancellor that Reports of August 4, 1790, and February 14, 1791,
be confirmed; West Indies Society formed
- 10 Arrears and future payments of L90 to New England Corporation to be paid
Costs of parties paid; residue to purchase ~~2~~% Bank annuities
Annuities in former cause, Attorney-General v. City of London, transferred
to this cause
Attorney General to declare trust subject to further order of this Court

Item No. 10: COPY B: Attorney General v. Lloyd--Answer of John Lloyd, Jan. 17, 1789

"This answer is not copied, because fully summarized in the decree of 1790; but appended to it is the following schedule of account:"

The summary mentioned appears at pages 17-26 of Chancery Decree, Item #7

The statement of accounts covers the period from 1777 to 1788, and states that copies were sent to Bishop Porteus and to Messrs. Gist and Anderson.

Page

- 1 First part recites facts of Boyle bequest, the steps in the present proceedings, and Lloyd's succeeding as College agent after Osgood Hanbury's death. (This part omitted from transcript)

College believes large sum is due them by Osgood Hanbury and John Lloyd for money remitted by John Clough—about £ 4359. 1. 0.

- 2 College account of receipts and expenditures from March 25, 1741, to March 24, 1784, computing interest on balance, etc.

Copy of same set forth in schedule hereto (pages 6-9)

On May 4, 1787, College appointed, by deed poll, Messrs. Gist and Anderson as their agents, who are two other defendants to the present information and bill.

- 3 College believes that Gist and Anderson in September, 1787, notified Lloyd and applied for payment of sums due, which Lloyd declined

College believes Gist and Anderson notified Clough not to pay any more money to Lloyd, and that Clough was appointed Receiver under them under their power of attorney dated June 30, 1788, and that Clough continued to receive rents and profits.

- 4 Recital of Revolutionary war history; effect of Articles 4, 5 and 6 of Treaty of 1783 between England and colonies

College avers charity ought to be continued as per Boyle's will and the rules made by Burlington and the Bishop of London, decrees, etc.

- 5 College and Porteus ought to be at liberty, pursuant to decree of May 14, 1773, to lay scheme before Master for application of funds, and Lloyd and "defendants" . . . ought to account to present agents for College for sums remitted by Clough, and ought to "pay to these defendants or their present agents in London" what is due; and Clough ought to account with these defendants or their said present agents in London; their agents to pay £90 rent charge, etc.; or if improper estate should remain vested in trustees, then to be sold and produce remitted to these defendants to be applied for same purposes for which estate was vested in trustees as aforesaid.

College denies unlawful combination and confederacy, etc.

- 6 Answer taken and common seal affixed Dec. 31, 1789, by virtue of the commission hereunto annexed before us:

Edmund Randolph

Joseph Prentis

John Mitford

Benjamin Waller

- 6-9 Schedule of receipts and disbursements by College, 1741 to 1784.

Signed by Robert Andrews, Burser, Sept. 11, 1786; James Madison,
President.

Item No. 12: COPY D: Answer of Gist and Anderson, Agents of College

Page

- 1 Their appointment by College's power of attorney, 1787
Copy of power of attorney
- 2 Agents on June 6, 1788, caused notice in writing dated June 2 to be served upon and delivered to Clough, Receiver at Brafferton.
Copy of notice
- 3 Clough answered he would receive rents upon their sending legal authority
Agents sent Clough copy of their power of attorney, dated June 30, 1788
- 5 Agents aver that Clough received letter from Mr Richard Burn, of Duke Street, Westminster, solicitor for Porteus, notifying Clough not to pay any rents, etc., to College agents, and informing Clough the matter would soon be before Chancery

Clough continued to receive, but did not remit to Agents, the rents, etc.

Agents state Osgood and Capel Hanbury were agents for College till 1771, when Capel died, whereupon John Lloyd was taken in as partner of Osgood; these two acted as agents till death of Osgood, "at or about the time in the said information and bill mentioned"
- 6 After Osgood's death, Lloyd acted as agent for college; and Clough as receiver till notified by Gist and Anderson, remitting rents, etc., to former.

Gist and Anderson applied to Lloyd for sums due on account of rents, etc., but Lloyd has not accounted
- 7 Gist and Anderson say they have no interest in the matter other than as agents; deny charges of confederacy and unlawful combination as charged in information and bill, etc.

