

Ann Walker's lunacy arrangements. Supplementary notes.

It is well known that Ann was deemed a lunatic in 1843. There is a very detailed outline of the case in

<https://www.packedwithpotential.org/stories-articles-writeups/walker-lunacy-commission-and-inquisition>

This short article looks only at who were the jurors at the hearing and, then, what we know of how much it cost to look after her.

The hearings were called Inquisitions meaning an enquiry rather than an imitation of an earlier religious institution. The process began with a petition to the Lord High Chancellor. When this was granted a jury would be required and solicitors briefed. Ann Walker attended.

PETITION FOR COMMISSION.

In the matter of A. W. of — Spinster a supposed Lunatic.

To the Right Honorable the Lord High Chancellor of Great
Britain,

The humble Petition of G. M. S. and E. his wife of —
which said E. S. is the only sister and sole next of kin
of the said A. W.

Showeth,

That the said A. W. now is and for sometime last past hath
been so far deprived of her reason and understanding as to
render her altogether unfit or unable to govern herself or manage
her affairs as by the affidavits hereunto annexed appears.

Your petitioners therefore pray your Lordship that a
Commission in the nature of a *Writ de Lunatico Inquirendo*
may issue to enquire of the lunacy of the said A. W.

And your petitioners will ever pray, &c.

G. M. S.
E. S.

Witness J. S. R. of —
Solicitor to the petitioners.

Firstly the venue for the Inquisition was The Royal Hotel in Brighouse. This was a substantial building which had been built in 1839 to serve the new railway traffic and was demolished in 1973. It stood on the edge of Sainsbury's carpark diagonally opposite to the Civic Hall building. The first photo shows it around 1960 and the second shows the function room as it was in in 1940 or 1950. As a large space, this was possibly where the hearing took place.



Court of Chancery. Inquisition of Lunacy. 28th November 1843.

Extract of the transcript of the Lunacy document.

“the Lunacy of Ann Walker of Shibden Hall ^{Halifax} in the West Riding of the County of York Spinster upon the Oath of John Garret Horsfield Esquire, Edward Acroyd Esquire, Ely Bates, Richard Kershaw Lumb, John Staveley, George Haigh, Hanson Irving, Harrison Milligan, Joseph Smith, Charles Tetley, Bernard Hartley, John Lees, Jabez Butterworth, Joseph Cockhill, John Prestman, Alfred Harris and Joseph Fryer. Good and lawful men of the said County who being sworn and charged upon their oath say that the said Ann Walker at the time of taking this Inquisition is of unsound mind”

In an attempt to see who these jurors were, I looked for people of the right age (probably 35 or older) and of sufficient status determined by the company they worked for or their position in society. The first source was Malcolm Bull's Calderdale Companion, secondly basic internet search and, as always, Dorothy Barker for Ancestry and similar research.

Edward Acroyd (assumed to be **Col Edward Akroyd**) **Colonel Akroyd** [1810-1887] In 1839, he and his brother, Henry, became partners in the family business – James Akroyd & Son. On his father's death in 1847, he inherited the family business and an estate of around £300,000. He lived at Bankfield House, Halifax and Denton Park, Otley. He built Copley as a model housing scheme experiment in 1849, and this was followed by Akroydon in the 1860s. The schemes included the construction of St Stephen's Church, Copley, and All Souls' Church, Boothtown. He was active in many public areas: health and sanitation, alleviation of distress of the poor, and the promotion of thrift.

He was a JP and Deputy Lieutenant of the West Riding. He was MP for Huddersfield [1857-1859], and Liberal Whig MP for Halifax [1865 & 1868-1874] – with Sir James Stansfeld. To encourage thrift, he introduced savings schemes – the Woodside Penny Savings Bank in 1852, and the West Riding Provident Society & Penny Savings Bank in 1859. He was on the provisional committee for the West Yorkshire Railway Company. In 1859, he raised the local 4th Yorkshire West Riding Rifle Volunteers, and became Honorary Colonel of the Battalion. He was buried in the family mortuary chapel at All Souls' Cemetery. The funeral at All Souls' Church was one of the largest ever seen in Halifax, with more than 15,000 mourners, and many local businesses closed. Probate records show that he left a personal estate valued at £1,234.

