

**HENRY GARDNER'S TRUST FOR THE BLIND:
FORMATION, DEVELOPMENT AND DECLINE**

by

JOHN WALTER HAWKINS, MA (OXON), MBA, MSc

Thesis submitted for the Degree of Doctor of Philosophy

at

Kingston University London, Faculty of Arts & Social Sciences

June 2012

ILLUSTRATIONS
1.1, 5.1, 6.1-6.4, 7.1-7.4 AND FINAL
ILLUSTRATION ON PAGE 376 NOT
DIGITISED AT THE REQUEST OF
THE UNIVERSITY

“Wandering in a vast forest at night, I have only a faint light to guide me. A stranger appears and says to me: ‘my friend, you should blow out your candle in order to find your way more clearly’. This stranger is a theologian.”

Denis Diderot, 1713-1784, Addition aux pensées philosophiques (1762)

ABSTRACT

Henry Gardner's Trust for the Blind: formation, development and decline

This thesis primarily comprises a review and analysis of evidence relating to the formation and early development of Henry Gardner's Trust for the Blind. This analysis is set within the context of Victorian philanthropy in general and charities for the blind in particular. Among the topics investigated are the differences between 'endowed' and 'voluntary' charities, developing attitudes to the 'problem of the blind', the relative position of the blind compared with other classes of the 'disabled' and the gradually declining numbers of the blind. The personal motivations of those most closely involved with the formation and management of Gardner's Trust are examined, together with the objectives that could reasonably have been set for the charity and whether they were achieved. An estimate is made of the importance of the support afforded by the trust to the existing colleges for the blind at Norwood and Worcester and where the trust was less prepared to be supportive. The relationships between the trust and other organisations, such as the Charity Organisation Society, are also reviewed. The impact on the charity of external factors such as changes in legislation affecting the blind and the economic environment is evaluated, along with the related topic of the investment strategy adopted by the trustees. Within the disparate universe of charities for the blind, a brief history of the Phoenix Home for Blind Women, later the Cecilia Charity for the Blind, is provided as a comparative case study. The main findings are that, after a period of great success and influence, the importance of the charity declined as a result of social, political and economic events, especially increasing State intervention and the ravages of inflation. Successive trustees failed to recognise the need to supplement the original endowment and reappraise the trust's objectives.

KEYWORDS

Henry Gardner's Trust for the Blind: formation, development and decline

Adela Beatrice Coryton Taylor; Alexander Wishaw; Alfred Philip Slade Beaumont; Archbishop of Canterbury; Association for Promoting the General Welfare of the Blind; Ben Purse; Bishop of London; the blind; blind clergy; Blind Persons Act; Brewers' Company; Cannon Brewery; British and Foreign Blind Society; Cecilia Charity for the Blind; Sir Charles Stewart Loch; Sir Charles and Lady Isabelle Lowther; Charity Act; Charity Organisation Society; Chorley Wood College; Christ's Hospital; Clothworkers' Company; College of Teachers of the Blind; County Fire Office; county unions; *cy-près*; Edith Rebecca Lord; Education Act; Elizabeth Margaretta Maria Gilbert; Emanuel Swedenborg; Sir Francis Campbell; Frederick Temple; Gardner Musical Institute; Henry Gardner; Henry Josiah Wilson; Henshaw's Asylum; Hetherington's Charity; inflation; Joanna Rashdale; John Jackson; Leopold Salomons; London Society for Teaching and Training the Blind; Lord Kinnaird; Lucy Block; Married Women's Property Act; Middlesex Association for the Blind; Mortmain Act; National Assistance Act; National Insurance Act; Norman Lord; Old Age Pensions Act; Phoenix Home for Blind Women; Robert Hugh Blair; Robert and Maria Louisa Richardson-Gardner; Royal Commission on the Blind, Deaf and Dumb; Royal National Institute for the Blind; Royal Normal College and Academy of Music for the Blind; Samuel Strong Forster; Saxon system; School for the Indigent Blind, Southwark; scientific philanthropy; Succession Duty Act; Sun Fire Office; Trustee Act; Trustee Investments Act; Thomas Rhodes Armitage; Walter Scott Seton-Karr; William Martin Wilkinson; William Moon; Windsor; Worcester College; Vintners' Company.

ABBREVIATIONS

AIB	Alexandra Institution for the Blind
APGWB	Association for Promoting the General Welfare of the Blind
BFAS	Blind Female Annuity Society
BFBA	British and Foreign Blind Association
BL	British Library
BnF	Bibliothèque nationale de France
BPS	Blind Pension Society of the UK (formerly PBPS)
CBRS	Christian Blind Relief Society
COS	Charity Organisation Society
CTB	College of Teachers of the Blind
ESRO	East Sussex Records Office
FA	Family Action (formerly FWA)
FWA	Family Welfare Association (formerly COS)
GBI	Governesses Benevolent Institution
HMRC	Her Majesty's Revenue and Customs
IBVS	Indigent Blind Visiting Society
INJA	Institute Nationale des Jeunes Aveugles, Paris
KA	Kent Archives
LCC	London County Council
LEA	Local Education Authority
LMA	London Metropolitan Archives
LSB	London School Board
LSTBR	London Society for Teaching the Blind to Read
MAB	Middlesex Association for the Blind
MBA	Metropolitan Blind Association
MSB	Metropolitan Society for the Blind
NA	National Archives
NBRs	National Blind Relief Society
NIB	National Institute for the Blind (formerly BFBA)
NLB	National League for the Blind
NLLB	National Lending Library for the Blind
PBPS	Protestant Blind Pension Society
RBPS	Royal Blind Pension Society of the UK (formerly BPS)
RCBDD	Royal Commission on the Blind, the Deaf and the Dumb of the United Kingdom
RBS	Royal Blind Society (formerly RBPS)
RNC	Royal Normal College and Academy of Music for the Blind
RNCB	Royal National College for the Blind (formerly RNC)
RNIB	Royal National Institute for the Blind (formerly NIB)
SHL	Senate House Library
SIB	School for the Indigent Blind, Southwark
SGAPAB	Society for Granting Annuities to the Poor Adult Blind
SRIJ	Society for the Relief of Indigent Jews
VHB	Value of the household bundle

ACKNOWLEDGEMENTS

The author would like to record his appreciation to his supervisors, Professor Craig Phelan and Dr. John Stuart, for their continued help and encouragement throughout the preparation of this thesis. Other members of the academic staff of the Kingston University have also given valuable comments and suggestions, particularly Dr. Jeremy Nuttall; the staff in the university's Learning Resource Centre were invariably helpful, particularly those on the interlibrary loan team. Several people volunteered to read early drafts, the comments of all of whom enhanced the final version. The author, however, takes full responsibility for all remaining errors and omissions. The following individuals and organisations deserve special thanks for their contributions.

Barclays Bank Group: Maria Sienkiewicz, Group Archivist

Bodleian Library: Helen Langley, Special Collections

Brewers' Company: Prue MacGibbon, Archivist

Brewery History Society: Michael Brown, Secretary

British Library: Paul Jokinen-Carter and Penny Brook, Asia and Africa Collections

Carlton Club: Jonathan Orr-Ewing, Secretary and Mary Baker, Assistant Secretary

City and County of Swansea: Lyndon Elsey, Assistant Registrar

Clarity – Employment for the Blind (formerly the *Association for the Promotion of the General Welfare of the Blind*): David Sore, Marketing Director and Jeremy Robinson, Office Manager

Clothworkers' Company: Jessica Collins, Archivist and Samantha Grimmett, Charities

Cordwainer's Company: John Miller, Clerk

Danygraig Cemetery: Jason Curran, Cemetery Supervisor

Drapers' Company: Andy Mellows, Head of Charities

East Sussex Records Office: Jennifer Nash, Senior Search Room Supervisor and Izabella Bicsak-Snitter, Archives Assistant

Family Action (formerly the *Family Welfare Association* and the *Charity Organisation Society*): Helen Dent, CBE, Chief Executive and Penny Hone

Friends of Windsor & Royal Borough Museum: Dr. Brigitte Mitchell

General Cemetery Company: reception team

Goldsmiths' Company: David Beasley, Librarian

Guildhall Library

Honourable Society of the Middle Temple: Hannah Baker, Archivist

Islington Local History Centre, Allie Dillon, Local History Librarian

Kent County Archives: Anne Entwistle, Public Services Assistant

Lambeth Palace Library: Matti Watton, Assistant Archivist

Leicestershire and Rutland Record Office: Jenny Moran, Keeper

Metropolitan Society for the Blind (incorporating the *Indigent Blind Visiting Society*): John Harris, Office Manager

Middlesex Association for the Blind: Dave Pearson, Chief Executive and Judy Bell, Richmond Office Manager

Oriental Club: Timothy V. Carter, Honorary Librarian

Painter-Stainers' Company: Jackie Maggs, Head of Charities

Parliamentary Archives: Adrian Brown and Justine Winstanley-Brown, Assistant Clerks of the Records

Perkins School for the Blind: Jan Seymour-Ford, Research Librarian

Royal London Society for the Blind (formerly the *London Society for Teaching the Blind to Read*): Alison Nield

Royal National College for the Blind (formerly the *Royal Normal College and Academy of Music for the Blind*): Karen Hall, Acting Principal and Alison Rhodes, formerly Clerk to the Governors

Royal National Institute for the Blind (formerly the *British and Foreign Blind Association*): Philip Jeffs, Archivist and Karen Lipman, Library and Information Assistant

St Botolph's, Aldersgate: Aly Bush

Society of Antiquaries of London: Heather Rowland, Head of Library and Collections

Somerset Archive and Record Office: Beverley Duddridge, Research Assistant

Southampton City Libraries: Penny Rudkin, Research Librarian

Swedenborg Society: James Wilson, Librarian and Richard Lines, Secretary

Totton and Eling Local History Society: Barbara Deacon, Secretary

Vintners' Company: Stephen Freeth, Archivist

West Glamorgan Archive Service: Rhian Phillips, Senior Archivist

Windsor & Royal Borough Museum: Caroline McCutcheon, Heritage Development Officer

York Minster Library: Antonio Jimenez-Milian, Library Assistant

Rt. Rev. & Rt. Hon. Richard Chartres, KCVO, FSA, Bishop of London (portrait of Bishop Jackson)

Marion Cider (additional Gardner archive material)

Rt. Hon. Viscount Gough, Chairman, Gardner's Trust for the Blind (use of Gardner archives)

Peter Harper (ooBase SQL syntax advice)

John Heller, former Managing Partner, Nabarro Nathanson (legal interpretation of Gardner wills)

Sir Bayley Laurie, Bt. (information on Lionel Richardson-Gardner)

Lord Lexden, formerly Alistair Cooke, OBE (Conservative Party historiographer)

Janet Pattenden (photographs of the Richardson Mausoleum)

Dr. Gordon Phillips (author of *The blind in British society: charity, state and community, c. 1780-1930*)

David Pollard, partner Freshfield Bruckhaus Deringer (explanation of *mortmain*, etc.)

Michael and Patricia Richardson (authors of *History of the Richardson family of Swansea*)

Jean Stratton (photographs of archive material, etc.)

John W. Hawkins

+ 44 (0)20 8549 4141

London

+44 (0)77 6787 2701

June 2012

johnwh@rakshasa.demon.co.uk

CONTENTS

Abstract	3
Keywords	4
Abbreviations	5
Acknowledgements	6
Table of contents	8
List of tables, charts and illustrations	14
1 The economics of philanthropy and the problem of the blind	17
1.1 Gardner's Trust: a case study with contemporary relevance	17
1.2 Macro-economic factors: the charity cycle and its importance	18
1.3 Micro-economic factors: the permanently endowed charity	23
1.4 Philanthropy in Victorian society	24
1.5 Historiography of blindness	26
1.6 The treatment of the blind	30
1.7 Early literature on blindness and the blind	34
1.8 The 'problem of the blind'	36
1.9 The scale of the problem	37
1.10 Atypicality of the Victorian blind	40
1.11 Research questions and context	42
1.12 Research methods	44
1.13 Gardner's Trust: a preliminary judgement	45
2 Henry Gardner's bequest	49
2.1 Chapter research questions	50
2.2 Henry Gardner	51
2.2.1 The Cannon Brewery	51
2.2.2 Henry's siblings	53
2.2.3 Henry's other interests	57
2.3 Henry Gardner's will	59
2.3.1 The concept of a trust	60
2.3.2 The Mortmain Acts	64
2.3.3 The construction of the will	66

2.3.4	The Married Woman's Property Acts	68
2.3.5	The Succession Duty Act	71
2.3.6	The executors and executrix	72
2.3.7	Alternative constructions	76
2.4	Henry Gardner and the blind	78
2.5	The beneficiaries	80
2.5.1	The specific beneficiaries	80
2.5.1.1	Southwark School	81
2.5.1.2	APGWB	82
2.5.1.3	LSTTB	82
2.5.1.4	Charities notably omitted from the will	83
2.5.2	The new trust	84
2.6	The initial response of the higher educational establishments	85
2.6.1	The Royal Normal College	86
2.6.2	Worcester College	89
2.7	Henry Gardner's estate	90
2.7.1	Discovery of the will	90
2.7.2	Inventory and estimate of value	92
2.7.3	Comparative value of estate	95
2.8	Summary of chapter research answers	96
3	The Chancery Division of the High Court	101
3.1	Chapter research questions	102
3.2	The referral to the Chancery Division of the High Court	103
3.3	The public debate	110
3.3.1	The methods used	110
3.3.2	The debate in <i>The Times</i>	111
3.4	The progress of the High Court action	114
3.5	Events in Norwood and Windsor	118
3.6	The Charity Organisation Society	124
3.7	Proposals to the Chancery Division	128
3.7.1	Maria Louisa Richardson-Gardner	128
3.7.2	The majority trustees	130
3.7.3	The Charity Organisation Society	131

3.7.4	Loch affidavit	132
3.7.5	Wilkinson affidavit	133
3.8	Proposals to the trustees	134
3.8.1	The Lowthers' compromise proposal	134
3.8.2	The Clothworkers' Company	136
3.8.3	The Royal Normal College and Thomas Rhodes Armitage	138
3.8.4	Alexander Wishaw, Chaplain of the Liverpool School	142
3.9	Scheme finally approved by the Chancery Division	143
3.10	Robert Richardson-Gardner: postscript	147
3.11	Summary of chapter research answers	147
4	The development and decline of Gardner's Trust: 1881-1950	154
	Part One: management, governance and administration	155
4.1	Chapter research questions – Part One	155
4.2	The committee and management	156
4.2.1	The initial committee	156
4.2.2	Walter Scott Seton-Karr	157
4.2.3	Committee developments	159
4.2.4	Appointment of Henry Wilson as secretary	165
4.2.5	Later secretaries	173
4.2.6	Other appointments	174
4.3	Governance	175
4.3.1	By-laws and regulations	175
4.3.2	Format of committee meetings	178
4.3.3	Note on voting charities	180
4.4	The original investments and income	180
4.4.1	The opening financial position	181
4.4.2	Early changes to investments	182
4.5	The distributions of the trust	184
4.5.1	Pensions and individuals grants	186
4.5.1.1	Pensions	187
4.5.1.2	Individual grants	193
4.5.1.3	Individual loans	195
4.5.2	Grants for education and training	195

	4.5.2.1 Education	196
	4.5.2.2 Training	197
	4.5.3 Distributions over the longer term	199
	4.5.4 Increases in running costs	201
	4.5.5 Modifications to the Scheme and Declaration of Trust	202
	Part Two: the trust's work and influence in a changing environment	205
4.6	Chapter research questions – Part Two	205
4.7	General charity legislation	206
4.8	Development of the trust, 1882-1893	208
	4.8.1 The Royal Commission on the blind, deaf and dumb	208
	4.8.2 Elementary Education (Blind and Deaf Children) Act 1893	211
4.9	Readjustments in a changing environment, 1894-1920	212
	4.9.1 Education Act 1902	214
	4.9.2 Old Age Pensions Act 1908	215
	4.9.3 Blind Persons Act 1920	216
4.10	The decline of the trust, 1921-1950	219
	4.10.1 Legislation from 1921 to 1935	219
	4.10.2 Blind Persons Act 1938	220
	4.10.3 Education Act 1944	220
	4.10.4 National Insurance Act 1946	221
	4.10.5 National Assistance Act 1948	221
	4.10.6 The cumulative effects of legislation, 1893-1948	222
4.11	Specific areas of influence of the trust	223
	4.11.1 Worcester College	224
	4.11.2 Royal Normal College	227
	4.11.3 Central Depot scheme	231
	4.11.4 Blind clergy	232
	4.11.5 Other external views	236
4.12	Summary of chapter research answers – Parts One and Two	237
5	The economic influence of Gardner's Trust and its investment strategy	244
	5.1 Chapter research questions	244
	5.2 Additional legacies and bequests	246
	5.2.1 Joanna Rashdale and Leopold Salomons	247

