

[Proceedings connected with the case of two lunatic wards, Paul and Frederick Walsham Saumarez].

Contributors

Great Britain. Court of Chancery.

Publication/Creation

London : C. Richards, [1836]

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IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

JOHN GIMINGHAM, of Cadogan-place, in the county of Middlesex, Esq., the brother-in-law and surviving Committee of the person and estate of the said Lunatic, maketh oath and saith, that Richard Saumarez, Esq., a Captain in the Royal Navy, is the heir-at-law of his brother the above-named Paul Saumarez, a Lunatic; and that the said Richard Saumarez, the brother of the said Lunatic, is now residing at St. Helier's, in the Island of Jersey: And this deponent further saith, that Carteret Gimingham, this deponent's wife, (formerly Carteret Saumarez, spinster,) the said Captain Richard Saumarez, Frederick Walshman Saumarez, of Salisbury, Gentleman, and Martha, the wife of Charles de Havilland, a Major in the army, (formerly Martha Saumarez, spinster,) are the only next of kin of the said Lunatic.

Sworn at the Public Office, Southampton Buildings,
Chancery Lane, in the County of Middlesex, the
day of 1835.
Before me,

THE state of Facts of Richard Saumarez, the Eldest
Brother and Heir-at-law, one of the next of kin of the
said Lunatic.

SHEWETH,

THAT by an order of the Right Hon. the Lord High Chancellor, made in this matter, bearing date the 26th day of March, 1835, upon the petition of John Gimingham, the surviving Committee of the person and estate of the said Lunatic, it was ordered that it should be referred to William Brougham, Esq., to enquire and certify, who is or are the most fit and proper person or persons to be appointed the Committee or Committees of the person and estate of the above-named Paul Saumarez, in consequence of the said Richard Saumarez deceased, the other Committee; and also to enquire and certify, who is or are now the heirs or heirs-at-law and next of kin of the said Paul Saumarez, to whom due notice of attending the said Master was to be given; and after the said Master should have made his Report, such further order should be made as should be just.

THAT in pursuance of an order of the Right Hon. the Lord Chancellor, having date the 17th day of April, 1834, made upon the petition of Richard Saumarez, Esq., a Commission in the nature of a Writ de Lunatico Inquirendo was awarded and

issued, directed to certain Commissioners therein named to enquire of the lunacy of the Rev. Paul Saumarez, late of Easton, in the county of Essex, Clerk, but then residing at Cowper House, Brompton, in the parish of Kensington, in the county of Middlesex, the son of the said Richard Saumarez.

THAT the said Commission was duly executed on the 26th day of April aforesaid, before the major part of the Commissioners in the said Commission named, and thereby it was found that the said Paul Saumarez was of unsound mind, so that he was not sufficient for the government of himself, his manors, messuages, lands, tenements, goods, and chattels; and that the said Paul Saumarez had been in the same state of unsoundness of mind from the 11th day of May, 1830.

THAT by an order of the Right Hon. the Lord Chancellor, made in this matter, bearing date, the 30th of April, 1834, upon the petition of the said Richard Saumarez, the father of the said Lunatic: IT WAS ORDERED that it should be referred to the Master, in rotation, of the High Court of Chancery, to enquire and certify who was or were the most fit and proper person or persons to be appointed the Committee or Committees of the person and estate of the above-named Paul Saumarez; and also who was or were the heirs or heirs-at-law and next of kin of the said Paul Saumarez.

THAT William Brougham, Esq., the Master in rotation, to whom the said order was referred, by his Report made in pursuance of the said order, bearing date the 18th day of June, 1834, certified that he had been attended by the Solicitor for the said Richard Saumarez, and *for the heir-at-law** and next of kin of the said Lunatic, thereafter named; and that a state of facts, and an amended state of facts, had been laid before him on behalf of the said Richard Saumarez, together with office copies of the following Affidavits, all made in the matter, viz.—An Affidavit of the said Richard Saumarez; an Affidavit of Alexander Robert Sutherland, of No. 1, Parliament-street, Westminster, Doctor of Medicine, and an Affidavit of William Hitchman Symmons, of Cowper House, Brompton, all sworn the 15th day of April then last, and the following Affidavits made in this matter, viz.—an Affidavit of the said Richard Saumarez, sworn on the 30th of May last. An Affidavit of John Gimingham, of Cadogan-place, Esq., sworn the 14th of June, instant: AND HE FOUND among other things, that Richard Saumarez, a Captain in the Royal Navy, *then residing at St. Helier in the Island of Jersey*, was the brother and heir-at-law of the said Lunatic; and that the said Richard Saumarez, Carteret Gimingham, the wife of the said John Gimingham, Frederick Walshman Saumarez, and Martha, the wife of Charles

* The editor is requested to state, that the whole of this transaction was without the knowledge of the heir-at-law.

De Havilland, the only brothers and sisters of the said Lunatic, were his sole next of kin ; and that it having been proposed that the said Lunatic's father and the said John Gimingham should be appointed Committees of the person and estate of the said Lunatic ; and the said Master stated, that he had considered the said state of facts, and the said James de Saumarez by his said Affidavit, deposed that he was well acquainted with the said Richard Saumarez, the father, and John Gimingham, the brother-in-law, of the said Lunatic, he, the said deponent, having been in habits of intimacy with them for many years ; and that they were gentlemen of great respectability, and to the best of his judgment and belief the said Richard Saumarez and John Gimingham were fit and proper persons to be Committees of the person and estate of the said Lunatic ; and that he, the said deponent, was confirmed in such his judgment and belief from his knowledge of the unremitting kindness and attention paid by the said Richard Saumarez and John Gimingham to the comfort and interests of the said Lunatic from the earliest period of his insanity to that time ; he found the said Richard Saumarez, the said Lunatic's father, and the said John Gimingham, his brother-in-law, *to be the most fit and proper persons* to be appointed Committees of the person and estate of the said Lunatic.

That in pursuance of an order made in this matter, bearing date the 3rd day of July last, the said report hath been absolutely confirmed, and thereby the custody of the person of the said Lunatic and the management of his estate were granted to the said Richard Saumarez and John Gimingham, in the usual manner and upon the usual terms.

That the said Richard Saumarez, the father of the said Lunatic, departed this life on the 27th day of January, now last past.

That the said Captain Saumarez, your petitioner, is the brother and heir of the said Lunatic, and that the said Captain Richard Saumarez, Carteret Gimingham, Frederick Walshman Saumarez, and Martha De Havilland, are the only brothers and sisters of the said Lunatic, and now his sole and next of kin.

That the said Lunatic hath no real estate whatsoever ; that it hath become necessary to appoint other Committees of the said Lunatic's person and estate in consequence of the death of the said Richard Saumarez.

That the said Richard Saumarez and Charles Wilkinson, of the city of Bath, M.D., are in all respects fit and proper persons to be appointed the Committee of the person, and your petitioner, Richard Saumarez, is in all respects a fit and proper person to be appointed the Committee of the estate of the said Lunatic, and that such appointment to be such Committee would greatly tend to promote the comfort and happiness of the said Lunatic.*

* The Master was also informed that the proposal of Mr. Le Marchant Thomas to be likewise nominated as one of the Committee, was only delayed for that gentleman's concurrence.

THE said Richard Saumarez therefore proposes himself, together with the said Charles Wilkinson, as fit and proper persons to be appointed Committee of the person, and himself as a fit and proper person to be appointed Committee of the estate, of the said Lunatic.

And craves leave, &c. &c.

(Signed) RICHARD SAUMAREZ.

Affidavits in support of the State of Facts of Captain Saumarez.

IN CHANCERY.

In the Matter of the Rev. Paul Saumarez.

DANIEL DE LISLE BROCK, of the Island of Guernsey, Esq., bailiff of the said island. Saith, That he hath for many years been acquainted with Richard Saumarez, Knight of the Imperial Order of Leopold of Austria, and a Captain of the Royal Navy, now of the age of 43 years or thereabouts, and who, he believes, is the eldest and only rational brother of the said Lunatic. Saith, That he knows the said Richard Saumarez to be an honourable, humane, and kindhearted person, and affectionately anxious for his brother's welfare, and has no doubt whatever of the kind, honourable, and affectionate feelings and conduct of the said Richard Saumarez towards the said Lunatic.

DANIEL DE LISLE BROCK,
Bailiff of Guernsey.

{ SWORN at my Office, in South-
ampton Buildings, in the
County of Middlesex, this
13th day of April, 1835.
Before me, HENRY MARTIN.

SIR WILLIAM BLIZARD, of Brixton, in the County of Surrey, and St. Helen's Place, in the City of London, Knight, M.D., saith, That he hath for 15 years and upwards been well and intimately acquainted with Richard Saumarez, Knight of the Imperial Order of Leopold of Austria, and a Captain in the Royal Navy, now of the age of 43 years or thereabouts, and who is the eldest or only rational brother of the said lunatic. Saith, That he knows the said Richard Saumarez to be an honourable, humane, kindhearted, and generous person, and affectionately anxious for his brother's welfare, and believes him to be in all respects well calculated to be the committee of the person and estate of the said lunatic; and, in the judgment and opinion of this deponent, the comfort and proper treatment of the said lunatic will be secured by the said appointment of the said

Richard Saumarez to be such Committee. Saith, That he is *the better able to depose to the facts above stated, because this* deponent has been consulted by the said Richard Saumarez, on the unfortunate situation of the said lunatic, and his brother Frederick Walshman Saumarez, also a lunatic, and the proper medical treatment which ought to be adopted with reference to their cases, and on all such occasions, the said Richard Saumarez displayed great feeling and judgment, and *great anxiety that the mode of treatment to be adopted should be in accordance with the opinion of professional men of the first eminence.*

WILLIAM BLIZARD.

{ SWORN at the Public Office, Southampton Buildings, Chancery Lane, London, this 16th day of April, 1835.

Before me, W. J. ADAM.

THOMAS WALSHMAN, of Kennington, M.D., saith, That he hath, from his infancy, been well and intimately acquainted with Richard Saumarez, Knight of the Imperial Order of Leopold of Austria, and a Captain in the Royal Navy, now of the age of 43 years or thereabouts, and who is the eldest and only rational brother of the said lunatic, and with all the family of the said lunatic, is also intimate. Saith, That he knows the said Richard Saumarez to be an honourable, humane, kindhearted, and generous person, and affectionately anxious for his brother's welfare, and believes him to be, in all respects, well calculated to be the committee of the person and estate of the said lunatic, and in the judgment and opinion of deponent, the comfort and proper treatment of the said lunatic will be *secured by the appointment of the said Richard Saumarez to be such Committee.* Saith, That he is the better able to depose to the facts above stated, because this deponent has been repeatedly consulted by the said Richard Saumarez on the unfortunate situation of the said lunatic, and the proper medical treatment which ought to be adopted with reference to his case, and on all such occasions, the said Richard Saumarez displayed great feeling and judgment, and great anxiety that the mode of treatment to be adopted, should be in accordance with the opinions of professional men of the first eminence.

THOS. WALSHMAN

{ SWORN at the Public Office, Southampton Buildings, in the County of Middlesex, this 13th day of April, 1835.

Before me, W. J. ADAM.

the heir or heirs-at-law, and next of kin of the said Lunatic, to whom due notice of attending the said Master was to be given.

THAT Richard Saumarez, of St. Helier, in the Island of Jersey, a Captain in the Royal Navy, is the brother and heir-at-law of the said Lunatic, and that Frederick Walshman Saumarez, now a Lunatic, Carteret, the wife of John Gimingham, Esq., and Martha, the wife of Charles de Havilland above-named, are the surviving brother and sisters, and only next of kin of the said Lunatic.

THAT Le Marchant Thomas, of Austin Friars, in the city of London, Merchant, and Peter Frederick De Jersey, of Romford, in the county of Essex, Doctor of Medicine, are in all respects fit and proper persons to be appointed Committee of the person of the said Lunatic; and that the said Le Marchant Thomas is in all respects a fit and proper person to be appointed Committee of his estate.

THE said Charles De Havilland, and Martha, his wife, therefore propose that Le Marchant Thomas, and Peter Frederick De Jersey, be appointed Committee of the person of the said Lunatic, and that the said Le Marchant Thomas be appointed Committee of the estate of the said Lunatic.

Affirmation in support of Major De Havilland's Proposition.

In the matter of the Rev. Paul Saumarez, a Lunatic.

CHARLES DE HAVILLAND, of the Island of Guernsey, a Major in the British Army, but at present residing at No. 20, Guilford-street, Russell-square, in the county of Middlesex, and Martha, his wife, severally make oath and say, that they know, and are well acquainted with Le Marchant Thomas, of Austin Friars, in the city of London, Merchant, and with Peter Frederick De Jersey, of Romford, in the county of Essex, Doctor of Medicine, and these deponents say that they have known the said Le Marchant Thomas for fifteen years last past, and that he is a man of strict honour and integrity, and a Merchant of great respectability and fortune, and *a distant relation of the family of the said Lunatic*; and that they have known the said Peter Frederick De Jersey for ten years last past, and that he is a medical man of great respectability, strict honour and integrity, and independent fortune, and much esteemed by the family of the said Lunatic, and by their late father, with whom he was for several years on terms of strict intimacy. And these deponents further severally say, they verily believe that the said Le

Marchant Thomas, and Peter Frederick De Jersey, are in every respect fit and proper persons to be appointed Committee of the person of the said Lunatic, and that the said Le Marchant Thomas is a fit and proper person to be appointed Committee of the estate of the said Lunatic.

CHAS. DE HAVILLAND.	{	SWORN by Deponents Charles de Havilland and Martha his Wife, at the Public Office, Southampton Buildings, in the County of Middlesex, the 21st day of May, 1835.
MARTHA DE HAVILLAND.		
		Before me, W. BROUGHAM.

In the matter of the Rev. Paul Saumarez, a person of Unsound Mind.

THE STATE OF FACTS of Charles De Havilland, of the Island of Guernsey, Esq., a Major in the British Army, and Martha, his wife, which said Martha de Havilland, is one of the sisters, and next of kin of the Rev. Paul Saumarez, the Lunatic above named, in opposition to the proposal of Captain Richard Saumarez, to be appointed with Dr. Wilkinson of Bath, Committee of the person of the said Lunatic, and sole Committee of his Estate.

THE SAID PARTIES STATE—

THAT Frederick Walshman Saumarez, a brother of the lunatic above named, was, by an inquisition taken under a Writ of Lunatico Inquirendo, on the 12th day of November 1823, declared of unsound mind.

THAT by an order of the Lord High Chancellor of Great Britain, bearing date, the 28th day of May 1824, Richard Saumarez, since deceased, the father of the said Lunatic, and Nicholas Saumarez, Esq., his uncle, were upon the application of the said Richard Saumarez, appointed Committees of the person and estate of the said Frederick Walshman Saumarez.

THAT the said Frederick Walshman Saumarez was, in or about the month of May 1826, placed by the said Richard Saumarez, his father, under the care of Dr. William Finch and Mr. James Lacy, at the Lunatic Asylum, at Laverstock, near Salisbury, in the County of Wilts; and the said Frederick Walshman Saumarez, still remains under the care of the said Dr. William Finch and Mr. James Lacy, at Laverstock aforesaid,

and is a Lunatic without lucid intervals, occasionally very violent and incurable.

THAT in the spring of the year 1830, Captain Richard Saumarez, above named, and the brother of the said Frederick Walshman Saumarez and Paul Saumarez, resided in Hans Place, Chelsea, in the County of Middlesex, and the said Captain Richard Saumarez at such period jumped out of the window of his said house upon the spikes of the area, destroying the window and window-frames, and, in so doing, considerably wounded his own person, whereupon a keeper, named Thomas Evans, belonging to the Lunatic Asylum, at Cowper House, Brompton, which belongs to Mr. William Hitchman Symmons, a surgeon, (but which said Thomas Evans has since died), was called up in the night to take charge of the said Captain Richard Saumarez, and that the said keeper remained with him several days, when, on his becoming more tranquil, he, the said Captain Richard Saumarez, removed with his wife and family to France.* *Wm. Symmons P. 26*

THAT shortly after the aforesaid time, the Rev. Paul Saumarez, whilst at the house of his brother-in-law, John Gimingham, Esq., in Cadogan Place, Sloane Street, Chelsea, aforesaid, also attempted to jump out of the window, but was prevented by calling in the police, until the said Thomas Evans, (*who was again sent for*), could arrive and take charge of him; and that the said Paul Saumarez, remained under the care of the said Thomas Evans, in private lodgings, both in town and at Hastings, in the County of Sussex, until the fall of the year, when, upon the said Paul Saumarez getting worse, he was placed by the said Richard Saumarez, deceased, (his father), on the recommendation of the late Dr. Babington, in the establishment of the said William Hitchman Symmons, at Cowper House aforesaid.

THAT after the said Paul Saumarez had been about twelve months at Cowper House aforesaid, the said Captain Richard Saumarez called on the said William Hitchman Symmons, and expressed himself very much dissatisfied with his said father and family, for placing the said Paul Saumarez in confinement, and

* Extract from a Letter of Mrs. Gimingham. *M. Muller Aff. P. 43*

"There are no grounds for such a charge. His illness in 1830 was accidental, and of a few hours duration."

(Signed)

CARTERET GIMINGHAM."

To James Leman, Esq., Solicitor.

Extract from a Letter of Mr. Muller, Surgeon, to the same party:—

"SIR,—The man Thomas Evans was engaged by me to be with Captain Richard Saumarez. He was with him one day, and discharged on the following day. Certainly he was not detained to wait on Captain and Mrs. Saumarez for a longer period than two days. He was sent for by me in the morning early, and not in the night, as stated in the Affidavits."

