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For more details of the original court rolls and other documents please go to <https://www.dulwichsociety.com/courtrolls/>

Text in **red**, apart from modern notes by the transcriber, indicates text missing from, or entirely illegible in, the original Roll. Text in various shades of **grey** indicates text which, in the original Roll, is to a greater or lesser extent difficult to decipher. Text in **green** indicates letters missed out of the original text, usually in commonly found abbreviations. Otherwise, all contemporaneous text is in **black**, except for presumed later additions which are indicated in **brown** or **blue**.

Part 1

4 August 1865 (continued)

* On the face of it, this Order in Chancery seems entirely perverse. The Court seems not to have been informed of the Dulwich manorial custom of the youngest, not the eldest (or 'oldest'), son being entitled to inherit copyholds, or chose to ignore it, and whoever was entitled to Allison Allen Marshall's copyhold property it could not have been her husband John Castondieck, unless he had been recorded as having a joint interest or life interest created and enrolled during her lifetime, which he had not. However, the Court may have been swayed by the terms of the marriage settlement between Marshall and Castondieck [Surrey Deeds Collection, no. 5504], of which T. W. Parker was presumably the (surviving) trustee.

the fourth day of August in the year One thousand eight hundred and fifty nine And the court here is further informed that the said William Elliott departed this life in the lifetime of the said Allison Allen Castondieck that is to say on the seventeenth day of August One thousand eight hundred and eleven and that he died intestate and left his only child and heir at Law William Elliott him surviving And that the said William Elliott the Son died at Husingabad in Bengal being a Lieutenant in the twenty seventh Bangal Native Infantry on the twenty ninth day of November One thousand eight hundred and thirty one a Bachelor and intestate and leaving John Elliott the oldest* surviving Son of his Uncle Thomas Elliott his Cousin and heir at law him surviving And that the said John Elliott died at Baslow in cc Derbyshire on the fourteenth day of October One thousand eight hundred and fifty seven intestate and leaving his oldest* surviving Son William Grundy Elliott his heir at law and that the said William Grundy Elliott who had so become the heir at Law of his Ancestor the said William Elliott the father died at Baslow aforesaid on the third day of March one thousand eight hundred and sixty three / without having been admitted to the tenements so surrendered to the use of the said William Elliott his Ancestor / intestate as to trust estates and leaving his oldest* Son and heir at Law John Charles Elliott him surviving and that the said John Charles Elliott who was born at Baslow aforesaid on the twenty seventh day of September One thousand eight hundred and fifty seven is now living being now an Infant under the age of twenty one years And it is alleged that the said Infant John Charles Elliott as the Grandson of

John Elliott who was the oldest surviving Nephew of William Elliott the Surrenderee named in the Surrender of the twenty eighth day of February One thousand eight hundred and nine ~~and~~ is now the heir at law of the said last named William Elliott and as such entitled to be admitted to the tenements so surrendered to the use of him and his heirs in remainder after the decease of the said Allison Allen Castondieck

And the Court here is informed that the said William Grundy Elliott made his Will bearing date the sixteenth day of November One thousand eight hundred and fifty seven and the Probate of the said Will being now brought into Court granted by the Ecclesiastical Court at Derby on the nineteenth day of June One thousand eight hundred and sixty three there is not found therein any devise of Trust Estates but the same contains the following words _ I appoint my dear Wife Sarah Elliott Guardian of such of my Children as shall be under the age of twenty one years during his her or their respective minorities

And the Court here is informed of an Order of the High Court of Chancery made by His Honor the Master of the Rolls on the sixth day of May One thousand eight hundred and sixty five upon the Petition of the said John Castondieck and here enrolled as follows that is to say

Master of the Rolls

Saturday the 6th day of May 1865

In the matter of an estate settled by Allison Marshall Widow deceased

and

In the matter of the Trustee Act 1850 .

Upon the Petition of John Castondieck on the 25th day of April 1856 preferred unto The Right

M^r Latham
Reg^r

Petition filed
E. J. A.