5.2.2	Edith Rebecca Lord	249
5.2.3	Adela Beatrice Coryton Taylor	252
5.2.4	Minor bequests	254
5.2.5	Alfred Philip Slade Beaumont	256
5.3	The Cecilia Charity for the Blind	259
5.3.1	Formation of the first home	260
5.3.2	Formation of the Phoenix home	262
5.3.3	Formation of the Cecilia Charity	265
5.3.4	Early years of the Cecilia Charity	267
5.3.5	Decline and final transformation of the Cecilia Charity	271
5.4	The worth of Gardner's Trust in today's currency	273
5.5	The investment strategy of Gardner's Trust	277
5.5.1	Pre-1961	277
5.5.1.1	Classes of investment	279
5.5.1.2	Acts of Parliament	280
5.5.1.3	Henry Gardner's will	284
5.5.2	Post-1961	289
5.5.3	A legal perspective	292
5.6	Comparative values of the Cecilia Charity and Gardner's Trust	293
5.6.1	Cecilia Charity	293
5.6.2	Gardner's Trust	293
5.6.3	Comparative values	294
5.7	Summary of chapter research answers	297
6	Conclusions and lessons from a micro-history	302
6.1	Secular and Christian charity	303
6.2	Philanthropist and reformer	304
6.3	'Childlessness, bachelorhood and widowhood'	306
6.4	Education of the public	308
6.5	The importance of the endowment	311
6.6	State intervention	313
6.7	Further research opportunities	315
6.8	Gardner's Trust: a final judgement	316

Endnotes	323
Chronology	342
Glossary	350
Bibliography	353

LIST OF TABLES, CHARTS AND ILLUSTRATIONS

Tables

2.1: Principal trustee related Acts, 1830-1925	61
2.2: Comparison of proposed and actual charity bequest clauses in wills	68
2.3: Probate estimate for Henry Gardner - 28 January 1879	92
2.4: Court Receiver's Accounts – Quarterly Summaries	94
3.1: Comparison of key elements of proposals	145
4.1: Attendance record of selected committee members	161
4.2: Conferences and Congresses on the Blind	169
4.3: Gardner original investments and income	181
4.4: Gardner grant expenditure, etc. in 1881 and 1882	185
4.5: Gardner pension recipients by county, 1891-1911	190
4.6: Sample census data for Gardner pensioners	191
4.7: Change in number and value of Gardner pensions	191
4.8: Gardner pensioners above age 59	193
4.9: Educational Institutions assisted by Gardner scholarships, 1882-1891	197
4.10: Institutions for the blind assisted by Gardner grants, 1882-1891	199
4.11: Gardner aggregate grant expenditure, 1882-1976	200
4.12: Gardner administration expenses, etc., 1882-1976	201
4.13: Modifications to Clause 7 of the Scheme and Declaration of Trust	204
4.14: Principal Charity and Charitable Trusts Acts, 1853-2006	207
4.15: Impact of legislation on Gardner distributions, 1893-1948	222
5.1: Comparative methods of determining historic values of worth	274
5.2: Change in worth of Gardner's Trust	275
5.3: Decline in the economic influence of Gardner's Trust for the Blind	276
5.4: Initial and 2009 Values of Gardner's Trust	278
5.5: Acts of Parliament relevant to trustee investments, 1859-2000	281
5.6: Annual rates of inflation for each decade of the nineteenth century	286
5.7: Annual rates of inflation for each decade of the twentieth century	287

Charts

5.1: Gardner's Trust Investment Strategy, 1882-1961	288
5.2: Cecilia Charity for the Blind: growth in nominal value, 1900-2010	295
5.3: Gardner's Trust for the Blind: growth in nominal value, 1880-2010	295
5.4: Cecilia Charity and Gardner's Trust: relative growth in nominal value	296
5.5: Cecilia Charity and Gardner's Trust: decline in aggregate real value	296

Illustrations

1.1: Henry Gardner	16
2.1: Maria Louisa Richardson-Gardner	48
3.1: Robert Richardson-Gardner	100
4.1: 11 th Lord Kinnaird	153
5.1: Walter Scott Seton-Karr	243
6.1: Henry Josiah Wilson	301
6.2: Alfred Philip Slade Beaumont	301
6.3: Bishop John Jackson	301
6.4: 10 th Lord Kinnaird	301
7.1: Douglas Close Richmond	322
7.2: Sir Bruce Richmond	322
7.3: Edith Rebecca Lord	322
7.4: Charles Paston Crane	322

Illustration 1.1: Henry Gardner
(source: Gardner's Trust Archive, LMA)

CHAPTER 1

The economics of philanthropy and the problem of the blind

1.1 Gardner's Trust: a case study with contemporary relevance

Despite its venerable beginnings in the late Victorian age, there are lessons to be learned from a study of Gardner's Trust that are relevant to the running of charities today. In order to understand these it is necessary to look not just at the activities of the charity, but at the wider – and constantly changing – environment in which it has operated.

Philanthropy does not exist in an economic or social vacuum. While the macro- and micro-economic issues affecting charities may differ from those of 'for-profit' businesses, they are not absent. The analogy with commercial activity may be taken further. Just as industrial sectors have differing critical input and output factors, so, too, do areas of philanthropic activity. And even within one philanthropic area, such as the welfare of the blind, participants may employ different 'business models', which must, of necessity, react to technological and other advances. Likewise, social attitudes have developed significantly over the last one hundred and thirty years. These changes have had both a direct and an indirect impact on charities such as Gardner's Trust. In this case it will be shown that the indirect impact of social change through legislation has been most important, especially as a result of social demand for improvements in education and the provision of care for the old and disadvantaged.

The answers to the research questions to be raised within this thesis will require an understanding of Victorian attitudes to philanthropy in general and to blindness in particular, both of which were built on philosophical, social and political developments over several centuries. Looking specifically at the nature, scale and uniqueness of the 'problem of the blind' will involve the attitudes and behaviour of two parallel groups existing within the philanthropic environment: institutions established for the welfare of the blind and the individuals associated with those institutions. Both have been considered in previous research, but not previously by focusing on the nexus of relationships around one man and the charity he brought into being.

With some exceptions, early writing on blindness tended to be aspirational rather than analytical and this changed only slowly even in the years after Henry Gardner's death. However, the answers to these research questions will allow various hypotheses proposed by more recent writers on philanthropy and blindness to be tested. They also allow certain conclusions to be drawn as to how charities should and should not be designed and operated, many of which still have a resonance today, notwithstanding over a century of 'progress' since Gardner's Trust commenced operations.

With this background established, detailed research questions can be formulated on the circumstances under which Gardner's Trust was formed and how it interacted with other institutions and individuals involved with the blind. Finally the answers to the specific research questions will be drawn together to answer broader questions on the place of Gardner's Trust and those associated with it in the milieu of Victorian philanthropy.

1.2 Macro-economic factors: the charity cycle and its importance

Why should the second decade of the twenty first century be an appropriate time for undertaking research on charities? The answer is that the relative importance of charitable activity within the macro-economic environment seems set to increase. The relative importance of charitable or philanthropic giving in relation to the overall needs of the poor and disadvantaged has varied over long periods of time.¹ It has been conjectured that the pattern exhibits cyclical behaviour and this would not be surprising, although *quantitative* research on this subject seems to be lacking.

Cyclical phenomena are ubiquitous in the natural world and that of economics – all are familiar with the rise and fall of house prices and stock markets. Macro-economic explanations of such cycles, usually lasting only a few years, generally depend on the interaction of two phenomena: the supply and demand for goods and services and the supply and demand of financial and human capital. However, very much longer term economic cycles exist. It is a matter of debate when these were first observed, but they are usually linked to the name of the Russian economist, Nikolai Kondratiev (1892-1938). The period of a Kondratiev cycle (otherwise known as a 'long wave') is around fifty years and more difficult to explain in terms of generally accepted economic theory. Some explanations rely on key trigger events, such as technological innovation,

increased resource availability, natural phenomena, or even developments in capital and financial markets. Whatever the cause of long waves, they have a clear impact on national and *per capita* wealth and thus on the proportion of a population that will exist at or near to the poverty level, however defined. Moreover, as national income falls (at least in real terms), so, *ceteris paribus*, do government tax revenues and thus the ability of governments to fulfill commitments at all levels, including support of the poor and disadvantaged – the demand for charity thus increases. It can be argued that the potential philanthropist recognises this gap and acts accordingly, but only if he has the wherewithal to do so.

There have existed at least five ‘golden ages’ of philanthropy, where high levels of charitable supply and demand have coincided.² During the Renaissance, the supply of charity was created by the increasing wealth of the great trading families, aided by developments in capitalism (for example, double entry book-keeping and voyage insurance). Demand for charity was led by a surge in population growth as Europe recovered from the Black Death. The method of charitable giving began to change, with individual alms-giving de-emphasised and endowed charities becoming more common (for example, the Fugger almshouses in Augsburg, Germany). In the United Kingdom, the culmination of this age was arguably the passing of the 1601 Charitable Uses Act.

Another development in capitalism, the joint-stock company, was one of the supply side factors during the second golden age, commencing around the beginning of the eighteenth century. The demand side factors were less clear cut than in the golden ages that preceded and followed, but were exacerbated by a succession of poor harvests and consequent inflation of basic food prices. It was also increasingly apparent that in England the Elizabethan Poor Laws were no longer fit for purpose. Intellectual thinking on charity developed during this age, with an increasing realisation that tackling poverty required not only more than sporadic alms-giving, but also more than the endowment of charities simply to relieve the poor rather than addressing the causes of poverty.

The third, and most relevant, golden age occurred in Britain in the nineteenth century. It involved the interaction of two macro trends. First, although Inclosure Acts had been passed sporadically since the twelfth century, with some acceleration in the late eighteenth, the removal of public grazing and cultivation rights on common land was

greatly facilitated by the 1845 General Inclosure Act, which obviated the requirement for individual acts of parliament for the enclosure of each piece of previously common land. The 1846 Importation Act ('the repeal of the Corn Laws') dramatically reduced tariffs on imported corn. Together, these two agrarian developments transformed the trickle of agricultural labourers heading towards the cities into a torrent. Second, from the middle of the nineteenth century, the industrial revolution gained momentum, entering a second and faster-growing phase. The movement of labour had begun much earlier, but the rate of urbanisation now increased dramatically, facilitated by the spread of the railways, and it became increasingly apparent that the consequences of urbanisation on such a scale had never been sufficiently considered. Pauperism had always existed in both rural and urban areas, but the scale of urban pauperism now came to dominate. Whereas changes in the agricultural and industrial economies combined to drive the demand for charity, only the latter contributed to its supply. The landowning classes were hit by the repeal of the Corn Laws, while the majority of the *nouveau riche* were industrialists. The 1834 Poor Law Amendment Act was not designed principally to improve the lot of the poor, but to reduce the burden of the poor on ratepayers. One note of caution should be observed. Whilst growth in philanthropic giving across the whole of Queen Victoria's reign evidently did occur, its extent in real terms has been subject to debate. Although beyond the scope of this research, a comprehensive summary of the evidence relating to London has recently been provided by Susannah Morris.³

Among the major contributors to charitable supply during the Victorian golden age, albeit on different scales, were people like Baroness Burdett-Coutts (banking), George Peabody (dry goods) and Henry Gardner (brewing). Equally important, however, were individuals and organisations who tackled specific areas of charitable demand (for example, Dr. Thomas Rhodes Armitage and the British and Foreign Blind Association) and the general management of charitable resources (principally Sir Charles Stewart Loch and the Charity Organisation Society). Many of the individuals involved were strong-willed, but they did not always conform to stereotypes. For example, Armitage, arguably the most important and successful campaigner on behalf of the blind, was against endowed schools, preferring that educational establishments should live and die by their ability to perform.

Other changes to the law had an indirect impact on charitable endowments. The Mortmain Acts had begun to be passed as early as the thirteenth century, severely restricting the ability of individuals to leave real property to charitable trusts and similar institutions. Although some relaxation had taken place during the eighteenth century, it was not until after Henry Gardner's death that the 1888 Mortmain and Charitable Uses Act was passed, providing further flexibility, and the laws were not finally repealed until the twentieth century. The ability of women to own property in their own name had begun to change earlier, but again was not finalised until after Henry's death (through the 1870 and 1882 Married Women's Property Acts).

The debate over the relative extent to which individuals and the State should share the economic burden and organisational responsibility for the poor and needy was not new in Victorian times. It was summarised by Loch in an influential pamphlet of 1893, which came down on the side of individual philanthropic effort and remained opposed to the introduction of a general old-age pension, leading eventually to a reduction in the influence of the Charity Organisation Society, which had undoubtedly been a force for good since its formation in 1869.⁴ However, the weight of public opinion, of an increasingly socialist nature, was in favour of more government involvement, examples of which, following the end of the Victorian age, were the 1908 Old Age Pensions Act, the 1918 Education Act and the 1920 Blind Persons Act. The dawn of the twentieth century doubtless seemed the beginning of an irreversible acceptance of responsibility by governments for the welfare of the poor, at least in the UK and much of the remainder of the developed world, but it was not irreversible.⁵

So what of the situation today? Ronald Reagan was not the first United States Republican to espouse the cause of 'small government' and it is even debateable as to whether the US government was smaller or larger at the end of his second term than it had been when he assumed the Presidency. Nonetheless, his public position was one of reduced government interference in the lives of its citizens and reduced taxation, populist policies that certainly did nothing to harm his electability. Almost three decades after he first occupied the White House, these policies continue to resonate with much of US society. The Tea Party (a reference to the Boston Tea Party of 1773, but also to 'Taxed Enough Already' through a process of reverse acronymisation) is a broad political church formed in 2009, ostensibly to co-ordinate opposition to a series of

Federal laws then in the process of enactment. If the sentiment supporting the Tea Party continues, the smaller government/lower taxation ethos may be inculcated into the next US administration of whatever hue. Notwithstanding specific programs for health care reform, tax dollars available for the benefit of the disadvantaged are likely to decrease. Nor is the desire for small government the sole preserve of the US. Margaret Thatcher had much in common with Reagan and similarities in policies have continued.

In the United Kingdom, the concept of the 'Big Society', originally a 2010 Conservative Party manifesto policy, but now built into the present coalition framework agreement, goes far beyond the immediate objective of bringing central government borrowing and expenditure under control. Its aim is to empower individuals and communities at the expense of central government, with an increased emphasis on supporting charities and social enterprises. The positive aspect of promoting charities will, if successful, increase charitable supply. However, the demand for charity is also likely to increase as social benefits are withdrawn or scaled back.

On the supply side there is already anecdotal support for the view that a new age when philanthropic organisations can take the lead in driving change is upon us. The sheer scale of charitable giving exemplified by Bill Gates (Microsoft) and Warren Buffet (Berkshire Hathaway), who have largely pooled their charitable activities, is hard to comprehend – the annual budget of the Gates Foundation exceeds the gross national product of some nations. The objectives set by such organisations (for example, the global elimination of malaria by the Gates Foundation) can be breathtaking in their scope and historically would only have been contemplated by multinational agencies, such as the World Health Organisation.

It is, perhaps, a misnomer to think of the early twenty first century as the dawn of another 'golden age' of charity, but the economic and political drivers certainly seem to be pointing towards an increase in the relative importance of the charitable sector in the UK and the US. Neither is the rest of the world immune from similar influences, particularly in Continental Europe where austerity budgets are increasingly commonplace and another tier of society is likely to be pushed below the poverty line.⁶

1.3 Micro-economic factors: the permanently endowed charity

One of many ways of investigating the micro-economic environment of a commercial or 'for-profit' business is through stakeholder analysis. In principle any number of potential stakeholders can be postulated and the impact of their demands on the performance of the business modelled. In practice the number of stakeholders able to influence the business critically is limited and a typical, albeit incomplete, list would include: shareholders, directors, competitors, politicians, regulators, lenders, suppliers, customers, employees and the general public.

This type of analysis can also be applied to 'not-for-profit' organisations. For a permanently endowed charity, in other words one that is set up with a fixed amount of capital sufficient to generate its income requirement for the foreseeable future, the application of such a model where market dynamics are almost entirely absent can lead to a very different situation in comparison not only to a typical commercial business, but also to other not-for-profit businesses.