(Signed)

F. J. MULLER, Surgeon."

wanted much to interfere with the management of the said Paul Saumarez, by taking him into society and amusements, and that the said Captain Richard Saumarez did take him out once or twice, until the said William Hitchman Symmons found, that the said Paul Saumarez thereby grew worse instead of better.*

THAT the said Richard Saumarez, deceased, was thereupon very highly incensed with the said Captain Richard Saumarez, and left an injunction of the strongest kind upon the said William Hitchman Symmons, to permit as little intercourse as possible between the said Paul Saumarez and Captain Richard Saumarez, and never by any chance to allow them to be left alone together, as the said Captain Richard Saumarez was by no means fit to have any thing to do with a person labouring under a state of mental irritation, *similar to that with which the said Paul Saumarez was at that time afflicted.* *See page 36*

THAT the said Richard Saumarez, deceased, then threatened to disinherit the said Captain Richard Saumarez, should he continue to interfere with the said Paul Saumarez, or the said Frederick Walshman Saumarez; and the said Richard Saumarez promised to make a considerable increase to his allowance, provided he would undertake to keep away altogether from the said Paul Saumarez. *See page 36*

THAT the said Captain Richard Saumarez ceased to visit the said Paul Saumarez for nearly two years afterwards, and that, after the expiration of such two years, the said Captain Richard Saumarez called upon the said William Hitchman Symmons, two or three times, to enquire after the said Paul Saumarez; and the said Captain Richard Saumarez then stated to the said William Hitchman Symmons repeatedly, that although he was prevented from personally interfering with the said Paul Saumarez, that he would so influence the family generally as to cause his said brother to be removed from under restraint, but not from under the management of the said William Hitchman Symmons, which he pretended to admire beyond every thing.

THAT the said Captain Richard Saumarez also repeatedly talked to the said William Hitchman Symmons as to what he would do on the death of his father, who, he said, could not live for ever, and that he would then change entirely the whole system of treatment of the said Paul Saumarez, even if it cost him half of what he expected to receive.†

THAT at such interviews the said Captain Richard Saumarez

* Extract from Mr. Symmons' Letter, Nov. 2nd, 1832:—

"Nothing could be further from the truth than that you attempted in anyway to interfere."

† Extract from Mr. Symmons' Letter, Nov. 2nd, 1832:—

"You highly approved of it, (my system of treatment,) and urged me most seriously to persevere in it,

(Signed)

W. H. SYMMONS."

talked very largely to the said William Hitchman Symmons as to what he should do with the said Paul Saumarez, when he should get possession of his person—that he would marry the said Paul Saumarez at all risks, a wife being what he was always raving after; and that he would take him back again to his living, to reside for a time (although it was at the living that the disease of the said Paul Saumarez first manifested itself to any considerable extent); and the said Captain Richard Saumarez also said to the said William Hitchman Symmons that he was very anxious that his said brother Paul should *visit him in France*.*

THAT from such several conversations between the said Captain Richard Saumarez and the said William Hitchman Symmons, and from the knowledge which the said William Hitchman Symmons has of the temper and ideas of the said Captain Richard Saumarez, he is of opinion that the said Captain Richard Saumarez would have adopted some means to get possession of the person of the said Paul Saumarez, at the aforesaid period, had such a scheme been practicable.

THAT in the spring of the year 1834 it was thought advisable to try what effect the removal of the said Paul Saumarez into the country, and allowing him a greater degree of liberty, might have on his mind; and that the said Richard Saumarez, deceased, then requested the said William Hitchman Symmons to look out for a cottage for that purpose.

THAT in pursuance of an order of the Right Hon. the Lord High Chancellor of Great Britain, bearing date the 17th day of April, 1834, made upon the petition of the said Richard Saumarez, deceased, a Commission in the nature of a Writ de Lunatico Inquirendo was awarded and issued to enquire of the Lunacy of the said Paul Saumarez.

THAT on the Inquisition being held in pursuance of such Writ, on the 26th day of April 1834, it was found that the said Paul Saumarez was of unsound mind, and had been in the same state of unsoundness of mind from the 11th day of May, 1830.

THAT by the Report of Mr. Brougham, the Master, dated the 18th day of June, 1834 (and which was afterwards confirmed), upon the nomination of the said Richard Saumarez, deceased, the said Richard Saumarez, deceased, and John Gimingham, Esq., the brother-in-law of the said Paul Saumarez, were appointed Committees of the person and estate of the said Paul Saumarez.

THAT after the execution of the said Writ of Lunatico In-

* Captain Saumarez had altogether quitted France after 1832, living, as Major and Mrs. De Havilland well knew, in the Island of Jersey at the time here alluded to. See Master's Report, p. 2, two lines from the foot of the page.

quirendo, the said Paul Saumarez was removed by the said William Hitchman Symmons to a cottage at Stanwell in the county of Middlesex, and still remains there under the care of the said William Hitchman Symmons.

THAT the said Richard Saumarez, the father of the said Captain Richard Saumarez, and of the said Frederick Walshman Saumarez, and Paul Saumarez, was a Surgeon, and died on or about the 27th day of January, 1835, having first made his last Will and Testament in writing, bearing date the 13th day of February, 1832, and appointed his brother Nicholas Saumarez, and the said John Gimingham, Executors of such Will.

THAT the said Captain Richard Saumarez, in the month of February, 1835, and soon after the decease of his said father, applied to the said William Hitchman Symmons, to allow the said Paul Saumarez to visit London for a couple of days, which the said William Hitchman Symmons consented to, *on receiving permission so to do from* the said John Gimingham, the surviving Committee of the person of the said Paul Saumarez, and on condition that James Ingram, the said William Hitchman Symmons' confidential attendant on the said Paul Saumarez, should accompany him; and that the said Paul Saumarez was in London, with the said Captain Richard Saumarez, for nearly two days, but slept during that time at Cowper House aforesaid;* and that on the return of the said Paul Saumarez to Stanwell, aforesaid, the said William Hitchman Symmons observed a considerable change for the worse in the state of mind of the said Paul Saumarez, *which he ascribed to the excitement* and various conversations which the said Paul Saumarez had with the said Richard Saumarez, and his other friends, relative to the decease of his said father.

THAT in the said month of February last the said Captain Richard Saumarez went twice to the cottage of the said William Hitchman Symmons, at Stanwell, aforesaid, to see the said Paul Saumarez, and that he then saw and conversed with the said Paul Saumarez, and that on both such occasions the said Paul Saumarez became very much excited, and took up his hat, and went out of the room, and his state of mind became altered for the worse after each of such interviews.†

THAT on one of such occasions the said Captain Richard Saumarez went into the bed-room of the said Paul Saumarez, and observing a *second bed* therein, he enquired of the said James Ingram, who the second bed was for, *and upon the said James Ingram answering that it was his*, the said Captain Richard Saumarez said, "It was d——d nonsense, and that his brother was not so bad as to require it."‡

* It was only for five hours of one day. See page 41.

† See Mr. Cassan's Affidavit, page 50.

‡ He not only shaved himself, and slept in a room by himself, a few months after this statement, *but has done so ever since*.

THAT on one of such occasions after the said Paul Saumarez had been out walking with the said Captain Richard Saumarez, the said Captain Richard Saumarez said to the said William H. Symmons that had he not been sure of being appointed Committee of the persons of the said Paul Saumarez and Frederick Walshman Saumarez (and that from his being heir-at-law he was as good as appointed) the said William Hitchman Symmons should never have seen his brother Paul again, for that he at all risks and hazards would have carried him off; and upon the said William Hitchman Symmons asking the said Captain Richard Saumarez what he thought would have been the consequences of his taking such a step, the said Captain Richard Saumarez set the Court of Chancery at defiance, and said that they might do what they liked with him if they could catch him, for that he would be over in France, with his brother Paul, before they could adopt any means for his rescue; and shortly afterwards the said Captain Richard Saumarez said that the said William Hitchman Symmons should have the said Paul Saumarez and Frederick Walshman Saumarez, and keep a house expressly for their accommodation, and be allowed £1000 a year for their expenses.*

THAT the said Captain Richard Saumarez also requested the said William Hitchman Symmons to bring the said Paul Saumarez to town every week to see the sights; and the said Captain Richard Saumarez also began to lay down plans to the said William Hitchman Symmons for the future government of the said Paul Saumarez and Frederick Walshman Saumarez—that the said Paul Saumarez was to go about visiting his friends, staying a month or two at each place, and a couple of months each year at his Living; and that the said Frederick Walshman Saumarez not being so well as his brother, was to drive about from one place to another in his carriage, whilst he the said Captain Richard Saumarez was to have a house near to superintend their wants daily.†

THAT the same description of conversation and constant variation in his plans has been the line of conduct pursued by the said Captain Richard Saumarez at every interview between him and the said William Hitchman Symmons, since the decease of the said Richard Saumarez his father.

That the said Captain Richard Saumarez has instilled similar ideas to those suggested in the aforesaid conversations to the said Paul Saumarez, and thereby very much increased his mental irritation, and thrown him full three years back, he being now in much the same state of mind as he was in the year 1832.‡

* See page 29.

† See page 29.

‡ Major and Mrs. De Havilland knew that he could not, unless of unsound mind, have stated that he was going to London, being aware Capt. S. must have been waiting for a coach to convey him to Guernsey (p. 49).

THAT on the 23rd day of February last the said Captain Richard Saumarez called on Dr. Finch at his private residence, at Salisbury, and had a conversation with him of *about one hour's duration*, on the subject of the treatment of his brother Frederick Walshman Saumarez, and the said Captain Richard Saumarez then suggested to the said Dr. Finch *various wild schemes for the management* of the said Frederick Walshman Saumarez, which he subsequently waived; and upon the said Dr. Finch recommending him not to go to Laverstock House for the purpose of seeing his said brother, as an interview would be injurious to the latter, the said Captain Richard Saumarez said he should go to London by the next conveyance, and should not go to Laverstock.*

THAT the said Captain Richard Saumarez did however go to Laverstock, aforesaid, and there saw Mr. James Lacy, the partner of the said Dr. Finch, to whom he said he had come over to see the place, but did not intend to see his brother, because he had quarrelled with his father on the subject, who had objected to his doing so. THAT the said Captain Richard Saumarez then asked how often his brother Paul had been to see the said Frederick Walshman Saumarez; and on the said James Lacy answering that he had called several times, but that the said Frederick Walshman Saumarez would not see him, the said Captain Richard Saumarez said that his brother Paul was also under confinement, and that

* * * * * and the said Captain Richard Saumarez also said to the said James Lacy that he was versed with the management of insane cases, and he considered that insane persons ought never to be more than twelve months in the same place, and that he had once a young lady for four months under his care and cured her.

That the said Captain Richard Saumarez also said to the said James Lacy, that Laverstock House pleased him more than any place he had before seen,† and he should bring his brother Paul there, for he was not satisfied with his treatment where he was, as he (the Captain), had set persons to watch, and found that the said Paul Saumarez was ill used, and it was impossible that he could be well treated, as Mr. Symmons was *about eighty*, and afflicted with a horrid stricture, and sometimes not out of his bed for a fortnight together;‡ that the said Captain Richard Saumarez also said to the said James Lacy that he was not Executor of his father's will, but did not care about it—that he should be Committee of the persons of both his brothers—that

* Capt. S. had not seen the house except the room into which he was shewn. How, then, could he express approbation of the establishment?

† See page

he would shortly bring his brother Paul to the said James Lacy's Establishment—that there should be a good handsome allowance for them, and that the said Frederick Walshman Saumarez and Paul Saumarez should have their own horse and gig, and their own servants, with the family livery.†

THAT on the said James Lacy being about to explain to the said Captain Richard Saumarez the then state of the said Frederick Walshman Saumarez, for the *purpose of shewing the impropriety of following the course of management suggested as aforesaid* by the said Captain Richard Saumarez, the said Captain Richard Saumarez interrupted the said James Lacy, and said he knew all about it,

* * * * *

* * and that his father had bought a living for Paul; that Frederick was stuck up in a large house by himself, and * *

THAT the said Captain Richard Saumarez, after saying a great deal more to the said James Lacy on the subject of his own private affairs, said to the said James Lacy, that in his opinion neither of his said brothers should be treated as Lunatics.

THAT the said William Hitchman Symmons *hath been applied to and requested by the Solicitor of the said Charles de Havilland, and Martha, his wife, to depose on oath to the several facts and conversations within his knowledge as aforesaid; but that the said William Hitchman Symmons hath declined so to do in consequence of the said Captain Richard Saumarez having applied to and requested him not to make any affidavit relative to his interference with the said Paul Saumarez, and therefore the said William Hitchman Symmons does not consider himself at liberty to state the said several facts on oath unless desired so to do by the Master to whom this matter stands referred.*

THAT on the 24th day of April last, Mr. James Leman, the Solicitor of the said Captain Richard Saumarez, stated to the said Master, that should the said Captain Richard Saumarez, and Dr. Wilkinson, of Bath, be appointed Committee of the person of the said Paul Sumarez, the said Captain Richard Saumarez intended to remove the said Paul Saumarez, and his other brother, Frederick Walshman Saumarez, to Bath, and place them both under the care of the said Dr. Wilkinson.

THAT the said Captain Richard Saumarez is a Captain in the Royal Navy, and is domiciled in the Island of Jersey.

† Capt. S. highly approved of the detached cottages for the accommodation of deranged persons, but of the house he said nothing. The proposed plan here referred to has been almost literally adopted, and with the greatest success.

* * Propriety requires the omission of this part of Mrs. De Havilland's statement, as unfit for the perusal of females.

THAT the said Captain Richard Saumarez is not a fit and proper person to be appointed Committee of the person and estate of the said Paul Saumarez, or to be allowed in any manner whatever to interfere in the management of the said Lunatic.

*Extract from Mr. Donne's, the Solicitor of Major and Mrs. De Havilland,
Taxed costs.*

	£	s.	d.
1835, April 6th.—Attending Major De Havilland in conference as to the Lunatic, when it was determined to have a meeting in Guilford-street, next day, with him and Mrs. De Havilland	0	6	8
7th.—Attending them in Guilford-street, in conference thereon, for two hours	0	13	4
8th.—Attending Mr. Burn, in Raymond Buildings, in long conference thereon, and as to the applications made to him on behalf of Captain Saumarez, when he said, that neither Mr. Gimingham nor Mr. Nicholas Saumarez would act with the Captain,—and afterwards attending at Mr. Lemans, but he was from home	0	13	4
9th.—Attending Major De Havilland, this day, in further conference, there	0	6	8
10th.—Writing to him fully in reply to his letter	0	5	0
11th.—Attending Major and Mrs. De Havilland in the morning for nearly two hours, in long conference on this case	0	13	4
Attending Captain Saumarez and Mr. Leman, in Lincoln's Inn Fields thereon, when the former insisted upon being appointed Committee, and it was stated on the part of Major and Mrs. De Havilland, that he would be decidedly objected to, in consequence of his interference having already injured the Lunatic's health	0	13	4
Attending Major and Mrs. De Havilland in the evening, in Guilford-street, in long conference hereon, when it was finally arranged to go down to Salisbury on Friday next; engaged four hours	1	6	8
13th.—Attending Major and Mrs. De Havilland, as to application to Mr. Symmons's advising, and it was agreed to meet at Cowper House, next afternoon.	0	6	8
14th.—Attending at Cowper House, Brompton, and had a long conference with Mrs. Symmons and Major De Havilland; engaged five hours and a half	1	16	8
15th.—Attending Mr. Nicholas Saumarez and Mr. Burn, in long conference hereon	0	6	8
16th.—Attending Major De Havilland in further conference hereon	0	6	8
17th, 18th, and 19th.—Attending with Major De Havilland, at Salisbury and Laverstock, to see Dr. Finch, Mrs. Finch, and Mr. Lacy, as to the evidence which they could give respecting the Lunatic, preparing affidavits, engrossing same,			

	£	s.	d.
and afterwards getting them sworn, and attending at Stanwell, examining Mr. and Mrs. Symmons, the attendants, Mr. Ingram and the coachman, respecting the interference of Captain Saumarez—out two days and part of two nights	-	9	9 0
Coach hire and expenses	-	10	19 0
Paid Master Extraordinary for oaths	-	1	1 0
20th.—Attending Mr. and Mrs. De Havilland in Guilford-street, in conference hereon, engaged nearly three hours	-	1	1 0
21st.—Attending Major De Havilland in further conference hereon	-	0	6 8
22d.—Paid for copy proposal of Captain Saumarez, as to Committee, fol. 19	-	0	2 4
Paid for copy six affidavits in support thereof, fol. 22	-	0	2 9
Attending Major and Mrs. De Havilland in Guilford-street, in conference hereon, engaged two hours	-	0	13 4

IN CHANCERY.

Affidavits in support of Statement of Facts of Major De Havilland.

In the Matter of the Rev. Paul Saumarez, a Lunatic.

JAMES LACY, of Laverstock House, near Salisbury, in the county of Wilts, saith, that for eleven years, or thereabouts, he, this deponent, hath been one of the proprietors of Laverstock House aforesaid, which is an asylum for the reception of insane persons.

And this deponent saith, that in or about the month of May, 1826, Frederick Walshman Saumarez, a brother of the above-named Paul Saumarez, and which said Frederick Walshman Saumarez was then and is now of unsound mind, was placed at Laverstock House aforesaid, by Richard Saumarez, Esq., since deceased, the father of the said Frederick Walshman Saumarez and Paul Saumarez; and that from that period until the present time, the said Frederick Walshman Saumarez hath been under the care of this deponent and Dr. William Finch, this deponent's co-partner.

And this deponent further saith, that on the 23rd day of February last, Captain Richard Saumarez, a brother of the said Frederick Walshman Saumarez, called at Laverstock House aforesaid, and after announcing his name to this deponent, said to this deponent that he had seen Dr. Finch at Salisbury, and had come over to see the place, but did not intend to see his brother, the said Frederick Walshman Saumarez; that he had never been before to see his said brother, because he (the Captain) had quarrelled with his father, who had objected to his

doing so, on the subject ; that the said Captain Richard Saumarez then asked how often his brother Paul had been to see the said Frederick Walshman Saumarez, and on this deponent answering that he had called several times, but that the said Frederick Walshman Saumarez would not see him, the said Captain Richard Saumarez said to this deponent, that his brother Paul was also under confinement ; and the said Captain Richard Saumarez also said, that he was versed with the management of insane cases, and he considered that insane persons ought never to be more than twelve months in the same place, and that he had once a young lady for four months under his care, and cured her.

And this deponent further saith, that the said Captain Richard Saumarez also said to this deponent, that Laverstock House pleased him more than any place he had before seen, and he should bring his brother Paul there, for that he was not satisfied with his treatment where he was, as he (the Captain) had set persons to watch, and found that he (Paul) was ill used, and it was impossible that he could be well treated, as Mr. Symmons (under whose care he then was) *was about eighty*, and afflicted with a horrid stricture, and sometimes not out of his bed for a fortnight together,* and the said Captain Richard Saumarez also said that he was not executor of his father's will, but did not care about it ; that he should be Committee of the persons of both his brothers ; that he would bring his brother Paul to this deponent's establishment very shortly ; that there should be a good handsome allowance for them ; and that the said Frederick Walshman Saumarez and Paul Saumarez should have their own horse and gig, and their own servants, with the family livery.

