

Accession number: 1992-24/39d/g

Description: Thirty-eight large pages, written one side, tagged together.
Chancery papers re the estate of David Garrick. The examinations
of defendant Lewis Baylis Wallis. 15 May 1802.

Transcript:

p. 1 In Chancery

Sworn this 15th day of May
1802 at my chambers in South[er]n
Buildings before me

WW Pepys

Between David Garrick the
Yo[unge]r Esq[ui]re since dece[ase]d
& Emma his Wife
& an[othe]r

Pl[ainti]ffs

The R[igh]t H[onoura]ble Charles
E[ar]l of Camden Richard
Rigby James Patterson Alb[an]y
Wallis all since dece[ase]d
Eva Maria Garrick W[ido]w
& o[the]rs

D[e]fendan]ts

P2.

And bet[wee]n Evan Jones
& Emma his Wife
Late Emma Garrick

Pl[ainti]ffs

The s[ai]d E[ar]l of
Camden R[ichar]d Rigby J[ame]s
Paterson Alb[an]y Wallis
John Seton Kerr Mer[ie]l
Doxie Rich[ar]d Bailie &
O[the]rs

D[e]fendan]ts

And also bet[wee]n Ja[me]s
[Jospeh?] Patten & Mer[ie]l
His Wife

Pl[ainti]ffs

The said Evan Jones
And Emma his wife

p. 3 Eva Maria Garrick W[ido]w
 Lewis B[ail]y Wallis &
 & o[the]rs D[e]fendan]ts

by the Orig[ina]l Bill &
Bills of Revivor &
Supplement

The Answer & Exam[inati]on
Of the Defendant
Lewis Baily Wallis the
Only acting Ex[ecu]tor of
The last Will &
Tes[tamen]t of Alb[an]y Wallis
Dec[eased] who was the
Surv[ivin]g Ex[ecut]or of David
Garrick Esq[ui]re dec[ease]d the
Testator in the Pleadings

p. 4 of this Cause named
to Inter[ogator]ys exhibited
before J[ohn] Ord Esq[ui]re
the Ma[ste]r to whom
the Cause stands ref[erre]d
for the Ex[aminati]on of
the s[ai]d def[endan]t jurs^t
to the Dec^l Order
made in this Cause
the 27th day
of Feb[ruar]y
1788

and of
an Order to revive
beari[ing] date the

p.5 27th day of
January 1801

The first Inter[ogator]y To the
First Int[erogator]y this Ex[aminan]t saith that
He hath no knowledge or belief
As to any Sum or Sums
Of money rec[eiv]ed by the s[ai]d
Late Def[endan]t Albany Wallis dec[ease]d

Or by any other person or
P[er]sons by his Order or for
His Use for or on Aut[hority?]
Of the S[everal] Estates & the
Rents & P[ro]fits of the Real

p. 6 Est[ate]s of the s[ai]d D[avid] Garrick
dec[ease]d the Test[ato]r in the Plead[in]gs
of the Causes named subsequen[t] to
the swearing the Eaxamin[ation] put in
by the S[ai]d Alb[an]y Wallis in
the orig[ina]l Cause on the first
day of November
1794

Over &
Besides what the s[ai]d Def[endant]s Alb[an]y
Wallis in such Exam[inatio]n & also
In a former Ex[aminatio]n exhibited
In the Original Cause admitted
To have rece[eiv]ed except that by
The Acc[oun]t books of the s[ai]d

p. 7 Alb[an]y Wallis which have come to
the hands of this Exam[inan]t
as Ex[ecuto]r of the s[ai]d Alb[an]y Wallis
it appears that sev[era]l Sums
of money are Credited to the
Est[ate] of the s[ai]d D[avid] Garrick
as rec[eive]d by the s[ai]d late
Def[endan]t Alb[an]y Wallis since the
time afo[resai]d. And this Ex[aminan]t
saith he hath in the Sched[ule]
to his Ex[aminatio]n annexed intituled
the first sched[ule] & w[hi]ch he
prays may be taken as p[ar]t
thereof Set forth accord[in]g to the
best of his knowledge rem[em]branc[e] Inf[ormatio]n

p. 8 & belief a true &
part[icul]ar acc[oun]t of the Several Estates
& the Rents & Profits of
The Real Est[at]e so appearing
To have been rec[eiv]ed & poss[esse]d
by the s[ai]d late Def[endan]t Alb[an]y