Ely Bates, [1788-1861] JP. Born in Halifax. He was a book keeper [1811] / partner in Eli Bates & Company [1829] / a cloth-merchant [1841] / a magistrate [1851] / woollen & stuff merchant [1851] / on the Grand Jury at the Assizes. He and his business partner, James Hoatson, contributed a total of £750 towards the building of Harrison Road Chapel, Carlton Street. On 6th August 1811, he married Hannah Cockin. They lived at Gibbet Street, Halifax and West Hill, Halifax. The couple were buried at Lister Lane Cemetery [Plot 336]. He was involved in Bradford & Keighley Insurance Company Halifax, Halifax, Bradford & Keighley Insurance Company and Partner in Halifax Commercial Banking Company, Halifax General Cemetery Company. He was on the provisional committee for the West Yorkshire Railway Company.

Richard Kershaw Lumb [1789-1870] JP. He was an active Unitarian / a Trustee of Northgate End Chapel [1861] / a great philanthropist / one of the founders of the Halifax General Cemetery Company [1836] / a successful Halifax merchant / a shrewd investor and company director / a Commissioner of Property & Income Tax [1845] / a member of the committee of the West Yorkshire Railway Company / a partner in the Halifax Commercial Banking Company [1853]. He supported many local charities for underprivileged girls and

boys. Moved by the plight of many young boys being sent to the workhouse, he set up a Trust Fund to place them in Industrial Schools so that they could be educated, he found jobs for them and helped them back into society. On his death in Cheltenham, he was described as the kindest-hearted gentleman who ever had wealth at their disposal. As a mark of their respect, the shops in Cheltenham closed for half a day for his funeral in the town.

Like Ely Bates, Richard Kershaw Lumb (nee Kershaw) was a founder trustee of Lister Lane Cemetery in 1841. Kershaw Lumb bought a vault in the cemetery at the outset, but when he moved to Cheltenham he changed his mind, later allowing it to be used by his tenant at Savile Green, George Kershaw (a talented amateur artist and musician) who was buried there in 1850. Confusingly George was not a relative! Although he retained ownership of the LLC 'vault', Kershaw Lumb was actually buried in Cheltenham.

John Staveley [1793-1870] He was a Commissioner of Land & Assessed Taxes, and a Commissioner of Property & Income Tax [1845]. His third child, Rosamond Susanna married Abraham Briggs Foster. He was on the provisional committee for the West Yorkshire Railway Company. He died in January 1870 and was buried in Holy Trinity Churchyard

George Haigh [1763-1849] of the Haigh family of Norland. He married Mary [1772-1852] from Longley, Norland. They may have lived at The Mount, Halifax, Longley, Norland, Skircoat House (he changed the name to Bermerside). He was on the provisional committee for the West Yorkshire Railway Company.

Hanson Irvin(g): there seem to be 2 possibilities. There was a Hanson Irvin but all that has been found is that he was born in 1799 and was baptised at Square Chapel. The other possibility is Harrison Irving a stuff merchant of West Parade Bradford, then a stuff dyer of Lumb Lane, Manningham Bradford. He appeared in court several times from 1844; firstly for bankruptcy and then on charges of theft. He emigrated to Australia.

Harrison Milligan could be of Cross Hills, Keighley. Born 1810. The Milligan families were known as The Scotchmen of Cross Hills having come down from Kirkcudbright. A merchant farmer having 30 acres in 1881 census. Would have only been 33 at time. Family connection to Robert Milligan, first mayor of Bradford, who was related to Ripleys of Home House.

Joseph Smith - there are several of this name in CC, this is the one that fits the criteria best. [1814-1887] Born in Elland / Greetland. He was a dyer [1841] / a woollen spinner [1851] / a woollen car?? [1861] / a woollen manufacturer employing 9 men, 13 women, 5 boys [1871] / a woollen manufacturer employing 47 hands [1881]. He established Joseph Smith & Sons at North Dean Mill, West Vale. Probate records show that he left a personal estate valued at £3,038. Members of the family were buried at Greetland Methodist Church [Grave Ref: O15]

Bernard Hartley: (several of this name but this one seems a likely fit.) [1802-1860] Of Darcey Hill. He was a merchant [1837] / partner in James, Samuel Fielden & Bernard Hartley. He was one of the subscribers to *John Horner's book Buildings in the Town & Parish of Halifax* [1835]. They lived at Allangate, Halifax [1860]. Bernard died at Llanberis, Wales [8th August 1860] (aged 58) and wife, Mary died in Kensington [3rd February 1880] (aged 75). Mary left an estate valued at under £35,000. He was on the provisional committee for the West Yorkshire Railway Company.