And this deponent further saith, that the said Captain Richard Saumarez, on this deponent being about to explain to him the then state of mind of the said Frederick Walshman Saumarez, for the purpose of shewing the impropriety of following the course of management suggested as aforesaid by the said Captain Richard Saumarez, interrupted this deponent, and said he knew all about it, and that his father had bought a living for Paul, and that Frederick was stuck up in a large house by himself.

And this deponent further saith, that the said Captain Richard Saumarez, after saying a great deal more to this deponent on the subject of his own private affairs and property, and the state of mind and fortunes of his said two brothers, told this deponent that in his opinion, neither of his said brothers should be treated as Lunatics.

And this deponent further saith, that from the rambling observations and eccentric manner of the said Capt. R. Saumarez during the said conversation which he had with this deponent on

* This man's age was fifty—but eighty in constitution. He died six months afterwards.

the said interview, and which lasted for upwards of one hour, in the judgment and opinion of this deponent, the said Captain Richard Saumarez is not a proper person to be allowed to interfere with the management of the person of any Lunatic whatsoever.

JAMES LACY. { Sworn at Salisbury, in the county of Wilts,
the 18th day of April, 1835.

Before me, MATTHEW THOMAS HODDING,
A Master Extraordinary in Chancery.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a person of unsound mind.

WILLIAM FINCH of Laverstock House, near Salisbury, in the county of Wilts, Doctor of Medicine, maketh oath and saith, that for eleven years, or thereabouts, he, this deponent, and Mr. James Lacy, have been in partnership together, and had the joint management of the Lunatic Asylum at Laverstock House, aforesaid.

And that Frederick Walshman Saumarez, a Lunatic, and the brother of the above-named Paul Saumarez, was in or about the month of May 1826, placed under the care of this deponent, and the said James Lacy, at Laverstock House, aforesaid, by Richard Saumarez, Esquire, now deceased, the father of the said Frederick Walshman Saumarez and Paul Saumarez.

And this deponent further saith, that the said Frederick W. Saumarez still remains at Laverstock, aforesaid, and is a Lunatic without lucid intervals, occasionally very violent, and in the judgment and opinion of this deponent incurable.

And this deponent further saith, that on or about the 23rd day of February last, Captain Richard Saumarez, the brother of the said Frederick Walshman Saumarez and Paul Saumarez, called at the private residence of this deponent, at Salisbury, aforesaid, and had a conversation with this deponent *of about one hour's duration* on the subject of the treatment of the said Frederick Walshman Saumarez; and the said Captain Richard Saumarez then suggested to this deponent various wild schemes for the management of the said Frederick Walshman Saumarez, which he subsequently waived; and that on this deponent recommending the said Captain Richard Saumarez not to go to Laverstock House aforesaid, for the purpose of seeing the said Frederick Walshman Saumarez, as an interview would be injurious to the latter, the said Captain Richard Saumarez said he should go to London by the next conveyance, and should not go to Laverstock; but deponent saith, that on this deponent shortly afterwards proceeding to

Laverstock, he, this deponent, discovered that the said Captain Richard Saumarez had been at Laverstock, aforesaid, and seen and conversed with the said James Lacy, this deponent's co-partner, as to the treatment of the said Lunatic.

And this deponent further saith, that from the *hurried manner, confused feelings, and unsettled notions and ideas* of the said Captain Richard Saumarez, as to the future management of the said Frederick Walshman Saumarez, communicated to him this deponent, by the said Captain Richard Saumarez, at the said meeting, he this deponent is of opinion, that the said Captain Richard Saumarez is not a fit and proper person to have the controul or management of the person of any Lunatic whatsoever.

WILLIAM FINCH. { SWORN at Salisbury, in the county of Wilts,
the 18th day of April, 1835.

Before me, MATT. THOS. HODDING,
A Master Extraordinary in Chancery.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a person of Unsound Mind.

DANIEL ARMITAGE, superintendant of Cowper House establishment at Brompton, in the county of Middlesex, which is a private asylum for lunatics, saith, that for thirty years last past, he hath been continually engaged in attending upon insane persons, and that he hath known the Rev. Paul Saumarez, the Lunatic above named, for eighteen months last past, and that during six months thereof, he, this deponent, himself personally, attended upon the said Paul Saumarez.

And this deponent further saith, that he, this deponent, first saw Captain Richard Saumarez, one of the brothers of the said Paul Saumarez, in the month of February last, upon the occasion of his coming to Cowper House aforesaid, to see the said Paul Saumarez, and that he, this deponent, hath altogether seen the said Captain R. Saumarez upon similar occasions, five times or thereabouts; and that he, this deponent, on such occasions, heard the conversation of the said Captain Richard Saumarez, and had frequent opportunities of observing his manner.

And this deponent further saith, that since the said several visits of the said Captain Richard Saumarez to the said Paul Saumarez, the said Paul Saumarez has become much worse, and this deponent ascribes the same entirely to the said Paul Saumarez being continually kept in a state of excitement by the said Captain Richard Saumarez.

And this deponent further saith, that in his, this deponent's

judgment and opinion, it is desirable and proper, that the said Paul Saumarez should live in the country, and should not be permitted to go through the streets of London, or visit exhibitions, as his mind thereby becomes greatly excited.

And this deponent further saith, that in the judgment, and opinion of this deponent, founded upon thirty years experience, he, this deponent, is most decidedly of opinion, that the said Captain Richard Saumarez is not a fit and proper person to be Committee of the person of the said Paul Saumarez, or of any other person labouring under unsoundness of mind, or to be allowed in any manner whatever to interfere with the management or mode of treatment of the said Paul Saumarez.

And this deponent also saith, that it is impossible that justice can be done to the said Paul Saumarez in his present state of mind, if the said Captain Richard Saumarez be allowed to interfere with the said Paul Saumarez, or to take him through the streets of London, or to visit exhibitions of any description.

DANL. ARMITAGE. { Sworn at the Public Office, Southampton
Buildings, in the County of Middlesex,
the 30th day of April, 1835.

Before me, HENRY MARTIN.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

JAMES INGRAM confidential attendant to William Hitchman Symmons, of Cowper House, Brompton, and of Stanwell, both in the county of Middlesex, *Surgeon*,* maketh oath and saith, that he this deponent is in constant attendance upon the Rev. Paul Saumarez, at the cottage residence of the said William Hitchman Symmons, at Stanwell, aforesaid; and that this deponent hath been in constant attendance upon the said Paul Saumarez from the month of June, in the year 1832 until the present time, except for six or eight months in the year 1834.

And this deponent further saith, that since the death of Richard Saumarez, Esquire, the father of the said Paul Saumarez, in or about the month of February last, Captain Richard Saumarez, one of the brothers of the said Paul Saumarez, applied to the said Paul Saumarez to visit London for two or three days, which the said William Hitchman Symmons consented to, upon condition that this deponent should accompany him.

And this deponent further saith, that the said Paul Saumarez and this deponent accordingly came up to London, and stayed for two

* Mr. Symmons is the surgeon here referred to,—James Ingram was the servant.

days, sleeping at Cowper House, Brompton, aforesaid; and during such period the said Captain R. Saumarez took the said P. Saumarez to the Gallery of Practical Science, in the Lowther Arcade, to see Perkins's Steam Gun, to the Naval and Military Museum, and several other public places.

And this deponent further saith, that during such period the said Captain Richard Saumarez, was in constant conversation with the said Paul Saumarez; and although this deponent did not observe during their sojourn in London any change in the said Paul Saumarez, yet this deponent hath since the return of the said Paul Saumarez to Stanwell, aforesaid, observed a considerable change for the worse in his state of mind, which this deponent entirely ascribes to the interference and conversation of the said Captain Richard Saumarez with the said Paul Saumarez, whilst in London aforesaid; and on two visits of the said Captain Richard Saumarez, to the said Paul Saumarez hereinafter mentioned.

And this deponent further saith, that in the said month of February last the said Captain Richard Saumarez came to the cottage of the said William Hitchman Symmons, at Stanwell, aforesaid, to see the said Paul Saumarez, and that on one of such occasions, upon the said Captain Saumarez going into the bed-room of the said Paul Saumarez, and observing a second bed, the said Captain Richard Saumarez enquired of this deponent who the second bed was for, and on this deponent answering it was his, this deponent's, the said Captain Richard Saumarez said, it was d——d nonsense, that his brother was not so bad as to require it; or used words to that purport or effect.

And this deponent further saith, that the said Captain Richard Saumarez at such before-mentioned times saw and conversed with the said Paul Saumarez; and that upon both of such occasions the said Paul Saumarez in consequence of what took place between him and his said brother, became much excited, took up his hat, and left the room; and that the said Paul Saumarez's state of mind became altered for the worse after each of the said interviews.

And this deponent further saith, that in the judgment and opinion of this deponent the said Captain Richard Saumarez is not a fit and proper person to have the controul or management of, or to be appointed Committee of, the person of the said Paul Saumarez, or to have any controul over the said Paul Saumarez, or any other Lunatic whatever.

JAMES INGRAM. { SWORN at Staines, in the county of Middlesex,
the 30th of April, 1835.

Before me, RANDOLPH HORNE.

A Master in Chancery.

SAMUEL EDWARD DONNE, of New Broad Street, in the City of London, Gentleman, one of the Solicitors of this Honorable Court, maketh oath and saith, that he hath been informed by William Hitchman Symmons, of Cowper House, Brompton, in the County of Middlesex, an [asylum for insane persons; and also of Stanwell, in the same county, Surgeon, and therefore this deponent believes the same to be true, that, &c.

* * * * *

And this deponent further saith, he has also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith, that he has been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith, that he has also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith, that he hath also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith that he hath also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And that he would have him back again to his Living to reside for a time, although this deponent has been informed and believes, that, &c.

* * * * *

And this deponent further saith, that the said William Hitchman Symmons also informed this deponent, that, &c.

* * * * *

And this deponent further saith, that he hath also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith that he hath also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith that he hath also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith that he hath also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith that he hath also been informed by the said William Hitchman Symmons, and therefore believes it to be true, that, &c.

* * * * *

And this deponent further saith that he hath also been informed by the said William Hitchman Symmons, and therefore believes such information to be true, that, &c.

* * * * *

And this deponent further saith that the said William Hitchman Symmons hath several times informed this deponent, that, &c.

* * * * *

And this deponent further saith, that he, this deponent, hath applied to and requested the said William Hitchman Symmons to depose on oath to the said several facts and conversations within his knowledge, as aforesaid; but the said William Hitchman Symmons hath declined so to do, in consequence (as he stated to this deponent) of the said Captain Richard Saumarez having applied to and requested him not to make any Affidavit relative to his interference with the said Paul Saumarez; *and therefore the said William Hitchman Symmons does not consider himself at liberty to state the said several facts on oath, unless desired so to do by the Master to whom this matter stands referred.* And this deponent further saith, that on the 24th day of April, instant, Mr. James Lemon, the Solicitor of the said Captain Richard Saumarez, stated to the said Master, in the presence of this deponent, that the said Captain Richard Saumarez intended, should he and Dr. Wilkinson of Bath be appointed Committee of the person of the said Paul Saumarez, to remove the said Paul Saumarez, and his other brother Frederick Walshman Saumarez, to Bath, and place them both under the care of the said Dr. Wilkinson; or the said Mr. James Lemon used words to the like purport or effect.

S. E. DONNE. { SWORN at the Public Office, in Southampton
Buildings, Chancery Lane, in the County
of Middlesex, the 30th day of April, 1835.

Before me, HENRY MARTIN.

*** There is nothing in literary composition more agreeably tormenting to a reader than a string of *Asterisks*. They are extremely pretty in themselves, but they owe their importance chiefly to the indication they convey that something is omitted in the text that should not appear, either through the filthiness of the manuscript, the caprice of the author, or the refined delicacy of the publisher.

IN CHANCERY.

In the Matter of the Rev. Paul Saumarez, a Person of Unsound Mind.

WILLIAM HITCHMAN SYMMONS, of Cowper House, Brompton, in the county of Middlesex, and of Stanwell, in the same county, Surgeon, maketh oath, and saith, that he, this deponent, makes this Affidavit with considerable regret and reluctance, having no wish whatever to state any thing prejudicial to Captain Richard Saumarez, the brother of the said Paul Saumarez; and this deponent saith, that he has never at any time seen the Affidavits of Dr. Finch and Mr. Lacy, the medical men in attendance on Frederick Walshman Saumarez, the said brother of the said Lunatic, and which this deponent hath been informed have been laid before the Master to whom this matter stands referred, nor the Affidavits which have been laid before the said Master in support of the Proposal of the said Captain Richard Saumarez to be appointed Committee of the person of the said Paul Saumarez, and this deponent is *entirely in ignorance* in respect to the contents thereof; but this deponent saith, that being fully impressed with the solemn duty this deponent has to perform, and the consequences that might ensue from this deponent withholding his opinion as to the said Captain Richard Saumarez's fitness or unfitness to have the care of, or to be appointed Committee of the person of the said Lunatic; and this deponent's character and conduct with regard to the said Lunatic having been most improperly and unjustly assailed, and the said Captain Saumarez having threatened this deponent with the most violent and constant persecution in case this deponent made an Affidavit to shew the unfitness of the said Captain Richard Saumarez to be appointed Committee of the person of the said Lunatic, this deponent, in justice to the father of the said Lunatic, who placed him with this deponent, and to all the branches of the said Lunatic's family, who have always expressed in the strongest manner their satisfaction of the mode of treatment adopted by this deponent towards the said Lunatic, and with the care and attention which has been invariably bestowed by this deponent, and his wife, and assistants, upon the said Lunatic, ever since the said Lunatic was placed under this deponent's care; that this deponent feels it no longer possible to withhold from communicating to the said Master that which he conscientiously believes to be the whole truth.

And this deponent further saith that he, this deponent, hath just commenced his forty-sixth year, having been born at Wootton-under-Edge, in

Gloucestershire on the 1st day of March, 1790, and that he, this deponent, hath never been without having Insane Patients of every class in society residing with him since the year 1812, and this deponent is now labouring under an accidental disease of his leg, which came to a crisis a few days ago, and from which he, this deponent, is now rapidly recovering; and this deponent further saith, that he, this deponent, hath no wish to retain the said Lunatic under this deponent's care; neither could he, nor would he do so on any terms whatsoever, from the impossibility of his acting in concert with the said Capt. Richard Saumarez, in the event of his being appointed Committee of the person of the said Lunatic.

And this deponent further saith, THAT THE FIRST ACQUAINTANCE of this deponent with the family of the said Lunatic commenced in the Spring of the year 1830, when a keeper named Thomas Evans, belonging to the establishment of this deponent at Cowper House aforesaid, (but who is now, as this deponent believes, deceased,) was called up in the night to take charge of Captain Richard Saumarez, one of the brothers of the said Paul Saumarez, and who jumped out of the window of his house in Hans-place, Chelsea, upon the spikes of the area, destroying the windows and window-frames, and in so doing considerably wounded his own person, and which keeper remained with the said Captain Richard Saumarez several days!!! when on the said Captain Richard Saumarez being more tranquil, he removed with his wife and family to France.*

And this deponent further saith, he has also been informed, and believes, that shortly after the aforesaid time *a similar occurrence* took place with the Rev. Paul Saumarez, the Lunatic above-named, at the house of his brother-in-law, John Gimingham, Esq., in Cadogan-place, Sloane-street, and who *also* attempted to jump out of the window, but was prevented, by calling in the police till the said Thomas Evans (*who was again sent for*) could arrive and take charge of him; and that the said Paul Saumarez remained under the care of the said Thomas Evans in private lodgings, both in town and at Hastings, in the county of Sussex, until the fall of the year, when, upon the said Paul Saumarez getting worse, he was placed by R. Saumarez, Esq., deceased, his father, on the recommendation of the late Dr. Babington, in the establishment of this deponent, at Cowper House aforesaid.

And this deponent further saith, that after the said Paul Saumarez had been about twelve months at Cowper House aforesaid, the said Capt. R. Saumarez, called on this deponent, and expressed himself very much dissatisfied with his said father and family for placing the said Paul Saumarez in confinement,† and wanted much to interfere with the management of the said Paul Sau-

* See pages 33-34.

† Page 30.

marez by taking him into society and amusements ; and that this Captain Richard Saumarez did take him out once or twice, until this deponent found that the said Paul Saumarez grew worse instead of better.

And this deponent further saith, That the said Richard Saumarez, deceased, was thereupon very highly incensed with the said Captain Richard Saumarez, and left an injunction of the strongest kind upon this deponent to permit as little intercourse as possible between the said Paul Saumarez and Captain Richard Saumarez, and never by any chance to allow them to be left alone together, as the said Captain Richard Saumarez was by no means fit, (as the said Richard Saumarez, deceased, stated to this deponent), to have any thing to do with a person labouring under a state of mental irritation, similar to that with which the said Paul Saumarez was at that time afflicted.

And this deponent further saith, That the said Cap. R. Saumarez ceased to visit the said Paul Saumarez for nearly two years afterwards ;* and that after the expiration of such two years, the said Capt. Richard Saumarez called upon this deponent two or three times, to enquire after the said Paul Saumarez, and that the said Captain Richard Saumarez then stated to this deponent repeatedly, that although he was prevented from personally interfering with the said Paul Saumarez, that he would so influence the family generally, as to cause his said brother to be removed from under restraint, but not from under the management of this deponent, which he pretended to admire beyond any thing ; and that the said Captain Richard Saumarez, also repeatedly talked of what he would do on the death of his father, who, he said, could not live for ever ; and that he would then change entirely the whole system of his said brother Paul's treatment, even if it cost him half of what he expected to receive.

And this deponent saith, That the said Captain Saumarez, at such interviews, talked very largely to this deponent, as to what he would do with the said Paul Saumarez when he should get possession of his person ; that he would marry the said Paul Saumarez at all risks, a wife being what he was always raving after, and that he would take him back again to his living to reside for a time, (although this deponent hath been informed and believes it was at the living that the disease of the said Paul Saumarez first manifested itself to any considerable extent) ; and the said Captain Richard Saumarez also said, he was very anxious that his said brother should visit him in France.