Wallis or by any other person
or persons by his order or
for his use & the time
& times resp[ectivel]y when & the
name & names of the person
or p[er]sons resp[ectivel]y of whom &
on whose acc[oun]t the same &
every part th[ere]of were or was
so received.

p.9 To the 2^d Int[eroga]t[or]y To the 2^d Int[eroga]t[or]y this
Ex[aminan]t saith that he hath no
knowle[d]g[e] or belief as to any
Sum or sums of Money paid
laid out or expended by the
s[ai]d late def[endan]t Alb[an]y Wallis or
by any other p[er]son or p[er]sons
by his order or for his
Use subseque[nt]t to the putting
in of his s[ai]d Ex[aminatio]n on
the s[ai]d first day of Nov[embe]r
1794

Being part of the
Sev[era]l Est[at]e or the rents &
Profits of the Real Est[ate] of

p. 10 the s[ai]d D[avid] Garrick in or
tow[ar]ds disch[arge] of the Debts fun[era]l
Exp[ence]s Leg[acie]s of the s[ai]d
David Garrick or for or on
acc[oun]t of taxes Repairs or other
outgoings of the s[ai]d Real Est[ate]
or o[the]rwise relat[in]g to the Est[ate]s
of the s[ai]d Test[at]or except
that by the afo[resai]d acc[oun]t books
of the s[ai]d Alb[an]y Wallis w[hi]ch
have come to this Ex[aminan]ts hands
as his Ex[ecut]or sev[era]l Sums of
Money appear to be debited to
the Est[ate] of the s[ai]d D[avid] Garrick
as Money p[ai]d laid out

p. 11 & expended by the s[ai]d late
def[endant] Alb[an]y Wallis on acc[oun]t

of the Est[ate] of the s[ai]d
D[avid] Garrick – And this Examinant
fur[the]r saith that he hath in
ano[the]r Sched[ul]e to this his
Ex[aminatio]n annexed intituled the 2^d Sched[ul]e
& w[hi]ch he also prays may
be taken as part thereof setforth
accord[in]g to the best of his
knowledge remembrance information & belief
a full true & particular acc[oun]t of
all & every Sum & Sums
of Money so p[ai]d laid out
or expended by the s[ai]d late

p. 12 late[sic] def[endan]t Alb[an]y Wallis or by
his Order or for his use
& the time & times resp[ectivel]y
when & the name & names
of the p[er]son or p[er]sons resp[ectivel]y
to whom the same & every
part th[ere]of were or was so
paid

To 3^d Int[erogator]y To the
third Int[erogator]y this Ex[aminan]t saith that
on or abo[u]t the 18th day
of Sept[embe]r 1801

This Ex[aminan]t
By the hands of Hugh Smith
Esq[ui]re rec[eiv]ed from W[illia]m Froward Esq[ui]re]

p. 13 as Receiver in the Cause of
Hoare ag[ains]t Jennings the Sum of
£214 : 11 : i^d

being the Balance
reported due from him to the
Pl[ainti]ffs in that cause And this
Exam[inan]t saith that he hath not
nor hath any person or persons
by his Order or for his
use rec[eiv]ed any other Sum or
Sums of Money for or on
acc[oun]t of the Sev[era]l Estate &

the Rents & P[ro]fits of the
Real Est[at]e of the s[ai]d Testator

p. 14 David Garrick deceased

to 4th Int[erogator]y To the 4th Int[erogator]y
this Ex[aminan]t saith that he hath
not nor hath any other
person or persons by his Order
or for his use p[ai]d laid out
or expended any Sum or Sums
of Money being part of
the Sev[era]l Est[at]e & Rents &
Profits of the Real Est[at]e
of the s[ai]d Test[at]or David Garrick
in or tow[ar]ds disch[arge] of his
Debts Fun[era]l Exp[ence]s & Legacies or
for or on acc[oun]t of taxes
Repairs or other Outgoings of

p. 15 & from the said Real
Estates or o[th]erwise relat[in]g to the
Estate of the s[ai]d Testator

