

Papers relating to Mary Anne McAllum

Publication/Creation

1894 - 1895

Persistent URL

<https://wellcomecollection.org/works/pjgs4axf>

License and attribution

You have permission to make copies of this work under a Creative Commons, Attribution, Non-commercial license.

Non-commercial use includes private study, academic research, teaching, and other activities that are not primarily intended for, or directed towards, commercial advantage or private monetary compensation. See the Legal Code for further information.

Image source should be attributed as specified in the full catalogue record. If no source is given the image should be attributed to Wellcome Collection.



Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
<https://wellcomecollection.org>

In Lunacy

In the Matter of the Will of Richard
Beal McAllum deceased

and
In the Matter of Mary Anne McAllum
Widow a person of unsound mind not so
found by Inquisition

In the Matter of the Lunacy Acts 1890
and 1891

To the Right Honorable the Lord High Chancellor
of Great Britain

The humble Petition of Eliza Piscilla
McAllum of The Grange Petersfield in the
County of Hants Spinster William Harrison of
Custom House Buildings in the City of Newcastle
Upon Tyne

Thomas Emerson of No 14 Lipson Terrace
Plymouth in the County of Devon Ship Owner
Hugh Kirk McAllum of Kiding Mill on
Tyne in the County of Northumberland Ship
Owner

Elizabeth Beadle of The Grange Petersfield
in the County of Hants Widow and Mary
Killingley McAllum of The Grange
Petersfield aforesaid Spinster

Sheweth as follows

1. By his last Will dated the 20th of May 1872 the
above named Richard Beal McAllum late of the Manor
House Kiding Mill in the County of Northumberland Gentleman

10. January

10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

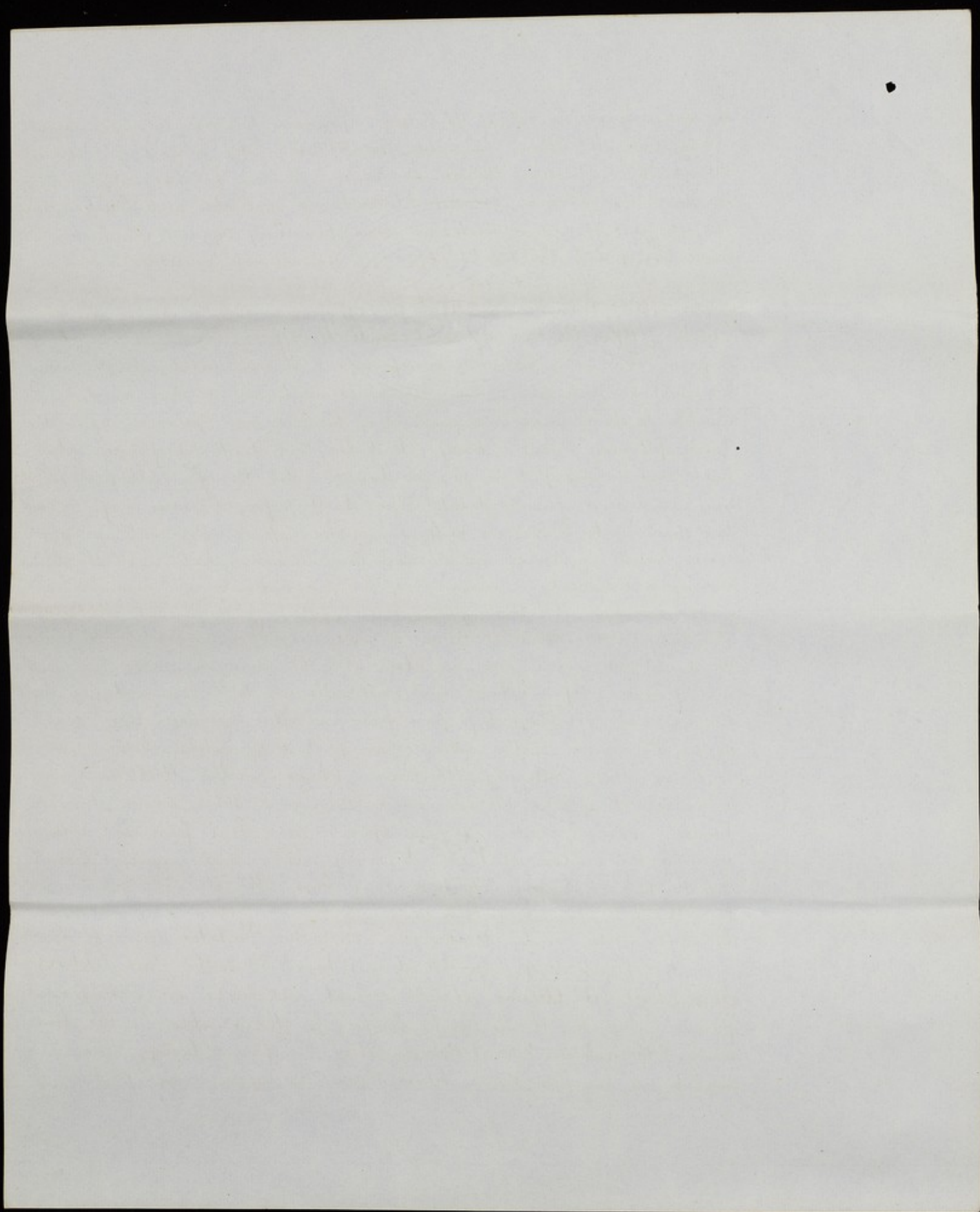
10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