And this deponent further saith, That from such several conversations which took place between the said Captain Richard Saumarez and this deponent, and the knowledge which this deponent has of the temper and ideas of the

said Captain Richard Saumarez, he, this deponent, is of opinion, that the said Captain Richard Saumarez would have adopted some means to get possession of the person of the said Paul Saumarez, had such a scheme been practicable.

And this deponent further saith, That in the spring of the year 1834, it was thought advisable to try what effect the removal of the said P. Saumarez into the country, and allowing him a greater liberty, might have on his mind; and that the said R. Saumarez then requested this deponent to look out for a cottage for that purpose, which he, this deponent did, and removed the said P. Saumarez to Stanwell aforesaid, after he had been by the verdict of a jury, found of unsound mind.

And this deponent further saith, That the said Captain Richard Saumarez, soon after the decease of the said Richard Saumarez, his father, and in the month of February last, applied to this deponent, to allow the said Paul Saumarez to visit London for a couple of days, which this deponent consented to, upon receiving permission to do so from the said John Gimingham, the surviving Committee of the person of the said P. Saumarez, and on condition, that J. Ingram, this deponent's confidential attendant upon the said Paul Saumarez, should accompany him; and that the said Paul Saumarez was in London with the said Captain Richard Saumarez for nearly two days, but slept during that time at Cowper House, aforesaid; and that upon the return of the said Paul Saumarez to Stanwell, aforesaid, this deponent observed a considerable change for the worse in the state of mind of the said Paul Saumarez, which he, this deponent, ascribed to the excitement and various conversations which the said Paul Saumarez had with the said Captain Richard Saumarez, and his other friends, relative to the decease of his late father.

And this deponent further saith, that in the said month of February last, the said Captain Saumarez went twice to the cottage of this deponent, at Stanwell, aforesaid, to see the said Paul Saumarez, and that he then saw and conversed with the said Paul Saumarez; and that on both such occasions the said Paul Saumarez became very much excited, and took up his hat, and went out of the room; and that the state of mind of the said Paul Saumarez became altered for the worse after each of such interviews.*

And this deponent further saith, that on one of such occasions, after the said Paul Saumarez had been out walking with the said Captain Richard Saumarez, the said Captain Richard Saumarez said to this deponent, that had he not been sure of being appointed Committee of the persons of the said Paul Saumarez and his brother Frederick Walshman Saumarez, who is also a Lunatic, and that from his being heir-

at-law he was as good as appointed, this deponent should never have seen his brother Paul again, for that he, the said Captain Richard Saumarez, would at all risks and hazards have carried him off; and upon this deponent asking the said Captain Richard Saumarez what he thought would have been the consequences of taking such a step, the said Captain Richard Saumarez set the Court of Chancery at defiance, and said they might do what they liked with him if they could catch him, for that he would be over in France, with his said brother Paul, before they could adopt any means for his rescue; and, shortly afterwards the said Captain Richard Saumarez said that this deponent should have the said Paul Saumarez and his said brother Frederick Walshman Saumarez, and keep a house expressly for their accommodation, and be allowed £1000 a year for their expenses.

And this deponent further saith, that the said Cap. R. Saumarez requested this deponent to bring the said Paul Saumarez to town every week to see the sights; and that the said Captain R. Saumarez also began to lay down plans for the future government of the said Paul Saumarez and Frederick W. Saumarez; that the said Paul Saumarez was to go about visiting his friends, staying a month or two at each house, and a couple of months each year at his Living; and that the said Frederick Walshman Saumarez not being so well as his brother, was to drive about from one place to another in his carriage, whilst he the said Captain Richard Saumarez was to have a house near to superintend their wants daily; and that the same description of conversation and constant variation in his plans had been the line of conduct pursued by the said Captain Richard Saumarez, at every interview between him and this deponent, since the decease of the said father.

And this deponent further saith, that the said Capt. R. Saumarez has instilled similar ideas to those suggested in the aforesaid conversations to the said Paul Saumarez, and thereby very much increased his mental irritations, and thrown him full three years back, he being now in much the same state of mind as he was in the year 1832.

And this deponent further saith, that in the judgment and opinion of this deponent the said Captain Richard Saumarez is not in any respect whatever a fit and proper person to be appointed committee of the person of the said Paul Saumarez; or to have any control over, or interference with the management of, the said Paul Saumarez, or of any Lunatic whatsoever; and that the appointment of the said Captain Richard Saumarez to be such Committee would, as this deponent verily believes, be most detrimental to the health and comfort of the said Lunatic.

W. H. SYMMONS. { SWORN at Staines, in the County of Middlesex, the 8th day of May, 1835.

Before me, RANDOLPH HORNE,
A Master &c.

*Answers to these Affidavits, and to the Statements of
Major and Mrs. Charles Haviland.*

(COPY.)—Letters of Mr. Symmons.

Cowper House, Nov. 2, 1832.

MY DEAR SIR,—*Nothing could surprise me more than your note of yesterday, for nothing could be farther from the truth than that you attempted in any way to interfere with my plan of treating your brother; on the contrary, you highly approved of it, and urged me most seriously to persevere in it, which convinces me there must be a misunderstanding somewhere, which I hope this statement will entirely remove, and that the subject will henceforth be banished from your mind. It is probable I might have stated in conversation that your early visits, as was to have been expected, did excite your brother; but as soon as you found that to be the case, you acted in the most courteous manner, always saw me before seeing him, to ascertain the state he was in, and on some occasions you did not personally communicate with him, in compliance with my recommendations; this, I think, must perfectly set aside all interference with him which was not with my consent. It may be some satisfaction to you to find that I still continue the mode of treatment I commenced with, viz.—the greatest indulgence in every thing that might at all tend to his happiness or comfort, and the absence of every thing that might have the effect of producing unpleasant feelings, or exciting him, which I am happy to say has tended greatly to tranquillize his mind, although I regret it does not appear to recover that tone and strength I should be delighted to see; but I consider a great point gained in getting rid of that irritation which was a source of so much misery to him. Hoping soon to have the pleasure of seeing you,*

I beg to subscribe myself,

Yours very truly,

W. H. SYMMONS, Surgeon.

This is the paper writing marked B referred to in the Affidavit of Frederick Fotheby Muller, sworn before me this 13th day of April, 1835.

HENRY MARTIN.

My dear Sir,

I HAVE thought most seriously of the subject you yesterday suggested, and although I know no establishment within the limits you name, that I could recommend my views and ideas of managing the insane, being so totally different from those usually pursued, that my knowledge of other houses is necessarily limited, yet, if I may be permitted to suggest a trial of my own plans,

I do hope, that there would be, in the end, no more reason to regret their adoption, than there has been in listening to my suggestions in the case of Mr. Paul Saumarez, as being a very fit and proper person for my house, particularly as they would enable me to provide, with increased comfort to the parties, at a less expense than separately, and would prevent their being exposed to the contagion of persons worse than themselves. I would, if permitted, make trial of them both together, and immediately place about them a person of superior habits, mind, and intelligence, whose business, it should be, to be constantly with them, even in their walks about the premises, and who, by constantly *keeping up other ideas*, would, at last, *prevent their minds sinking into a lower state of imbecility*, and in a great measure prevent the necessity of coercion and restraint, which I am confident, is scarcely ever necessary with proper management, and even should it be found, after due trial, that their being together was injurious, although, as it regards the one I have with me, I am clearly of opinion it would be beneficial, as it would tend to remove the false impression of his brother being improperly treated, and thus, at least, get rid of one delusion; then, if allowed to act according to my own judgment, I would send him to the establishment at Battersea, where I could still be responsible for his proper treatment, and his friends relieved from all trouble respecting him, as through me all intercourse with them might be carried on. I am well aware of the presumption of my thus forcing myself on your observation, but rely on the knowledge you must, by this time, possess of my character for my vindication, and the relief you must yourself experience, at being freed from the responsibility of the charge, which, to me, is a matter of study and pursuit, but must be to you unpleasant in the extreme. Should these suggestions be approved by the elder Mr. Saumarez, I would have an interview with him, either at Bath, or elsewhere. I should, at the same time, like to see the other brother before deciding on my plan.

I am, my dear Sir,

Your's very truly,

W. H. SYMMONS.

The Letter of which this is a copy, was delivered to me in London, after my first interview, in June 1831.

In re Saumarez, Lunatic.

This is the paper writing, marked A, referred to in the affidavit of Frederick Fotherby Muller, sworn before me, this thirteenth day of April, one thousand eight hundred and thirty-five.

HENRY MARTIN.

MEMORANDUM for Captain Saumarez, relative to his interference with the Rev. Paul Saumarez, since the removal of his Brother from Easton.

CAPTAIN SAUMAREZ and his family went to France before his brother the Rev. Paul Saumarez's confinement

14th May, 1830

He visited town 4th June, 1831

[Took his brother out of the asylum, for recreation, with Mr. H. Symmons's assent, as his letter shows.]

Left it 25th July, —

He returned 1st Aug. —

And left 9th Aug. —

He came to town 2d Nov. 1832

And left 27th Nov. —

He came to town 11th Dec. 1833

[Did not visit the asylum, according to Mr. Symmons's affidavit.]

And left, 31st Dec. —

Captain Saumarez was not in London any part of 1834

Captain Saumarez came to town . . . 1st Feb. 1835
after the death of his father.

CARTERET GIMINGHAM.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

AARON OBORNE, of 64, New Road, Sloane Street, in the County of Middlesex, saith, He is a joiner by trade, and lived in the neighbourhood of the house where Captain Saumarez was residing in May 1830; That he recollects the circumstance during that month of the said Captain Saumarez getting out of the window of the ground-floor of his house in Hans Place, and getting over the area-railing into the street; That he, this deponent, was employed in repairing the window sashes of the said window, the day of the occurrence, and was kept working in the house for some days; and this deponent further saith, That he was employed at the house in doing various jobs, from that time until his, Captain Saumarez's, departure, about a fortnight after; and this deponent further saith, That at, and immediately after the occurrence aforesaid, he had various conversations with the said Captain Saumarez, and that all the directions and observations of the said Captain Saumarez, were of a man of sound and rational mind.

Sworn, &c., 12th May 1835.

A. OBORNE.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

ANNE, the wife of Captain Richard Saumarez, of Hans Place, in the County of Middlesex, Esq., maketh oath and saith, That in the month of May 1830, her husband, the said Richard Saumarez, left her house in apparently good health, that on his return to dinner that day, deponent saw her husband was languid and faint, that on enquiry for the cause, her said husband said, that he had had an operation performed on him, which he feared had hurt him; that faintness then came on, which was succeeded by shivering fits; that this deponent then sent for the surgeon who had performed the operation, and who, on coming, prescribed three pills, and gave deponent directions, that Captain Saumarez should have a table-spoonful of brandy in a tumbler of water; that about the midnight following, Captain Saumarez complained of thirst, and requested something to drink; that whilst the tea was making, he, the said Captain Saumarez, rose from his bed to escape from the house, and in running down stairs, he pushed deponent down, who was then coming up without a candle; that the said Captain Saumarez not being able to open the street door, went into the ground-floor parlour, and, in the haste of opening the window to escape, broke the sashes, and got out of the window and over the area rails, in doing which he hurt his leg; that shortly after he had hurt his leg, her said husband fainted, and was assisted back into the house.

And this deponent further saith, That all his, the said Captain Saumarez's delirium had ceased in the course of the night. And this deponent further saith, having but one servant, and that an old nurse, incapable of going for any professional gentleman, should one be wanted, Mr. Muller the surgeon, who was called in on the occasion, recommended deponent on the following day to have a man in the house instead of another female, but who was discharged on the next morning; and this deponent further saith, that the said man did not remain in her house several days, but only remained one day and the part of the next; that during that period he was hired as a servant and not as keeper, and that he did not, in any way, act as keeper to the said Richard Saumarez; and this deponent further saith, she did not know that the person so hired was an assistant at a lunatic asylum or keeper, but he was hired and engaged, simply as a person to be sent on messages if wanted; and this deponent further saith, that the departure of Captain Saumarez for France, was not in any way connected with this indisposition; and this deponent further saith, that she has known her said husband upwards of 15 years, and has been married to him 10 years and upwards, and

has never seen in him any instance of aberration of intellect or incoherence of manner, nor any temporary excitement similar to unsoundness of mind, except on the occasion above stated ; and she swears, that he has been on all occasions, except as above stated, perfectly sane, rational, and consistent.

ANN SAUMAREZ. { Sworn at my Chambers, Southampton
Buildings, Chancery Lane, London,
this 15th day of May, 1835.
Before me, J. E. DOWDESWELL.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

FREDERICK SOTHERBY MULLER, of Hans Place, in the County of Middlesex, surgeon, saith, That he was called in on the 3d May 1830, about three o'clock in the morning, to attend on Richard Saumarez, Esq., who had been attacked that night with temporary delirium, which this deponent says, was entirely produced by the said Richard Saumarez having had administered to him by another medical man, a most improper dose of calomel : that in his delirium, the said Richard Saumarez had jumped out of the window of his house, and had cut himself in several places.

And this deponent saith, that the delirium under which the said Richard Saumarez laboured, abated considerably in the course of two or three hours, and had entirely subsided in the course of eight or nine hours, and left him perfectly free from all irritation or delirium whatsoever, and that no personal restraint was at any time used, or necessary to be used, towards the said Richard Saumarez, after he was seen and attended by this deponent, nor was any keeper, or person in the nature of a keeper, at any time in attendance on, or in the room of, the said Richard Saumarez.

And this deponent further saith, That he has, since the death of the said Richard Saumarez's father, and, in particular, in or about the month of February, had frequent conversations with the said Richard Saumarez, and, on all such occasions, the conduct, manners, and conversation of the said Richard Saumarez, have been perfectly sound, rational, and correct ; and the most frequent subject of those conversations, was the state and malady of his brother, the above-named lunatic, who had been attended by deponent.

FREDERICK SOTHERBY MULLER. { Sworn at my Chambers,
Southampton Buildings,
Chancery Lane, this 4th
May, 1835.

Before me, W. BROUGHAM.

IN CHANCERY.

In the Matter of the Rev. Paul Saumarez, a Lunatic.

RICHARD SAUMAREZ, of Hans-place, in the county of Middlesex, Esq., a Captain in the Royal Navy, saith, that he has known William Hitchman Symmons, of Cowper House, Brompton, for about four or five years; that he always considered the said William Hitchman Symmons to be under the age of fifty, and he is confident that he could never have stated to James Lacy, of Salisbury, that the said William Hitchman Symmons was of the age of eighty years. He may have stated that he believes the fact to be so; that from the various and complicated disorders with which the said William Hitchman Symmons appears to have been affected, his constitution and bodily strength are not as good as many men of eighty years of age. That he has himself been a witness on several occasions to the extreme suffering and debility under which the said William Hitchman Symmons labours.*

And this deponent saith, in the Spring of the year 1830, when the event occurred referred to in the Affidavit of the said William Hitchman Symmons, he, this deponent, did not jump out of the window of his house, in Hans-place, Chelsea, but got out of the parlour window, and by means of the water-butt placed in the area, scrambled over the railings of the area, and in doing so he wounded his leg; that he committed this act, as he has been informed and believes, under a temporary delirium produced by medicine not taking the effect intended, administered to him after an operation had been performed on him; that the illness of this deponent only lasted a few hours; that Thomas Evans, the person referred to in the Affidavit of the said William Hitchman Symmons, was never seen by, or ever in the presence of this deponent, during the whole time of this deponent's illness.

And this deponent can positively swear that the said Thomas Evans was not in the house two days after the said attack of illness.

And this deponent saith, that his journey to France was preparing at the time, but had been settled long previous to his attack of illness.

And this deponent saith, that after his departure for France, he did not arrive in England again till May 1831, when he saw the said Lunatic several times during a month's residence in town; that the visits of this deponent to the Lunatic were made with the knowledge and permission of

* Died four months after date of this Affidavit.

this deponent's father,* after application made by him for that purpose; that this deponent always acted with reference to the said Lunatic in accordance with the wishes and advice of the said William Hitchman Symmons, as appears by the Letter referred to in the Affidavit of Mr. Muller sworn to in this matter.

And this deponent saith, that at this distance of time he, this deponent, has no distinct recollection of the various conversations which, previous to his father's decease, he had with the said William Hitchman Symmons relative to the said Lunatic, but the statement of these conversations as detailed in the Affidavit of the said William Hitchman Symmons is garbled, imperfect, and untrue.

And this deponent further saith, that he has always considered (adopting the opinion of his medical friend) that a milder treatment than the close confinement of a Lunatic Asylum would be beneficial to the said Lunatic, and, in fact, such a treatment was in the year 1834 adopted, *greatly owing to this deponent* and the *representations*† he made to the members of his family, and not, as he believes, from any representations or suggestions of the said William Hitchman Symmons.

*“ Give some attention to the memorandum I gave you upon the *and instantaneous* periods you have been in town since 1830; great part of which time you spent with us, and always welcome; consequently, if you interfered improperly we partake the responsibility also. That you enjoyed my father's confidence relative to Paul, &c. &c.

Your affectionate sister,
CARTERET.”

Cadogan-place, April, 1835.

“ Cadogan-place, May, 1835.

“ On March 20th, 1830, Captain S. submitted to his father a statement of approved of, and desired he would submit it to Sir G. Tuthill.

CARTERET GIMINGHAM.”

† Extract of Letter to Captain R. Saumarez, from R. Saumarez, Esq.:—

“ I have written to Paul, and invited him to come here. I expect an answer to-morrow, and if he does not come I shall adopt your suggestions, &c. &c.

Your affectionate father,

RICHARD.”

Extract from a Letter from R. Saumarez, Esq. to Captain Saumarez, dated December, 1833:—

“ I shall take proper advice, and if I obtain the concurrence of proper authority, I shall endeavour to find out a suitable family in which to place him with a proper person to attend him. A Clergyman may be the most proper, &c. &c.

