

Left her cottage to cathedral, but it is too costly to keep

Mrs Anna Elizabeth Wolsey Wood Harris, who died, aged 92, in February, 1963, left her thatched house, Splatt Hays, and two acres of land at Buckerell, Devon, to the Dean and Chapter of Exeter Cathedral Church for use as a residence for "a poor, retired clergyman of the Church of England," Mr. Justice Ungoed-Thomas was told in the High Court.

But the cost of putting the property in order, estimated now to be at least £4,500, meant that practical effect could not be given to the bequest.

By consent, the judge yesterday directed the Dean and Chapter to produce a scheme for the disposal of Mrs. Harris's estate, giving them leave in the meantime to sell the property and furniture.

Mr. Martin Jacomb, for the Dean and Chapter, said Mrs. Harris left a net estate of about £7,500, the house being valued for probate at £1,800.

Very old

An affidavit by the Archdeacon of Exeter Cathedral the Ven. Richard Hamilton Babington said that the house was built of cob and very old.

When Mrs. Harris died at least £3,000 would have been required to make it habitable, leaving a fund for maintenance under the will of about £80 a year and a net sum of £22 to cover all outgoings except rates.

Even if the property had been in good condition there was no likelihood of a poor retired clergyman wishing to live there because of the size of the property and its remoteness.

The Archdeacon said that the Diocesan Board of Finance had a number of houses on not dissimilar trusts, including one at Ashburton, which was considerably larger than Buckerell.

Not wanted

Even so, the board had had great difficulty in finding any retired clergyman who wished to take up residence there and was preparing an application to the Charity Commissioners for leave to sell the house.

Mr. Jacomb referred to a petition which, he said, had been signed by a large number of parishioners in Buckerell.

The petitioners stated that they understood from Mrs. Harris during her lifetime that her intention was that her residence should serve the double purpose of a home for a retired clergyman and providing the parish with a resident clergyman.

There was no clergyman living in Buckerell, which was held in plurality with the parish of Feniton, said Mr. Jacomb.

Mrs. Harris's intention, as expressed in the petition, was difficult to gather from the will.

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