10. Jan. 1891. The 10th day of the month.

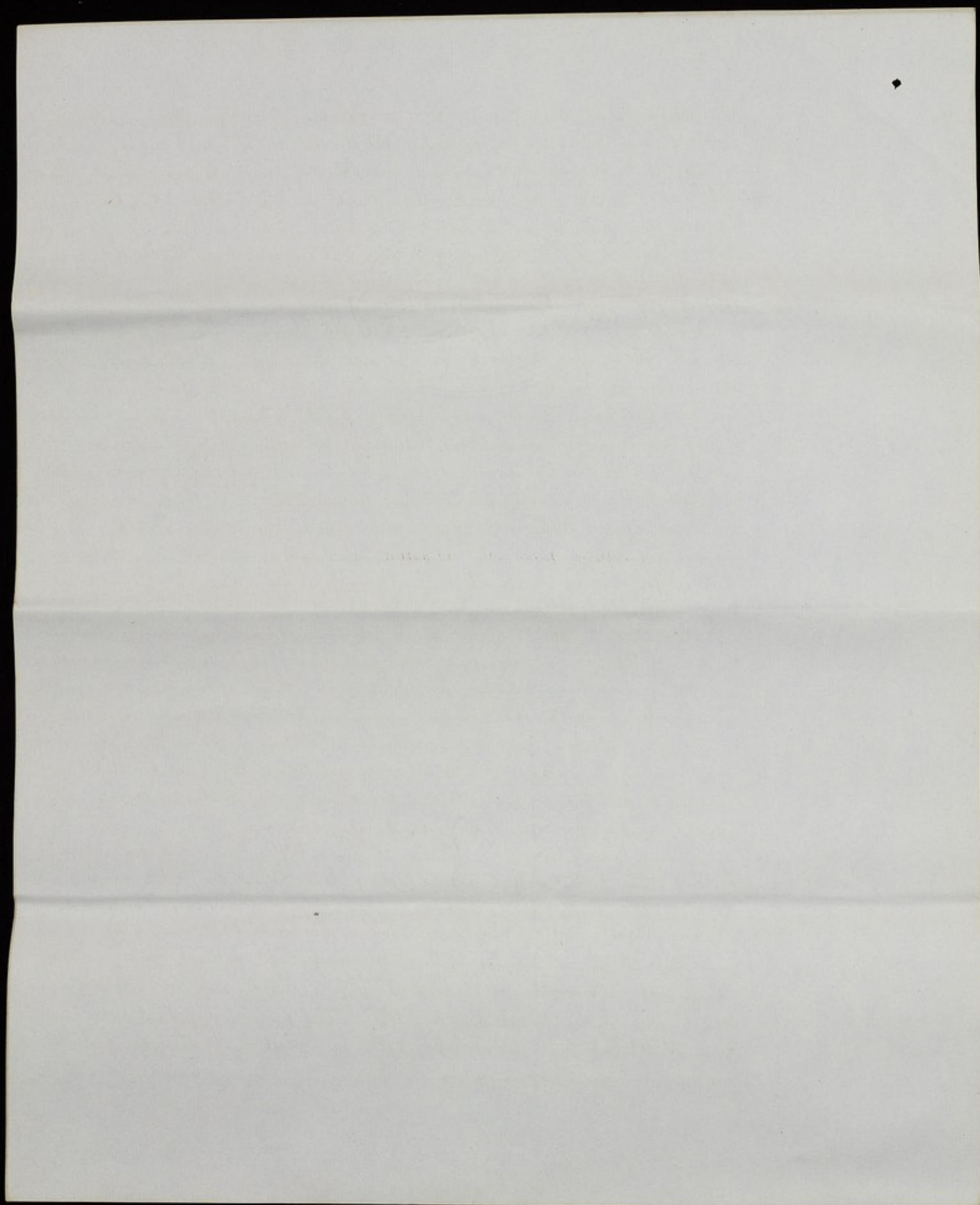
10. Jan. 1891. The 10th day of the month.

deceased (hereinafter called the Testator) appointed his wife the above named Mary Ann McAllum his sister your Petitioner Eliza Priscilla McAllum Robert Cullen Russell William Dickinson and your petitioners William Harverson and Thomas Emerson Executrices Executors and Trustees thereof and after two specific bequests and divers pecuniary legacies (all of which have been paid) the Testator appointed devised and bequeathed all his real estate and the residue of his personal estate whatsoever and whosoever (hereinafter called the said trust premises) unto and to the use of his said Trustees Upon trust to sell such parts thereof as should not consist of ships or steamers or parts or shares of ships or steamers and to invest the moneys to arise from such sale in manner therein mentioned And he directed his Trustees to stand seized and possessed of the said trust premises Upon the trusts following (that is to say) As to two third parts thereof Upon certain trusts not necessary to be here mentioned until the 9th of May 1878 and from and after that date Upon trust to pay the income of the said two third parts to his said wife during her life or widowhood for the equal benefit of herself and his son your Petitioner Hugh Kirk McAllum and upon the death or marriage of his said wife to convey assign and assure the said two third parts to your petitioner Hugh Kirk McAllum absolutely on his attaining the age of 25 years with remainders over in case he should die under that age And as to the remaining third part of the said premises Upon certain trusts not necessary to be here mentioned until the said 9th of May 1878 and from and after that date Upon trust to pay the income of the said one third part to the Testator's sisters your Petitioners Mary Hillingley McAllum Eliza Priscilla McAllum and Elizabeth Beadle or the survivors or survivor of them during their or her lives or life for their or her separate use And from and after the death of the survivor of them to convey assign and assure the said one third part to your Petitioner Hugh Kirk McAllum absolutely on his attaining the age of 25 years with remainders over in case he should die under that age And the Testator declared that if on the 9th of May 1892 or at any time thereafter your Petitioner Hugh Kirk McAllum should request and give a satisfactory reason for such transfer it should be lawful for the Trustees for the time being of the Testator's Will at their discretion to confer and transfer to him for his absolute use free from the limitations thereinbefore expressed such portion of