My dear Richard,

Your affectionate father,

R. SAUMAREZ.”

And this deponent further saith, that in the month of February last, he went down to Stanwell with the Executors of his father's will, they going on to Bath, whilst he, this deponent, intended to remain at the house of the said William Hitchman Symmons; that he, this deponent, did remain for three days, living under the same roof with the Lunatic, and staying at the urgent request of the said William Hitchman Symmons; that on the occasion of this visit the said William Hitchman Symmons told this deponent he wanted to come to London on urgent business of his own, and it was then suggested either by this deponent or the said William Hitchman Symmons, (and this deponent cannot recollect which,) that the said Lunatic should accompany the said William Hitchman Symmons to London, as the said William Hitchman Symmons told deponent it would be beneficial to the said Lunatic.

And this deponent saith, he left Stanwell on the Sunday preceding the Wednesday on which day he believes the said William Hitchman Symmons brought the said Lunatic to Cowper House; that during the two days which the said Lunatic remained in town, he, this deponent, saw him only for about five hours on the first of the said days, when Ingram brought the Lunatic to the house of this deponent; that a consultation which this deponent had with his Solicitor at a Barrister's, in Lincoln's Inn, he, this deponent, was informed, that as the heir-at-law of his brother he was the person who would be selected as the Committee of the person of his said brother; that he made this communication to William Hitchman Symmons, because disapproving of the apparent humidity of the situation of the House at Stanwell, and having stated his dislike to the place, he wished to prevent the said William Hitchman Symmons from renewing the grant for a lease of it, which this deponent understood expired in June.

And this deponent further saith, that he always intended in the management of his brothers to be governed by the directions of the Court of Chancery, and to act under the best medical advice, and in particular has always expressed his most anxious desire that the medical men selected by the Lord Chancellor for the visitors of Lunatics, should be those who should direct the treatment proper to be adopted; and he,

Extract from another Letter written in 1834, a few months before the death of R. Saumarez, Esq., and from him to Captain Saumarez.

"I intend going to town the middle of next month, when I intend to take the best advice as to what is to be done with Paul.

My dear Richard,

Your affectionate father,

R. SAUMAREZ."

this deponent, has never for a moment contemplated himself to direct the medical treatment of either of his brothers.

And this deponent further saith, that the conversations stated in the Affidavit of the said Wm. Hitchman Symmons to have taken place between him and this deponent subsequent to the death of his said father, are also false, garbled, and imperfect statements of what actually passed between him and this deponent.

And this deponent further saith, that the conversation reported to have taken place between this deponent and James Lacy, is most imperfect in many particulars; and this deponent saith, he never referred to any ill-treatment having been adopted by the said William Hitchman Symmons to the said Lunatic; but this deponent in such conversation, and in consequence of the observations of Mr. Lacy, referred to the ill-treatment his brother Frederick had experienced before he had been placed in Laverstock House, and relative to which this deponent believes Affidavits have been filed in the Court of Chancery.

R. SAUMAREZ. { Sworn at my Chambers, Southampton
Buildings, Chancery-lane, London, this
15th day of May, 1835.

Before me, J. E. DOWDESWELL.

*Affidavits in support of Captain Saumarez, in opposition
to those filed on the other side.*

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

ANN SEVESTRE, of Regent-street, in the County of Middlesex, wife of Mr. Sevestre, of the same place, jeweller, saith, that she was intimately acquainted with Miss Sarah Bond, niece of the late Mr. Bond, of the City of London, banker, and with various branches of her family; and this deponent saith, that the said Miss Bond was a lady of imbecile or unsound mind, and was in that state during the whole time this deponent knew her, about 10 years, till the day of her death, which happened about 5 years since; and this deponent saith, that the said Miss Bond was frequently and for a considerable time together, with the concurrence and entire approbation of her nearest relations, visiting at the house, and placed under the care of Captain Richard Saumarez, who, with his wife, were on the most intimate terms with such relatives; and this deponent saith, that the relatives of the said Miss Bond always expressed themselves most grateful to the

said Captain Saumarez for his kind and disinterested attention and care of the said Miss Bond, and always acknowledged the very great benefit she had derived from the kind manner and treatment which she experienced while under the roof of the said Captain Saumarez; and this deponent further saith, that she has known the said Richard Saumarez for many years, and has never seen or been aware of the slightest incoherence or inconsistency in his conversation, conduct, or manners.

ANN SEVESTRE. { Sworn at the Public Office, Southampton
Buildings, Chancery Lane, London,
this 15th day of May, 1835.
Before me, J. E. DOWDESWELL.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

RICHARD SAUMAREZ, of Hans-place, in the county of Middlesex, Esquire, a Captain in the Royal Navy, maketh oath and saith, that in the month of February last, he went to Salisbury, on the suggestion and at the request of his uncle, Nicholas Saumarez, Esquire, the surviving Committee of the person and estate of his brother Frederick Walshman Saumarez, who is also a Lunatic, to ascertain the state and condition of the said last named Lunatic, and to know if anything could be added to secure his comforts; that he, this deponent, then for the first time saw Dr. Finch, under whose care the said Frederick Walshman Saumarez was placed at Salisbury, and had a consultation with him for about half an hour or twenty minutes; and he, this deponent, then asked Dr. Finch whether anything could be done to benefit his brother or add to his comfort; that Dr. Finch said in reply there was nothing to be done for him; deponent then told Dr. Finch that his, the Lunatic's father, had directed the whole income (about £450 per annum) of the Lunatic to be laid out for his benefit, and enquired how that could best be done; Dr. Finch replied: "that is easily settled, we will give you a certificate that your brother is properly taken care of, and the surplus funds will accumulate for the benefit of yourself, or his representative under the order of the Court of Chancery;" that deponent replied, that he never would consent to that, and would not allow his brother to be an annuitant to any Lunatic Asylum if it depended on him; and that under the advice of the Lord Chancellor's Physician, he, the Lunatic, should never remain more than a year in any one Lunatic Asylum, unless he derived benefit from the treatment he received there.

That he, this deponent, was on his road from London to Guernsey, and he

meant at once to have gone on to Guernsey (and not to London, as stated in the affidavit of Dr. Finch) immediately after his interview with him, and without going to see the said Lunatic, or the asylum; but finding the coach, he intended to go by, did not start till twelve o'clock; therefore, and only therefore, he went to Laverstock House, about a mile from Salisbury, to look at it, but not then intending to see either Mr. Lacy or his brother; that this deponent did not call on the said Dr. Finch till after ten o'clock in the morning, and after his interview with him he walked to Laverstock House, aforesaid, and there saw Mr. Lacy, and returned on foot to Salisbury, and was back again at Salisbury by five minutes past twelve o'clock; that on reaching Laverstock House, aforesaid, Mr. Lacy was outside in the garden, and deponent having asked some one passing if it were Mr. Lacy, he deponent went up and spoke to him, introducing himself to him as the brother of the Lunatic.

And this deponent saith, that finding Dr. Finch was of opinion that nothing could be done to add to his brother's comfort, Captain Saumarez wished to ascertain whether Mr. Lacy thought the same; Mr. Lacy stated in answer, to the enquiries of deponent, that a better mode of treatment might be adopted, by placing him, the Lunatic, in one of the cottages of the establishment, allowing him servants and a carriage, and all the comforts of a rational man, and that the expense would not be £400 a year; deponent then asked why this was not proposed to the Lunatic's father; that the said Mr. Lacy then stated that deponent's father had withdrawn a sum from the allowance which had been previously made, and therefore he Mr. Lacy did *not suppose* that the father would consent to make a larger allowance to increase the comforts of the Lunatic; that this deponent then enquired of Mr. Lacy if he had ever seen a statement of the Lunatic's case, and he found that it had never been applied for; Mr. Lacy then said that the Lunatic came to the establishment with bruises and his arm weak from dislocation, and that he had the appearance of having been harshly treated; that this deponent then told Mr. Lacy many particulars connected with the family of the Lunatic, to enable him to understand the case of the Lunatic and the causes of his malady, so far as they were within his, this deponent's knowledge; and deponent said he attributed his malady partly to a disappointment in marriage, which had produced a brain fever, and partly to causes connected with disputes between the said Frederick Walshman Saumarez and his partner.

And this deponent further saith, that he this deponent never saw either the said Dr. Finch or the said Mr. Lacy, or either of them, except on the occasions referred to in the affidavits of these gentlemen, as above stated.

And this deponent saith, that he was intended for the Medical profession, and is fond of Medical studies; and that a young lady,

a friend of his wife's, who was imbecile and almost a Lunatic, was for a considerable time residing with this deponent and his wife, and received much benefit from the treatment adopted towards her by them.

And this deponent further saith, that he hath been to Cowper House only five times since the death of his father; and that his object being to see Mr. and Mrs. Symmonds, and not his brother; he only saw his brother on two or perhaps three of the said visits so made by him, as aforesaid, to Cowper House; and he does not recollect, and does not believe, that Daniel Armitage was present with or near him and his said brother, whilst he and his said brother were together during these two visits.

And this deponent saith, that on one of such visits he saw his brother for about ten minutes only, and in the presence of Dr. Symmonds, who was in the room the whole time he and his brother were together.

And this deponent further saith, that during the two days alluded to in the affidavit of John Ingram, the said Paul Saumarez was only with this deponent *for about five hours* of the first of such two days, and was not seen by this deponent on the other of the said two days.

RD. SAUMAREZ. { SWORN at my Chambers, this 5th day of
May, 1835.

Before me, WM. BROUGHAM.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

WILLIAM FINCH, of Laverstock House, in the County of Wilts, and of Salisbury, in the same County, doctor of medicine, saith, that he has had the superintendence of the Laverstock Lunatic Asylum for more than 30 years, during which time the patients under his daily care, have always exceeded 100, exclusive of private patients; and this deponent further saith, that on the interviews with Captain Richard Saumarez, alluded to in this deponent's former affidavit in this matter, this deponent said to the said Captain Richard Saumarez, that Frederick Walshman Saumarez had every necessary comfort afforded him; but upon being told by the said Captain Saumarez, that his father had increased the said Lunatic's income to more than £400 per annum, which, the said Captain Richard Saumarez was determined should be spent on the said Lunatic; this deponent said, that for so large a sum to be expended upon him in his present state of mind would be unnecessary, as he had every rational comfort afforded him as far

as could contribute to his domestic happiness, or alleviate his mental sufferings ; and this deponent suggested, that any surplus which may remain should be placed at the Lord Chancellor's disposal, so that the said Lunatic, in case of his recovery, would have the benefit of the accumulation ; and in the event of his not recovering, his representatives might thereafter reap the advantage of it ; but this deponent has not the slightest recollection of ever having said one word about giving any certificate ; and this deponent further saith, that the said Frederick Walshman Saumarez came from Dr. Munro's establishment to this, deponent's, under a commission of lunacy, and has been under this deponent's care for nine years, during which time *he has not enjoyed a lucid interval*, although he is sometimes more rational and more composed than others, and this deponent considers him *incurably insane*, and a *dangerous lunatic* ;* and under those circum-

* Previous to questioning such highly respectable authority, two medical men, with a magistrate, visited Dr. Finch's asylum at different times and separately, and the following communications encouraged Captain Saumarez afterwards to hope what has since been realized, that his afflicted brother would be allowed, at all times, to walk out unattended—and which the medical gentlemen with whom Mr. Frederick Saumarez afterwards resided, allowed him to do, even in London, during the last two years—and which he does still.

GEORGE WHITCOMB, of the parish of Alverstoke, in the County of Hants, for many years an attendant on the insane patients of Hasler Hospital, and since the 29th of August last, attended on Frederick Walshman Saumarez, at the house of Mrs. Lambeth, at Hardaway, saith,

* * * *

That the said Frederick Walshman Saumarez has had two serious paroxysms only since under deponent's care, namely, on the day he parted with his sister, Mrs. Gimingham in October last, which was from his unwillingness to be parted from her, after passing the day in the most affectionate manner in her company—the other, about a fortnight after Captain Saumarez and his wife had left Hardaway, and from costiveness of habit only * * at other times he has been generally mild and tranquil ; and this deponent should consider it a cruelty to remove the said Frederick Walshman Saumarez to a lunatic asylum, which nothing this deponent has seen since the said Frederick Walshman Saumarez has been under his care could justify.

G. WHITCOMB. { Sworn at Hardaway, in the parish of
Alverstoke.

Before me, DAVID CAMPEGNE,
A Master Extraordinary in Chancery.

DEAR SIR,

Mr. Frederick Saumarez's general health has evidently improved since his removal from Dr. Finch's establishment. * *

Although he is easily excited and subject to strong paroxysms of passion, yet I do not think he would injure himself or others ; nevertheless, it is

stances, this deponent, on his said interview with Captain Saumarez, reasoned with the said Captain Saumarez on the impropriety of the Lunatic's being removed about from place to place, or from one asylum to another, and particularly to the effect, that the said Frederick Walshman Saumarez invariably sought seclusion, and studiously avoided exposure; that the slightest interruption to his feelings would excite ungovernable rage; that the placing tantalizing objects before him, would irritate and provoke him, to gratify which might be highly injurious; that independently of the great exposure, and also of mischief which would inevitably arise from removing him from one place to another, before his habits, propensities, and character, under all forms of disease, could be ascertained; the time of his removal in fact, or in anticipation, would be a constant source of excitement and mischief.

And this deponent further saith, that when the said Captain Saumarez left, he, this deponent, believed that Captain Saumarez had waived his intention of removing the said Lunatic.

And this deponent further saith, that he was so strongly impressed with the belief that Captain Saumarez was going direct from his house to London, that immediately after he had left, this deponent felt regret that he had not invited him to dine with him, knowing that there was no coach to London before the evening; whereas, had he supposed Captain Saumarez was on his way to Guernsey, he should have been aware of coaches going from Salisbury several different times in the forenoon.

W. FINCH, M.D.	{	Sworn at the City of New Sarum, in the County of Wilts, this 19th day of May, 1835.
		Before me, M. T. HODDING. A Master, &c.

IN CHANCERY.

In the Matter of the Rev. Paul Saumarez, a Lunatic.

JAMES LACY, one of the proprietors of Laverstock House Asylum, near Salisbury, in the county of Wilts, saith, that Captain Richard Saumarez's statement in the Affidavit sworn by him in this matter as to the time spent at Laverstock, is about correct, but this deponent accompanied him on his way

highly necessary, (from his not being accountable for his actions), that he should be under vigilant superintendence, and this being attainable in a private family, equally as in an asylum, must certainly be more agreeable to the feelings of his family, and those interested in his welfare.

I am, dear Sir,

Your's, very faithfully,

CH. MAYBERRY, Surgeon.

Portsmouth, October 11, 1835.

back from Laverstock full two-thirds of the way to Salisbury, and they parted about twelve o'clock, having been together at least about one hour and a quarter. And this deponent saith, that the remark made by this deponent about a cottage did not originate with him, but was in answer, to the urgent inquiries of Captain Richard Saumarez, who said that the income of the Lunatic was now upwards of £400 per annum; that if that were not enough, he, Captain Saumarez, would add £100 a year out of his own income; and that his brother ought not to be in a Lunatic Asylum; and he desired to know how, and for what sum, he might be accommodated elsewhere; and this deponent then said, that the only way of spending his income would be to give him a separate establishment altogether, where he could be overlooked; but this deponent never suggested it, nor did he recommend it as a better mode of treatment, well knowing that it would not benefit the Lunatic in the least, but he merely mentioned it as a mode of spending the money which Captain Saumarez said he was determined should be spent upon the said Lunatic. And this deponent further saith, that the said Frederick Walshman Saumarez is already in the enjoyment of two private and excellent apartments, board, washing, fires, lights, books, newspapers, a billiard-table, and other amusements; wine, servants, a carriage, society if he desire it, and medicine, and medical attendance.

And this deponent further saith, that the said Captain Saumarez asked particularly what sum his father allowed for his brother; and when this deponent told him, Captain Saumarez said it was shameful that it could not remunerate this deponent and his partner, and seemed angry about it; that this deponent then said that the Lunatic's clothing was paid for besides; and then the said Captain Saumarez requested to see his brother's account, from whence he made extracts.

And this deponent further saith, that when Captain Saumarez exclaimed very much about the smallness of the charge for clothes of the said Lunatic, this deponent told him that all the Lunatic's linen was sent by his father, but that his father had always recommended him economy in the tradesmen's bills; and that upon one occasion, when Mr. P. Saumarez desired Dr. Finch and this deponent to increase their charge for the Lunatic's maintenance from £150 to £204 12s. per annum, they did so; but the Lunatic's father remonstrated with them for so doing without authority from him, refused to pay the extra charge so made, and *fixed the future charge at £175 per annum,** exclusive of clothing, at which sum it has remained ever since.

And this deponent further saith, that he has never seen the said F. W. Saumarez enjoying a lucid interval, and he considers him a very dangerous Lunatic.

And this deponent further saith, that he is quite certain that the said Captain Saumarez did say that Mr. Symmons was eighty

* See extract on opposite page.

years of age, but whether he spoke metaphorically, meaning that the infirmities of the said Mr. Symmons rendered his constitution and bodily health equal to a man of eighty years of age, this deponent cannot say; and this deponent further saith, that he cannot give a perfect statement of the whole of the conversation which passed between this deponent and the said Captain Richard Saumarez, the same being extremely rapid and desultory, but that the account before sworn to by this deponent is wholly true.

And this deponent further saith, that Captain Saumarez did speak of the ill-treatment of his brother at Mr. Symmons'; and this deponent firmly understood such alleged ill-treatment to be the reason why Mr. P. Saumarez should be removed to Laverstock.

JAMES LACY { Sworn at the city of New Sarum, in the
county of Wilts, the 19th day of May, 1825.

Before me, — M. T. HODDING, A Master, &c.

* Extract from letter and accounts of Messrs. Finch and Lacy, for the period at which date this Affidavit was made.

“ *Laverstock House, July 13th, 1825.*

“ GENTLEMEN,—We have stated the same annual sum as in the last account for six months, from Jan. 1st to July 1st, 1835.

	£	s.	d.
Board, lodging, washing, attendance, medicines, private apartments, servant, wine, fires, lights, carriage exercises, &c.	75	0	0

The charge was once £204 12s. per annum; it was then reduced to £175; and since that again reduced to £150.

We are your obedient servants,
FINCH and LACY.”

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

WILLIAM VASSAL, of Avaranche, in the kingdom of France, M.D., maketh oath and saith that he hath been intimate with Richard Saumarez, Esquire, for the space of five years, or thereabouts, and was a neighbour, and professionally employed by him as the medical adviser of his family for about three years, and during the whole residence of the said Richard Saumarez in France; that during the whole of that period he had constant opportunities of judging of the character, mind, and intellect of the said Richard Saumarez.