For an endowed charity shareholders as such do not exist, so that there is no inherent demand to achieve a 'return on capital'. Something analogous to directors does exist, normally in the form of trustees, but their fiduciary duties are usually limited to the preservation of capital and distribution of income in accordance with the terms of the trust. In very few cases do charities borrow money. There are occasional exceptions (such as the Wellcome Trust in the UK), but in these instances the sums borrowed are normally *de minimis* in comparison with the permanent endowments and do not influence strategy. Customers certainly exist, but since 'price' is almost never a factor, demand is effectively infinite and competition is effectively irrelevant. Since endowed charities are not beholden to the public or politicians, they seldom have to answer to them. Regulators, of which the most important in the UK is the Charity Commissioners, have a very limited budget and limited powers of intervention, other than in cases of fraud or malfeasance. They may implore charities to act more effectively, but have no power to enforce this.

Under such circumstances performance standards for a charity have to be self-imposed. In theory this can be done by trustees, or employees, or some combination of the two.

Yet it has not always been done in the past and is still not a universal practice today. Historically many trustees and charity employees have seen no incentive to take even measured risks, the inevitable consequence having been that such endowed charities have been doomed to suffer a slow decline.⁷

The pure form of the permanently endowed charity is, of course, a *rara avis*. Even trusts set up without any thought by the original benefactor of requiring additional funds seldom precluded them from accepting such donations. Some enlightened trustees and employees have realised that endowed charities below a critical mass are virtually assured of extinction unless they seek to merge, or attract new funds, or both.

1.4 Philanthropy in Victorian society

When Henry Gardner, a wealthy brewer, died on 9 January 1879 at the age of 82, Queen Victoria had been on the throne of England for 42 years and of Empire for three. Philanthropy had prospered during Victoria's reign to the extent that one writer in 1894 referred to it as the 'Empire of Philanthropy'.⁸ Although Britain was no longer a Catholic country, people still worried about their souls and, under the doctrine of *pœnitentia*, 'The effect of almsgiving on the soul of the donor was theoretically more important than its effect on the body of the recipient'.⁹

In the previous century, at least on the Continent, philanthropy had started to become secularised, with philosophers such as Voltaire and Denis Diderot arguing that beneficence was a human rather than a Christian virtue and as important, as an object of philosophy, as the sharing of ideas.¹⁰ This idea was developed and re-attached to religious beliefs by Thomas Paine, Jean-Baptiste Chemin and Valentin Haüy, who, during the latter stages of the French Revolution, were among the founders of 'theophilanthropy', an ultimately doomed religion designed to combine the 'civic virtue' of Robespierre and the deism of Rousseau.

In a Britain driven by industrial rather than political revolution, the polemics and rhetoric were less heated, but the end result was similar. By the commencement of the Victorian age there was certainly an expectation of charity: 'To give or leave something to the community ... came to be expected of the more prosperous Englishmen'.¹¹

Earlier the point had been made that the developing ethic of social responsibility during the period applied also to those of only modest fortune, with tradesmen and members of the burgeoning professional classes making important contributions in aggregate.¹² In comparison with earlier periods there was an increased prevalence of 'collective charity' (through already existing institutions) rather than 'individual charity' (through new special purpose trusts with specific restrictions) as the Victorian age progressed.

The concept of 'scientific philanthropy' also arose during the Victorian era, its chief promoter in the United Kingdom being the Charity Organisation Society, founded in 1869. This was defined as an approach to charity involving the collection of empirical data concerning each individual or family to be helped, together with efforts to coordinate the help provided by different charities. (In Germany the term was also applied to charitable giving for purposes of general scientific research.) The idea that people should be enabled to help themselves also caught on quickly in the United States, being espoused most famously in Andrew Carnegie's *Wealth* of 1889.¹³ Carnegie's father, William, was an active Swedenborgian and the connection between this philosophy and scientific philanthropy will require comment in due course.

Involvement in charity might not only commence with a benefactor's death. Participation in the management of charities, at least for men, was commonplace among the upper middle classes and the lower strata of the nobility (the upper strata were often ready to lend their names, and sometimes give their money, but less frequently their time). In its early years, the names of the members of the management committee of Gardner's Trust, typical in this respect, would invariably have been found in *Burke's Landed Gentry*, the *Army List*, *Crockford's Clerical Directory*, or similar. Of course there were almost no women, unless they formed their own charities, or acted in a subsidiary capacity (perhaps as a 'ladies committee' raising funds through sales of work). Henry Gardner had conformed to this pattern, serving as Master of the Worshipful Company of Vintners, which, like other City livery companies, was by then a largely charitable and ceremonial institution. Henry's daughter, Maria Louisa Richardson-Gardner, did serve briefly on the trust's management committee, but after her death only one other woman served, also briefly, during the next century. An interesting example of a charity organised and run by women was the Phoenix Home

for Blind Women, founded in 1861. This will also be studied later in some depth to provide a counterpoint to Gardner's Trust.

1.5 Historiography of blindness

The corpus of historiography on research into the education and treatment of the blind is extremely limited and scarcely existed before 1930, when Ritchie provided an historical survey of work for the blind.¹⁴ A simple chronological listing of historical events affecting the blind was published in 1932 by Wagg.¹⁵ In 1963 Pritchard provided a critical review of education for the handicapped generally.¹⁶ None of these three was a trained historian. Later works of relevance are sufficiently few that they can be summarised individually.

The history of British philanthropy in a broader sense began to be the subject of published research around this time, some parts of which inevitably touched upon the blind. Roof's *Voluntary societies and social policy* devoted a section to progress in the treatment of the blind and remaining problems.¹⁷ Jordan's *Philanthropy in England 1480-1660: a study of the changing pattern of English social aspirations* charts the varied and significant changes to the social and economic fabric of the country over the stated period of almost two centuries and its impact upon charitable giving.¹⁸ Two volumes, Owen's *English Philanthropy: 1660-1960* and Checkland's *Philanthropy in Victorian Scotland*, cover between them Victorian philanthropy in England and Scotland, with the former picking up roughly where Jordan left off.^{19,20} Harrison's *Philanthropy and the Victorians* is somewhat critical of what he perceives as the shortcomings of Owen, particularly in relation to what he considers as too narrow a definition of philanthropic organisations and the absence of statistical data 'there is not a graph, map or diagram in Mr. Owen's book' (an implicit comparison to Jordan, which had many).²¹

In the UK, during the last two or three decades, the number of academics interested specifically in the subject of the blind in history seems to have been extremely limited: Dr. Gordon Phillips (formerly of Lancaster University) who first published on the subject in 1995 and Dr. John Oliphant (of Waseda University) who first published in 2002 being the notable exceptions. The bibliography of published books and papers in

Phillips' *The Blind In British Society*, which must be considered the most comprehensive single text on the subject of blind education and charity, is remarkable in that of the 240 plus entries only a handful relate to peer reviewed academic papers and of the other material almost 50% dates from pre-1900 and most of the remainder is pre-1990.²² The relative statistics for Oliphant's slimmer volume *The Early Education of the Blind in Britain c. 1790-1900* are not significantly different.²³ Harrison wrote of Victorian philanthropy that 'Mr. Owen would himself agree that more research is required in this area' and this remains the case.

The situation outside the UK has differed slightly, with some enthusiasm for 'disability history' in Australia and North America, but the emphasis here has been on the historiography of disability rather than on aspects of blindness and the field is again generally scant. Weygand's comprehensive review of blindness in France cannot be ignored.²⁴ Much of this work focuses on the two famous Parisian institutions for the blind (the Quinze-Vingts and the Institut National des Jeunes Aveugles) and those closely associated with the latter. However, it also covers in some depth early writing on blindness and the teaching of the blind, including personalities not covered elsewhere. There are also sections on blindness in literature and the important contributions of Barbier and Braille to blind typography. An earlier work concentrating on various aspects of blindness in France during the Enlightenment is William R. Paulson's *Enlightenment, Romanticism and the Blind in France*.²⁵

There are also a small number of relevant unpublished UK academic theses that should be mentioned, but even here nothing of significance predates the 1970s.

'The development of social legislation for blind or deaf persons in England, 1834-1939' provides a thorough review of the treatment of the blind and the deaf under Poor Law legislation from the passing of the Poor Law Amendment Act 1834 to the Old Age Pensions Act 1919, with particular emphasis on the 1875 Report of the Charity Organisation Society on the condition of the Blind and the Royal Commission on the Blind, Deaf and Dumb of 1886-89.²⁶ Much of Lysons's source material relates to the Government and its various departments. He also deals with the subsequent growth of the movement to introduce legislation for the benefit of blind people, culminating in the Blind Persons Acts of 1920 and 1938.

In 'The evolution of special education', Butterfield provides a useful review of the first training colleges for teachers of the blind (with an understandable emphasis on the Royal Normal College and the College of Teachers of the Blind).²⁷ He precedes this with a brief *résumé* of the early UK schools for the blind, some of the key personalities involved (for example, Elizabeth Gilbert, Rhodes Armitage and, later, Dr. Alfred Eicholtz) and, inevitably, the debate over raised types.

Although 'The education of the blind in Victorian society' takes as its principal theme the education of the blind, with an emphasis on actual teaching, it also considers how attitudes to blindness changed over the Victorian period and the tensions between charitable and State provision and how this also changed.²⁸ In terms of sources Koumantarakis paid particular attention to the reports of various conferences on the blind (for example, York 1883 and Westminster 1902) and on unpublished collections of various institutions (such as the Royal Blind School at Liverpool and the Royal Blind Asylum at Edinburgh). He also addresses the question of the involvement of women in blind charity education and concludes that it was confined largely to contributions of money by the wealthy and home visiting and teaching by those of more moderate means. He develops a criticism made by Harrison: capital expended by charities on substantial buildings such as those at Edinburgh and Glasgow had a greater contribution towards the reduction of 'guilt' than what subsequently went on inside them.

One aspect of blindness as a disability has been its general characterisation as a 'worthy' misfortune, as opposed, for example, to mental disability. This is explored in 'Identification of the Blind, 1834-1868: a study of the establishment of the blind register and the registration process', in which Abel examines the improvement in the lot of the blind in the second half of the nineteenth century and the first half of the twentieth.²⁹ He particularly notes the extent to which this exceeded the improvement of the lot of others suffering from disabilities and explaining this by the strength of the 'blind lobby', comprising organisations such as the British and Foreign Blind Society (under the influence of Armitage and others of the middle class blind) and the National League of the Blind (with which many blind wage earners were associated, such as Ben Purse).

Over time perceptions of blindness became as likely to be influenced by what was read in popular fiction as well as the articles that appeared in learned (and not-so-learned) journals. A comprehensive review is provided by 'A social history of blindness'.³⁰

Bates reaches the conclusion that 'ideologies about blindness which have their provenance in religious, mythical and symbolic belief are "infused into our literature and art"'. Her bibliography of works of poetry and fictional prose written by the blind (for example, Milton) or where the blindness of one or more characters plays an important role in the narrative is truly formidable. The length of this list may be important, since readers can as easily be informed and influenced in their attitudes towards blindness by fiction as non-fiction.

'Blindness, Education and Society' is mainly concerned with relatively modern approaches to the education of the visually impaired, with an emphasis on developments since the strengthening of the 'Disabled People's Movement'.³¹ However, it commences with an historical perspective and uses a unique three-stage framework to analyse the history of disability: Liability, Institutional and Modern. The liability stage (with widely varying degrees of liability) stretches back to antiquity and was replaced by the institutional phase at different times in different places. Examples could certainly be found during the Enlightenment and well before, but it was probably not widespread until the industrial revolution. The modern stage, in Taylor's view, is predominantly defined by the re-integration of the blind into society, rather than their incarceration in institutions, which roughly coincides with the end of the nineteenth century.

'The Education of the Blind, 1870-1930s' provides a highly detailed description of the education of the blind in Great Britain between 1870 and the 1930s, with a summary of events prior to 1870 sufficient to provide context.³² Particular attention is paid by Payne to two institutions (Norwich Asylum for the Blind and St. Dunstan's Hostel).

Examination of government records and those of several bodies involved with the blind played an important part in this research and those of Gardner's Trust were included, although the genesis of the trust is not considered and the closeness with which it worked with the central committee of the Charity Organisation Society may have been overestimated.

Although primarily focussing on regional issues, 'The blind, the deaf and the halt: physical disability, the Poor Law and charity c. 1830-1890, with particular reference to the County of Yorkshire' does so through the twin lenses of the Poor Law and charitable activity.³³ In connection with the latter, Bergen makes the point that those responsible for leading charitable efforts on behalf of the disabled (and running institutions for their care) were often deferred to as experts, while seldom being such. Although concentrating on the Victorian era, she provides a useful recapitulation of the operation of the Poor Law from the Elizabethan Statute to the major changes of the 1834 Poor Law (Amendment) Act, by which time the old law was seen as 'detrimental both to the moral well being of the individual and to the economic health of the nation'.

Given the close involvement of the COS with the blind in general and Gardner's Trust in particular, it might have been expected that 'The Charity Organisation Society and the rise of the welfare state' would have touched upon these subjects, but it does not.³⁴ Also, although Woodard deals briefly with the complex foundation of the COS, there is only a cursory mention of the part played by William Martin Wilkinson, whose important contribution will be examined later.

Abstracting comments from all of these published and unpublished works relating specifically to Gardner's Trust might amount to no more than 2,000 words, without allowing for repetition.

1.6 Historic attitudes towards blindness and the blind

Works dealing with blindness and the blind before the Age of Enlightenment were rare, but two in particular served as building blocks for Diderot and those who followed him.

Although not treating specifically with the blind, one of the earliest works to deal with their condition in passing was written by Juan-Louis Vivès (1493-1540), a Spanish humanist from a Jewish family, who fled that country after the execution of many of his family by the Inquisition. He studied in Paris and Leuven before travelling to England, where he became a tutor to Princess Mary, daughter of Henry VIII and Catherine of Aragon. Declaring himself against the annulment of the marriage of Henry and Catherine, he was forced to leave England and settled in Bruges, where he published a

wide number of works on philosophical subjects. One of these was *De subventionem pauperum* (*On assistance to the poor*).³⁵ In this work, which was effectively written as a civic plan for the City of Bruges and subsequently applied in large part there and elsewhere, Vivès argues that the poor should not be allowed to remain idle and that this should apply to the blind (as an exemplar of the disadvantaged) as well as to the able. As potential occupations for the blind, whom he thought should be educated as far as their abilities allowed, he specifically mentions music as well as manual labour, such as the pressing of wine and the making of baskets. There is evidence for the existence of an asylum for the blind in Bruges in the early years of the sixteenth century and Vivès may well have seen the blind there at some of these occupations.³⁶ Arguably this work was the earliest example of the secularisation of the relief of blindness, but it was to be almost a century and a half before the topic was discussed again in a widely distributed text. In the essay accompanying her translation of Vivès' work, Tobriner argues that its influence extended well beyond the Netherlands and perhaps as far the changes in poor law that occurred soon thereafter in England.³⁷

The first publication specifically describing the mental condition of the blind is generally accepted to have been *Il cieco afflitto e consolato* (*A consolation to one afflicted by blindness*), in the form of correspondence in French and Italian between Vincenzo Armanni (1608-1684) and 'S.D.C.'.^{38,39} Armanni studied law at Naples and Rome, whence he graduated in 1632. From 1639 he became secretary of Bishop Count Charles Rossetti, who was sent as a papal representative to London and then as an extraordinary nuncio to Cologne. He returned to Italy in 1644 and dedicated the remainder of his life to historical works and research, whilst undertaking extensive correspondence with his brother, Francesco Maria, and others. Brady (1825-1894) states that Armanni was 'blind for twenty years before his death', although the publication date of the letters would suggest that he lost his sight at an earlier period.⁴⁰ A strong candidate for S.D.C. is the Jesuit chaplain and *aumônier* (almoner) to Louis XIV, Sieur René de Ceriziers (1603-1662), who wrote on a wide variety of subjects. One of his works, *Jonathan, ou le vrai ami* (*Jonathan, or the true friend*), being translated into Italian by Armanni. One of the duties of the king's *grand aumônier* (grand almoner) was to oversee the country's hospices and asylums. Although de Ceriziers ranked just below this office,⁴¹ he would nonetheless have been familiar with the Quinze-Vingts, the oldest established institute for the blind in Paris.⁴² There is a strong possibility that

these letters were read by Denis Diderot and they must also have been read by Hanks Levy, who noted that in them the consolations of the blind were to be 'drawn from a contemplation of religion and the operations of Nature'.⁴³

In 1749, the general indifference towards the blind changed, when another extraordinary 'letter' was published in Paris. Denis Diderot (1713-1784) is now generally regarded as one of the foremost figures of the Enlightenment, winning respect as an encyclopaedist, translator, dramatist, novelist, cryptographer, mathematician, bibliophile and art critic. He was on close terms with such figures as de Condillac, Rousseau, Voltaire and d'Alembert, of whom the last wrote the entry on blindness for the *Encyclopedy* based on Diderot's letter.⁴⁴ *Lettre sur les aveugles à l'usage de ceux qui voient* (*Letter on the blind for the use of those who see*) was published anonymously, but the identity of its author rapidly became known.⁴⁵ By that stage he was already considered to be something of a thorn in the side of the establishment and the church, having previously published the licentious satire *Les bijoux indiscrets* (*Indiscreet jewels*) and the irreligious *Pensées philosophiques* (*Philosophical thoughts*). The letter on the blind was based on his contact not only with ordinary blind persons whom he had met, but also with two successful blind people of whom he had become aware (and met in the latter case): Nicholas Saunderson (1682-1739), a brilliant Cambridge mathematician; and M Lenôtre, the 'blind man of Puisieux', a distiller.^{46,47} The letter (in reality an essay), directed to an unidentified woman, has been dissected on numerous occasions.⁴⁸ One of the key lessons to be learned from Diderot's letter was the importance of developing the remaining senses to compensate for the loss of sight.⁴⁹ This has remained a consistent and sometimes controversial theme up to recent times, with little real understanding of the physiological processes involved.⁵⁰

The decidedly anti-religious views in the penultimate section of the letter (a fictionalised account of a death-bed conversation between the supposedly agnostic Saunderson and a cleric) caused Diderot to be incarcerated for three months at Vincennes, a prison fortress near Paris, and released only when he agreed not to attack the church again in his writings.⁵¹ In addition to the overt anti-religious views, the whole essay may also be viewed as an allegory on the partial blindness of the human race and the tendency of religion to provide further obfuscation. This was later alluded

to by Diderot in his *Addition aux pensées philosophiques* (*Addition to philosophical thoughts*):⁵²

Wandering in a vast forest at night, I have only a faint light to guide me. A stranger appears and says to me: 'my friend, you should blow out your candle in order to find your way more clearly'. This stranger is a theologian.