To the 5th Int[erogator]y
To the fifth Int[erogator]y this Ex[aminan]t
saith that he hath not any
knowledge or belief as to what
parts of the Sev[era]l Est[at]e or
of the Rents & Profts of
the Real Est[ate] of the s[ai]d
D[avi]d Garick the Test[at]or are now
outst[anin]g & have not been rec[eiv]ed
by the s[ai]d late Def[endan]t Ab[an]y
Wallis in his Lifetime or
by this Exam[inan]t or by any

p. 16 other person or p[er]sons by the
Order or for the use of
the Exam[inan]t since the dec[ea]se of
the s[ai]d Alb[an]y Wallis other than
as this Exam[inan]t is informed by
the Exam[inatio]n of the s[ai]d late
Def[endan]t Alb[an]y Wallis taken in this

Cause on the 20th day of
May 1791

that such Est[ate
of the s[ai]d Test[at]or as therein
ment[ione]d was then outst[andin]g & other
than appears as afo[oresai]d to
this Exam[an]t that the s[ai]d Alb[an]y
Wallis hath since rec[eiv]ed such parts

p. 17 of the s[ai]d Testator's Estate
as are comprised in the
s[aid] first Schedule And that
this Exam[inan]t has also since received
such sums afo[resai]d and this
Exam'inan]t saith that as far as
this Exam[inan]t hath been able to
inform himself & to the best
of his belief the s[ai]d Alb[an]y Wallis
used all due diligence to Collect
and Call in the s[ai]d Outst[andin]g
Estate and that it is owing
to the Nature & Circumst[ance]s

p. 18 of the property that it is still
outstanding And this Exam[inant] for the
particulars of such outstanding Estate
refers to the said Examination
and to the Securities comprised therein
which are now in the Office
of the Master to whom this
Cause stands referred

J. Leach [*signature*]

L Bayley Wallis[*signature*]

p. 19 The first Schedule to
the Examination of the
Defend[an]t Bayly Wallis
being an Acc[oun]t of
Cash appearing by the
Books of the late
Albany Wallis dec[ease]d to
have been rec[eiv]ed by
him in respect of

the Estate of David
Garrick since the first
day of November
One thous[and]d seven hund[re]d
and ninety four

p. 20 1794
November 8th Rec[eiv]ed of
Roxborough on acc[oun]t of

Rent of }
Drury Lane } 12 : 12 : 0 –
Houses }

1795
2^d March }
[Received] of }
[Roxborough] on } 10 : 10 : 0 –
Acc[oun]t of }
[Rent of Drury Lane Houses]}

p. 21 July 25th }
[Received of }
W[illia]m Frowardes }
Receiver of }
Fresh Wharf }
the Balance }
of his }
Acc[oun]t ending }
the 29th } 583 : 3 : 8 –
 day }
of Sept[embe]r }
1794

N.B. –

p. 22 The above
3 Sums
are charged
in the
1 Sched[ule]
to the
Ma[ste]r's Rep[or]t

bear[ing] date
the 10th
day of June One
thous[and] seven
hund[red] &
ninety five –

p. 23

1796
12th Nov[embe]r [1796] of }
Edmund Burke Esq[ui]e Prin[cipa]l }
and Int[erest] on his } 1818 : 2 : 3 –
Bond of One thous[and] }
Pounds to the Test[at]or }

Dec[embe]r 2^d [received] of }
Rich[ar]d Brinsley Sheridan Esq[ui]e }
Prin[cipa]l and Int[erest] due } 10,951 : 14 : 8 –
on Thomas Linley's }
Mortgage }

p. 24

1796
Jan[uar]y 7th }
Cash of }
W[illia]m Froward }
Esq the }
Rec[eive]r of }
Fresh Wharf }
the Balance }
of his }
Acc[oun]t ending } 578 : 5 : 11
the twenty }
ninth day }
of September }
One thous[and] }
seven hundred }
and ninety }
five }

p. 25

1797
March 25th }
[Received] of }
[William Froward] bal[an]ce }

	of acc[oun]t	}	
	ending the	}	
	29 th	}	
	day of	}	623 : 18 : 2
	Sept[embe]r One	}	
	thous[an]d seven	}	
	h[under]d &	}	
	ninety six	}	
	1798		
	Feb[ruar]y 28 th	}	
	[received] of	}	
p. 26	[William Froward] bal[an]ce	}	
	of acc[oun]t	}	
	ending the	}	
	29 th	}	
	day of	}	623 : 19 : 9
	Sept[embe]r One	}	
	thous[an]d seven	}	
	h[under]d &	}	
	ninety seven	}	