John Lees: 'Of Salterhebble, Halifax'. He was one of the subscribers to *John Horner's book Buildings in the Town & Parish of Halifax* [1835].

Jabez Butterworth: there are 2 candidates for him. One was a merchant of Springfield, Northowram who was 47 at the time of the hearing. The other, who would have been a few years older, who was found dead in November 1845 after being missing for 11 weeks.

Joseph Cockhill: there was a Joseph Cockhill of Littleton, Liversidge. He was the owner of a sizeable dyehouse in the area in 1840. In the 1841 Census he was 50. He was sufficiently well known to be recognised by a reporter at a large meeting in Cleckheaton in 1845 held to discuss the formation of the West-Riding Junction Railway.

Alfred Harris: was 40 in the 1841 Census living in Spring Lodge, Manningham, Bradford and described as a banker. By 1851 he was a JP. He chaired committees eg Halifax Fire and Rescue, Conditions for Women factory workers and as a magistrate. By 1861 he was living at Rushworth Hall, Bingley and named as a Deputy Lieutenant.

Joseph Fryer: (2 contenders) [1781-1846] Eldest son of Dr Joseph Fryer. A Quaker. On 23rd September 1805, he married Ann Jowett at the Friends' Meeting House in Leeds. In 1805, he bought the Toothill Grove, Rastrick estate from his wife's uncle, Joseph Firth. Partner in Joseph Fryer & Company

Joseph Jowett Fryer: [1806-1846] Of Holly Bank, Rastrick. Son of the above.

However, I have not found anything about the following: **John Garret Horsfield, Charles Tetley and John Prestman.**

You may notice that a common factor for seven of them is an interest in the development of a railway between Halifax and Bradford. Initially I thought that might be significant given that Ann had expressed differing views on this. However, when one looks at the list of the supporters of the West Yorkshire Railway Company which was formally instituted the following year, it is clear that many of the 'great and good' of the area were involved. The proposed committee, of 112 men, also included the Ripleys of Home House, Titus Salt, Michael Stocks of Northowram and Robert Milligan, the first Mayor of Bradford. In other words, in any chosen group of jurors, there would have been a strong interest in the railway.

The outcome of the Inquisition was that Ann was deemed to be, in the words of the time, a lunatic. Her wellbeing and financial affairs were taken out of her hands put into the care of The Committee. In the first instance, until their deaths, Ann's sister, Elizabeth, was responsible for her health and her brother-in-law, George Mackay Sutherland for her finances. Our parallel today would be that of the assumption of Powers of Attorney which are divided in a similar manner. To undertake this, they had to live closer to Halifax. The three large Crow Nest estate houses were either occupied or rented out and so they moved to Shibden Hall from their home in northern Scotland.

The term 'lunatic' had a different interpretation than was common in the last century when it meant an extreme form of mental illness. Nonetheless in all legal documents, including after her death, she was referred to as either a lunatic or 'of unsound mind'.

Nor should we think of her treatment or restraint being along similar lines to those of Bedlam the London hospital for mental illness which became a byword in inhumane treatment. Acts of Parliament guaranteed that people of wealth lived in the manner to which they were accustomed. In Ann's case, whether in care near York, with the Sutherlands or, finally, in Cliffe Hill it had to be of a very high standard. Again, for details, refer to the 'packedwithpotential' article.

When George Mackay Sutherland died on 22nd April 1847 and before a new Committee was appointed, a set of accounts was presented which needed to be agreed and signed off. These accounts were done by Samuel Washington who was the land agent for Ann Walker and had been, for a time, for Anne Lister as well. Those of us with an interest in the history of life in the Lightcliffe area have a debt of gratitude for the meticulous nature of these accounts.

We know the value of the rents for all of Ann's properties, the names of the tenants, the cost of the tenants' dinners, how much it cost for hedges at Cliff Hill to be cut and the repairs to the properties as befitted a good landowner. But, in this context, we know the costs of the lunacy and what was being done, financially, in Ann's name.