A later essay, *Lettre sur les sourds et muets à l'usage de ceux qui entendent et qui parlent* (*Letter on the deaf and dumb for the use of those who hear and speak*), developed his thoughts further on the importance of the senses, but it is less inflammatory and more concerned with language and aesthetics.⁵³ A second version of this letter, with 'additions', was also published in the same year.

Diderot was frequently in the habit of revisiting subjects he had considered on previous occasions, sometimes many years later. The *Addition* to his letter on the blind was largely inspired by Mélanie de Salignac (1741-1763), the blind daughter of his then mistress, who excelled at reading, writing and music.⁵⁴ In this he noted that he was 'not entirely dissatisfied' with his first effort. Given the influence his letter exerted on future generations of writers on blindness it would be hard to disagree with his conclusion.

An almost exact contemporary of Diderot was Jonas Hanway (1712-1786). During his colourful and profitable career as a merchant he spent much time abroad, but returned to the UK around 1750 and devoted the rest of his life to philanthropy and seeking to improve society. He was described as an 'umbrella' philanthropist and had interests, *inter alia*, in foundling hospitals, country nursing, penitentiaries, orphanages and the Marine Society.^{55,56} He was not a major writer on blindness or the blind, but did provide one of the earliest letters or pamphlets on the subject in English, namely *Observations on the Rev. Mr. Hetherington's Charity and the most probable means of relieving the blind*.⁵⁷ It was strongly supportive of Hetherington's 1774 bequest of £20,000, but also pointed out that it did not even begin to scratch the surface of what was required to provide annuities to the blind of London, let alone the rest of the country.⁵⁸ Hanway went to the trouble of reviewing the list of applications for Hetherington pensions and suggested that the list should be sent to other possible benefactors in the hope that they might subscribe the additional £200,000 or so that would have been necessary to satisfy them all.

A few more recent works have chronicled attitudes towards the blind and the work done for them from historic times. A common dichotomy on attitudes towards blindness throughout history is noted in *Folklore of blindness*.⁵⁹ In this the authors quote Robert Blank: 'Society is strongly ambivalent towards the blind, about whom the sighted have contradictory and paradoxical beliefs.'⁶⁰ The blind are both saints and sinners, pariahs and prophets.' This may be true, but whereas many works on blindness have incorporated chapters on the famous blind, of which a typical example is *Biography of the blind*, lists of the infamous blind are few and far between.⁶¹ By the middle of the eighteenth century the population at large might have been largely indifferent towards the blind, or even mildly irritated by their begging,⁶² but to the extent they took any outright action it was invariably positive, by way of monetary or other provision.⁶³

1.7 Early aspirational literature on blindness and the blind

From the late eighteenth century onwards, there was a rapid growth in Europe and the United States of books, pamphlets and articles on multiple facets of blindness and the blind, mostly of an aspirational or self-help nature and any of which would have been readily available to Henry Gardner, or to those to whom he might turn for advice on relieving the blind. Early examples in the United Kingdom included the Rev. Thomas Blacklock (1721-1791), a clergyman and minor Scottish poet, who had been blinded through smallpox from the age of a few months, Dr. George Bew (1748-1813), a pious M.D. of Kendal in Cumbria, and Dr. John Coakley Lettsom (1744-1815), a physician and philanthropist. Blacklock was of importance in so far as he wrote the entry on blindness and the blind for the second edition of the *Encyclopaedia Britannica* (1778), which was based on letters by him on the same subject that had appeared in the *Scots Magazine* in 1773 and the *Edinburgh Review* in 1774.^{64,65} Both of these were written under the pen-name 'Demodocus'.⁶⁶ Bew was well aware of the phenomenon of the compensation of the other senses in the blind, as demonstrated in *Observations on blindness and on the employment of the other senses to supply the loss of sight*.⁶⁷ Lettsom founded the Medical Society of London and wrote prolifically on medical and social issues. A collection of his works, *Hints designed to promote beneficence, temperance, and medical science*, was published in three volumes in around 1801 and included a section *Hints respecting the employment of the blind*.⁶⁸

A near contemporary of Denis Diderot was Abbé Valentin Haüy (1745-1822), who is said to have determined to help the blind after witnessing the ridicule of several blind inhabitants of the Paris Quinze-Vingts asylum in 1771.⁶⁹ In 1885 he opened l'Institut National pour les Jeunes Aveugles (National Institution for the Young Blind) and *Essai sur l'éducation des aveugles* (*Essay on the education of the blind*), dedicated to Louis XVI, was published in 1786.⁷⁰ Haüy remained in Paris through the years of the revolution and endured many trials and tribulations, before moving on in 1806 to try to help found similar institutions in Berlin and St. Petersburg. After a lengthy interregnum and period of decline, in 1816 Sébastien Guillié (1780-1865) eventually succeeded Haüy as director of the institution, which he much remodeled. Guillié's *Essai sur l'instruction et les amusements des aveugles* (*Essay on the instruction and amusements of the blind*) was published in 1817.⁷¹ In 1821, Guillié was forced to resign after an investigation showed evidence of fraud and deception (not to mention the pregnancy of one of the female teachers with whom he was believed to have had an intimate relationship). He was succeeded as head of the institution by Dr. Alexandre François-René Pignier, who was himself ousted, in 1840, by his ambitious deputy, Pierre-Armand Dufau (1795-1877), a journalist and economist with a special interest in the blind. Dufau had published at least two pamphlets on the blind before taking over as director of the Institute (with which he had been associated since 1815), but the second edition of *Des Aveugles: considerations sur leur état physique, morale et intellectuels* (*The blind: considerations on their physical, moral and intellectual being*) was considerably expanded and followed in the tradition of the works by the earlier directors of the institute.⁷²

In the mid-1830s, Abbé Charles-Louis Carton (1802-1863), director of the Deaf, Dumb and Blind Institute in Bruges, Belgium visited the United Kingdom on behalf of the Belgian Minister of the Interior and subsequently wrote a detailed report of his visit.⁷³ Although the first formal English translation was not published until 1895, his findings seem to have become known in the UK much earlier by those interested in the subject.

Two Americans, both associated with the Perkins Institution for the Blind in Boston, published papers on blindness that became available in the UK.⁷⁴ William Hickling Prescott (1796-1859) was an eminent Hispanic historian and frequent contributor to the

North American Review, which in July 1830 published an article on the subject of legislation that had recently been passed in Massachusetts creating an asylum for the blind.⁷⁵ The article, which was reprinted in a collection of his papers in 1869, revealed a wide knowledge of the problems of, and work for, the blind, doubtless informed by his own severely limited vision. Dr. Samuel Gridley Howe (1801-1876) qualified as a doctor at Harvard in 1824 and practised as a surgeon with the Greek army during the revolution before taking up his studies again in Paris around 1828, where he became familiar with the work of Haüy. As early as 1831 he began to work with others towards the formation of a New England Asylum for the Blind in Boston, but during a return visit to Europe, including the United Kingdom, to investigate the problem he became involved with the Polish Revolt and it was not until 1832 that he returned to Boston and started to receive blind children for education. In *Education of the Blind*, he takes a line later adopted by the Charity Organisation Society that much charity towards the blind had been misdirected and ought to have been focused on the prevention of blindness and the education and training of those who do become blind.⁷⁶ In due course Howe's views came to predominate in the education and training of the blind in America and he became known as 'the father of American education for the blind'.⁷⁷ A third American whose writings on the blind became well known in the UK was William Henry Milburn (1823-1903), a blind Methodist clergyman from Philadelphia who lost his sight through a childhood accident that is described in the opening chapter of his autobiography, which he was encouraged to write by William Hickling Prescott.⁷⁸ *Songs in the night: a lecture on the triumphs of genius over blindness* is one of the sections of a collection of his lectures.⁷⁹ In it he describes the compensations afforded to the blind and how a great number of blind men have overcome adversity.

1.8 The nature of the 'problem of the blind'

By the second half of the nineteenth century, much had been written about the 'problem of the blind' and it was increasingly clear that the problem was multi-faceted:

- Should the care of the blind be channelled through some central body and, if so, should this be governmental or non-governmental?
- Should blind children be educated in special schools, or (with some special provisions) at schools for the sighted?

- Should the education and training of the blind be directed towards particular professions (such as music) and trades (such as mat-making), or should they be provided with a wider range of skills?
- Once educated to some standard, should the blind be encouraged to return to, and work in, the general community, or provided for in purpose built hostels and workshops?
- It generally being agreed that the blind should be taught to read by means of raised typefaces, should these be based on a 'natural' (such as Roman) script (such as Gall), or on a purpose designed 'arbitrary' script (such as Braille).

Constructive debate on differing approaches towards helping the blind was no doubt a good thing, but occasionally such disputes gave rise to ill-natured exchanges. An example of this occurred during the 1850s and 1860s, at the root of which was the question of whether the blind should be cared for in their homes or in purpose-built asylums. Among the protagonists the three with the strongest views against the 'asylum' system (all of whom lost their sight) were Dr. John Bird (1812-1895) a graduate of St. Bartholomew's medical school,⁸⁰ David Oakley Haswell (1821-1894), a sign-writer and decorator born in Kentucky, but a British citizen,⁸¹ and Hyppolite van Landeghem (1838-1910), a Belgian polemicist and follower of Bird who spent twelve years 'exiled' in an institution for the blind.⁸² Others took a less extreme view, including Alexander Mitchell, a blind musician and founder of the Milton Society,⁸³ the Rev. Alfred Payne, a Unitarian minister and the Rev. Henry Kingscote, who participated in a debate in the letters pages of *The Times* on this subject.⁸⁴ Two friends and contemporaries, the Rev. Bennett George Johns (1821-1900) and Dr. Edmund Charles Johnson (1821-1895), were both associated with the School for the Indigent Blind at Southwark and were essentially pro-asylum.^{85,86} The publications of Dr. Thomas Rhodes Armitage and his contribution to the debate on raised typefaces are sufficiently important that they will be dealt with later at length.

1.9 The scale of the 'problem of the blind'

Underlying any attempt to estimate the number of the blind is the question of the definition of blindness, a problem that remains to this day. In this section this problem is largely ignored, but it is now generally accepted that somewhat strict definitions were in

use historically, leading to underestimates of those who were blind for all practical purposes.

Probably the earliest effort to obtain reliable information on the number and condition of the blind in England was a private survey undertaken in 1836, fifteen years before the first attempt to do so was made in a census, by the Rev. (later Canon) William Vernon Harcourt (1789-1871), founder of the Wilberforce Memorial School for the Blind at York in 1834. The results of the survey, based on replies from 552 parishes, was published in the first report of the school as *A numerical statement, founded on actual investigation of the blind persons of different ages now living within a given district and compared with a given population*.⁸⁷ Harcourt calculated that if this data was extrapolated to England as a whole, then of a total population of 15 million, the blind population would be 13,390 (that is 1 in 1,220), with the number between the ages of 10 and 25 (roughly the age range in which it was felt education would be worthwhile) being 1,450.

The review of United Kingdom establishments for the blind undertaken by Abbé Charles-Louis Carton on behalf of the Belgian government and first published in 1838 (although not formally in English translation until 1895) contained an early attempt to understand the number of the blind for the country as a whole.⁸⁸ Based on the York survey, Carton concurred with the estimate that the number of blind in England and Wales was at least 13,390 and for the whole of the British Isles (including Scotland and all of Ireland) 22,316 (out of 25 million). As will be seen, these figures are broadly consistent with the following attempts at estimation, although they are a little lower than the number of 26,000 quoted, albeit without a source, by Anderson and of 28,000 by Howe, based on an extrapolation of continental European data.^{89,90}

The 1861 census revealed that there about 30,000 persons classified as blind.⁹¹ By this time there were around 27 institutions for the blind in the United Kingdom (residences and workshops) and innumerable charities, some extremely poorly endowed. In 1866 Turner and Harris visited as many of the institutions as they were able to do and sent questionnaires to the remainder (some of which were not returned). They also referred to public reports produced by such institutions. Their results were published privately and a similar exercise was repeated in 1870 and 1883, using slightly different

questionnaires on each occasion. The results of the second and third surveys were made available to the public in 1871 and 1884 under the title *A guide to the institutions and charities for the blind in the United Kingdom*. Among the conclusions drawn by Turner and Harris from this and other data was that in addition to the 2,780 blind being provided for in institutions, they estimated that another 3,393 benefitted from charitable support, or 6,173 in total. This still only represented around 21% of the total number of blind in the country.

The results of the 1871 census, including comparisons to the censuses of 1861 and 1851, would have been available to Henry Gardner. Although the number of blind had increased between 1851 and 1871, it had done so at a slower rate than the population as a whole, so that the proportion had fallen from a little over one in a thousand to a little under. This trend was destined to continue, but even by 1911 the absolute number of blind continued to increase at each census. From Henry Gardner's perspective, around 20,000 blind probably needed help of some kind and even had he been optimistic he would probably not have envisaged this number diminishing greatly over the foreseeable future. The prevalence of the blind among the elderly was clearly disproportionately high. Unlike the younger blind, the vast majority of these were unlikely to be in a position to support themselves in any meaningful way, so that they would have been reliant on Poor Law relief, or charity.

Although not abstracted from the 1871 census General Report, the raw data was available to look at the progression of blindness through earlier life and this was done in the 1881 census, with 1871 shown as a comparison. The compilers of the census noted that the number of persons born blind was always a fairly small fraction of the total (under 10%), with the proportion of the population increasing with age (albeit irregularly). The 1871 General Report (p.lviii) also quoted statistics obtained from the annual report of the Liverpool Institution for the Blind for 1872 that suggested almost 20% of incidences of blindness followed from diseases such as smallpox, scarlet fever and measles and a further 30% from inflammation (for example, purulent ophthalmia), of which all, in principle, should be avoidable. To this extent it is, perhaps, surprising that Henry Gardner did not specify that the income from part of his bequest should be spent on trying to prevent blindness in the first place.⁹²

As the twentieth century progressed, improved sanitation, personal hygiene and medical treatment all contributed to a reduced incidence of blindness in the United Kingdom. Continuing population growth acted as a multiplier, but it was not long before the absolute number of blind began to fall and the number of people eligible for relief from Gardner's Trust and similar charities began to fall. There were occasional upturns, not least as a result of injuries to combatants during the First World War, but here a new charity, St. Dunstan's, arose to fulfil a specific need. This was perhaps just as well, because by then inflation had begun to eat into the real value of the endowment of Gardner's Trust.

1.10 Atypicality of the Victorian blind

More than one writer has observed that the lobbying powers of the blind and their supporters were such that they succeeded beyond any other disadvantaged section of society in attracting funding and legislative support. The most obvious comparison is with the deaf and dumb. These also had their educators and those who wished to integrate them more closely into society, but never with the same degree of success.