the Testator's estate and effects as his said Trustees should consider equal to but not exceeding one third of his entire estate and effects such conveyance and transfer to be in lieu of the interest and share of your Petitioner Hugh Kirk McAllum of the income of the two thirds of the Testator's Estate & Effects hereinbefore given and bequeathed In trust for the use and benefit of the said Mary Anne McAllum and your Petitioner Hugh Kirk McAllum but not in lieu of his estate and interest in the said remaining two thirds parts thereof And the Testator further provided that if your Petitioner Hugh Kirk McAllum should die without leaving lawful issue him surviving then upon the death or marriage of the said Mary Anne McAllum the Trustees or Trustee of the Testator's said will should stand seized and possessed of the said trust premises Upon trust to pay the annual income thereof unto your Petitioner Mary Kittingley McAllum Eliza Priscilla McAllum and Elizabeth Beadle during their joint lives and unto the survivors and survivor of them during their or her lives or life for their or her separate use And upon the death of the survivor of them the Testator appointed devised and bequeathed all the said trust premises unto the children of your petitioners Elizabeth Beadle Mary Kittingley McAllum and Eliza Priscilla McAllum and of his Brothers Duncan Livingstone McAllum and Charles Octavio McAllum on their respectively attaining the age of 21 years or marrying under that age in equal shares per stirpes and not per capita And the Testator directed that if one or more of his said Trustees should have retired or ceased to act as such Trustee or Trustees on the 9th of May 1849 the then continuing Trustees might at their own option and discretion unanimously appoint your petitioner Hugh Kirk McAllum to be a Trustee of that his will in the place of the Trustee or one of the Trustees so having retired or ceased to act as aforesaid

2. By a Codicil dated the 10th of December 1842 to his said Will the Testator gave to his wife the said Mary Anne McAllum £100 per annum down to the 9th of May 1848 and bequeathed a pecuniary legacy but in all other respects he ratified and confirmed his said Will
3. The Testator died on the 14th of January 1843 without having revoked or altered his said Will except as hereinbefore stated and his said Will and Codicil were on the 11th of March 1843 duly proved by the said Mary Anne McAllum and your petitioners Eliza Priscilla McAllum, William Harrison and Thomas Comerson in the Newcastle on Tyne District Registry of



Her Majesty's Court of Probate the said Robert Cullen Russell and William Dickinson having renounced Probate thereof

4. Shortly after the 9th of May 1882 the Trustees of the Testators said Will divided his residuary estate into three equal parts and conveyed and transferred one of his said parts to your petitioner Hugh Kirk McAllum in accordance with the provisions in that behalf contained in the said Will and they have since that time applied the income of one other such part for the benefit of the said Mary Anne McAllum who has not married again and the income of the remaining third part has been paid to your Petitioners Eliza Priscilla McAllum Elizabeth Beadle and Mary Kittingley McAllum in equal shares

5. The two third parts of the Testators Estate the income of which has been applied in manner aforesaid now consists of the following particulars (that is to say)

(1) Freehold property situate at Kidding Mill on Tyne in the county of Northumberland consisting of the Manor House and pleasure ground and Cottages therewith A cottage and garden in the occupation of George Dixon and 6 houses and gardens joining a portion of — Kollen Hill Terrace

