

**Accession number:** 1992-24/39d/c

**Description:** Three sheets of foolscap, one being a wrapper or cover. Draft affidavit of Reverend Thomas Rackett in the case of Thomas Carr v. William Garrick Bridges Protheroe. After June 1823.

**Transcript:**

*Wrapper:* In Chancery

|           |   |                          |
|-----------|---|--------------------------|
| Carr      | } | Draft                    |
| V.        | } | Affadavit of             |
| Protheroe | } | the Revd. Thomas Rackett |

Harslake V. Crealock

*Sheet1:*

In Chancery

|         |             |           |
|---------|-------------|-----------|
| Between | Thomas Carr | Plaintiff |
|         | and         |           |

|                                   |           |
|-----------------------------------|-----------|
| William Garrick Bridges Protheroe | Defendant |
|-----------------------------------|-----------|

The Rev[eren]d Thomas Rackett of Upper Gower Street in the County of Middlesex Clerk Maketh Oath and saith that he is one of the Trustees of the Estate of David Garrick late of Hampton in the Co[unt]y of Middlesex the Test[ato]r in the Pleading of this cause named And this Deponent further saith that he well recollects the Meeting that was held on the Premises of the s[ai]d David Garrick on or about the 2<sup>d</sup> day of June 1823 between this Deponent & his Co-trustees John Edmund Dowdeswell Esquire and the s[ai]d defendant for the purposes of arranging certain points raised by <sup>the above named Pet as</sup> the Sol[icito]r ? to this Dep[onen]t & his co-trustee on behalf of the s[ai]d Testators Estate to certain property at Hampton af[ore]s[ai]d as being part of the trust estate and this Deponent saith that he was present at the s[ai]d meeting & one of the points discussed at such meeting was as to the Ownership of the passage which leads down from the Road from Hampton to Hampton Court to the River Thames between the Temple Lawn

then part of the s[ai]d Estate and the houses & offices of the s[ai]d Def[endan]t And this Deponent further

*Sheet 2*

Saith that at such meeting this Deponent & his Co-trustee relinquished their claim to the s[ai]d passage to the s[ai] Def[endan]t And this Deponent further saith that no question was raised at such meeting as to the Stone landing and Steps at the bottom of the s[ai]d passage nearest the River or as to the right of the s[ai]d Def[endan]t to use the same on the contrary this Dep[onen]t saith that he always understood & believed from what passed at the said meeting that the s[ai]d Stone Landing <sup>and Steps</sup> wo[ul]d continue to be used in common by the owners & occupiers of the Defe[endan]t and of the Temple Lawn but this ~~Defendant~~ Deponent ~~positively~~ saith that he does not believe that it was in the contemplate[[ion] of any person present at such meeting that the s[ai]d Def[endan]t sh[oul]d give up his right to ~~the use of~~ the s[ai]d Stone Landing and steps as he had theretofore used and enjoyed them.

**Notes:**

**Thomas Carr:** Solicitor and friend of Mrs Garrick

**William Garrick Bridges Protheroe:** William Garrick Bridges Schaw took the further name of Protheroe on marrying Emma Hart Protheroe. She was the widow of Evan Jones Protheroe and previously of David Garrick the nephew. London Metropolitan Archive, ACC/0527/011. William Garrick Bridges Schaw was the son of Arabella, eldest daughter of DG's brother George Garrick, who married Captain Schaw. This would suggest he married his widowed aunt-by-marriage. Can this be correct?

**Thomas Rackett:** Trustee under David Garrick's will and executor of that of Mrs Garrick.