As a single comparative example one may consider the Royal Commission on the Blind and Deaf and Dumb. When the commission was first appointed in 1885, with the Duke of Westminster as its Chairman, the sole object of its attentions had been the blind. A lobbying group on behalf of the deaf and dumb under Lord Egerton failed in their endeavours to achieve a separate commission of enquiry (considered preferable by both lobbies), but in 1886 the original enquiry was extended to include the deaf and dumb, now under the chairmanship of Egerton, with the Duke of Westminster standing down. Notwithstanding this, the emphasis of the enquiry was on the blind rather than the deaf and dumb and whereas a Blind Persons Act was eventually passed (in 1920), there was never a similar Act for the deaf and dumb. This change in the legislative landscape also meant that charities such as Gardner's Trust for the Blind had to be very nimble-footed to fulfil their original objectives, a task in which they did not always entirely succeed.

The success of the blind in garnering support is also indicated by the diversity of institutions that sprang up for their succour. An incomplete list would include:

- Schools, however named, with widely differing curricula as a result of minimal coordination, but often concentrating on music and religious instruction. These would keep their students for a time and then discharge them (for example, the Liverpool Asylum for the Indigent Blind).
- Asylums, which would provide accommodation beyond the years of education and craft training and which were often associated with workshops where they could ply the trades they had learned (for example, Edinburgh Asylum for the Industrious and Indigent Blind and the London School for the Indigent Blind).
- Colleges able to provide extended or higher education (for example, the Royal Normal College and Academy for Music for the Blind and Worcester College for the Blind).
- Specialist schools for teaching the blind to read (for example, the London Society for Teaching and Training the Blind).
- Cooperatives, where the blind who were capable of working at home were assisted in the purchase of materials and the sale of goods (for example, the Association for Promoting the General Welfare of the Blind).
- Workshops, where trades such as rug and brush making could be plied (such as that in Waterloo Road). In 1872 there were at least 16 such workshops across England.
- For those unable to work by virtue of age or otherwise, or whose earnings were inadequate, the payment of pensions, or annuities (such as the Joanna Rashdale Charity). In 1876 there were at least 18 such societies in London alone.
- Residential homes for blind men and/or women with at least some part of their living expenses paid for them (such as the Phoenix Home for Blind Women).
- Home visiting societies, which offered practical help, emotional support and befriending (for example, the Indigent Blind Visiting Society).
- Home teaching societies, which concentrated on teaching reading skills and provided suitable material (for example, the Dundee Mission to the Blind). In Scotland these were sometimes called 'outdoor missions'.
- A variety of other societies, some quite short-lived, such as 'The Society for the Prevention of Blindness and the Improvement of the Physique of the Blind'.

1.11 Research context and questions

The research context of this project is based on a dearth of micro-histories of charities, particularly in the area of the blind. Comprehensive works on philanthropy such as Owen and Jordan rarely relate their general conclusions to specific cases.^{93,94} Where individuals involved with charities have been studied, these have usually been benefactors, rather than trustees and managers. Also, although the formation of Gardner's Trust has been touched on by more recent writers such as Phillips and Oliphant, such commentary has inevitably been superficial, given the broad scope of their works.^{95,96} This research involves the first rigorous academic study of a general charity for the blind in the United Kingdom.

With respect to individuals, the motives for their involvement with Gardner's Trust and the other institutions with which it interacted will be examined, how they performed their self-imposed duties and whether they fitted the Establishment stereotype described by previous writers on philanthropy.

For the trust itself and other institutions for the blind, it will be possible to measure their economic contribution and see how they fitted into the broad church of late Victorian philanthropic activity and society as a whole, not least as vehicles for making the general public aware of the challenges of blindness, integrating the blind into society and improving their lives. How the roles of such institutions changed quite dramatically over a period of just a few decades spanning the close of the nineteenth century, mainly as a result of social and legislative developments, will also be investigated. Specific hypotheses such as secularisation of charities in general and the apparently favoured position of the blind compared with others of the disadvantaged can be tested.

In the following chapters a number of questions will be addressed.

- What was the source of Henry Gardner's wealth and what were the circumstances of his munificent 1879 bequest to the blind of £300,000 (approximately £30 million in 2010 terms)? What were the other business and charitable interests of the benefactor? What were the constraints imposed by law on the construction of the will? How were the executors, trustees and management committee members

selected? Who were the principal beneficiaries of the bequests to the blind and why were they selected?

Answering these questions should permit an understanding of why Henry Gardner's bequests were framed and constituted in the manner dictated by his will.

- How was the public debate conducted that followed the announcement of the bequest? What were the strategies adopted during the lengthy action in the Chancery Division of the High Court by various interested parties in seeking to direct the use of the main bequest, including: Henry's family and their connections; the trustees and executors of his will; those existing institutions for the blind that were not direct beneficiaries of his largesse; and the Charity Organisation Society?

This should facilitate, albeit with the benefit of hindsight, a consideration of whether the outcome of the Court action was always inevitable and if any alternative strategies were available to the main protagonists.

- How did the management committee of Gardner's Trust go about their business for the first six decades of the trust's existence? What types of individuals did the management committee bring in to strengthen their own number and to administer the trust on a day to day basis? Did the committee members fit the Establishment stereotype? How did the committee disperse the fund's income? How did the trust interact with other established charities for the blind and how did it seek to exert its influence?

Answering these questions will permit the development of a view as to how the management committee interpreted their objectives and whether these were achieved.

- Who were the subsequent benefactors of the trust? What was the extent of the decline in the economic influence of the trust and what were the reasons for this? Was this decline influenced by the trust's investment strategy from its formation to the 1970s? Were any alternative investment strategies realistically available?

The trust today is undeniably less influential than it once was. Answering these questions helps to explain why.

- Did the creation of Gardner's Trust fit into the general pattern of philanthropic secularisation that has been proposed? Could Henry Gardner be categorised as more than a philanthropist and was he a typical member of the class of late Victorian philanthropists? Was the scale of the original endowment a liability as well as an asset? Did the trust contribute to the general education of the public or the government on the social aspects of blindness?

A broader picture of the success or otherwise of the trust and its place in Victorian society can be ascertained from the answers to these questions, leading to a final judgement on its one hundred and thirty year existence.

In order to indicate the diversity of charitable activity on behalf of the blind, a short comparative study is also provided of the slightly older Phoenix Home for Blind Women, which later became the Cecilia Charity for the Blind. Like Gardner's Trust, Phoenix/Cecilia has never previously been the subject of focused academic study.

1.12 Research methods

The research methods involved intensive primary source research and extensive data collection and analysis, including quantitative analysis of financial records. For convenience, a purpose built database was constructed to accommodate all agenda items discussed at Gardner's Trust committee meetings for the period studied, along with who attended each meeting. The trust's balance sheets and income statements over a similar period were summarised and transferred to a spreadsheet to facilitate analysis.

Primary sources included: Gardner's Trust and Charity Organisation Society material (at the London Metropolitan Archive); material on the Phoenix Home/Cecilia Charity for the Blind (in the archives of the Royal National Institute for the Blind); the archives of Worcester College for the Blind and the Royal Normal College for the Blind; the archives of other contemporary charities for the blind (such as the Metropolitan Society for the Blind, the School for the Indigent Blind and the Indigent Blind Visiting Society);

the archives of Barclays Bank, Midland Bank and the Junior Carlton Club; correspondence, etc. of trustees and others, including, for example, that of Archbishop Temple, the Marquess of Salisbury, Walter Scott Seton-Karr, William Martin Wilkinson, Aretas Akers-Douglas (Viscount Chilston) and Oscar Browning (at Lambeth Palace, Hatfield House, the British Library, the Swedenborg Society of London, Kent County Archives and East Sussex Records Office respectively); Chancery, Probate and other court records at the National Archives; archives of several City Livery Companies, including the Worshipful Companies of Brewers and Vintners, and insurance companies, including the County Fire Office and the Sun Fire Office (at Guildhall Library); wills and genealogical data; and Parliamentary Papers.

An extensive review was undertaken of historical (pre-1900) English, American and Continental literature on philanthropy in general and blindness in particular, some of which has not previously been made available in the UK. In addition, a thorough review was undertaken of twentieth and twenty first century published and unpublished relevant literature. Among libraries utilised were the research library of the RNIB, the Wellcome Library, York Minster Library, the Goldsmith's Library (at Senate House), the British Library, the Bodleian (including special collections relating to Disraeli) and Bibliothèque nationale de France.

A rich source of contemporary commentary was provided by the online archives of *The Times*, the *Guardian*, the *London Gazette*, the *Illustrated London News* and the British Library's Nineteenth Century British Newspapers collection, together with some as yet un-digitised resources at Colindale Newspaper Library and Windsor Guildhall archives.

1.13 Gardner's Trust: a preliminary judgement

Gardner's Trust was a product of its time. Wealthy Victorians took charity seriously and Henry Gardner's bequest was certainly taken seriously by its trustees and potential beneficiaries. It was not the first endowed charity for the blind, or the largest example of an endowed charity, but in 1879 it was the largest permanently endowed charity for the blind.

In the UK, proselytization of the concept of scientific philanthropy had commenced seriously with the formation of the Charity Organisation Society (COS) in 1869. The degree to which the COS and Gardner's Trust worked together may have been overestimated in the past, but Gardner's Trust certainly adopted many of its principles, even if the trustees rejected detailed proposals put forward by the COS as to how its money should be spent. Phillips may have gone just a little too far in suggesting that: 'Both the Gardner Trust and the British and Foreign Blind Association might be claimed, in some measure, as its [the COS's] auxiliaries', but it could certainly be put forward as an example of their preferred approach.⁹⁷

Gardner's Trust soon achieved a level of prominence in the field of blind charity, becoming notable not just for the level of its giving, but also for organising conferences and for its publications. This reputation was based in no small measure on the vigour and tenacity of its first Secretary, Henry Wilson. Yet it did not take as leading a role as some would have liked, declining the opportunity to operate as a coordination centre for blind charities and rejecting offers to become involved with the management of the Royal Normal College and Worcester College for the Blind. Had it done so, its fate might well have been different.

The gradual decline in the trust's importance and influence came about as a result of three largely unrelated factors. First, the increasing involvement of the State in the education, training and welfare of the blind meant that private charities had fewer areas in which they were required to intervene. Second, the number of blind began to decrease, initially as a proportion of the overall population and later in terms of absolute numbers. Third, with *de facto* constraints on the trust's investment policy, inflation ate into its endowment more rapidly than it could be replenished by subsequent bequests. Ironically, the trust itself had lobbied for some of the legislative changes that led to its decline and its strong advocacy for improved hygiene among young children (including the publication of pamphlets in Yiddish) undoubtedly reduced the incidence of purulent ophthalmia and thus blindness.

There is no evidence that the trustees set themselves quantitative performance standards. Had they done so they would have realised that the number of the blind whom they were helping (for example through pensions) was decreasing, as was the real value of

the grants and pensions they were giving. During the peak of its influence, roughly from its formation to the beginning of the First World War, Gardner's Trust provides a clear window into late Victorian and Edwardian charities – how they were run, who ran them, who benefitted from them and how they interacted with the social and political environments. The study of the formation of the trust provides a unique opportunity to assess the influence of the Charity Organisation Society on a new charity and the lengths to which Henry Gardner's family went to control the use of the trust that he established under his will.

Today Gardner's Trust is the last relic of the great Victorian age of charitable endowments for the blind. Several important bequests preceded it, but over the years, without apparent exception, these endowments have been merged and incorporated into the general charitable foundations of the City livery companies and other institutions. Unlike these, it is still run by an independent committee of management and still gives grants in the name of its first and major benefactor, Henry Gardner. Perhaps it has been doing something right for the last one hundred and thirty years.



Illustration 2.1: Maria-Louisa Richardson Gardner
(source: Gardner's Trust Archive, LMA)

CHAPTER 2

Henry Gardner's bequest

It has been noted that the answers to the research questions posed in this thesis inevitably involve the attitudes and behaviour of two parallel groups: institutions for the blind and individuals associated with the care of the blind. In this chapter, where the questions involve the bequest and how it arose, the focus is necessarily on the second of these groups, individuals associated with the blind. As would be expected Henry Gardner takes the prominent position, but a few close relatives, his executors and some of those who almost certainly sought to influence and advise him will also need to be considered. The institutional theme is not entirely ignored, in so far as a short description will be provided of the three blind charities that benefited from specific bequests and the more obvious candidates who were ignored. The prevailing social and economic environment already described must also be kept in mind.

Although Henry Gardner set out certain principles for how the income from his bequest should be used, *precisely* what he had in mind for the blind with the £300,000 he provided in his trust fund is not clear, even from a close reading of his will (which will be examined later in detail). He left specific bequests to three charities for the blind and he was familiar with others to which he had donated previously,⁹⁸ so one possibility is that he hoped to achieve with his trust something that had not been tried before. This lack of precision provided a political opportunity for his son-in-law, the Member of Parliament for the Royal Borough of Windsor, and gave rise to a protracted case in Chancery that led to much public debate. One newspaper recalled a comment by a former Lord Chancellor in respect of a flawed bequest by Joseph Mallord William Turner (1775-1851), whose desire it was for his fortune to be used to found an asylum for decayed oil-painters: 'Mr. Turner was a great artist. He could draw almost anything – except a Will.'⁹⁹ As it turned out, comparing Henry Gardner to Turner proved to be slightly unfair.¹⁰⁰

2.1 Chapter research questions

In this chapter certain questions will be posed and answered, thereby permitting an understanding of why Henry Gardner's bequest was framed and constituted in the manner dictated by his will. Specifically the following questions will be asked:

- What were the constraints imposed by law, social custom and family considerations on the construction of the will and the setting up of his trust?
- Given such constraints, did the new trust have any unique or unusual characteristics?
- Would it have made more sense, or been possible, for Henry to direct his bequest in its entirety to an existing charitable trust, or to make use of a living trust?
- How adequate was the advice, both legal and other, given to Henry in the drafting of his will and could its lacunae have been deliberate?
- How did Henry select his executors and trustees and was their composition typical?
- Did the wording of the will help or hinder the executors and management committee?
- What were the origins and motivations of Henry's interest in the blind?
- Who were the principal beneficiaries of, and omissions from, his bequests to the blind and how did he select them?
- What were the initial reactions of the existing higher educational establishments for the blind?
- What was the scope and value of Henry Gardner's estate and how did his wealth rank among late Victorians?
- Was the proportion of his estate that he left to charities for the blind (as opposed to his family and others) unusual?

First, however, the question will be addressed as to how Henry Gardner and his family obtained their wealth and whether his interests other than brewing had any relevance to his bequests to the blind. Answering these preliminary questions involves an understanding of his family and social background.

2.2 Henry Gardner

2.2.1 The Cannon Brewery

The source of the Gardner family's wealth was brewing and, in particular, the Cannon Brewery. According to King,¹⁰¹ the brewery that later became known as the Cannon Brewery was established at 192 St John Street, Clerkenwell around 1720 by Rivers Dickinson, a tavern owner, assuming its distinctive name in 1751.¹⁰² The company that ran the brewery operated under various names over subsequent decades and moved around within the Clerkenwell area.

It is not known who owned the company during the period between around 1819 (when Dickinson sold) and 1823, but by the time Pigot's London and Provincial Directory for 1823/24 was published, the name of Messrs. Gardners and Company had appeared (this had not been the case for the 1822/23 edition). By 1826 the name had changed slightly, to Henry and William Gardner and Co., and by 1840 the Post Office Directory entry was for Henry, William and Philip Gardner, brewers. Philip Gardner was stated elsewhere to be the brewer in 1837 to 1840, at which time the brewery was ranked thirteenth out of a list of 107 in London, producing around 16,000 quarters of ale each year.^{103,104} When Henry Gardner purchased the burial plot at Kensal Green Cemetery in December 1845 following the death of his mother, he was described as 'Brewer, St John Street, Clerkenwell'.¹⁰⁵

The records of the Sun Fire Office show that a firm of Henry Gardner & Co., brewers, was insuring a property at 168 St. John Street, Clerkenwell in 1803.¹⁰⁶ Clearly this must have been an older Henry, probably the father of Henry, William and Philip. The burial records of St. Leonard's, Shoreditch record the death through consumption of Henry Gardner of St. John's, Clerkenwell in 1806 at the age of 53 and this may well have been Henry senior. By 1821 the insurance policy was in the name of Henry and William Gardner and the address was given as 30 St. John Street.¹⁰⁷ The same address was given in 1836 with the added title of the Cannon Brewery and the added name of Philip Gardner.¹⁰⁸ Various issues of the *London Gazette* between October 1804 and May 1808 refer to bankruptcy proceedings against Henry Gardner and William King of St. John Street, Clerkenwell trading as Gardner & King, brewers. If this is indeed Henry senior,

as seems likely, the recovery of the family from bankruptcy to such significant wealth within sixty years is notable. Neither Henry Gardner nor William King had merited an entry in the *Universal British Directory* of 1791.