Honorable the Master of the Rolls and upon hearing Counsel for the Petitioner and for John Charles Elliott an Infant by Sarah Elliott his Mother and testamentary Guardian and upon reading the said Petition a Surrender by Robert Wilson made the 28th day of February 1809 an Indenture of even date with the said Surrender a Copy of the Admission of cc Allison Allen Marshall to the premises mentioned in the said Surrender on the 21st day of June 1810 an Award under the hands and seals of Thomas Crawter George Tappen and William James dated the 27th day of May 1809 in pursuance of an Act of Parliament of the 45th Geo: 3rd intituled _ An Act for enclosing lands in the Manor of Dulwich in the County of Surrey an Indenture dated the 28th day of February 1809 the Probate of the Will of Allison Marshall deceased granted to the Executors thereof on the 1st day of April 1829 by the Prerogative Court of Canterbury an Indenture of Settlement dated the fifty day of July 1836 an Indenture dated the 18th day of April 1856 Letters of Administration with the Will of cc Allison Allen Castondieck deceased annexed granted by Her Majestys Court of Probate to cc John Elliston and Ebenezer Kemp Randell and the Petitioner John Castondieck an indenture dated the 8th day of November 1860 and an Affidavit of the Petitioner John Castondieck His Honor doth order that the several copyhold messuages buildings garden allotments or parcels of waste land tenements and hereditaments to which Allison Allen Marshall afterwards Allison Allen Castondieck the Wife of the Petitioner John Castondieck was cc admitted at the General Court Baron held in and for the Manor of Dulwich on the 21st day of June 1810 do vest in Thomas Watson Parker of Lewisham in the County of Kent Gentleman for all the estate and interest therein of the said Infant John Charles Elliott in trust for the cc Petitioner the said John Castondieck And it is ordered that the Petitioner John Castondieck do pay to the said John Charles Elliott his costs of this application as between Solicitor^r and Client

to be taxed by the taxing Master in case the parties differ
Enl^d 6 . 2 .

Now at this Court comes the said Thomas Watson Parker in his proper person and prays of the Lords of this Manor and notwithstanding that it is alleged by the said Lords that the aforesaid Copyhold tenements as appears by the Court Rolls of this Manor by reason of the third default having been recorded at a Court held on the nineteenth day of December One thousand eight hundred and sixty four become forfeited to the Lords for want of a tenant to be admitted pursuant to the aforesaid Order to the tenements so surrendered as aforesaid to the use of the said first named William Elliott and his heirs in remainder from and after the decease of the said Allison Allen Castondieck as aforesaid And thereupon it appearing that no Warrant of Seizure had been issued pursuant to the order made in the said Court held on the nineteenth day of December One thousand eight hundred and sixty four the Lords of the said Manor by their said Steward did grant seizin to the said Thomas ccc Watson Parker of All that brick and timber messuage with the coachouse Stable Wash house and other outhouses garden and orchard thereto belonging and containing by ccc

End of V10 [previously h21] (front). V10 [previously h21] (back) follows below.]

Roll V10 [previously h21] (back)

h 21v

Part 1

4 August 1865 (continued)

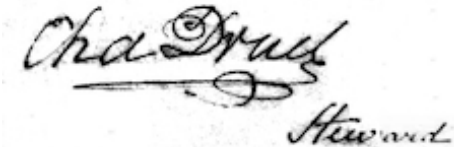
estimation One acre little more or less situate and being on the North side of Dulwich Common with the appurtenances formerly in the occupation of the said Alison Allen

* words omitted:
“land theretofore
enclosed N^o 86^a”