2. £1450 North Eastern Railway Debentures

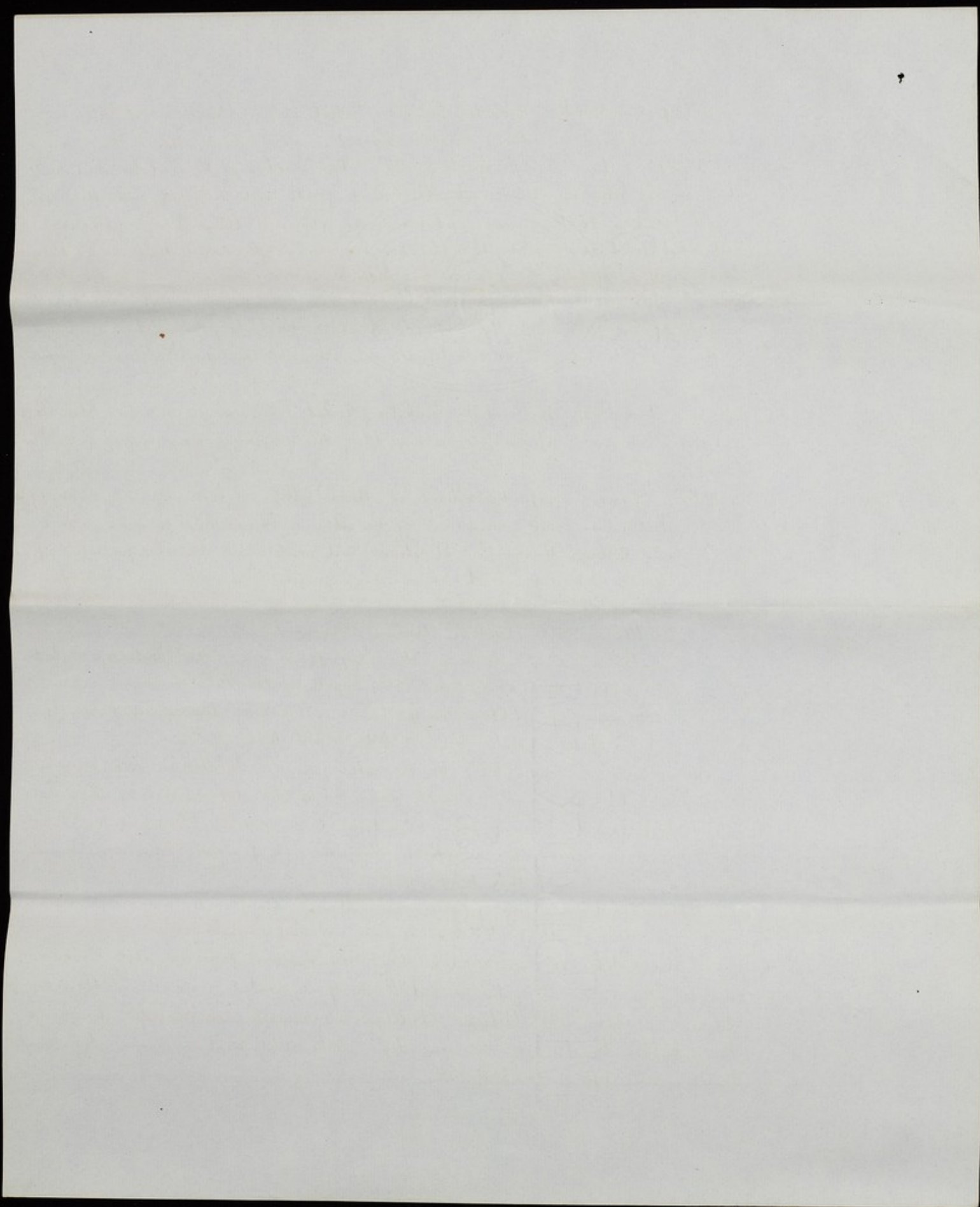
3. £132.8.8 Cash being the proportion due to the Testators Estate in respect of a Policy on the life of the late John Stanning

The sum of £100 is payable out of the said two third parts of the Testators Estate to the Estate of one Richard Kirk

6. In or about the year 1884 the said Mary Anne McAllum who is now of the age of 16 years or thereabouts became and she still remains of unsound mind though not so found by Inquisition Since the 29th of March 1884 she has been an inmate of the registered Hospital for persons of unsound mind known as the Friends Retreat at York.

7. Your Petitioner Hugh Kirk McAllum attained the age of 25 years on the 9th day of May 1882 - He has not had any issue -

8. Your Petitioners are desirous that the real and personal estate remaining subject to the trusts of the said Will may be vested in your Petitioners Eliza Priscilla McAllum, William Harrison and Thomas Emerson three of the Trustees of the said Will to be held by them upon the trusts thereby declared concerning the same.