Brewers' Company records show that a Gardner was purchasing hops from Messrs. Field, hop dealers, as early as 1805, at which time the firm was operating from King Street, Clerkenwell.¹⁰⁹ This again is consistent with the firm having been founded by the father of Henry, William and Philip, or perhaps even earlier, but the Prerogative Court of Canterbury probate records contain no earlier wills in relation to this family. The only one of the brothers to have joined the Brewers' Company was William, who was admitted in 1849, but had been in communication with the Company for some years previously.¹¹⁰ Henry Gardner had become a freeman of the Vintners' Company in 1818 (at N^o 11 on the list of City livery companies and thus one of the 'Great Twelve', very slightly ahead of the Brewers at N^o 14). Philip had followed Henry into the Company in 1826 and their names were, respectively, at numbers 1274 and 1365 on the roll of members.¹¹¹ Vintner's records indicate that at one time Henry had been apprenticed to Richard Henry Howell, also a member of the Company. Having served on the Court of the Livery for some years and progressed through the Wardens' offices, he was elected Master in 1860 and the Minutes of 19 July 1860 note that 'The Master executed the Bond was sworn and took his seat'.¹¹² It was customary for the Minutes to record thanks to the various Officers at the end of a year, but that for Henry on 11 July 1861 is particularly effusive:¹¹³

It was moved seconded and resolved unanimously that the thanks of this Court be given to Henry Gardner Esq. for his great attention to the duties of his Office during the past year for his kind and courteous manner on all occasions to the Members of the Court and for the excellence of his management as regards the hospitality of the Company.

Being a Past Master of the Worshipful Company of Vintners, Henry would certainly have been aware of the involvement of livery companies in charitable work generally and he may very well have been aware of the significant involvement of the Worshipful Company of Clothworkers with charities for the blind in particular. In fact, by this stage of their existence the City Livery Companies were much more involved with charitable activities and the maintenance of City traditions than they were in the management of their trades or the protection of their prerogatives.

In 1863 the Cannon Brewery was sold by Henry and William to George Hanbury and Barclay Field. The consideration for the brewery and plant, property, stocks and book debts was £110,012 12s 4d, including £53,350 for 54 leasehold and 4 freehold public houses,¹¹⁴ which at that time sold a total of 18,752 barrels of Cannon ale each year.¹¹⁵ What the family had paid for the brewery is not known, but it is likely that this sum represented a substantial profit. This is all the more impressive since beer consumption had fallen steadily from the beginning of the century to the 1840s, before staging a modest recovery.¹¹⁶ The inventory attached to Henry's will confirms that he retained the ownership of several licensed premises when the brewery was sold.

2.2.2 *Henry's siblings*

The fate of Henry's siblings, and their children, is relevant to the size of his own fortune and that of another eventual benefactor of the trust, his great nephew, Alfred Beaumont. The value of the estates of the brothers suggests that the Cannon Brewery and its associated properties represented only a portion of their wealth, even before the brewery was sold.

That Henry (born 1796), William (born 1800) and Philip (born 1803) were brothers is confirmed by their respective wills.¹¹⁷ They also had a sister, Elizabeth Earley (born 1794) and there may have been other siblings who did not survive infancy.¹¹⁸ Their parents, as shown from their baptism records, were Henry and Ann Gardner. Ann died in 1845,¹¹⁹ having been described as a widow in the 1841 census. Also from Henry junior's will (and their death certificates) it is known that Philip and William predeceased him (in 1858 and 1863 respectively). Their sister had died by 1830, as is clear from the will of her husband, George Lightup, whom she had married in 1818 and who himself died that year (Henry Gardner was one of the executors). George and Elizabeth had one child, a daughter, Elizabeth Ann Lightup (born 1822).

Henry Gardner married Sarah Franklin in 1829, which is confirmed by the entry in the Cannes municipal records for their daughter Maria Louisa's death in 1879. Maria Louisa was born in 1830 and married Robert Richardson in 1854. Maria Louisa and Robert changed their surname officially to Richardson-Gardner in 1865. There is

evidence that Henry's marriage was not entirely fulfilled, at least in its later years.

Henry and Sarah were not together on the nights of the censuses of 1851, 1861 or 1871 (in 1861 Sarah was visiting the Isaacson family nearby).¹²⁰

William Gardner's first wife, whom he married in 1827, was Ann Brown, but by the census of 1841 he was living with his second wife, Margaret Theresa Curt (née Bowen), and his step daughter, Maria. William's son by his first wife, also William, had been born in 1827 and died in 1860 at the Spa Hotel, Strathpeffer, Ross-shire,¹²¹ only a few months after being on manoeuvres with his militia unit.

Under George Lightup's will, Elizabeth Ann inherited certain property on trust until she married or reached the age of majority. In 1853, she married Alfred Curwen Beaumont, an architect. Alfred and Elizabeth Ann had one child, a son, Alfred Philip Slade Beaumont (born 1854). In due course Alfred was to become an executor and beneficiary of Henry's will. Elizabeth Ann remarried after the death of her first husband and lived until old age, with a net estate of around £17,000 passing to her son, in addition to his accession to her life interests. Ultimately Gardner's Trust benefitted from a substantial residual bequest from the Beaumont estate.

Philip Gardner, who never married, died at the age of 55 of multiple natural causes in 1858, described as a gentleman.¹²² Philip's executors were his brothers Henry and William. Probate was not granted until 1861, when the estate was sworn at under £80,000. The three year delay between death and grant of probate, an unusually long period, may have been due to the difficulty in agreeing a value for Philip's share of the family business. Under Philip's will his estate passed to Henry, with the caveat that £30,000 was effectively a life interest, passing on Henry's death to his niece, Elizabeth Ann Beaumont (née Lightfoot) and his great nephew, Alfred Philip Slade Beaumont. This clause is confirmed by the wording of Henry's own will.

William Gardner senior died in October 1863, only three months after his wife, Margaret Theresa. William was then 63 and on his death certificate he was described as a banker and Captain of the City Rifle Brigade,¹²³ rather than as a brewer. This is supported by the abridged prospectus published for 'The Great Copper Lode of Huacayvo (Mexico) Limited' mining company,¹²⁴ in which William Gardner, described

as 'Director of the City Bank, Threadneedle Street' was a director.¹²⁵ Both William senior and his son had been involved with the City Rifle Brigade since its formation in late 1859 and were appointed captains on the same day.^{126,127} The cause of his death was an abdominal tumour and it is possible that he knew his life was near its end when he participated in the sale of the brewery and drew up his will in July of that year.

William's death notice describes him as being 'of the Red Lion Brewery, St. John Street' (which had also once been owned by Rivers Dickinson), so it may be that he retained this brewery when the Cannon was sold.¹²⁸ King relates a story that 'One day, when Gardner [Henry or William is unspecified] was purchasing hops at the Mark Lane offices of Messrs. Wood, Field and Hanbury, he happened to remark that he wished to sell the brewery. Mr. George Hanbury immediately replied that he would like to purchase the business, and a rough agreement was drawn up.'¹²⁹

William's will was sworn at under £200,000 and a similar arrangement was adopted whereby the whole initially passed to Henry, of which a life interest of £60,000 was to pass to Elizabeth Ann Beaumont, or Alfred Philip Slade Beaumont, on Henry's death and again this is confirmed in Henry's will. A peculiarity of William's will is that in it Elizabeth Ann Beaumont is referred to as his sister, rather than as his niece. This is probably poor drafting and careless reading before signature by a dying man, rather than evidence of a 'Chinatown' explanation, but it is odd that Henry Gardner in his will referred to Elizabeth's son as his nephew, rather than great nephew.

The records of the City Bank indicate that William was appointed a director soon after the bank was founded by Robert Carden, a key City figure, in 1855 and attended board meetings regularly until the time of his death. On 13 October 1863 the following resolution appeared in the Minutes of the board meeting:¹³⁰

Resolved that this board have heard with much regret of the death of Mr. William Gardner, by which they have been deprived of a very valuable colleague. They request that this expression of their deep regret and sympathy may be conveyed by the chairman to his brother and relatives.

If Henry and William shared around £110,000 from the sale of the brewery in 1863, they must have made or inherited a considerable sum before this. Although Henry benefited personally under the wills of Philip and William senior to the extent of around

£85,000, he left something over £600,000 and had previously contributed to various charities for the blind and paid for the 'Gardner Cottages' to be erected at Clewer.¹³¹

Sarah Gardner died in 1869 and thereafter a question mark hangs over Henry's relationship with Emily C. Powell, named as a beneficiary and 'friend' in the codicil to Henry's will, who was residing at Westbourne Park Terrace, Harrow Road by 1881. According to an affidavit submitted to Court by Henry's executors:¹³²

... the said Emily Powell who we are informed is a single woman with her residence at n^o 7 Westbourne Park Crescent the said testator residing or ostensibly residing at n^o 1 Westbourne Terrace Hyde Park. The house n^o 7 Westbourne Park Crescent where the said Emily Powell resides was we are informed purchased by the testator and assigned over to her on the 1st December 1871.

The amount of the annuity provided by Henry was £800 p.a., duty unpaid, and was in addition to the house and securities to the value of £7,700 transferred into her name over the period 1871 to 1878. The census returns for 1871 and 1881 reveal little about Emily and lack consistency, although both suggest she was born around 1841.¹³³ Emily was present at Henry's death, which occurred in Westbourne Park Crescent rather than his own home, in 1879.

The possibility of a previous extra-marital relationship is hinted at in the same affidavit in relation to an annuity of £250 p.a., tax paid, to the wife of Captain Walter Scott Mackenzie, formerly Susannah Jeffries (or Jeffreys), which was the subject of a bond for £5,000 given in June 1864 (when her marriage had occurred) issued to George Boulton, a gentleman and solicitor of Northampton Square, Clerkenwell, who had been a trustee along with Robert Richardson-Gardner under the will of William Gardner and a trustee along with William Gardner under the will of Philip Gardner. W.J. Boulton and James Boulton, also of Northampton Square, had been witnesses to the will of Philip Gardner in 1855.

Returning to one of our research questions, it can therefore be seen that Henry's wealth came almost entirely from brewing, although some part of this may have been inherited, rather than created through his own industry and that of his brothers. His wealth was supplemented by income from residential property and commercial investments after

his retirement from this trade. Of course, his financial position was boosted considerably by the untimely death of his two younger brothers.

2.2.3 *Henry's other interests*

Henry sold his business at the age of 67 and lived for a further 16 years. Even prior to the sale he had had other interests, such as his membership of the Vintners' Company. Also, in 1852, Henry had announced that he would stand as a representative of his local borough of Finsbury,¹³⁴ stating that he was totally unconnected with any party and tendering his services as an independent representative. His success, or otherwise, has not been ascertained, but it is likely that he was unsuccessful and there is no other evidence of any interest in politics, local or otherwise.

Following the sale of the Cannon Brewery, four other activities in which Henry was engaged, in addition to his interests in residential property (of which details are provided later), have been identified. These provide some insight into the circumstances surrounding his bequests and also demonstrate that his interest in the blind did not extend to involvement in the day to day activities of charities for the blind.

Both Henry Gardner and his son-in-law were involved with the foundation in London of the Albert Veterinary College Limited, which was to be set up in either the east end of London or Chelsea.¹³⁵ The proposal was to purchase the recently established new veterinary college in Edinburgh founded by the highly regarded veterinarian John Gamgee (1831-1894) and transfer it to London. It only survived for three years before closing due to financial difficulties and neglect by Gamgee.¹³⁶ Both Henry and Robert were serving as directors of the company in 1867 and Robert, who had an interest in showing horses and dogs, had been a Vice President and member of the management committee.¹³⁷ Presumably Henry would not have served as a director alongside Robert if he had a serious loss of confidence in him at this stage, so this serves as an effective earliest date at which such a loss of confidence could have begun.

From his probate estimate it is known that at his death Henry was a shareholder in the Royal Aquarium and for a time at least he was a subscribing member of the Zoological Society of London.^{138,139} Also at his death he was a trustee of the County Fire Office

(CFO), an insurance company established in 1806 based at 50 Regent Street and run at that address in parallel with the Provident Life Office.¹⁴⁰ The first chairman of the County was Scrope Bernard, later Sir Scrope Bernard-Morland, MP, who had married a daughter of William Morland. Morland was a banker and partner of what was then Ransom, Morland & Co. of Pall Mall, the predecessor partnership to Ransom, Bouverie & Co., in which the Kinnaird family were closely involved. It is thus no surprise that the Kinnaird family were also associated with the CFO. Douglas James William Kinnaird, younger brother of the 8th Lord Kinnaird, was a confidant of Scrope Bernard from the outset. The 10th Lord Kinnaird became a director of the CFO in 1845 and the 11th Lord Kinnaird acted as Chairman from 1906 to 1923.¹⁴¹

Henry's appointment as a trustee (he never served as director and he was not a shareholder at the time of his death – even then it was considered best practice for trustees not to be shareholders)¹⁴² occurred on 17 March 1865, with the Hon A. Kinnaird, MP (later the 10th Lord) in the chair:¹⁴³

Upon the motion of the Managing Director [J.A. Beaumont], seconded by Richard Dawson, Esq. it was resolved unanimously that Henry Gardner Esq. of Westbourne Terrace, Hyde Park be, and hereby is, elected a Trustee in the room of Dr. Alexander Henderson, deceased.

It was the practice of a trustee (usually the senior one present) to chair committee meetings in the absence of the elected chairman and by September 1865 Henry was acting in this capacity as required. His attendance rate at the weekly board meetings was excellent up to, and including, 1878, when he attended 46 of 51 meetings, including that on 27 December. He did not attend the meeting on 3 January 1879 and his death was announced at the meeting held on 10 January, with Lord Kinnaird in the chair and the Hon A.F. Kinnaird (later the 11th Lord) in attendance:¹⁴⁴

The Managing Director [S.A. Beaumont] having reported to the Board the death of Henry Gardner Esq., for many years a Trustee of the office, the Directors desire to record their deep regret at the loss of their valued friend and colleague and to express their sincere sympathy with his family.

The business connections that Henry had made during his life stood him in good stead after his death. Both the 10th and 11th Lords Kinnaird were executors and trustees under Henry's will, thereby ensuring that an independent and experienced eye was kept on the administration of his estate. Henry's City connections seem to have been of less

importance. Neither the Vintners' Company, nor its charity, was remembered in his will and his executors did not include anyone from this period.

Approaching the end of his life Henry had only three close blood relatives: his daughter (who had benefited from a probably substantial marriage settlement and subsequent transfers of assets, was childless, and was likely to remain so); his niece (who was comfortably provided for under the wills of his brothers and by her second husband); and his great nephew (who would inherit his mother's wealth). His current mistress had also been adequately provided for and he realised that his daughter and her husband would be able to live very well on a fraction of his remaining considerable estate. There is also circumstantial evidence that by the time of his death Henry did not entirely approve of his son-in-law, Robert Richardson-Gardner.

To leave a large bequest for charitable purposes was entirely in keeping with social norms and the prevailing economic environment. Excluding his daughter and son-in-law entirely from his will would have been risky, due to a higher probability of contestation. In the absence of real evidence of wrongdoing by them, their exclusion would also have been likely to garner them public support if a contest did occur, notwithstanding the high status of charities for the blind. To this extent there was a family constraint to the structure of Henry's will, which answers another of our research questions. It is likely that Robert and Maria Louisa knew of Henry's intention to leave a charitable bequest and may have known or guessed that this would be for the benefit of the blind, but the sum involved must have come as a shock, along with some of the other terms of his will.

2.3 Henry Gardner's will

A will is a legal declaration in which an individual, the testator, nominates one or more persons, the executors, to manage his estate and the transfer of his assets on his death. At the time of Henry's death it was still common for such a document to be referred to as a 'will and testament', the former part relating to the disposition of real property and the latter part to personal property. Where a significant estate was involved, the will might also call for the setting up of a 'testamentary trust', which involved the appointment of trustees, who might or might not be the same as the executors. Trusts

could be set up not only for charitable purposes, but also for family estate planning purposes. To answer the question of how the construction of Henry's will was constrained by law, it is necessary first to consider what a trust is and the relevant law of trusts, including the operation of the Mortmain Acts.

