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12th May 1939.

1936. Letter L. No. 3605.

IN THE HIGH COURT OF JUSTICECHANCERY DIVISIONMANCHESTER DISTRICT REGISTRYMR. JUSTICE BENNETTSeal of
the High
Court
12th May 1939.

Sir G. Goodman, K.C.B.

District Registrar.

THURSDAY the 30th day of MARCH 1939.IN THE MATTER of the ESTATE of HELENA LAWTON
deceased.BETWEEN:-FRED GARTSIDE and SIDNEY BUTTERWORTH Plaintiffs.

- and -

HIS MAJESTY'S ATTORNEY GENERAL, LUTHER
LAYCOCK, ASENATH GARTSIDE (Married Woman)
WILLIAM LAYCOCK, ENOCH LAYCOCK, SIDNEY
BUTTERWORTH, MARY BUTTERWORTH (Spinster)
ROY BUTTERWORTH, AUDREY BUTTERWORTH (an
Infant) DORA FIELDING (Married Woman)
GERALD MacQUEEN, WILFRED LAWTON, FLORA
GARTSIDE (Married Woman) and JAMES HERBERT
MORTON (one of the Treasurers and sued on
behalf of the METHODIST FOREIGN MISSIONARY
SOCIETY)Defendants.

UPON THE APPLICATION of the above
named Plaintiffs by Summons dated the 20th day of March
1939 which upon hearing the Solicitors for the Plaintiffs and
the Solicitors for the Defendant His Majesty's Attorney
General in Chambers proceedings against the remaining
Defendants having been stayed by Order dated the 29th day of
October 1936 was adjourned to be heard in Court coming
on this day for hearing accordingly and upon hearing
Counsel for the Plaintiffs and Counsel for the Defendant
His Majesty's Attorney General and upon reading the said
Order and the affidavit of Frank Whittaker filed the 20th
day of March 1939 and the Exhibits therein referred to

IT IS ORDERED that the Scheme set forth in the Schedule hereto be approved and sanctioned AND IT IS ORDERED that it be referred to the District Registrar to tax the costs of the plaintiffs and the Defendant His Majesty's Attorney General as between Solicitor and Client as from the foot of the last taxation and such costs when taxed be raised and paid out of the legacy fund AND any of the parties are to be at liberty to apply

Seal of the
High Court
12th May 1939.

GDG
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THE SCHEDULE HEREINBEFORE REFERRED TO

1. In this Scheme -

"The Charity Fund" means the legacy of £1,000 (together with the interest thereon) bequeathed by the Will of the above named Testatrix to the Trustees of Greenfield Methodist Chapel.

"The Council" means the Saddleworth Urban District Council.

"The executors" means the executors of the Will of the said Testatrix.

2. The executors shall forthwith out of the Charity Fund and pursuant to the agreement dated the second day of March 1939 being the exhibit "P.W.1." to the said affidavit of Frank Whittaker filed the 20th day of March 1939 complete the purchase of the lands described in the Schedule hereto and cause the same to be vested in the Council.

3. The balance of the Charity fund shall subject to the deduction of all costs charges and expenses properly payable thereout be paid to the Council by the executors.

4. The Council shall apply the said balance of the Charity fund or a competent part thereof in fencing in and enclosing and equipping the said lands as a recreation ground in such

manner as the Council may determine to be proper for the purpose of this Scheme. Any unexpected balance shall be held as an endowment of the Charity

5. The Council shall hold the said lands upon trust primarily to permit the same to be used for a recreation ground or playing field by children attending the Methodist Sunday School in connection with the Greenfield Methodist Chapel and such other children in the vicinity (of day school age only) as the Council may from time to time determine

6. Subject to the foregoing trust the Council may permit the said lands to be used as a playing field or recreation ground by children under school age and as a public park by other persons

7. The Council may provide on the said lands such conveniences and may lay out such lands generally in such manner as they may determine to be proper for the purposes of this Scheme

8. The Council shall have the administration and management of the said lands and the Council may from time to time make and vary such regulations (not being inconsistent with this Scheme) relating to the use of such lands and the conduct of persons thereon as they may think fit and proper

9. The Charity ^{hereby} constituted shall be known as "the Laycock Lawton Children's Playing Fields"

THE SCHEDULE TO THE SCHEME

ALL THAT plot of land situate in Ladhill Lane at or near Road End, Greenfield, Saddleworth in the County of York containing in the whole 7740 square yards or thereabouts more particularly delineated in the plan annexed to the hereinbefore mentioned Agreement of the second day of March 1939 and thereon coloured pink and green

THE PROPERTY is freehold and is subject to the
grantees' covenants contained in a Conveyance dated the
tenth day of May 1929 and made between Alice Dronfield
of the one part and John Edward Tanner and Fred Bottomley
(the Trustees of the Greenfield Cricket Club) of the
other part so far as the same relate to and remain to be
performed and observed in respect of the property described
in the said Agreement.

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D.R.

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IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

MANCHESTER DISTRICT REGISTRY

MR. JUSTICE BENNETT

Passed and Entered 12th May 1939

30th March 1939

RE HELENA LAWTON deceased

GARTSIDE & anor.

- v -

HIS MAJESTY'S ATTORNEY

GENERAL & others.

Duplicate

O R D E R.

Armstrong Taylor & Whittaker,

Solicitors, for the Plaintiffs,

OLDHAM.

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