/s/ Saml Gist
W: Anderson

J: Campbell

Item No. 13: COPY E: Answer of John Clough (January 4, 1790)

Page

- 1 States that in July, 1788, he received from Mr Richard Burn, of Duke Street, Westminster, solicitor for relator and complainant, Porteus, letter notifying him not to pay any rents, etc., of Brafferton, then or in future due to agents of William and Mary, because case was to be brought in Chancery
- States the status of the accounts, and their remittance.
- 2 Clough appointed receiver in 1763 (see page 5, also)
Estate let at advanced rents in 1773
Location of estate--Brafferton and Doxhill
- 3 Recites history of fund from 1697
- 4 Timber cut in 1774 or 1775 by George Atkinson, purchaser
Purchase money from timber paid into Bank, for 3% annuities
- 5 Hanburys acted as agents till their death; then Lloyd till appointment of Gist and Anderson
Notice of Gist and Anderson's appointment given Clough June 4, 1788
Status of accounts
- 6 Clough has remitted a bill of his accounts to his solicitor, Henry Hoyle Oddie (This is the Oddie of "Foster and Oddie", who wrote College about not having copy of decree made, I suppose. See 15 W&MQ (2) 226)
Clough denies all charges of unlawful combination and confederacy, etc.
Affidavit of Dec. 15, 1789, Parish of St. Michael le Belfrey, City of York
- 7-8 Schedule of rents at Brafferton and Doxhill

July 2, 1936

Mr. Herbert L. Cantor
1717 G Street N.W.
Washington, D. C.

Dear Herbert:

To think that in this hot weather you took the time to copy all these notes to send to me. The thought is almost overwhelming. On behalf of the College and the Library I certainly thank you. I shall very carefully file your notes about Boyle, and I hope sometime that you will take several months off and finish up an article on Boyle, bringing out all new information and anything that has been omitted before.

You certainly have made a sweep in regard to William Small. To think that all these former writers have accepted the few facts that have been stated about him and have not been willing to go any further. My only fear now is that someone will take a subject like Small, and after you have done all this work on it, may get ahead of you. Of course, I shall keep all these notes here, but I wish to make this suggestion: Address a letter to me as editor of the William and Mary College Historical Quarterly, stating that you are engaged in the collection of material for a projected biography of William Small and that you are anxious to hear of any letters or of any other material by him or about him. You might add that you have gotten a good deal together, more extensive than anything that has been collected up to this time and then sign your name. In this way you give notice to the learned world that you are the first in that field and that you have, to a certain extent, preempted the subject. This, of course, may hold the field for you for two or three years. Do this and send it to me, and I shall print it in the October Quarterly, and give it the caption of "Projected Biography of Dr. William Small".

I presume you have copies of all the notes about Small in your own file. I shall take good care of what you have sent to me.

I shall probably be here most of the summer, so if you ever drift down here, come in to see me. If you wish to stay over

Mr. Herbert L. Genter
July 3, 1936

night, we have a nice cool room for you and a glad welcome at any time.

Don't do too much this hot weather.

With all good wishes,

Very sincerely,

EGS :A

Boyle fund

Minutes of Coll of W&M: 1770-1791--references to suit in 1772-3

- " to non-receipt of funds from sale of timber ordered in that suit
- " to withholding annuity during years 1782-1790
- " to employment of attorneys (details about Messrs Mitford and Mansfield, counsel for college)
- " to Bishop Madison's trip to London in 1790--his consecration, Sept 17, at Lambeth.
- " to Messrs Micajah Perry, Osgood Hanbury, John Lloyd, and John Clough, agents and receivers in England for the College.

Harbert Genter

- Anon. A Statement relative to Codrington College, extracted from the reports of the Society for the Propagation of the Gospel in Foreign Parts. London, 1829.
- Bindley, T. Herbert. Annals of Codrington College, Barbados, 1710-1910. London, 1910
- Bowen, Charles P., and Sinckler, E. G. Royal visits to Barbados. Barbados, 1887.
- Schomburgk, Sir Robert Hermann. The history of Barbados. London, 1848.
- Knox, Wm. Three tracts respecting the conversion and instruction of the free Indians and negro slaves in the colonies. Addressed to the venerable Society for the Propagation of the Gospel in Foreign Parts in the year 1768. London, 1789.
- Perry, Rev. Geo. The history of the Church of England from the death of Elizabeth to the present time. 3 vols., London, 1861-64. (Vol. III, pp. 486 ff.)
- Riland, Rev. John. On the Codrington estates. A letter to the Most Rev Wm, Ld Archbishop of Canterbury, president of the S P G, on the connection of that institution with Codrington College, in the island of Barbados. London, 1830
- Riland, Rev. John. Two letters . . relative to the slave cultured estates of the SPG. London, 1828.

Incorporated Society for the Conversion and Religious Instruction and Education of the Negro Slaves in the British West Indies, Incorporated by Royal Charter, 1794.

Some account of the . . .	London, 1823.
Report of the . . . ,	" 1824
Address of the . . .	" 1825
Report of the . . .	" 1825
Report of the	" 1826
"	" 1827
"	" 1828
"	" 1829
"	" 1830
"	" 1831
"	" 1832
"	" 1833

Herbert Carter