2.3.1 The concept of a trust

Before describing Henry's will, it is necessary to review briefly the mechanism he used to deal with the greater part of his legacy, which was a testamentary (or will) trust. The early history of trusts (or 'uses'), which goes back at least as far as the twelfth or thirteenth century in England and had analogous forms in other countries, will not be considered here in detail. Restrictions on the ability of individuals to dispose of real property under their wills, or to transfer it to religious institutions, existed from an early date in England under feudal law and to a large extent trusts were developed to circumvent these restrictions.¹⁴⁵ By the sixteenth century the concept of one person (a trustee) being the legal owner of property for the benefit of others (beneficiaries) was very well developed and in 1601 the Statute of Charitable Uses codified the law in this specific area of trusts, emphasising the social rather than exclusively religious purpose of charities. Over time the use of trusts was extended in two ways. First, trusts came to be used for personalty (for example money and investments) as well as realty (land and property). Secondly, as the wealth of the middle classes increased, the use of trusts was extended widely to them as well as the aristocracy. Individuals accepting the role of a trustees operated under the principles of Equity law, which could be a harsh mistress, and had to demonstrate a high degree of care. They had to act as would a 'reasonable man of business', rather than just as a 'reasonable man', and duties could often be onerous. Towards the end of the nineteenth century it was beginning to become difficult to find sufficient private trustees to act, particularly as they could not be remunerated (other than through legacies of normally nominal value) and investment opportunities, that had previously been quite circumscribed, became more numerous and increasingly sophisticated. A summary of key legislation concerning the law applicable to trustees is provided in the table below.

Table 2.1: Principal trustee related Acts, 1830-1925¹⁴⁶

<i>Act</i>	<i>Purpose</i>
Trustee Relief Acts 1847 & 1949	These Acts permitted trustees with adequate reasons (for example uncertainty as to the identity of beneficiaries) to hand funds over to the Court for administration by the Paymaster General.
Trustee Act 1850	Permitted the court to appoint new trustees in addition to or substitution for existing trustees.
Trustees Act Extension Act 1852	Provided for the appointment by the Court of a new trustee in place of one convicted of a felony.
Leases and Sales of Settled Estates Act 1856	Recognised the obligation of trustees not simply to preserve a specific landed estate, but to preserve and grow a fund for the support of future generations.
Fraudulent Trustees Act 1857	Made trustees or their agents who misappropriated trust property with intend to defraud guilty of a misdemeanour.
Law of Property and Trustees Relief Amendment Act 1859	Established the rules under which trustees could make advancements under trusts, for example the purchase of commissions, payments of premiums to become articulated, emigration for reasons of health, etc.
Trustees, Mortgagees, etc. Act 1860	Provided a general power for trustees to retire, or to be discharged by other trustees if unfit, and for remaining trustees to appoint new ones.
Debtors Act 1869	Retained imprisonment as a penalty for trustees in default of a court order to pay a sum in his possession or under his control.
Settled Estates Act 1877	Further relaxed the rules established under the Leases and Sales of Settled Estates Act 1856.
Debtors Act 1878	An amendment to the 1869 Act granting the Court discretion to deal with exceptional cases, for example where a breach of trust was unintentional.
Conveyancing and Law of Property Act 1881	Expanded the powers of trustees under the 1860 Act to replace trustees absent from the United Kingdom for more than a year. It also included an express statutory power of retirement, subject to certain conditions.
Trustee Act 1888	A wide-ranging Act consolidating elements of over thirty existing Acts that provided, <i>inter alia</i> , for trustees to be able to rely on properly appointed agents with appropriate skills, such as solicitors and land agents.
Trustee Act 1893	Provided for the appointment by the Court of a new trustee in place of one who was a bankrupt and relaxed the rules on retirement of trustees.
Judicial Trustees Act 1896	Allowed Courts to appoint, on request, 'judicial trustees' to act with or instead of privately appointed trustees and also provided for relief from the consequences of breach of trust where trustees acted 'reasonably and honestly'.
Public Trustee Act 1906	Created the office of the Public Trustee.
Trustee Act 1925	Another wide-ranging Act that, <i>inter alia</i> , extended the powers of trustees to deal with real property under their control and permitted trustees to appoint and remunerate agents without having to justify such appointments, thus significantly widening powers of delegation.

Henry did have an alternative to creating his own trust. For example, he could have contributed to a trust already in existence through an additional bequest, or he could simply have bequeathed the money to one of the 'voluntary' (that is subscription seeking) rather than 'endowed' charities for the blind. Owen points out that this became increasingly popular from the eighteenth century onwards and was a well-developed practice in Victorian times.¹⁴⁷ However, Henry Gardner decided to follow the route of establishing a new trust and by his time there were four main reasons why a trust might be considered an appropriate vehicle for the administration of charitable funds, three of which were related to the approach taken by the Court of Chancery, which had inherited the previous role of the Ecclesiastical courts in such matters:¹⁴⁸

- The trust could be made in perpetuity, the ordinary rule of limited duration being waived.
- The trust could be considered valid even if the testamentary disposition was imprecise.
- Should the original purpose of the trust fail, the Court could specify a new purpose as close as possible to the testator's original intentions (this is the much debated doctrine of *cy-près* and has been invoked by the Gardner's Trustees on several occasions over the last 130 years).

The fourth reason was that in order to benefit from tax relief on interest income (charities had been exempt from income tax since first introduced by William Pitt the Younger in 1799) and comply with Charity Commission rules, the funds would have had to be vested in a trust.¹⁴⁹ A word here on the Charity Commission is appropriate. While commissions of investigation into the running of charities had been permitted under the Charitable Purposes Act 1601, they had soon fallen into disuse and it was not until 1818 that a Commission under Lord Brougham commenced a general review of charities that was not completed until 1840. An unavoidable conclusion of the report was that the Court of Chancery was too blunt (and expensive) an instrument for resolving many of the day to day issues of charities (for example, appointing new trustees when the previous ones had died without formally appointing replacements). The Charitable Trusts Act 1853 first appointed permanent Charity Commissioners, with inquisitorial but limited executive powers, and these were only slightly strengthened by the Charitable Trusts Amendment Act 1853. However, the Charitable Trusts Act 1860 was a further step in the right direction permitting it to agree 'schemes' (but always

keeping in mind the principle of *cy-près*), although in contentious cases it was still necessary for interested parties to appeal to the Court of Chancery rather than to the Charity Commissioners.¹⁵⁰ The Charity Commissioners never did obtain the powers from Parliament that they thought they needed to undertake their task efficiently.¹⁵¹

Henry could have set up the trust before his death in a written trust document (an *inter vivos* or 'living' trust, such as would also have been used for a marriage settlement). This would have had the advantage that its terms would have remained confidential (unless disclosed by the trustees).¹⁵² He would then have directed his executors to pay the specified bequest into the trust already set up. The creation of a living trust had been the method adopted by George Peabody in 1862 when he had made an initial gift of £150,000 for a new housing charity, although it was later constituted under an Act of Parliament and the amount significantly increased. Why did Henry not adopt this method? Difficulty in selecting trustees is unlikely to have been a reason, unless Henry felt that not choosing his son-in-law would lead to a deterioration of his relationship with his daughter. He did not need to transfer all of his assets to the trust prior to his death, although it may have been hard for him to disguise what he intended as the ultimate scale of his bequest. Transferring real property would have had genuine benefits and early transfers of both real and personal property could have had advantages in reducing legacy duty. Why Henry did not use a living trust is a research question that remains unanswered, certainly not having done so gave his executors a great deal to argue over.

From the perspective of the historian, living trusts (and life gifts) to existing charities have another advantage, they were often accompanied by personal or press comment on the rationale for the gift. Thus George Peabody's objectives were well known, as were those of another great philanthropist, Andrew Carnegie, whose philanthropic activities will be touched on in the following chapter. There were also some examples of philanthropists who set out in their wills the motivation for their bequests, but that was not common and certainly not the case here. In the vast majority of cases, trying to understand the thought processes of philanthropists is a thankless task, and it is unlikely we will ever know what motivated Henry Gardner's bequests.

2.3.2 *The Mortmain Acts*

The complexities of the law appertaining to trusts have already been commented upon. One particular area of complexity related to the interaction of trust law and the law of real property. As it transpired, this had especial relevance to Henry Gardner's situation.

The key elements of the law of real property in England date back to the reign of William the Conqueror, who effectively assumed ownership of all land by right of conquest. Title to land was granted by the Crown under certain conditions (which might be minimal), but in some cases the title would return to the Crown if the current title holder died without recognised heirs (known as escheat). When real property passed by inheritance it might well be subject to taxes or 'feudal incidents' (such as fines on alienation). By the early nineteenth century this law contained interlocking aspects of common law, equity and statute. Statutory reform began in the early nineteenth century and for the purposes of understanding the construction of Henry Gardner's will it is the position after the reforms of 1832-1845 that is relevant. Reform continued towards the end of the nineteenth century, just after Henry's death, and there were further significant changes in the twentieth century. The concept of mortmain was ultimately abolished under the Charities Act 1960.

Important to the understanding of property ownership in general and mortmain in particular is the concept of alienation, which is the voluntary and absolute transfer of title and possession of real property from one person to another. Mortmain, derived from the French language and literally meaning dead hand, is a state of possession of land such that it is rendered inalienable. Real property passed into mortmain when it was alienated to a corporation, which in this context meant an organisation other than a person that had a legal existence.¹⁵³ A corporation could be ecclesiastical (for example a church) or temporal (for example a livery company or a charitable trust) and generally had a perpetual existence, unlike an individual.

In England during the Middle Ages the church, as a corporation, acquired a substantial amount of real property in its own name, as opposed to the names of its office holders, such as bishops. As a perpetual organisation the issue of inheritance did not arise and there were, therefore, no taxes to be paid on heritable transfer and no chance of the

Crown regaining the land through escheat. The increasing proportion of land owned by the church became a source of tension between the Crown and the church. In the thirteenth century a series of statutes was passed to limit the church's holding of real property, starting with the *Magna Carta* of 1215 and ending with the so-called 'Statutes of Mortmain' (actually *De Viris Religiosis* of 1279 and the Statute of Westminster of 1285). Under a statute of 1392 the mortmain provisions were extended to all corporations, not just the church. Eventually these statutes were supplemented by the Mortmain Act 1735 in the reign of George II.

The 1735 Act, which obtained at the time of Henry's death, provided that no land, or money to be laid out in land, might be given for any charitable use except by deed executed twelve months before the death of the donor and enrolled within six months after execution.¹⁵⁴ In principle a donor could seek a special license from the Crown for exemption from this statute, but in practice such licenses seem to have been rarely sought or granted. Contravention of the mortmain law resulted in forfeiture of the real property concerned to the Crown.

The answer to the question of how Henry's will was influenced by legal considerations is therefore as follows:

- There would have been tax and other disadvantages in not making use of a trust, but it could have been an existing trust set up by a third party already approved by the Charity Commissioners, or a trust that he had established during his life.
- Although he had a large personal estate of real property, he was prevented from bequeathing this to the charity set up under his will (although he could, of course, have done this prior to his death had he wished to take advantage of the relevant provision).
- Strictly speaking, he could not make it a condition of his will that any money bequeathed to the charity should be used specifically for the purchase of real property.

As will be seen, it is likely that Henry received legal advice concerning the effects of the Mortmain Acts when drawing up his will. His legal advisers, Western & Sons, may well have been stricter in their interpretation of the Mortmain Acts than some of their competitors, but there is no surviving evidence that Henry put any pressure on them to

circumvent this legislation. After all, the option of setting up a living trust and making an *ante mortem* (excluding his real property) gift was always open to him.

2.3.3 *The construction of the will*

The will of Henry Gardner, including a codicil, included the following relevant sections:

- The nomination as executrix, executors and trustees of: (1) Maria Louisa Richardson-Gardner, his daughter; (2) Alfred Philip Slade Beaumont, his great nephew; (3) the Right Honourable Arthur Fitzgerald Baron Kinnaird, a banker; and (4) the Honourable Arthur Fitzgerald Kinnaird, son of Baron Kinnaird, also a banker (of whom the last two received minor bequests for their troubles).¹⁵⁵
- The setting up of four specific legacies: (1) £10,000 for the School for Indigent Blind; (2) £10,000 for the Association for Promoting the General Welfare of the Blind; (3) £10,000 for the London Society for Teaching the Blind; and (4) £300,000 for the trust to be set up under the will ('Gardner's Trust'). All of these were to be paid free of legacy duty.
- The nomination as Members of the Committee for the administration of Gardner's Trust of the four individuals named above as trustees, together with the person who, at his death, should be Bishop of London. Also, certain provisions for the governance of the trust by the Committee.
- A declaration as to the object of Gardner's Trust, viz. 'to employ the same property and the income thereof for the purpose of benefitting blind persons in England and Wales by all or any of the means hereinafter mentioned (that is to say) by instructing poor blind persons residing in England or Wales in suitable trades handicrafts and professions especially in the profession of music by providing pensions for poor and deserving blind persons residing as aforesaid who may be incapable of earning their livelihood and generally in such other manner as the said Committee shall from time to time think best'.
- The provision of thirteen annuity bequests, with a total value of £1,788 p.a., legacy duty paid. (These were supplemented by a further annuity of £800 p.a., duty not paid, in the Codicil.)¹⁵⁶

- The income from any remaining funds was to be paid to his daughter during her life (this is technically known as a 'life interest'). Following her death she was free to declare where half the 'remainder' should be directed, with the other half to be directed to Alfred Philip Slade Beaumont (who was also to receive the first half by default if Maria Louisa made no declaration).¹⁵⁷

Noticeably absent from the will were any instructions as to how the monies passed to the trustees should be invested. Nor were there any objective or quantitative tests for measuring the performance of the management committee. Indeed, it would have been atypical (perhaps even unique) had such tests been included.

Before examining each of the three specific charitable beneficiaries, information concerning the date of this will, its codicil and at least one previous will and codicil can usefully be considered as it throws light on when Henry's thoughts turned seriously towards a large bequest to the blind. The Gardner archive at the LMA contains a copy document, apparently prepared by Mills Roche, which is described as: 'Codicil to Will of Henry Gardner Esq. ... This is the document marked G.A.W.3 referred to by George Adolphus Western in his depositions taken the 7 day of July 1880.' The wording of the codicil is as follows:

This is a codicil to the last Will of me Henry Gardner of N^o 1 Westbourne Terrace in the County of Middlesex Esq. which Will bears date the 6th date of Sep^r 1875. With respect to the residue of my Charitable Fund by my said Will directed to be vested in a Committee to be constituted as in my said Will mentioned and the income of such fund and which Fund I estimate will amount to the sum of £350,000 or thereabouts I declare my wish and intention to be that out of such fund provision may be made for the following objects that is to say for instructing poor Blind persons in England and Wales in suitable trades handicrafts and professions especially the profession of music in order the better to enable them to earn their livelihood For pensions or annuities for poor and deserving Blind persons in England and Wales who may be incapable of earning their livelihood And generally for benefiting any blind persons in England and Wales in such manner as the Committee or the majority of them shall think best. In witness whereof the said Henry Gardner have [sic] hereunder set his hand this day of 1875.

George Adolphus Western was one of the partners of Western & Sons, who also drew up Henry's later will and codicil. The fact that no date appears on this copy suggest that the codicil may never have been executed, but it does strongly suggest that his thoughts

on how his fund should be used began to crystallise at some time between 6 September 1875 and 24 July 1876, with the specific beneficiaries only being added later. This wording and that of the relevant section of the later will are quite similar, as may be seen from the following table.

Table 2.2: Comparison of proposed and actual charity bequest clauses in wills

<i>Codicil to will of 6 September 1875</i>	<i>Will of 24 July 1876</i>
... the income of such fund ... I declare my wish and intention to be that out of such fund provision may be made for the following objects that is to say for instructing poor Blind persons in England and Wales in suitable trades handicrafts and professions especially the profession of music in order the better to enable them to earn their livelihood For pensions or annuities for poor and deserving Blind persons in England and Wales who may be incapable of earning their livelihood And generally for benefiting any blind persons in England and Wales in such manner as the Committee or the majority of them shall think best the income thereof upon trust to employ the same property and the income thereof for the purpose of benefitting blind persons in England and Wales by all or any of the means hereinafter mentioned (that is to say) By instructing poor blind persons residing in England or Wales in suitable trades handicrafts and professions especially in the profession of Music By providing pensions for poor and deserving blind persons residing as aforesaid who may be incapable of earning their livelihood and generally in such other manner as the said Committee shall from time to time think best ...

Although the will as executed provided for majority decisions of the committee to prevail, this wording was introduced further into the document and it may have been arguable that the ‘majority decision provision’ only applied once the trust was up and running. The original wording in the codicil (as highlighted above) may have given more support to the majority decision of the committee regarding the basic structure of the trust to have prevailed without resort to the Courts. It may also have been for this very reason that George Western submitted a copy of the codicil to the Court, or to support the view that Henry’s decision to benefit the blind was less recent and capricious that might otherwise have seemed to be the case.