And this deponent saith that his character stood in high estimation with the first class of English and French residents at Avaranche, aforesaid; and the mind, judgment, and intellect of the said R. Saumarez were during the whole period of this deponent's, acquaintance with him, sound and rational; and he

has never seen any aberrations of mind in the conduct or conversation of the said Richard Saumarez.

And this deponent saith, he has had very long and frequent conversations with the said Richard Saumarez on the subject of the malady of his two brothers, and more particularly the above-named Lunatic, and on all such occasions the observations of the said Richard Saumarez were those of a man of a very sound mind, and of the most correct and affectionate feelings towards his said brothers, and shewing the strongest desire to ameliorate their mental and bodily state in every possible way.

WM. VASSALL, M.D.

{ SWORN at my Chamber, South-
ampton Building, Chancery Lane,
this 4th day of May, 1835.

Before me, W. BROUGHAM.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

FREDERICK SOTHEY MULLER, of Hans Place, in the county of Middlesex, surgeon, saith, that he is brother-in-law to Mr. Symmons, under whose care the said Lunatic is, and has been; and that he hath upwards of six years been well and intimately acquainted with Richard Saumarez, Knight of the Imperial Order of Leopold of Austria, and a Captain in the Royal Navy, now of the age of 43 years or thereabouts, and during a part of those six years has been a neighbour of the said Richard Saumarez, who is the eldest and only rational brother of the said Lunatic.

And this deponent further saith, that he knows the said Richard Saumarez to be an honourable, humane, kindhearted, and generous person, and affectionately anxious for his brother's welfare, and believes him to be in all respects, well calculated to be the Committee of the person and estate of the said Lunatic, and in the judgment and opinion of this deponent, the comfort and proper treatment of the said Lunatic will be secured by the appointment of the said Richard Saumarez to be such Committee.

And this deponent further saith, that he is the better able to depose to the facts above stated, because this deponent has often been consulted by the said Richard Saumarez, on the unfortunate situation of the said Lunatic, and the proper medical treatment which ought to be adopted with reference to his case, and on all such occasions, the said Richard Saumarez displayed great feeling and judgment, and great anxiety that the mode of treatment to be adopted should be in accordance with the opinions of professional men of the first eminence.

And this deponent further saith, that the two paper writings now produced, and shown to this deponent, marked respectively A and B, and purporting to be letters written by Mr. William Symmons, but in the hand-writing of Mrs. William, who is the wife of this deponent's wife's brother, and of the proper hand-writing of the said Mrs. William Symmons.

FREDK. SOTHERBY MULLER.	{	Sworn at my Office, in Southampton Buildings in the county of Middlesex, this 13th day of April, 1835.
		Before me, HENRY MARTIN.

IN CHANCERY.

In the Matter of Richard Saumarez, a Lunatic.

MARTHA DE HAVILLAND, of the Island of Guernsey, at present residing at No. 20, Guildford-street, Russell-square, in the county of Middlesex, wife of Charles De Havilland, a Major in the British Army, saith, that she, this deponent, is sister to the said Lunatic, and to Frederick Walshman Saumarez, who is also a Lunatic, and to Captain Richard Saumarez.

And this deponent saith, she doth not object, and hath not objected to her said brother, Captain R. Saumarez, being appointed Committee of the person and estate of the said Lunatic, Paul Saumarez, on the ground of the said Captain R. Saumarez being insane; but that her objection to the said Captain R. Saumarez being appointed such Committee are herein stated.

And this deponent further saith, that she doth not believe the said Captain R. Saumarez to be insane, but that she is well acquainted with the character, manners, and disposition of the said Captain R. Saumarez, and that it is in consequence of such her knowledge of the said Captain R. Saumarez, that she objects to his being appointed such Committee.

And this deponent further saith, that the said Captain R. Saumarez is of exceedingly violent temper, of a very fickle mind and disposition, continually suggesting plans for the treatment of the said Paul Saumarez, and F. W. Saumarez, and is continually varying the same, and subject to being greatly excited on trivial occasions.

And this deponent further saith, that she hath been informed, and believes, that the said F. W. Saumarez is a violent, incurable, and dangerous Lunatic; and that, on the contrary, the said Paul Saumarez is a harmless Lunatic, occasionally noisy, but not at all dangerous; and that the plan and intention of the said Captain R. Saumarez in the event of his being appointed Com-

mittee of the persons of the said two brothers, as this deponent believes, is to have them living together, which plan, if carried into effect, will, as this deponent verily believes, be the means of making them both considerably worse, particularly the said Paul Saumarez.

And this deponent further saith, that she verily believes that divers of the Affidavits left in the Master's Office in this matter, by, and on the part and behalf of, the said Captain R. Saumarez, have been made by the parties themselves, in consequence of the said Captain R. Saumarez having alleged that this deponent hath accused him of insanity, and having also alleged that the said Paul Saumarez hath been cruelly and harshly treated by Mr. W. H. Symmons, the Surgeon under whose care the said P. Saumarez was placed by his father, and now remains; and that the residence of the said W. H. Symmons at Stanwell, in the county of Middlesex, where he resides with the said Paul Saumarez, is a damp and improper situation, and that the said Paul Saumarez is unnecessarily confined in a Lunatic Asylum, all of which statements are incorrect; for this deponent saith, she hath always understood from her father and the different branches of the family, that the treatment of the said Paul Saumarez by the said W. H. Symmons hath been of the kindest and most indulgent description, and that her said father was, during his lifetime, highly satisfied therewith.

And this deponent saith, that the said W. H. Symmons rented the said cottage expressly for the said Paul Saumarez, and that as far as this deponent hath observed, the same is in a very healthy and agreeable situation, and that the said Paul Saumarez is the only patient in the said house, and hath Mr. Cassan with him as a companion, and Mr. James Ingram, who is in Mr. Symmons's confidence, as a constant attendant.

And this deponent further saith, that she hath never at any time instructed or authorized her Solicitor to object to the said Captain Saumarez as such Committee on the ground of Insanity.

MARTHA DE HAVILLAND.

{ Sworn at the Public Office
Southampton Buildings, in
the county of Middlesex, the
21st day of May, 1835.

Before me,

W. BROUGHAM.

*The deponent is a resident in the Parish of St. Mary
and is much respected in it
as being connected with some of its most
important interests which he successfully
superintends. He is a man of high
standing and is well considered by*

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

CARTERET GIMINGHAM, of Cadogan-place, in the county of Middlesex, wife of J. Gimmingham, of the same place, Esq. maketh oath and saith, that she is the sister of the said Lunatic, and of Richard Saumarez, Captain in the Royal Navy; that to the best of her belief there cannot be any grounds whatever for the supposition that the mind and faculties of the said Richard Saumarez are not now, and have not at all times, except as after stated, been perfectly sound and rational; that in the spring of the year 1830 she this deponent has heard and believes that the said Richard Saumarez, owing to an accidental illness, was for a few hours in a state of delirium, but it is the only instance she ever heard of his being attacked with any illness of that description, and his illness at that time was considered by deponent of so trifling a description, that this deponent went out to a party on the day following the occurrence.

And this deponent further saith, that she is satisfied that her said brother R. Saumarez is a most honourable, humane, and kind-hearted person, and is, and ever has been, a most affectionate brother, and is highly and deservedly esteemed by the different members of his family.

And this deponent further saith, that she is satisfied that the said Richard Saumarez is most anxious for the welfare, comfort, and restoration of the said Lunatic, and is actuated by the best motives in seeking the appointment of himself to be one of the Committee.

CARTERET GIMINGHAM { SWORN at my Chamber, Southampton Buildings, this 9th day of May, 1835.

Before me, WM. BROUGHAM.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

The Right Hon. JAMES LORD DE SAUMAREZ maketh oath and saith, that he has personally known his nephew Richard Saumarez, Esquire, a Captain in the Royal Navy, and Knight of the Imperial Order of Austria, from early life; that the said Richard Saumarez has sailed under the command of this deponent; that he this deponent has had frequent opportunities of seeing him, and particularly in the month of February last, on his coming from Salisbury to Guernsey; that he this deponent, has never seen any instance of unsoundness or aberration of mind in the said Richard Saumarez, and never heard that any existed; that

* See page 13.

he knows the said Richard Saumarez to be a most humane and kind-hearted person, and affectionately attached to his brother.

And this deponent therefore considers him a fit and proper person to be one of the Committee of the person of the said Lunatic.

DE SAUMAREZ. { SWORN at Bryan Hotel, Conduit Street,
in the County of Middlesex, this 14th
day of May, 1835.

Before me, WM. BROUGHAM.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

ARTHUR JOHN CASSAN, of Hanwell, in the county of Middlesex, Gentlemen, maketh oath and saith, that for the last two months he has been living as companion with the said Lunatic, in the house of Dr. Symmonds, at Hanwell, aforesaid; and he has constantly and solely been occupied in attending on the said Lunatic, under the direction of the said Dr. Symmons.

And this deponent further saith, that such intercourse with the said Lunatic has enabled him, this deponent, to discover the very great affection and attachment which the said Lunatic entertains for his brother Richard Saumarez, and his great anxiety to be visited by and in communication with his said brother.

And this deponent further saith, he confidently believes that the knowledge that the said Richard Saumarez was the Committee of his person, would, in the judgment and belief of this deponent tend to tranquillize and benefit the state of mind of the said Lunatic.

JOHN ARTHUR CASSAN. { SWORN at the Public Office, South-
ampton Buildings, Chancery Lane,
London, this 22d day of April, 1835.

Before me, JAMES TROVER.

IN CHANCERY.

In the Matter of the Rev. Paul Saumarez, a Lunatic.

WILLIAM FRANCIS ELLIS, of Great Russell-street, Bloomsbury, managing Clerk to John Hinxman, of the same place, Navy Agent, saith, that he has acted as such managing Clerk for the last fifteen years and upwards, and that during such time Captain Saumarez has employed the said John Hinxman as his agent.

And this deponent further saith, that in his capacity aforesaid,

all the pecuniary transactions of the said Captain Saumarez with his said agent, and those to a very large amount, have passed through this deponent's hands, and that he has mostly received all the instructions relative to the said accounts, from the said Richard Saumarez direct; and on all such occasions the said Captain Saumarez has displayed a perfect and accurate knowledge of business, and of the management of his affairs, and has always been considered, as well by this deponent as by the said John Hinxman, in all transactions a most honourable and correct person.

And this deponent further saith, that he has also been on the most confidential terms with the said Captain Saumarez in many private affairs, several of them of a most anxious nature, and relating to his brothers and his family; and that in consequence of such, this deponent had frequent and constant communication with the said Captain Saumarez, which have continued as aforesaid, as well before as since the death of his father, and in particular existed at the time of his (the said Captain Saumarez) leaving town for Guernsey in February last; he, the said deponent, is enabled confidently to state that *the mind, manners, and conduct* of the said Captain Saumarez during the whole period aforesaid, were perfectly sound, rational, and consistent; and that he, this deponent, has never seen the slightest aberration of mind or intellect in the said Captain Saumarez; and that he, this deponent, has never had reason, from the conduct, manner, and conversation of the said Captain Saumarez, or from any other reason whatever, to suppose or think that any aberration of mind or intellect now exists, or ever has existed, in the said Captain Saumarez.

W. F. ELLIS. { Sworn at the Public Office, Southampton
Buildings, Chancery-lane, this 7th day of
May, 1835.

Before me,

J. W. FARRER.

"MY DEAR SIR,—

"Dr. Sutherland will be at home (No. 1, Park-street) between *ten and twelve on Wednesday morning*, and will be glad to see Captain S. there, if he can make it convenient to call upon him. Dr. Sutherland will communicate with me in the course of Wednesday evening, and on Thursday morning you shall hear from me again.

Southampton Buildings.

W. BROUGHAM."

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a Lunatic.

ALEXANDER ROBERT SUTHERLAND, of Parliament-street, in the City of Westminster, doctor of medicine, saith, that having had various affidavits made in this matter submitted to him, this deponent, by the direction of William Brougham, Esq., one of

the Masters of the High Court of Chancery, preparatory to an examination by this deponent, of Richard Saumarez, of Hans-place, in the County of Middlesex, Esq., Captain in the Royal Navy, as to his competency to undertake the responsible situation of Committee of the person and estate of his afflicted brother the above-named Lunatic, he, this deponent, hath attentively read such affidavits, and considered the circumstances thereby referred to, and at an interview and conference had by this deponent with the said Richard Saumarez, at the house of this deponent, on Wednesday the 13th day of May inst., he, this deponent, questioned and strictly examined the said Richard Saumarez, so as to form a true opinion of his mental capacity, and inquired of the said Richard Saumarez, the cause of the temporary illness in Sloane-street; of his having taken charge of, and greatly benefited a female idiot, and his system of managing her; and this deponent having well weighed in his mind the various other circumstances alluded to in the said affidavits, which were fully gone into, and discussed at the said interview between this deponent and the said Richard Saumarez, and by the latter satisfactorily explained; this deponent is enabled to state, and doth hereby declare, that he could not trace the slightest inaccuracy in his the said Richard Saumarez's replies to the questions put to him by this deponent, or the remotest desire to screen any facts relating to those circumstances; but that his explanations and details were given in a straight forward, manly, and becoming manner, devoid of all that assumption and self-conceit which this deponent had reason to believe he was to encounter from the circumstances stated in the said affidavits; insomuch, that it was suggested by himself, the said Richard Saumarez, that in applying for the situation of Committee of the person and estate of that Lunatic, he had no desire to take upon himself solely so responsible a situation, but should prefer acting with some medical gentleman, jointly, in that capacity.

And this deponent further saith, that having paid due attention to the inquiry and examination so as aforesaid made, he, this deponent, most sincerely and conscientiously avers, that he could not detect any thing in expression or deportment in him the said Richard Saumarez, which could in any way militate against his appointment as Committee of the person and estate of the above named Lunatic, and especially in the way so as aforesaid suggested by the said Richard Saumarez, namely, some medical gentleman being joined with him in such trust.

A. R. SUTHERLAND. { Sworn at the Public Office, Southampton
Buildings, in the County of Middlesex,
this 20th day of May, 1835.

Before me, WM. BROUGHAM.

IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a person of unsound mind. S. E. Donne, Solicitor.

THE Costs, Charges, and Expenses of Charles de Havilland and Martha his wife, which said Martha de Havilland is one of the sisters and next of kin of the said lunatic, taxed under an order of the Lords Commissioners for the custody of the Great Seal, made in this matter, bearing date the 22d day of June, 1835.

*Deductions by
the Master.*

Easter Term, 1835.

l. s. d.

	1835. April 6th. Attending Major de Havilland, in conference as to the lunatic, when it was determined to have a meeting in Guildford-street, next day, with him and Mrs. de Havilland	0	6	8
	7th. Attending them in Guildford-street in conference thereon, for 2 hours	0	13	4
	8th. Attending Mr. Burn, in Raymond-buildings, in long conference thereon, and as to the applications made to him on behalf of Captain Saumarez, when he said that neither Mr. Gimingham nor Mr. Nicholas Saumarez would act with the Captain, and afterwards attending at Mr. Leman's, but he was from home	0	6	8
	9th. Attending Major de Havilland, this day, in conference thereon	0	6	8
	10th. Writing to him fully in reply to his letter	0	5	0
	1835. April 11th. Attending Major and Mrs. de Havilland, in the morning for nearly 2 hours, in long conference on this case	0	13	4
	Attending Captain Saumarez and Mr. Leman, in Lincoln's-Inn-Fields hereon, when the former insisted on being appointed committee, and it was stated on the part of Major and Mrs. de Havilland "that he would be decidedly objected to, in consequence of his interference having already injured the lunatic's health"*	0	13	4
	Attending Major and Mrs. de Havilland, in the evening, in Guildford-street, in long conference hereon, when it was finally arranged to go down to Salisbury on Friday next, engaged 4 hours	1	6	8
	13th. Attending Major de Havilland as to application to Mr. Symmons, advising, and it was agreed to meet at Cowper House next afternoon	0	6	8
	14th. Attending at Cowper House, Brompton, and had a long conference with Mrs. Symmons and Major de Havilland, engaged 5½ hours†	1	16	8
	15th. Attending Mr. Nicholas Saumarez and Mr. Burn in long conference hereon	0	6	8

* The preceding affidavits have shown how false this statement is; and, gentle reader, if you would avoid being deceived, never trust to the tale of an *angry woman*. It must be something strange, indeed, that she will be unable to add to, and thus to falsify.

† Page 25, line 15.