Your Petitioners therefore humbly pray as follows:-

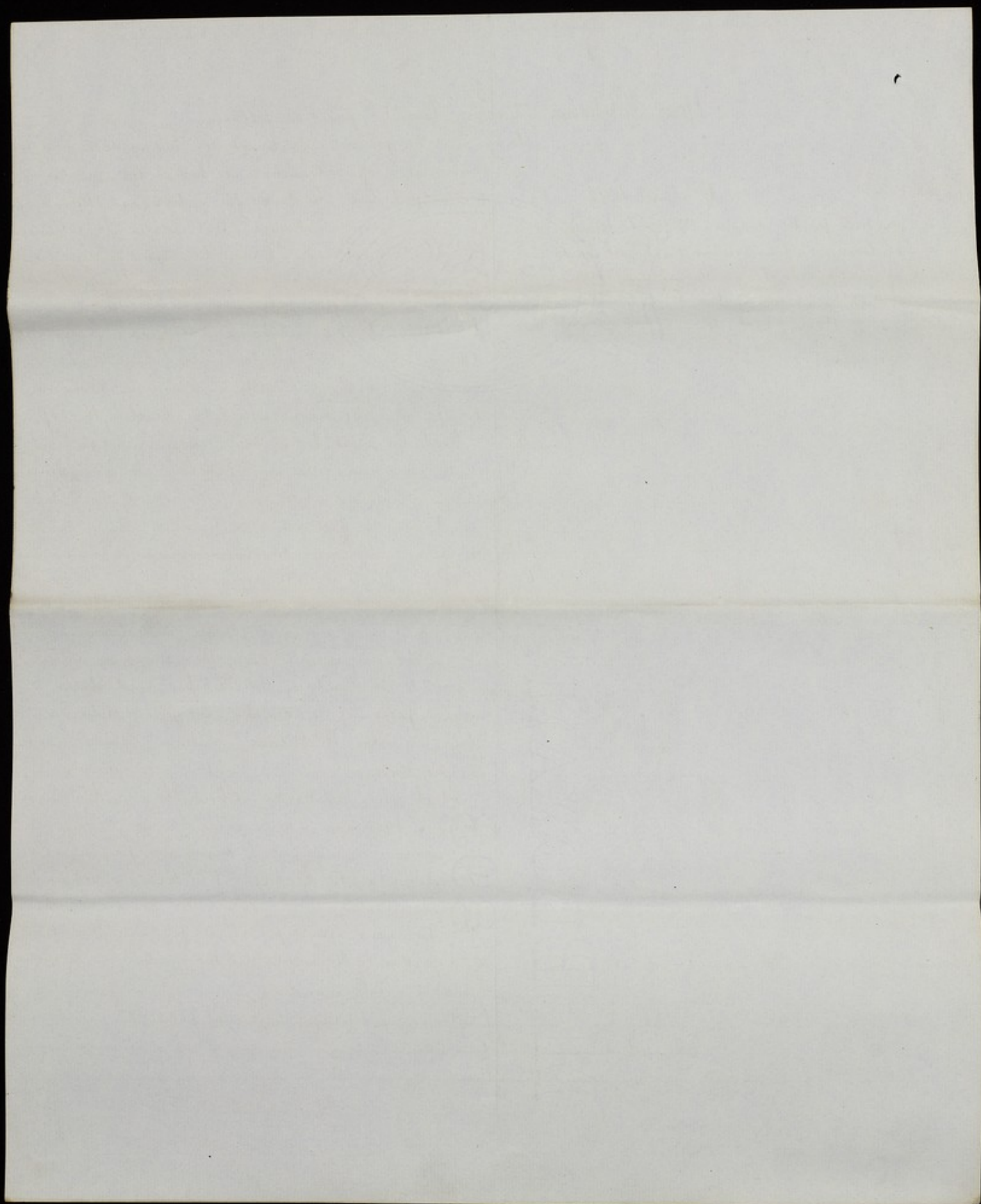
10th March 1895

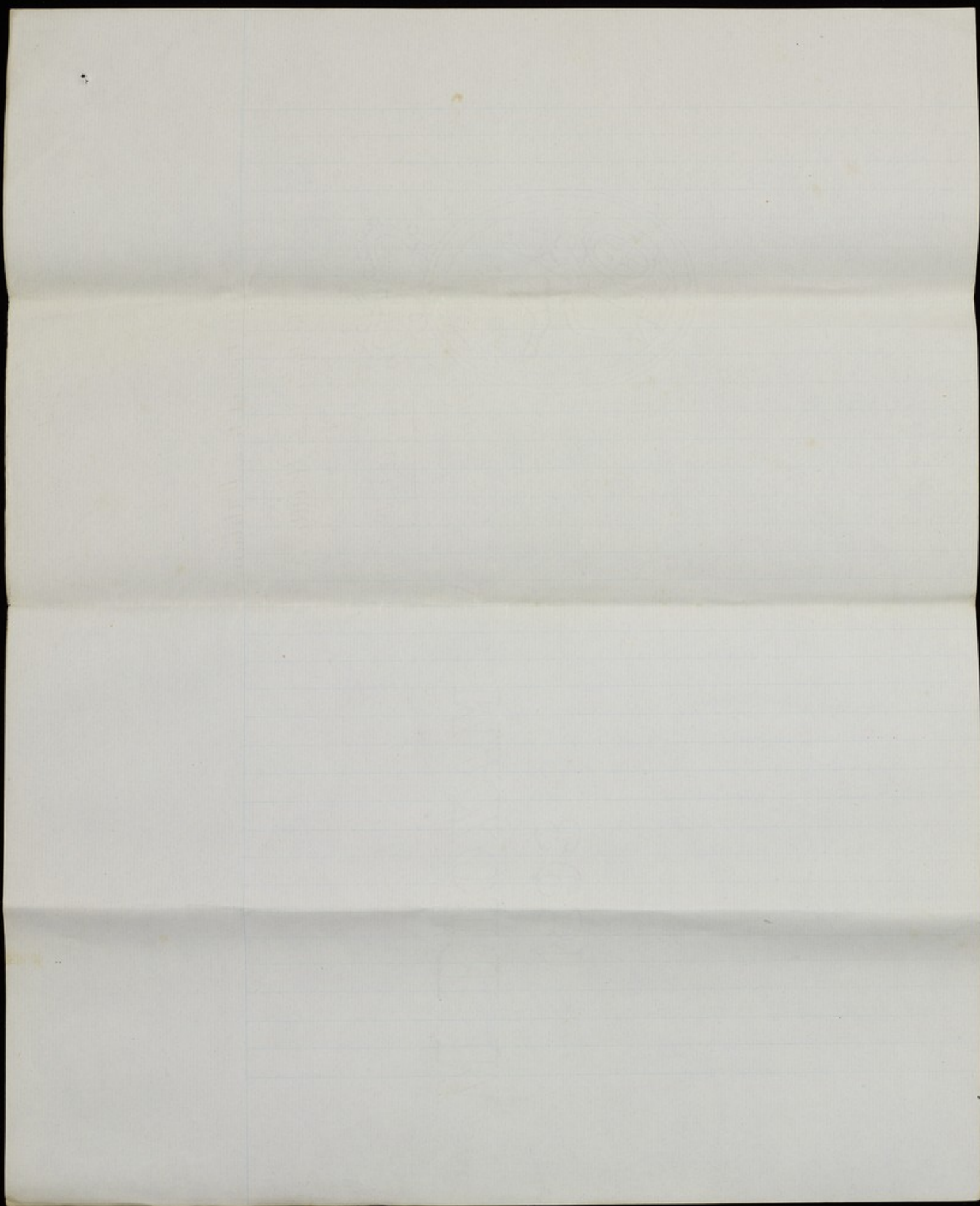
Let all parties concerned attend Master Bulwer in Chambers at the Royal Courts of Justice London on the matter of this Petition on Monday the 1st day of April 1895 at 12-30 of clock in the afternoon