			£1836 : 3 : 10
	1796		
	Sep[tembe]r 12 th	}	
	Cash	}	
p. 27	paid Mr Rouse for the Acc[oun]t of Mrs David Garrick to the Copyh[ol]d Estate at		
p. 28	Coprford[?] in Essex as a fine}		£70 : 0 : 0
	[Cash	}	
	paid Mr Rouse for the Acc[oun]t of Mrs David Garrick to the Copyh[ol]d Estate at		
	Coprford in Essex] for Stew[ar]ds fees}		5 : 6 : 6
	1797		
	March 19 th [Received of] M ^r Walpole		
p. 29	Debt & Costs upon a Judgement obtained by him ag[ains]t M ^r Wallis as		
	surv[ivin]g Ex[ecut]or		
p. 30	of David Garrick for Patent Rent due for the Drury Lane Theatre & to w[hi]ch		
p. 31	M ^r Garrick's Estate was declared liable}		658 : 10 : 0

733 : 16 : 6

~~1836: 3: 10~~
~~733: 16: 6~~
~~1102: 7: 4~~
~~1269: 16: 11~~
~~13872: 4: 3~~

p. 32	The 2 ^d Schedule to the Exam[ination] of the def[endan]t Lewis Bayly Wallis being an Acc[oun]t of Payments appearing by the books of the late Alb[an]y Wallis to have been made in respect of the Estate of David Garrick since the first day of November 1794		
p. 33	1795 July 18 th } Cash paid } Macnamara } 1 year's } rent of Drury Lane } 17 : 0 : 0 houses due } at Chris[tma]s } March 30 th } [Paid to] M ^r } Shaw half } a year's } Int[erest] to } the 20 th }		
p. 34	day of } October last } 120 –		
p. 34	[Paid to] David } Garrick half } a year's } Int[erest] to } 100 –		

the 20th }
day of }
July }

N.B.

p. 35 The above 3 Sums are charged in the
2^d Sched[u][e] to the Ma[ste]r's Rep[or]t bear[ing] date the 10th day of
June one thous[an]d seven hun[dre]d & ninety five

1796

p. 36 Nov[emb]r 12th [paid] to }
the Acc[ounan]t Gen[era]l of }
the Co[ur]t of Chanc[er]y }
Money rec[eiv]ed for }
Prin[cipa]l and int[erest] on } 1818 : 2 : 3
Burke's Bond }

1797

April 29th [paid] }
to [the Accountant General of the Court of Chancery] Money }
received for Prin[cipa]l & }
Int[erest] on Tho[mas] Linley's } 10,957 : 14 : 8
Mortgage }

July 3^d [paid] to }
Sera [?] on the rec[eip]t }
of her and Mrs } 40 -
Garrick }

12809 : 16 : 11

p. 37 1798
March 28th [paid] to }
The Acc[ountan]t Gen[era]l of } 1102 : 7 : 4
The co[ur]t of chancery }

£13912 : 4 : 3

L Bayly Wallis [signature]

12809 : 16 : 11
1102 : 7 : 4
~~7 : 9 : 7~~
13912 : 4 : 3

P 38/wrapper Mr Van Heysel Copy
Garrick
V
E[ar]l Camden

Exam[inatio]ns of the
Def[endan]t Lewis Bayly
Wallis

Fo: 37 f1 : 13 : 11

Cut

~~Ord. 2 Warrants: 11 & 12 }
Pepys 2 Warrants 1 & 2 }~~

Ord. 2 Warrants: 11 & 12 G. C.
Pepys 1 W 12 M. W.