

Minchin the then Perpetual Curate of Lower Tatham applied to the Commissioners to ascertain and pay him the annuity to which as he conceived he was entitled. Accordingly by an order dated the 25th of February 1870 Mr Justice Lawson the head Commissioner declared the Rev Mr Minchin entitled for his life to an annuity of £293.8.8.

Mr O'Doherty - That was a ^{Conditional} order.

His Honour - yes I know. It was made absolute.

Then occurred a most extraordinary thing. On the 6th of February 1871 this order was rescinded and on the face of it are written the following words in the hand-writing of Judge Lawson - "Rescind this order it appearing that this rent charge does not pass to the Commissioners." No reason is assigned for this decision and I am left to guess it. The order is simply rescinded with a declaration that the rent charge does not pass to the Commissioners.

The question rises in whom then did this valuable rent charge of nearly £300 per annum vest? Not in the Church Commissioners for Judge Lawson so decided. Not in the Rev Mr Minchin; for as a Corporation sole

This is not so. The reasons are stated in Judge Lawson's handwriting on the back of a Memorial from certain persons interested in the preservation of the private endowment, but neither O'Doherty nor Babington took the trouble to examine the records - WJ