1. That the freehold hereditaments at Riding Mill on Tyne in the county of Northumberland hereinbefore mentioned now subject to the trusts of the Testators said Will may be vested in your Petitioners Eliza PISCILLA M^c ALLUM William HARRISON and Thomas EMERSON for the estate therein which is now vested in the said Mary Anne M^c ALLUM and your petitioners Eliza PISCILLA M^c ALLUM William HARRISON and Thomas EMERSON as devisees under the said Will and to be held by the said Eliza PISCILLA M^c ALLUM William HARRISON and Thomas EMERSON upon the trusts thereof.
2. That the right to call for a transfer of and to transfer into their own names the sum of £1450 North Eastern Railway Debentures belonging to the estate of the Testator now standing in the names of the said Mary Anne M^c ALLUM and your petitioners Eliza PISCILLA M^c ALLUM William HARRISON and Thomas EMERSON and to receive the dividends now due or hereafter to accrue due on the said Debentures and to sue for and recover any moneys and other choses in action subject to the trusts of the Testators said Will may respectively be invested in your petitioners Eliza PISCILLA M^c ALLUM William HARRISON and Thomas EMERSON as such Trustees as aforesaid.
3. That your petitioners Eliza PISCILLA M^c ALLUM William HARRISON and Thomas EMERSON may be authorised and directed to raise and pay out of the said trust estate the costs (to be taxed) of all parties of and incidental to this application.
4. Or that your Lordships will be pleased to make such further or other order in the premises as to your Lordships shall seem meet.

And your petitioners will ever pray &c

It is intended to serve this Petition
on Mary Anne M^c ALLUM





In Amnacy

Mr Richard Neal McAllum

and

Mr Henry Anne McAllum

a persons of unassumed mind

and

Mr McAllum Acts 1890 + 1891

Copy Addition for a writing
Order.



Wendell & Co
21 Bond Street
London W.C.

In the High Court of Justice

In Lunacy

In the Matter of the Trusts of the Will of
Anne Kirk deceased

In the Matter of ^{and} Mary Anne M^r. Allum
Widow a person of unsound mind not so found by
Inquisition

In the Matter of the Lunacy Acts 1890 and 1891

In the Matter of the Trustee Act 1893.

To

The Right Honorable The Lord High
Chancellor of Great Britain

The humble Petition of Jane
Margaret Mather the Wife of Robert Mather
of N^o 2 Grove Lane Stamford Hill London Gentlemen
the said Robert Mather and John
Herring of Victoria Square Newcastle on Tyne
in the County of Northumberland Gentlemen