			<i>l.</i>	<i>s.</i>	<i>d.</i>
	16th.	Attending Major de Havilland in further conference hereon	0	6	8
	17th, 18th, and 19th.	Attending with Major de Havilland at Salisbury and Laverstock to see Dr. Finch and Mrs. Finch, and Mr. Lacey, as to the evidence which they could give respecting the lunatic; preparing affidavits; engrossing same, and afterwards getting them sworn, and attending at Stanwell; examining Mr. and Mrs. Symmons, the attendants, Mr. Ingram, and the coachman, respecting the interference of Captain Saumarez; out two days and part of two nights	9	9	0
3	3	0	10	19	0
		Coach hire and expenses	1	1	0
		Paid Master Extraordinary for oaths			
	20th.	Attending Mr. and Mrs. de Havilland, in Guildford-street, in conference hereon, engaged nearly three hours	1	1	0
0	7	0			
	21st.	Attending Major de Havilland in further conference hereon	0	6	8
	22d.	Paid for copy proposal of Captain Saumarez as to committee, fol. 19	0	2	4
		Paid for copy six affidavits in support thereof, fol. 22	0	2	9
0	6	8			
		Attending Major and Mrs. de Havilland, in Guildford-street, in conference hereon, engaged two hours	0	13	4
		Writing Mr. Burn, <i>requiring</i> an affidavit to be made by Mr. Gimingham as to his knowledge of the business	0	5	0
0	1	6			
	23rd.	Four copies of the affidavits made by Dr. Finch and the other parties, at Salisbury for them, fol. 21	0	7	0
0	3	6			
		Writing letter therewith	0	3	6
		Paid carriage of Parcel	0	1	8
		Attending Major de Havilland in further conference on the case	0	6	8
0	6	8			
	24th.	Attending upon Captain Saumarez's proposal, when a week given to have affidavits in opposition	0	6	8
		Attending Major de Havilland, in Guildford-street, hereon, and afterwards* attending Mr. Symmons, at Brompton, in long conference, as to the lunatic, engaged four hours	1	6	8
0	6	8			
	25th.	Instructions for the affidavit of James Ingram	0	6	8
		Drawing same, fol. 8	0	8	0
		Ingrossing same	0	2	8
		Letter therewith, and paid postage	0	4	0
		Paid oath and coach-hire	0	5	0
		Attending Major de Havilland in further conference hereon	0	6	8
0	6	8			
0	6	8			
	28th.	The like attendance	0	6	8
	29th.	Instructions for affidavit of Daniel Armitage	0	6	8
		Drawing same, fol. 6			
		Ingrossing same			
		Attending him to be sworn	0	6	8

			<i>l.</i>	<i>s.</i>	<i>d.</i>
		Paid oath	0	1	6
		Paid his coach-hire	0	7	6
		Drawing affidavit of Samuel Edward Donne, fol. 23	1	3	0
		Ingrossing same	0	7	8
		Attending to be sworn	0	6	8
		Paid oath	0	1	6
		Drawing state of facts in opposition to the appointment, and fair copy for the master, fol. 46	1	0	8
		Warrant on leaving 2 copies and service	0	8	0
		Writing Mr. Leman for copies of Mr. Symmons' letters to Captain Saumarez,* exhibited to affidavit			
0	1	6 of Mr. Muller	0	5	0
		30th. Paid for copy affidavit of Mr. Cassan, fol. 3	0	0	4½
0	6	8 Attending Major de Havilland in conference hereon	0	6	8
		May 2. Warrant to proceed, 2 copies and service	0	8	0
		5th. Attending same	0	6	8
		Another warrant, 2 copies and service	0	8	0
		Attending Major de Havilland in conference thereon, particularly as to the further affidavit of Mr. Muller produced before the master	0	6	8
		Writing to Mr. Walne, of Bloomsbury-square, in consequence of the allusion made therein of his having given the Captain an improper dose of calomel			
0	5	0	0	5	0
		6th. Attending him in Bloomsbury-square as to having an interview with the master, and afterwards attending Major de Havilland in further conference hereon	0	13	4
		7th. Attending Major and Mrs. de Havilland in long conference on this case, and as to an affidavit from Mr. Symmons, engaged nearly 2 hours	0	13	4
		Paid for copies affidavits of Mr. Muller, Dr. Vassal, and Captain Saumarez, fol. 27	0	3	4½
		8th. Instructions for affidavits of Mr. Symmons	0	6	8
		Drawing same, fol. 28	1	8	0
		Ingrossing	0	9	4
		Paid oath	0	2	6
0	6	8 Attending Major de Havilland in further conference on this case	0	6	8
		9th. Attending warrant when the Master said he would speak to Dr. Sutherland on the subject	0	6	8
		Paid for copy affidavit of Mr. Ellis, folio 6	0	0	9
		Warrant on leaving Mr. Symmons' affidavit, 2 c. and s.	0	8	0
		Attending Major de Havilland twice this afternoon on long conference as to the affidavit made by Mrs. Gimingham; this morning conferring and advising as to the propriety of going into the whole case	0	13	4
		Writing Mr. Walne with extract of Mr. Miller's affidavit, and as to his making one in reply	0	5	0
		Writing Mr. Symmons as to the assertions made			

* Which by being withheld enabled the evidence of Mr. Symmons to be contradicted by his own handwriting.

				<i>l.</i>	<i>s.</i>	<i>d.</i>
			before the master, and requesting him to allow the different branches of his family to make affidavits on the subject	0	5	0
0	1	6	Fair copy of Captain Saumarez's affidavit, for Dr. Finch, fol. 18	0	6	0
			Writing to him therewith, and as to answering same, and paid postage	0	5	9
			Paid for copy affidavit, fol. 4	0	0	6
			Writing to Mr. Leman for copies of the letters which had been exhibited to Mr. Muller*	0	3	6
			12th. Attending Major de Havilland in further conference hereon	0	6	8
			13th. Attending the Master to know if he had seen Dr. Sutherland, when he said that the Doctor had promised to send his opinion in the course of the day, and that a copy should be sent to me	0	6	8
0	6	8	Attending Major and Mrs. de Havilland, in Guildford-street, in long conference hereon	0	13	4
			Writing Mr. Symmons on the subject of the further affidavits	0	5	0
0	1	6	14th. In order that the matter might be in a proper state, in point of form, for the decision of the Master, drawing proposal that Mr. le Marchant Thomas and Dr. De Jersey should be appointed committee of the lunatic's person, and Mr. Thomas of the Estate, and fair copy for the Master, fol. 6	0	4	0
			Instructions for affidavit of Major de Havilland, in support	0	6	8
			Drawing same, fol. 4	0	4	0
			Ingrossing same	0	1	4
			Attending to be sworn	0	6	8
			Paid oath	0	1	6
			Warrant on leaving facts, 2 copies and service	0	8	0
			Warrant to proceed, 2 copies and service	0	8	0
			Having received the letter, addressed by Dr. Sutherland to the Master, attending Mr. Burn, in Gray's Inn, and, afterwards, Mr. and Mrs. de Havilland, in Guildford-street, thereon	0	13	4
			<i>Attending Mr. Walne, in Bloomsbury-square, in long conference as to affidavits</i>	0	6	8
0	6	8	15th. Attending Major de Havilland again this day in further conference on the case	0	6	8
			Paid for copy affidavit of Lord de Saumarez, fol. 3	0	0	4½
			The like of Mrs. Saumarez, fol. 8	0	1	0
			The like of Captain Saumarez, fol. 16	0	2	0
			The like of Mrs. Silvestrie, fol 5	0	0	7½
			Attending warrant, when Monday week given to obtain further evidence	0	6	8
			Attending Mr. and Mrs. de Havilland in Guildford-street, further long conference on the case	0	13	4
			Instructions for further affidavit of Mr. Lacey	0	6	8
			Drawing same, fol. 10	0	10	0

				<i>l.</i>	<i>s.</i>	<i>d.</i>
			Ingrossing same	0	3	4
			Instructions for further affidavit of Dr. Finch	0	6	8
			Drawing same, fol. 8	0	8	0
			Ingrossing same	0	2	8
			Fair copy extract of the Captain's further affidavits as to his conversation with Mr. Lacey, to send to him	0	2	0
0	1	6	Writing with same, and affidavits*	0	5	0
			Parcel and carriage	0	2	0
0	5	6	Writing Mr. Symmons, appointing Monday, at Stanwell, to go into the business, and paid postage 18th. Attending at Stanwell accordingly, conferring at great length with him on the whole case, and going over the last affidavit of Captain Saumarez, examining him as to the other facts which had not been before deposed to, particularly as to Mr. Gimingham, and fully considering the same, engaged altogether eight hours and a half	0	5	6
			Coach-hire and expenses	2	2	0
			Copy letter produced by Mr. Leman before the Master, for Mr. Symmons, he requiring it to look up the one to which it was a reply	0	14	0
			Attending Major de Havilland in the evening <i>as to dispensing with any farther affidavit from Mr. Symmons</i> , and advising	0	2	6
			19th. Instructions for affidavit of Mrs. de Havilland	0	6	8
			Drawing same, fol. 10	0	6	8
			Ingrossing same	0	10	0
0	6	8	Attending, reading over, and settling same	0	3	4
			Attending her to be sworn	0	6	8
			Paid oath	0	6	8
			Attending in Bond-street, inquiring after Thomas Evans, but did not succeed	0	1	6
			Attending Major and Mrs. de Havilland, in Guildford-street, for nearly 2 hours in further conference on the case, when Mrs. De Havilland gave me a long statement to be made into an affidavit	0	6	8
0	13	4	Perusing and considering the same	0	13	4
0	6	8	Considering the affidavit and letter of Dr. Sutherland, attending Mr. and Mrs. de Havilland in long conference there as to her proposed affidavit	0	6	8
0	13	4	Having ascertained the name of the person <i>in whose employ Evans was</i> ,† writing him to inquire his present place of abode, if living	0	13	4
			21st. Carriage parcel from Salisbury	0	3	6
			Attending Mr. Burn on long conference on his letter of yesterday, and the wish of Mr. Gimingham <i>and the rest of the family that the opposition to the Captain should be abandoned</i>	0	2	0
			Attending Major and Mrs. de Havilland in conference thereon	0	6	8
				0	6	8

* By this it would appear the affidavits were first drawn out in London, and then sent down to Salisbury to be sworn to.

† See page 9, line 12.

						<i>l.</i>	<i>s.</i>	<i>d.</i>
				Writing Mr. Burn, stating the opposition would be abandoned, if two persons were named to act with the Captain, and he undertook not to have the				
0	1	6		lunatic in the house with him		0	5	0
				Perusing and considering three letters received by				
0	6	8		Mr. Symmons from the Captain		0	6	8
				22d. Perusing and considering an affidavit prepared				
0	13	4		by Mrs. de Havilland, <i>ten sides</i>		0	13	4
				Attending Major de Havilland in long conference				
0	13	4		thereon, and the arrival of his brother in England		0	13	4
				23d. Paid the charges of Hodding and Co. at				
				Salisbury, as to affidavits		1	15	10
				25th. Warrant on leaving affidavit of Major and				
				Mrs. de Havilland in support of proposal, 2c. and s.		0	8	0
				Warrant to proceed on their proposal, 2 c. and s.		0	8	0
				Warrant on leaving the affidavits of Dr. Furch and				
				Mr. Lacey, 2 copes and service		0	8	0
				Warrant to proceed on Major and Mrs. de Havil-				
				land's facts, 2 copies and service		0	8	0
				26th. Attending Mr. and Mrs. de Havilland on				
0	6	8		the long affidavit prepared by her, advising		0	6	8
				Attending Mr. Leman, in Lincoln's-Inn-Fields, to				
				get the warrant postponed from Wednesday to				
0	3	2		Saturday, when he was to see the Captain thereon		0	6	8
				Attending Mr. Burn thereon, and as to the interfer-				
				ence of Mr. and Mrs. Gimingham		0	6	8
				Attending Major and Mrs. de Havilland for nearly				
0	13	4		three hours <i>on the long affidavits</i> prepared by them		0	13	4
				Writing long letter to Mr. Gimingham, <i>insisting</i> on				
				the name of Dr. Wilkinson being withdrawn		0	5	0
				Paid for copy of proposal of Captain Saumarez, fol. 2		0	0	3
				Paid for copy affidavit of Dr. Sutherland, fol. 8		0	1	0
				26th. Attending Major de Havilland in the morn-				
				ing, conferring as to what was best to be done, in				
				the event of Dr. Wilkinson being disposed of		0	6	8
				Attending warrant, when the Master suggested the				
				appointment of Mr. Thomas with the Captain and				
				further proceedings adjourned till Saturday, to				
0	6	8		enable me to confer with Major and Mrs. de H.		0	13	4
				28th. Attending Colonel and Major de Havilland				
				three times this day, at 10, 1, and 5½, in long con-				
				ferences, with a view to an arrangement between				
0	7	8		the members of the family		1	1	
				29th. Attending the Colonel after his interview with				
				Lord de Saumarez and the rest of the family, as				
				to the appointment of Dr. Sutherland, advising		0	6	8
				Writing Mr. Leman that it was wished a third person				
				should be appointed, and that Dr. Sutherland				
0	1	6		would be consented to		0	5	0
				30th. Attending two warrants, when the Master				
				postponed to Tuesday to enable Captain Saumarez				
				to ascertain whether Mr. Thomas <i>insisted on a</i>				
				<i>third person</i>		0	13	4

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Attending Major de Havilland in conference thereon	0	6	8
Another warrant to proceed, 2 copies and service	0	8	0
Writing Mr. Walne in reply to letter from him, as to his being appointed one of the committee	0	3	6
Attending Mr. Leman by appointment to see him with a view to an amicable arrangement, but he was out, and affidavits attending Mr. Burn thereon	0	6	8
June 1st. Attending Colonel de Havilland, the Major, his wife, and Mr. de Saumarez, as to application to be made to Mr. Walne to act with the Captain, and afterwards attending Mr. Walne, in Bloomsbury-square, in long conference	0	13	4
Writing to Major de Havilland afterwards thereon	0	3	6
2d. Attending two warrants hereon, when it was determined to appoint Mr. Leman with the Captain and Mr. Thomas, if the Captain would agree to it	0	13	4
Attending Colonel de Havilland afterwards thereon	0	6	8
3d. Instructions for affidavit of Major de Havilland in support of proposal for Mr. Leman to be appointed with the Captain and Mr. Thomas	0	6	8
Drawing same, folio 4	0	4	0
Ingrossing same	0	1	4
Attending in Guildford-street, reading over and settling same, and advising	0	6	8
4th. Attending to be sworn	0	6	8
Paid oath	0	1	6
Warrant on leaving 2 copies and service	0	8	0
Warrants to justify Major and Mr. de Havilland's facts and affidavits			
Attending same			
Attending warrants to justify the Captain's facts and affidavits			
11th. Paid for copy draft report, fol. 20	0	2	0
Close copy	0	6	8
Attending warrant settling, same	0	6	8
Having been served with petition to confirm report, fair copy for counsel, 5 sheets	0	16	0
Drawing observations thereon and copy	0	6	8
Fee to Mr. Crawford and clerk	1	3	6
Attending him	0	6	8
22d. Attending court order made	0	13	4
Paid for minutes	0	12	6
Close copy	0	6	6
Attending settling	0	6	8
July 25th. Paid for copy affidavit Mr. Gimingham, as to committees accounts, fol. 20	0	2	6
The like affidavit of Mr. N. Saumarez, fol. 4	0	0	6
Attending Warrant thereon	0	6	8
Paid for copy costs of Captain Saumarez, fol.			
Attending warrants thereon			
Paid for copy costs of Mr. and Mrs. Gimingham, fol.			
Attending warrants thereon			
Drawing this bill of costs and copy for the Master f.54	1	16	0

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Warrant on leaving 2 copies and service	0	8	0
Three warrants to tax	1	4	0
Attending same	1	0	0
Paid additional coach-hire on various attendances in			
1 16 0 this matter	1	16	0
Letters, messages, &c.	1	1	0

7th August, 1835.

Amount of taxed costs of Mr. Donne and the other Solicitors on the appointment of the Committees of the Rev. Paul Saumarez.

Messrs. Vizard and Leman	-	147	19	8	}	188	12	10
		40	13	2				
Mr. Burn	-	56	9	2½	}	69	3	2½
		12	4	0				
Mr. Donne	-	83	10	9½	}	92	15	9½
		9	5	0				
						<hr/>		
						£350 11 10		

Amount of taxed costs of the Solicitors on the appointment of the Committee of F. Saumarez, Esq. where no litigation took place before the Master.

Messrs. Vizard and Leman	-	87	7	0	}	139	11	11
		52	4	11				
Mr. Burn	-	17	4	11	}	30	6	5
		13	1	6				
Mr. Donne	-	10	12	3	}	25	5	0
		14	12	9				
						<hr/>		
						£195	3	4

356
195
551

ADDENDA.

THIS is to certify that F. A. Saumarez, Esquire, came to lodge with me, on the twenty-ninth day of August, one thousand eight hundred and thirty-five, and I should consider it a cruelty to remove him to a lunatic asylum, which nothing I have seen since he has been in my house could justify. He has been attended by two medical gentlemen, one of great experience in those complaints, and their instructions have been strictly complied with by Captain and Mrs. Saumarez and his attendants, having always heard their approbation and no complaints whatever expressed. Mr. Saumarez has been supplied with everything that could be thought of as useful, and no expense spared for his comfort and welfare, and he has improved astonishingly during the last six weeks.

Oct. 19, 1835. (Signed) ANN LAMBETH. GEORGE WHITCOMB.

* See page 44, line 45. Dr. Finch and Lacey's accounts for two of the latter years' expenses at Laverstock, in which charges for clothes are included.

1st Quarter.....	38	10	0
2d Ditto	42	3	0
3d Ditto	44	4	0
4th Ditto	40	4	0
<hr/>			
£165 1 0			
1st Quarter.....	42	6	0
2d Ditto	41	2	0
3d Ditto	39	7	0
4th Ditto	41	8	0
<hr/>			
£164 3 0			



IN CHANCERY.

In the matter of the Rev. Paul Saumarez, a person of unsound mind. S. E. Donne, Solicitor.

THE Costs, Charges, and Expenses of Charles de Havilland and Martha his wife, which said Martha de Havilland is one of the sisters and next of kin of the said lunatic, taxed under an order of the Lords Commissioners for the custody of the Great Seal, made in this matter, bearing date the 22d day of June, 1835.

*Deductions by
the Master.*

Easter Term, 1835.

l. s. d.

	1835. April 6th. Attending Major de Havilland, in conference as to the lunatic, when it was determined to have a meeting in Guildford-street, next day, with him and Mrs. de Havilland	0	6	8
	7th. Attending them in Guildford-street in conference thereon, for 2 hours	0	13	4
	8th. Attending Mr. Burn, in Raymond-buildings, in long conference thereon, and as to the applications made to him on behalf of Captain Saumarez, when he said that neither Mr. Gimingham nor Mr. Nicholas Saumarez would act with the Captain, and afterwards attending at Mr. Leman's, but he was from home	0	6	8
	9th. Attending Major de Havilland, this day, in conference thereon	0	6	8
	10th. Writing to him fully in reply to his letter	0	5	0
	1835. April 11th. Attending Major and Mrs. de Havilland, in the morning for nearly 2 hours, in long conference on this case	0	13	4
	Attending Captain Saumarez and Mr. Leman, in Lincoln's-Inn-Fields hereon, when the former insisted on being appointed committee, and it was stated on the part of Major and Mrs. de Havilland "that he would be decidedly objected to, in consequence of his interference having already injured "the lunatic's health"*	0	13	4
	Attending Major and Mrs. de Havilland, in the evening, in Guildford-street, in long conference hereon, when it was finally arranged to go down to Salisbury on Friday next, engaged 4 hours	1	6	8
	13th. Attending Major de Havilland as to application to Mr. Symmons, advising, and it was agreed to meet at Cowper House next afternoon	0	6	8
	14th. Attending at Cowper House, Brompton, and had a long conference with Mrs. Symmons and Major de Havilland, engaged 5½ hours†	0	15	8
	15th. Attending Mr. Nicholas Saumarez and Mr. Burn in long conference hereon	0	6	8

* The preceding affidavits have shown how false this statement is; and, gentle reader, if you would avoid being deceived, never trust to the tale of an *angry woman*. It must be something strange, indeed, that she will be unable to add to, and thus to falsify.