Washington's accounts from the Committee's appointment until G M Sutherland's death were passed by Mary Elizabeth Sutherland (his second wife), John Haigh, Henry Edwards, Honyman McQueen Mackay, Robert Parker, executrix and executors of his (George Mackay Sutherland) last will and testament.

The following shows a summary of the accounts covering this period though it shows an initial date of January 1845, the figures correspond to those of Washington for the full period.

The image shows a handwritten account book titled "Analysis of the Committee's Final Acc." with columns for Receipts and Payments. The Receipts section lists items such as "Sale of Calder & Hebble Bank" (£3149 17 6), "Rents of Ann Walker's Estates" (£6616 9 3), and "Net Rent of Shibden Hall" (£3444 8 8). The Payments section lists "Horncastle" (£3750 4 4), "Interest on Gray's Bill" (£1029 1 8), "Murray & Rhymer's Bill" (£1050 1 5), and "Allowance to Committee" (£2870 16 9). The total receipts are £13741 17 4 and the total payments are £12165 7 7, with a balance due from the Committee's Estate of £1576 9 9.

Receipts		Payments	
From 1 Jan'y 1845		From 1 Jan'y 1845	
To 22 April 1847		To 22 April 1847	
Sale of Calder & Hebble Bank	£ 3149 17 6	Horncastle	£ 3750 4 4
Rents of Ann Walker's Estates	6616 9 3	Interest on Gray's Bill	1029 1 8
Net Rent of Shibden Hall	3444 8 8	Murray & Rhymer's Bill	1050 1 5
Cash from Halifax Bank	100 0 0	Allowance to Committee	2870 16 9
Sale of Furniture at Lidgate	72 4 8	Repairs, Tradesman's Bills & Laundry Exp	1659 6 8 1/2
Dividend for Halifax Theatre	42 0 6	Committee's Exp	£ 1375 0 4
Sale of Hay	55 0 0	Halifax Theatre	400 0 0
Butcher's & Grocer's Bills	47 0 0	W. Gray's Bill	8000 0 0
	£ 536 1 11	Dodgson's Bill	277 0 0
		Visitor	120 0 0
			£ 1375 0 4
		Total Payments	12165 7 7
		Balance due from Committee's Estate	1576 9 9
Total Receipts	£ 13741 17 4		£ 13741 17 4

The receipts show the sale of Calder & Hebble shares (canal) of £3149, income from Ann's estate at £6616 and from Anne Lister's Shibden Hall estate of £3444. The additional income comes from sales of hay, pasturage, a dividend from the Halifax Theatre shares, the sale of Lidgate furniture and cash in Ann's bank; in total, £13741.

For a comparable value today, a reasonable multiplier is around 110 to account for inflation since 1845 so about £1.5 million.

Payments over the period include the cost of purchasing Smith House and Hoyle House Farm from Horncastle (£3750 plus interest of £430), interest of £1029 on a loan (mortgage) of £8000 from W Gray (probably for the purchase of property from Sir Joseph Radcliffe's estate east of Cliff Hill), Murray & Rhymer's bill of £1050, allowance to Committee of £2870, and repairs to Ann's estate £1659. Additional costs for the Committee, Samuel Washington, Dr Belcombe's bill (£277), Dodgson's bill and the cost of a Visitor (part of the legal process) totalled £1375. I think that the sale of the shares was to cover much of the costs of the

purchase of Smith House. As it happens, it was a good decision to get out of canal shares as the railways developed and the value of canal shares fell.

This left a balance due from the Committee's estate of £1576.

Notes:

- ❖ Ann Walker's estate was worth £5050 over this period nett of repairs and taxes.
- ❖ Anne Lister's estate was worth £3344 for a similar period of 2 years 4 months.
- ❖ The combined income for the 2 estates would have been around £3600 per annum. Sadly, Ann could not enjoy this.
- ❖ Dr Belcombe was well paid as were the solicitors.
- ❖ If I interpret it correctly, the allowance to the Committee of £2870 was to provide Ann with comfortable living and care over this period. This is about £1230 annually. This would certainly meet the requirements of the Acts to keep her in the expected manner.

Sam Washington's accounts are held in the West Yorkshire Archives [CH:100/2].

Thanks for the help provided by Dorothy Barker, Dave Lister, Chris Helme, Diane Halford, Steve Crabtree, Jenny Wood and David Glover.

Ian Philp
November 2022