Sheweth as follows

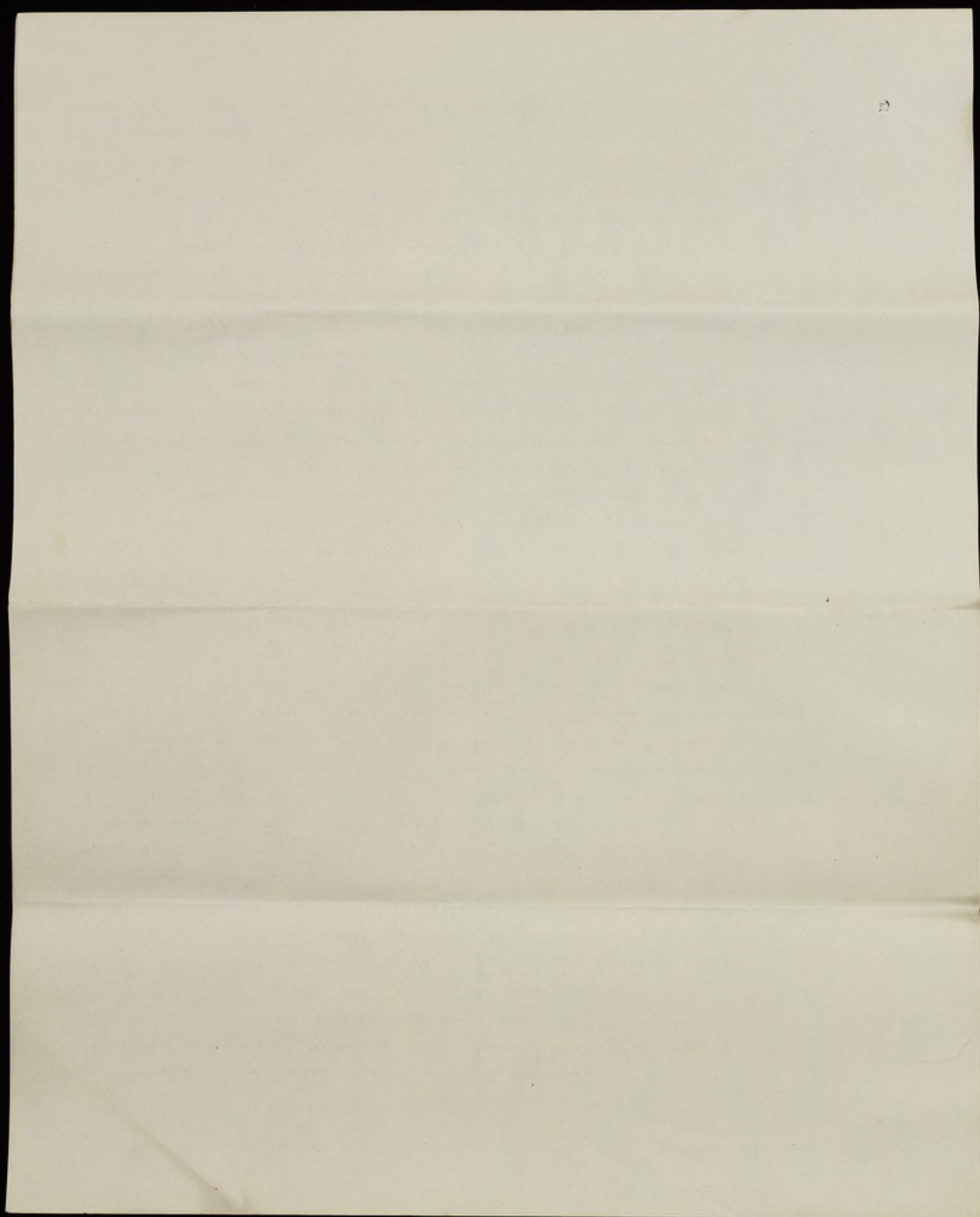
- 1 By an Indenture of Mortgage dated the 2nd of December 1872 and made between John Henry Le Roux and Frances Le Roux of the one part and the above named Anne Kirk of the other part All that messuage burgage or dwellinghouse and shop situate and

[The following text is extremely faint and appears to be bleed-through from the reverse side of the page. It is largely illegible but seems to consist of several paragraphs of handwritten or typed text.]

being in Sadler Street in the City of Durham then in the occupation of the said John Henry Le Kuux bounding upon Sadler Street aforesaid on or towards the east upon a messuage or dwelling house then formerly occupied by Francis Andrews the elder on or towards the west upon a messuage or dwellinghouse known by the sign of the "Golden Lion" then formerly in the occupation of the said Francis Andrews the elder and others on or towards the north and by a Lane called Meatside Lane on or towards the south with the appurtenances were granted unto and to the use of the said Anne Kirk her heirs and assigns by way of mortgage to secure the payment to her by the said John Henry Le Kuux and Frances Le Kuux of the sum of £700 together with interest thereon at the rate and in the manner therein mentioned. The said principal sum of £700 still remains due upon the security of the said Indenture of Mortgage.

2 The said Anne Kirk (hereinafter called "the Testatrix") by her last Will dated the 30th of November 1875 appointed her daughter then above named Mary Anne McAllum and your Testifiers Robert Mather and John Herring Executors and Executors thereof and gave and devised unto them all the estates which should be vested in the Testatrix at the time of her death upon any trust or by way of mortgage to be held by them their heirs executors administrators and assigns upon the trusts and subject to the equities affecting the same respectively and after bequeathing certain pecuniary legacies (all of which have been paid) the Testatrix gave devised and bequeathed all the residue of her property estate and effects whatsoever and wheresoever subject nevertheless to the payment of her debts and funeral and testamentary expenses (all of which have been paid) unto her said Executors and Executor upon trust for her said daughter Mary Anne McAllum and her daughter your Testifiers Jane Margaret Mather in equal shares absolutely and the share of your Testifiers Jane Margaret Mather to be for her separate use.

3 The Testatrix died on the 11th of August 1878 without having revoked or altered her said Will which was on the 15th of October 1878 duly proved by the said Mary Anne McAllum and your Testifiers Robert Mather and John Herring in the



Newcastle upon Tyne District Registry of the Probate Division of
the High Court of Justice

4 All the said real and personal estate of the Testator has been
fully administered except only the sum of £700 secured by the said
Indenture of Mortgage.

5 In or about the year 1887 the said Mary Anne McAllum who
is now of the age of 61 years or thereabouts became and she still
remains of unsound mind though not so found by Inquisition

6 Your Petitioners are desirous that the hereditaments and
premises comprised in the said Indenture of Mortgage and the right
to sue for the said sum of £700 and the interest thereon may be
vested in your Petitioners Robert Mather and John Fleming two of the
Trustees of the Testator's said Will to be held by them upon the
trusts thereby declared concerning the Testator's residuary estate.