† Page 25, line 15.

			<i>l.</i>	<i>s.</i>	<i>d.</i>	
	16th.	Attending Major de Havilland in further conference hereon	0	6	8	
	17th, 18th, and 19th.	Attending with Major de Havilland at Salisbury and Laverstock to see Dr. Finch and Mrs. Finch, and Mr. Lacey, as to the evidence which they could give respecting the lunatic; preparing affidavits; engrossing same, and afterwards getting them sworn, and attending at Stanwell; examining Mr. and Mrs. Symmons, the attendants, Mr. Ingram, and the coachman, respecting the interference of Captain Saumarez; out two days and part of two nights	9	9	0	
3	3	0	Coach hire and expenses	10	19	0
		Paid Master Extraordinary for oaths	1	1	0	
	20th.	Attending Mr. and Mrs. de Havilland, in Guildford-street, in conference hereon, engaged nearly three hours	1	1	0	
0	7	0	21st. Attending Major de Havilland in further conference hereon	0	6	8
	22d.	Paid for copy proposal of Captain Saumarez as to committee, fol. 19	0	2	4	
		Paid for copy six affidavits in support thereof, fol. 22	0	2	9	
0	6	8	Attending Major and Mrs. de Havilland, in Guildford-street, in conference hereon, engaged two hours	0	13	4
0	1	6	Writing Mr. Burn, <i>requiring</i> an affidavit to be made by Mr. Gimingham as to his knowledge of the business	0	5	0
	23rd.	Four copies of the affidavits made by Dr. Finch and the other parties, at Salisbury for them, fol. 21	0	7	0	
0	3	6	Writing letter therewith	0	3	6
		Paid carriage of Parcel	0	1	8	
0	6	8	Attending Major de Havilland in further conference on the case	0	6	8
	24th.	Attending upon Captain Saumarez's proposal, when a week given to have affidavits in opposition	0	6	8	
0	6	8	Attending Major de Havilland, in Guildford-street, hereon, and afterwards* attending Mr. Symmons, at Brompton, in long conference, as to the lunatic, engaged four hours	1	6	8
	25th.	Instructions for the affidavit of James Ingram	0	6	8	
		Drawing same, fol. 8	0	8	0	
		Ingrossing same	0	2	8	
		Letter therewith, and paid postage	0	4	0	
		Paid oath and coach-hire	0	5	0	
0	6	8	Attending Major de Havilland in further conference hereon	0	6	8
0	6	8	28th. The like attendance	0	6	8
	29th.	Instructions for affidavit of Daniel Armitage	0	6	8	
		Drawing same, fol. 6				
		Ingrossing same				
		Attending him to be sworn	0	6	8	

				<i>l.</i>	<i>s.</i>	<i>d.</i>
			Paid oath	0	1	6
			Paid his coach-hire	0	7	6
			Drawing affidavit of Samuel Edward Donne, fol. 23	1	3	0
			Ingrossing same	0	7	8
			Attending to be sworn	0	6	8
			Paid oath	0	1	6
			Drawing state of facts in opposition to the appointment, and fair copy for the master, fol. 46	1	0	8
			Warrant on leaving 2 copies and service	0	8	0
			Writing Mr. Leman for copies of Mr. Symmons' letters to Captain Saumarez,* exhibited to affidavit			
0	1	6	of Mr. Muller	0	5	0
			30th. Paid for copy affidavit of Mr. Cassan, fol. 3	0	0	4½
0	6	8	Attending Major de Havilland in conference hereon	0	6	8
			May 2. Warrant to proceed, 2 copies and service	0	8	0
			5th. Attending same	0	6	8
			Another warrant, 2 copies and service	0	8	0
			Attending Major de Havilland in conference thereon, particularly as to the further affidavit of Mr. Muller produced before the master	0	6	8
			Writing to Mr. Walne, of Bloomsbury-square, in consequence of the allusion made therein of his having given the Captain an improper dose of calomel	0	5	0
0	5	0	6th. Attending him in Bloomsbury-square as to having an interview with the master, and afterwards attending Major de Havilland in further conference hereon	0	13	4
			7th. Attending Major and Mrs. de Havilland in long conference on this case, and as to an affidavit from Mr. Symmons, engaged nearly 2 hours	0	13	4
			Paid for copies affidavits of Mr. Muller, Dr. Vassal, and Captain Saumarez, fol. 27	0	3	4½
			8th. Instructions for affidavits of Mr. Symmons	0	6	8
			Drawing same, fol. 28	1	8	0
			Ingrossing	0	9	4
			Paid oath	0	2	6
0	6	8	Attending Major de Havilland in further conference on this case	0	6	8
			9th. Attending warrant when the Master said he would speak to Dr. Sutherland on the subject	0	6	8
			Paid for copy affidavit of Mr. Ellis, folio 6	0	0	9
			Warrant on leaving Mr. Symmons' affidavit, 2 c. and s.	0	8	0
			Attending Major de Havilland twice this afternoon on long conference as to the affidavit made by Mrs. Gimingham; this morning conferring and advising as to the propriety of going into the whole case	0	13	4
			Writing Mr. Walne with extract of Mr. Miller's affidavit, and as to his making one in reply	0	5	0
			Writing Mr. Symmons as to the assertions made			

* Which by being withheld enabled the evidence of Mr. Symmons to be contradicted by his own handwriting.

		before the master, and requesting him to allow the different branches of his family to make affidavits on the subject	0	5	0	
0	1	6	Fair copy of Captain Saumarez's affidavit, for Dr. Finch, fol. 18	0	6	0
		Writing to him therewith, and as to answering same, and paid postage	0	5	9	
		Paid for copy affidavit, fol. 4	0	0	6	
		Writing to Mr. Leman for copies of the letters which had been exhibited to Mr. Muller*	0	3	6	
		12th. Attending Major de Havilland in further conference hereon	0	6	8	
		13th. Attending the Master to know if he had seen Dr. Sutherland, when he said that the Doctor had promised to send his opinion in the course of the day, and that a copy should be sent to me	0	6	8	
0	6	8	Attending Major and Mrs. de Havilland, in Guildford-street, in long conference hereon	0	13	4
		Writing Mr. Symmons on the subject of the further affidavits	0	5	0	
0	1	6	14th. In order that the matter might be in a proper state, in point of form, for the decision of the Master, drawing proposal that Mr. le Marchant Thomas and Dr. De Jersey should be appointed committee of the lunatic's person, and Mr. Thomas of the Estate, and fair copy for the Master, fol. 6	0	4	0
		Instructions for affidavit of Major de Havilland, in support	0	6	8	
		Drawing same, fol. 4	0	4	0	
		Ingrossing same	0	1	4	
		Attending to be sworn	0	6	8	
		Paid oath	0	1	6	
		Warrant on leaving facts, 2 copies and service	0	8	0	
		Warrant to proceed, 2 copies and service	0	8	0	
		Having received the letter, addressed by Dr. Sutherland to the Master, attending Mr. Burn, in Gray's Inn, and, afterwards, Mr. and Mrs. de Havilland, in Guildford-street, thereon	0	13	4	
		<i>Attending Mr. Walne, in Bloomsbury-square, in long conference as to affidavits</i>	0	6	8	
0	6	8	15th. Attending Major de Havilland again this day in further conference on the case	0	6	8
		Paid for copy affidavit of Lord de Saumarez, fol. 3	0	0	4½	
		The like of Mrs. Saumarez, fol. 8	0	1	0	
		The like of Captain Saumarez, fol. 16	0	2	0	
		The like of Mrs. Silvestrie, fol. 5	0	0	7½	
		Attending warrant, when Monday week given to obtain further evidence	0	6	8	
		Attending Mr. and Mrs. de Havilland in Guildford-street, further long conference on the case	0	13	4	
		Instructions for further affidavit of Mr. Lacey	0	6	8	
		Drawing same, fol. 10	0	10	0	

				<i>l.</i>	<i>s.</i>	<i>d.</i>
			Ingrossing same	0	3	4
			Instructions for further affidavit of Dr. Finch	0	6	8
			Drawing same, fol. 8	0	8	0
			Ingrossing same	0	2	8
			Fair copy extract of the Captain's further affidavits as to his conversation with Mr. Lacey, to send to him	0	2	0
0	1	6	Writing with same, and affidavits*	0	5	0
			Parcel and carriage	0	2	0
0	5	6	Writing Mr. Symmons, appointing Monday, at Stanwell, to go into the business, and paid postage 18th. Attending at Stanwell accordingly, conferring at great length with him on the whole case, and going over the last affidavit of Captain Saumarez, examining him as to the other facts which had not been before deposed to, particularly as to Mr. Gimingham, and fully considering the same, engaged altogether eight hours and a half	0	5	6
			Coach-hire and expenses	2	2	0
			Copy letter produced by Mr. Leman before the Mas- ter, for Mr. Symmons, he requiring it to look up the one to which it was a reply	0	14	0
			Attending Major de Havilland in the evening <i>as to</i> <i>dispensing with any farther affidavit from Mr.</i> <i>Symmons</i> , and advising	0	2	6
			19th. Instructions for affidavit of Mrs. de Havilland	0	6	8
			Drawing same, fol. 10	0	6	8
			Ingrossing same	0	10	0
0	6	8	Attending, reading over, and settling same	0	3	4
			Attending her to be sworn	0	6	8
			Paid oath	0	6	8
			Attending in Bond-street, inquiring after Thomas Evans, but did not succeed	0	1	6
			Attending Major and Mrs. de Havilland, in Guild- ford-street, for nearly 2 hours in further conference on the case, when Mrs. De Havilland gave me a long statement to be made into an affidavit	0	6	8
0	13	4	Perusing and considering the same	0	13	4
0	6	8	Considering the affidavit and letter of Dr. Sutherland, attending Mr. and Mrs. de Havilland in long con- ference there as to her proposed affidavit	0	6	8
0	13	4	Having ascertained the name of the person <i>in whose</i> <i>employ Evans was</i> ,† writing him to inquire his present place of abode, if living	0	13	4
			21st. Carriage parcel from Salisbury	0	3	6
			Attending Mr. Burn on long conference on his letter of yesterday, and the wish of Mr. Gimingham <i>and the rest of the family that the opposition to the</i> <i>Captain</i> should be abandoned	0	2	0
			Attending Major and Mrs. de Havilland in confer- ence thereon	0	6	8
				0	6	8

* By this it would appear the affidavits were first drawn out in London, and then sent down to Salisbury to be sworn to.

† See page 9, line 12.

			Writing Mr. Burn, stating the opposition would be abandoned, if two persons were named to act with the Captain, and he undertook not to have the lunatic in the house with him	0	5	0
0	1	6	Perusing and considering three letters received by Mr. Symmons from the Captain	0	6	8
0	6	8	22d. Perusing and considering an affidavit prepared by Mrs. de Havilland, <i>ten sides</i>	0	13	4
0	13	4	Attending Major de Havilland in long conference thereon, and the arrival of his brother in England	0	13	4
0	13	4	23d. Paid the charges of Hodding and Co. at Salisbury, as to affidavits	1	15	10
			25th. Warrant on leaving affidavit of Major and Mrs. de Havilland in support of proposal, 2c. and s.	0	8	0
			Warrant to proceed on their proposal, 2c. and s.	0	8	0
			Warrant on leaving the affidavits of Dr. Furch and Mr. Lacey, 2 copes and service	0	8	0
			Warrant to proceed on Major and Mrs. de Havilland's facts, 2 copies and service	0	8	0
0	6	8	26th. Attending Mr. and Mrs. de Havilland on the long affidavit prepared by her, advising	0	6	8
			Attending Mr. Leman, in Lincoln's-Inn-Fields, to get the warrant postponed from Wednesday to Saturday, when he was to see the Captain thereon	0	6	8
0	3	2	Attending Mr. Burn thereon, and as to the interference of Mr. and Mrs. Gimingham	0	6	8
0	13	4	Attending Major and Mrs. de Havilland for nearly three hours <i>on the long affidavits</i> prepared by them	0	13	4
			Writing long letter to Mr. Gimingham, <i>insisting</i> on the name of Dr. Wilkinson being withdrawn	0	5	0
			Paid for copy of proposal of Captain Saumarez, fol. 2	0	0	3
			Paid for copy affidavit of Dr. Sutherland, fol. 8	0	1	0
			26th. Attending Major de Havilland in the morning, conferring as to what was best to be done, in the event of Dr. Wilkinson being disposed of	0	6	8
			Attending warrant, when the Master suggested the appointment of Mr. Thomas with the Captain and further proceedings adjourned till Saturday, to enable me to confer with Major and Mrs. de H.	0	13	4
0	6	8	28th. Attending Colonel and Major de Havilland three times this day, at 10, 1, and 5½, in long conferences, with a view to an arrangement between the members of the family	1	1	
0	7	8	29th. Attending the Colonel after his interview with Lord de Saumarez and the rest of the family, as to the appointment of Dr. Sutherland, advising	0	6	8
0	1	6	Writing Mr. Leman that it was wished a third person should be appointed, and that Dr. Sutherland would be consented to	0	5	0
			30th. Attending two warrants, when the Master postponed to Tuesday to enable Captain Saumarez to ascertain whether Mr. Thomas <i>insisted on a third person</i>	0	13	4

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Attending Major de Havilland in conference thereon	0	6	8
Another warrant to proceed, 2 copies and service	0	8	0
Writing Mr. Walne in reply to letter from him, as to his being appointed one of the committee	0	3	6
Attending Mr. Leman by appointment to see him with a view to an amicable arrangement, but he was out, and affidavits attending Mr. Burn thereon	0	6	8
June 1st. Attending Colonel de Havilland, the Major, his wife, and Mr. de Saumarez, as to application to be made to Mr. Walne to act with the Captain, and afterwards attending Mr. Walne, in Bloomsbury-square, in long conference	0	13	4
Writing to Major de Havilland afterwards thereon	0	3	6
2d. Attending two warrants hereon, when it was determined to appoint Mr. Leman with the Captain and Mr. Thomas, if the Captain would agree to it	0	13	4
Attending Colonel de Havilland afterwards thereon	0	6	8
3d. Instructions for affidavit of Major de Havilland in support of proposal for Mr. Leman to be appointed with the Captain and Mr. Thomas	0	6	8
Drawing same, folio 4	0	4	0
Ingrossing same	0	1	4
Attending in Guildford-street, reading over and settling same, and advising	0	6	8
4th. Attending to be sworn	0	6	8
Paid oath	0	1	6
Warrant on leaving 2 copies and service	0	8	0
Warrants to justify Major and Mr. de Havilland's facts and affidavits			
Attending same			
Attending warrants to justify the Captain's facts and affidavits			
11th. Paid for copy draft report, fol. 20	0	2	0
Close copy	0	6	8
Attending warrant settling, same	0	6	8
Having been served with petition to confirm report, fair copy for counsel, 5 sheets	0	16	0
Drawing observations thereon and copy	0	6	8
Fee to Mr. Crawford and clerk	1	3	6
Attending him	0	6	8
22d. Attending court order made	0	13	4
Paid for minutes	0	12	6
Close copy	0	6	6
Attending settling	0	6	8
July 25th. Paid for copy affidavit Mr. Gimingham, as to committees accounts, fol. 20	0	2	6
The like affidavit of Mr. N. Saumarez, fol. 4	0	0	6
Attending Warrant thereon	0	6	8
Paid for copy costs of Captain Saumarez, fol.			
Attending warrants thereon			
Paid for copy costs of Mr. and Mrs. Gimingham, fol.			
Attending warrants thereon			
Drawing this bill of costs and copy for the Master f.54	1	16	0

				<i>l.</i>	<i>s.</i>	<i>d.</i>
			Warrant on leaving 2 copies and service	0	8	0
			Three warrants to tax	1	4	0
			Attending same	1	0	0
1	16	0	Paid additional coach-hire on various attendances in this matter	1	16	0
			Letters, messages, &c.	1	1	0

7th August, 1835.

Amount of taxed costs of Mr. Donne and the other Solicitors on the appointment of the Committees of the Rev. Paul Saumarez.

Messrs. Vizard and Leman	-	147	19	8	}	188	12	10
		40	13	2				
Mr. Burn -	-	56	9	2½	}	69	3	2½
		12	4	0				
Mr. Donne	-	83	10	9½	}	92	15	9½
		9	5	0				
						<hr/>		
						£350	11	10

Amount of taxed costs of the Solicitors on the appointment of the Committee of F. Saumarez, Esq. where no litigation took place before the Master.

Messrs. Vizard and Leman	-	87	7	0	}	139	11	11
		52	4	11				
Mr. Burn	-	17	4	11	}	30	6	5
		13	1	6				
Mr. Donne	-	10	12	3	}	25	5	0
		14	12	9				
						<hr/>		
						£195	3	4

ADDENDA.

THIS is to certify that F. A. Saumarez, Esquire, came to lodge with me, on the twenty-ninth day of August, one thousand eight hundred and thirty-five, and I should consider it a cruelty to remove him to a lunatic asylum, which nothing I have seen since he he has been in my house could justify. He has been attended by two medical gentlemen, one of great experience in those complaints, and their instructions have been strictly complied with by Captain and Mrs. Saumarez and his attendants, having always heard their approbation and no complaints whatever expressed. Mr. Saumarez has been supplied with everything that could be thought of as useful, and no expense spared for his comfort and welfare, and he has improved astonishingly during the last six weeks.

Oct.*19, 1835. (Signed) ANN LAMBETH. GEORGE WHITCOMB.

* See page 44, line 45. Dr. Finch and Lacey's accounts for two of the latter years' expenses at Laverstock, in which charges for clothes are included.

1st Quarter.....	38	10	0	1st Quarter.....	42	6	0
2d Ditto	42	3	0	2d Ditto	41	2	0
3d Ditto	44	4	0	3d Ditto	39	7	0
4th Ditto	40	4	0	4th Ditto	41	8	0
<hr/>				<hr/>			
£165 1 0				£164 3 0			