Marshall and now of Joseph Harris or of John Julius Camphausen his undertenant
And also all that meadow containing two acres little more or less also situate and being on
the north side of Dulwich Common adjoining and formerly occupied with the said ccc
messuage garden and premises before described but now in the **occupation** of the said Joseph
Harris And also all that piece or parcel of land formerly **waste* containing** twenty seven
perches bounded on the north east by and now thrown into and occupied by the said Joseph
Harris with the Meadow hereinbefore described And also all that other piece or parcel of
land formerly waste being the Allotment N^o 238 before mentioned and containing two
roods and two perches situate on Dulwich Common aforesaid bounded on the west by land
formerly of Ann Wright and now of Thomas Wright Esquire and on the north east by lands
of the said Governors and on the south east by the High road leading from Dulwich ccc
towards Hall Lane and Lower Norwood together with the several messuages and buildings
some time since erected on the said last mentioned piece or parcel of land that is to say_ All
that brick built messuage known as the Allens Head Public house with the Stables Coach
houses and other outbuildings thereto belonging and also four brick built cottages in the
rear thereof and also twelve brick built cottages built in pairs and fronting to the said High
road from Dulwich to Lower Norwood and also a brick built house attached to and ccc
adjoining the said last mentioned cottages on the southern side thereof and fronting upon
the said high road with front shop and outbuildings thereto belonging and now in the
occupation of **[blank]** White Grocer Together with the appurtenances to the said cc
several messuages or tenements and premises belonging To have and to hold all and
singular the said messuages or tenements pieces or parcels of land and premises unto the said
Thomas Watson Parker his heirs and assigns according to the tenor of the said order

of the sixth day of May One thousand eight hundred and sixty five and in trust as therein mentioned by the Rod at the Will of the Lords according to the custom of the said Manor by the yearly rent of One shilling and four pence heriot suit of Court customs and other services due and of right accustomed And the said Thomas Watson Parker gave to the Lords for a fine as in the margin and his fealty is respited and so saving always the right of the Lords of the said Manor the said Thomas Watson Parker is admitted tenant thereof

Fine £ 1650
Heriot 15. 0 0
Rent 1/4



Part 2 17 February 1874

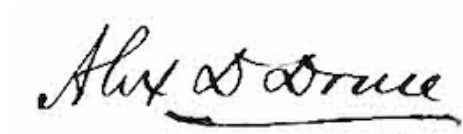
The Manor of Dulwich }
in the County of Surrey }

Be it remembered that Licence is given to Thomas Wright a Copyhold Tenant of this Manor to demise and lease the Copyhold or Customary Messuage or Tenement situate in Dulwich aforesaid with the outbuildings and small garden thereto belonging or appertaining as the same were formerly in the occupation of Thomas Rushton and are now in the occupation of John B[rettle] Maltby Together with the appurtenances being part of the hereditaments held by the said Thomas Wright of this Manor Unto the said John B[rettle] Maltby for any term or number of years not exceeding seven years from the twenty ninth day of September One thousand eight hundred and seventy three Provided that such demise be without prejudice to the rights of the Lords of this Manor and that the said Copyhold premises be from time to time well and sufficiently

repaired and kept in repair and that the rents **duties** and services due and of right accustomed in respect of the said Copyhold or Customary premises be from time to time well and truly paid done and performed otherwise this License to be void and of no effect

Dated this *Seventeenth* day of *February* One thousand eight hundred and seventy four

Examined



Steward of the said Manor

Part 3

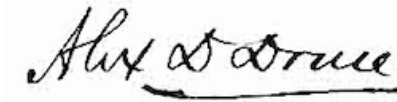
7 October 1875

The Manor of Dulwich } **Be it remembered** that License is given to Thomas Wright
in the County of Surrey } a Copyhold Tenant of this Manor to demise the Copyhold or cc
Customary messuage or tenement garden and premises situate lying and being in
Dulwich in the parish of Saint Giles Camberwell in the County of Surrey late
in the occupation of Thomas Ruston and now of Charles Paris with the cccccc
appurtenances being part of the hereditaments held by the said Thomas Wright
of this Manor Unto the said Charles Paris for any term or number of years not
exceeding twenty one years from the twenty fifth day of March One thousand
eight hundred and seventy six provided that such demise be without prejudice
to the rights of the Lords of this Manor **[and]** that the said Copyhold premises be from
time to time well and sufficiently repaired and kept in repair and that the rents
duties and services due and of right accustomed in respect of the said Copyhold or

Customary premises be from time to time well and truly paid done and performed
otherwise this License to be void and of no effect

Dated this *Seventh* day of *October* One thousand eight hundred and
seventy *five*

Examined

A handwritten signature in cursive script, reading "Alex W. Bruce", written in black ink on a light-colored background.

Steward of the said Manor

[End of Roll V10 [previously h21].]