Your Petitioners therefore humbly pray as follows.

1. That the hereditaments and premises comprised in
the said Indenture of Mortgage and the right to sue
for the said sum of £700 and interest thereon
may be vested in your Petitioners Robert Mather
and John Fleming to be held by them upon the
trusts by the said Testator's said Will declared
concerning his residuary estate

2. That your Petitioners Robert Mather and John Fleming
may be authorized and directed to raise and pay out
of the said sum of £700 the costs (to be taxed) of all
parties of and incidental to this application

Or that your Lordship will be pleased to make such
further or other Order in the premises as to your
Lordship shall seem meet

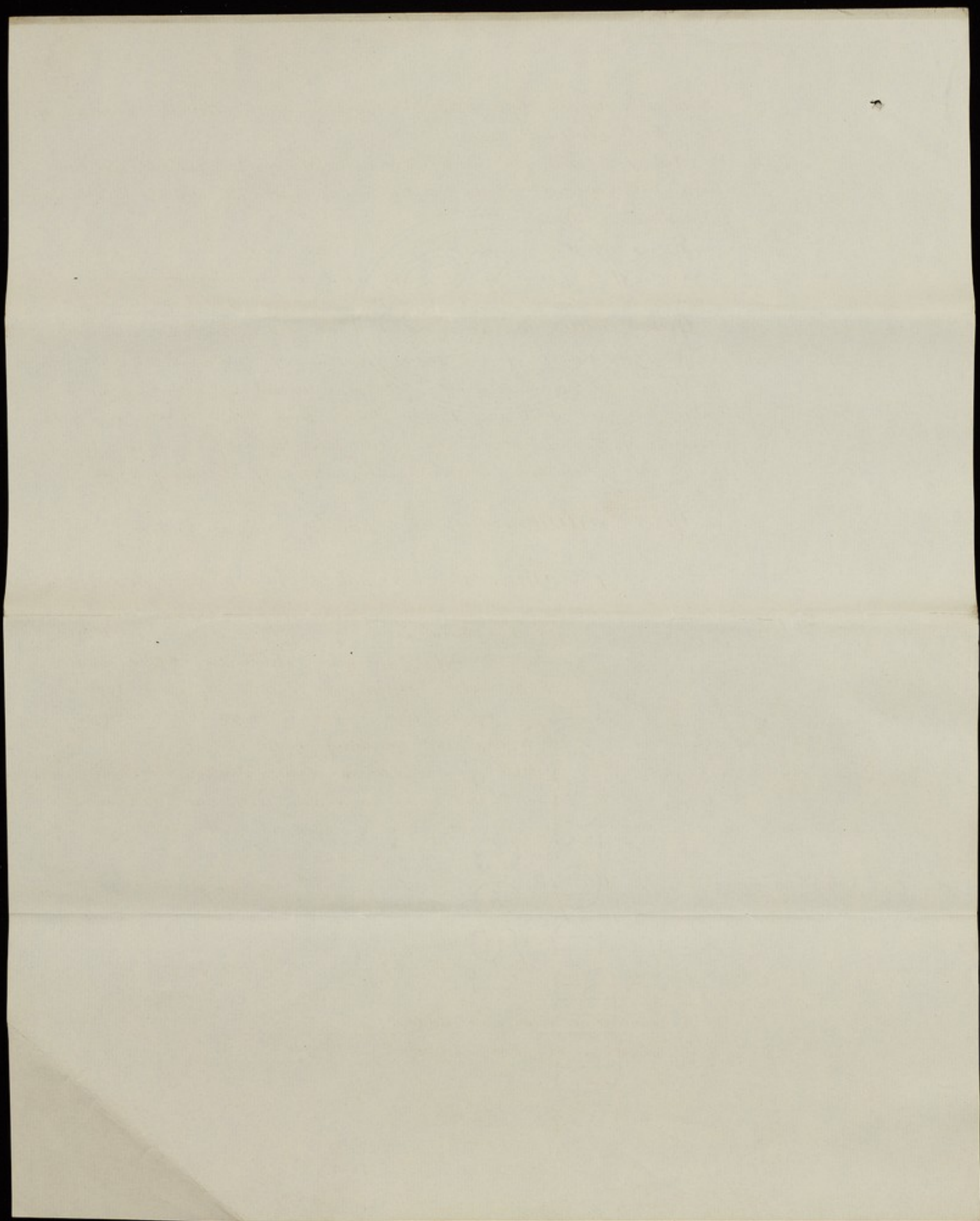
And your Petitioners will ever pray &c

5th July 1894.

Let all parties concerned attend Master
Machan in chambers at the Royal
Courts of Justice London on the matter
of this Petition on Friday the 26th
day of July 1894 at 12 o'clock

Herschell, C.

It is intended to serve this Petition
on the above named Mary Anne }
McAllum



•

In the High Court of Justice

In January

We Anne Little deceased

and

We Mary Anne de Munn

a person of unaccounted worth

and

We the January 1st 1893

and

We the Justice 1st 1893

Copy

Patience

for Testing Order

Lyndella 1893

21 Court Street

Shawmut W. L.