2.3.4 *The Married Woman’s Property Acts*

Under Henry Gardner’s will, his daughter received a life interest in a portion of his estate, with power to direct the remainder of half of this portion on her own death (the other half to go to Alfred Beaumont automatically, who was also the default beneficiary of Maria Louisa’s half portion if she made no direction). The structure of life interest and remainder was not at all unusual, but there was a particular reason why Henry might

have wished to use it in his will and this related to the Married Woman's Property Acts. The marriage settlement between Henry's daughter and her husband has been referred to in passing, but is also relevant and needs some explanation.

Since Maria Louisa's marriage to Robert Richardson in 1854 there had been an important change in the law and another was imminent. The Married Woman's Property Act of 1870 permitted women to retain ownership and control of wages and property they earned through their own work. However, this was not extended to all assets earned or inherited until the passage of the Married Woman's Property Act of 1882. Until these Acts were passed, under Common Law the control of, and income from, a woman's property passed to her husband on marriage. In the case of personal property this control was absolute and a woman could only dispose of such assets with her husband's consent. In the case of real property there was some protection and the woman would have to give her consent should her husband wish to sell. In order to provide the woman with additional protection it was necessary for both parties to enter into a marriage settlement under Equity Law before the marriage and this was the case between Robert and Maria Louisa. Such settlements would often have a capital value of £2,000 to £10,000, but could be much larger, as was probably the case here. The instrument would determine in what the funds could be invested, which might be property as well as government securities, and how the income was to be divided between the husband and wife. The terms of the settlement would also determine what happened on the death of either party. In the case of the first death of the wife this might simply be that all of the funds passed to the surviving husband for his sole use for the remainder of his life. On the first death of the husband, the wife would typically be given some portion of the settlement (a 'jointure'), for the remainder of her life. On the death of both parties the funds would normally be divided between any offspring. In this case we know that the settlement survived Maria Louisa's death and that it was only terminated on Robert's death later. In the absence here of offspring, the remaining funds were probably divided between surviving members of the Richardson and Gardner families (almost certainly Alfred Beaumont in the latter case), most likely in proportion to the amounts originally contributed by John Richardson and Henry Gardner respectively.

The normal practice would have been for all of the wife's property to be made subject to such a settlement and some part of the husband's property. This is indeed supported here by the relevant clause in the will of Robert's father, John Richardson, who died in 1858, four years after their marriage.

Sixthly, with regard to my son Robert I gave him a Settlement on his marriage the full amount he was or ever would be entitled to during my lifetime or when my property came to be divided after my decease and therefore in justice to the other Members of my family I exclude him from any distribution of my property that may remain to be divided amongst my other children as herein provided.

The amount that had been settled upon Robert at the time of his marriage is not known, but with eleven surviving children to consider by his father something in the order of £5,000 to £10,000 was probably likely, which would have been a small amount in comparison with his father-in-law's contribution to the settlement and his own ambition.¹⁵⁸ In 1874, when Robert and Maria purchased Cowley Manor near Cheltenham, the initial outlay was £80,000. Even with a mortgage of perhaps 50% this implies that Maria Louisa controlled a very significant sum, either in her own name or through the settlement. Income producing investments of around £100,000 would have been required to have produced an annual income of approximately £3,000, around the amount then typical for a minor member of the aristocracy.¹⁵⁹

The usual practice would have been for there to be two trustees – one nominated by the bride and the other by the groom. Ordinarily an older male relative would have been appointed as trustee by Maria Louisa and it is possible that one of her father's brothers may initially have filled this role, although with both dying before Henry a substitute would in that case have had to be found by the time of Henry's own death. A candidate for this would have been George Henry Long, the Windsor solicitor, although he also acted for her husband.¹⁶⁰

Henry's death occurred after the passing of the 1870 Act, but before the passing of the 1882 Act, so had Maria Louisa inherited her portion of the estate absolutely, she would still have been subject to the rules on disposal of property outlined above. An absolute inheritance by Maria Louisa would also have meant that Henry could not ultimately direct some of this portion towards his great nephew, Alfred Beaumont. Of course

Henry could have divided this portion in two at the outset, but this could well have improved Maria Louisa's chances of raising a legitimate challenge to the will.

Notwithstanding her entitlement to the income only (and not the capital) from her life interest, she and her husband would nevertheless have been in a position to release some of the assets until then held by the marriage settlement for income generation purposes. It is likely that these funds were used to purchase the property at 41 Grosvenor Square and build their property in Cannes (Château Louis XIII). Since Robert continued to occupy Bythesea, their home at Boscombe, for some time after Maria Louisa's death, this may well have been part of the settlement's property, as were at least some of the workmen's cottages in Windsor provided for his Conservative voters.¹⁶¹

The state of the law at the time had a further impact. In 1879, when Maria Louisa threw her father's will into Chancery, she did not do so in her own name, but through her 'next friend', Charles Dilkes Loveless. This practice was also common before the Married Women's Property Act 1882 and will be discussed further in the next chapter.

There was another implication of the law on married women's property as it stood in 1879. Until the 1882 Act, there were legal difficulties surrounding the appointment of a woman as a trustee, as the concurrence of her husband would be necessary in most trust transactions.¹⁶² Henry Gardner would almost certainly have been aware of this through the advice of his solicitors, yet proceeded with the appointment of Maria Louisa as an executrix and trustee under his will.

2.3.5 *The Succession Duty Act*

In Henry's will, the directions to his trustees in connection with the majority of the bequests was that they were left 'free of legacy duty', which needs some explanation. Legacy duty was first introduced in England as early as 1694 and was modified several times over the following century. By 1796 it comprised a duty on legacies and residual personal property payable by all beneficiaries except wives, with the rate of tax increasing as the degree of consanguinity decreased. A major change was introduced in 1853, with the passage of the Succession Duty Act. As part of Gladstone's campaign to reduce income tax, but realising that the revenue that it produced had to be replaced

elsewhere, this Act extended the principle of legacy duty to all property passing by settlement and to real property, as opposed to only personal (that is moveable) property. The rate of tax varied between 1% and 10%, again dependent upon the degree of consanguinity between the testator and the beneficiary. Rules for the payment of the new duty and the calculation of the values on which the duty was based depended on the type of property changing hands. In the case of real property, the duty was payable in eight half-yearly installments, without interest, on the capital value of an annuity equal to the annual value of the property, whether freehold or leasehold. The bulk (but not all) of Henry's estate comprised bequests to unrelated parties, so to a reasonable approximation the weighted average rate of legacy duty would not have fallen far short of 10%.

For succession duty purposes, the new trust set up by Henry would have constituted a 'third party', suffering duty at 10%. In principle Henry could have bequeathed equivalent amounts to his new trust of £333,333, legacy duty payable, or £300,000, free of legacy duty. The other personal and charitable bequests could equally have been dealt with in either way. Choosing to specify the net amount was probably the more common practice at this time (and remains so today for specific bequests) and had the advantage that should the rate of legacy duty change after the will was written, the incremental duty burden would fall to the residual estate, rather than the individuals or charities.

2.3.6 *The executors and executrix*

On the death of a testator, the executors of a will become the legal owners of the deceased's property. The legitimacy of their appointment has to be 'proved' to whoever actually holds the assets of the deceased (for example a bank, or an individual), which in England was (and is) done by applying to the High Court for a grant of probate. For the purposes of our history, it is important to understand exactly who the executors of the will were because they had the power not only to determine how it was executed, but were *de facto* in a privileged position to argue before the Courts as to how it should be interpreted.

Strictly speaking it is possible under a will to appoint separate executors (to deal with the initial disposition of the estate) and trustees (to administer any trust set up under the

will). Such separation of duties was not particularly common (not least because it would have involved greater legal costs) and was not the route followed by Henry Gardner, despite the fact that there was a stronger case for Maria Louisa acting as an executrice rather than a trustee.

In Victorian times it would not have been uncommon under a will to appoint a very limited number of executors/trustees (although probably not fewer than two) and for these to be drawn from within the testator's immediate family. One of these would probably be the principal heir to the estate, but appointing a spouse would not have been unusual. In Henry's case, being a widower, his only near blood relatives were his daughter, his niece and his great nephew, so to a certain extent they were self-selecting. Where testamentary trusts designed to benefit third parties were involved, it was more likely for the number of executors to be increased and for one or more of these to be 'independent', in other words not likely to be unduly swayed by family interests. Executors in this category might well also be appointed trustees under the trust, although this was not invariable. In this case the situation was further complicated by the appointment of a management committee distinct from, although with overlapping membership of, the executors and trustees.

Here the independent trustees were the 10th Lord Kinnaird and his son. Lord Kinnaird had been MP for Perth in 1837-9 and 1852-78, taking his seat in the House of Lords on the death of his brother in 1878. He was an evangelical churchman and a considerable philanthropist, involved with many charities. The Hon. Arthur Kinnaird was a noted soccer player (appearing in nine FA cup finals) and administrator. He was president of the YMCA in England (which his mother had co-founded) and later served as Lord High Commissioner of the Church of Scotland. Both Lord Kinnaird and his son were also highly respectable bankers in Ransome, Bouverie & Co., their West-End based banking house. The official history of Barclays Bank asserts of Ransome, Bouverie that, 'In reality the Bank centred around the Kinnaird family... although their name never appeared in the firm.'¹⁶³ Elisabeth, the daughter of Griffin Ransom, who had founded the bank in 1786, married the 7th Lord Kinnaird. Ransom, Bouverie & Co. amalgamated with Barclay, Bevan, Tritton & Co. in 1888 to form Barclay, Bevan, Tritton, Ransom, Bouverie & Co., apparently a fairly equal partnership. In 1896, the Bank joined with 19

others to form Barclay and Co. Ltd. The names of both Henry and Sarah Gardner appear in the signature books for Ransom, Bouverie & Co. for the period 1822-1840.

Representing his family were his daughter, Maria Louisa, and his great nephew, Alfred Beaumont (remembering that his wife, brothers and only nephew had pre-deceased him). In the dispute that followed Beaumont initially sided prominently with the Kinnairds against Maria Louisa and personally appealed the initial decision of the Court of Chancery on a point involving the payment of costs.¹⁶⁴

Although not an executor, the Rt. Rev. Dr. John Jackson, Bishop of London, was a member of the initial management committee and also sided with the Kinnairds and (initially) Beaumont. Jackson had been Bishop of Lincoln before his translation to London, not leaving a great impression on either see, and was regarded as a large-hearted, well-loved divine, much appreciated by his parishioners when a priest.¹⁶⁵ He turned out to be an inspired choice for two reasons. First, he had been involved with the Charity Organisation Society since its earliest days and had served as its President, thereby ensuring good communications with an important body that sought to exert its influence on the use of the bequest. Second, he had a reputation for level-headedness, which he was called on to exercise during arguments over which scheme should be adopted and the earliest meetings of the management committee in 1881 (which he hosted and chaired).

Noticeably **not** an executor, or management committee member, was Maria Louisa's husband, Robert Richardson-Gardner, whose influence over her seems to have been great. Robert was the fifth son (of seven) and seventh child (of twelve) of John and Elizabeth Richardson, originally of North Shields, but later of Swansea, where his family had established a thriving participation in the copper trade, including a large fleet of 'Cape Horners'. His education seems to have been unremarkable and he first rose to public notice as a young man after an altercation in the billiard parlour of Swansea Assembly Rooms, where he was the butt of an unappreciated joke (and not for the last time). Moving to London and qualifying as a barrister at Middle Temple, he had the great fortune to meet and marry Maria Louisa, following which he worked briefly for an outpost of his family's firm in Southampton. Apart from hunting and participating in amateur theatrics with the county set, he engaged in an extraordinary stunt when

Garibaldi docked in Southampton during his visit to England in 1864, effectively trying to kidnap him before he could be received by the official welcoming party. Around this time his own political ambitions surfaced. He assisted in the formation of a militia unit and then set his eyes on the parliamentary seat of Windsor, spending money lavishly in the process and sailing close to the wind in terms of the legality of his tactics – during a petition heard after the 1874 election, which he won by a small margin, he was roundly criticised by the judge, not least for behaving other than in the manner expected of a gentleman. Nevertheless he clung on to his seat (the judge made it clear that this gave him no pleasure), by which time he had risen to the rank of Honorary Colonel in the militia and had been appointed Deputy Lieutenant of Tower Hamlets. By 1879 a general election was on the horizon and Robert clearly saw the building of a new institute for the blind in Windsor as likely to boost his chances of re-election.

Exactly what was in Henry's mind when he made these executor and trustee appointments cannot be known, but it is very likely he would have been aware of Beaumont's somewhat pedantic disposition and it is also clear that he wanted the family's influence to be balanced by third parties with regard to the setting up of the trust and outweighed with regard to the actual management of the new charity. The Kinnairds probably agreed to a request from Henry to act as executors and trustees/committee members prior to his death, but even if they had not been asked in advance it would have been difficult for them to refuse the office given the size of the estate and the social implications of refusal. Appointing Maria Louisa as an executrix was not unusual, and certainly preferable to appointing her husband as an executor. Appointing her as a trustee had legal difficulties, as has been pointed out, although her husband may have been expected to exert his influence upon her regardless of his privileges under the law prior to 1882. Appointing her to the management committee was more unusual, but justified in the specific circumstances and did not of itself give rise to adverse comment. However, as one newspaper put it: '...if he [Henry] had had perfect confidence in the judgement of his daughter and son-in-law, why should he have appointed other trustees, who he must have known would oppose anything like a family scheme?'.¹⁶⁶

2.3.7 *Alternative constructions*

Henry would have had significant flexibility in how he set up his trust and whom he appointed to run it. Examining some of the alternatives can provide insight into the choices he actually made.

Appointing, say, five rather than four trustees, with three of these independent, would not have prevented Henry Gardner's family from contesting the will, even if he had granted powers within the will for a majority decision of executors to prevail (as he did for the committee once the trust was in existence). If she believed there was a manifest injustice, Maria Louisa (or, indeed, Beaumont) would still have had recourse to legal process. Yet the fact that Henry did not appoint a majority of independent trustees suggests that he may have believed that Maria Louisa, doubtless influenced by Robert, and Alfred Beaumont would follow his wishes as set out in the will without any embellishments of their own.

There is another piece of circumstantial evidence to suggest that he did not imagine approval and execution of the will would be a long and drawn out process – there was no provision in the will for the utilisation of interest accumulated between his death and the commencement of the trust's operations. In principle he could have directed that this interest would either be added to the capital or distributed when first possible, but he did neither (in fact the court eventually adopted the latter approach). This may have been an oversight by his legal adviser, or he may have felt that it was a sufficiently unlikely contingency that the will did not need to be further complicated.

What is clear is that there had been previous examples of situations where such interest accumulations amounted to very large sums and one of them was very close to home in terms of Henry's charitable interests and almost certainly known to him, or to his advisers. Following the death, apparently by suicide, of Thomas Henshaw in 1810, who in his will left, *inter alia*, £20,000 to set up an institution for the blind, his wife contested the will on the grounds that he had made the will while mentally deranged (he had been mentally unstable for some years prior to his death). The Court of Chancery did not opine for 23 years, by which time compound interest (Albert Einstein's 'eighth wonder of the world') had done its work and the £20,000 had grown to £50,000,

representing an interest rate of 3¾% p.a. Henshaw's Society for the Blind in Manchester finally opened its doors in 1837.

Also, it was not unknown for benefactors to specify that their bequests be invested for a specified period of time, or until a target sum had been reached before they could be utilised. In the case of charities for the blind, the best known example of this occurred some time after Henry Gardner's death, but the same principle had been used previously. In his will, proved in 1935, Thomas Pocklington left a large proportion of his estate to buy 'a suitable piece of land, with or without buildings ... to provide a suitable institution for the care, welfare and instruction of the blind'.¹⁶⁷ He also stipulated that his estate should accumulate for 21 years after his death before his wish was carried out. By the time the trust actually commenced operations its capital had grown to around £1¼ million, which was enough to provide the land and buildings for several purpose built homes.

For completeness the other extreme should also be considered – the possibility that Henry could have insisted that the whole of the funds be expended within a finite period of time. The fact that the trust called for under Henry's will was to be perpetual rather than finite was probably because he did not foresee the State taking such a large role in providing for the care and education of the blind so quickly, rather than the hope that his name would live forever (it will be seen that he did not actively seek publicity from his donations to the Royal Normal College). Again probably the best known example of a finite trust occurred after Henry's death, but the principle was known before.

Robert Arthington, the son of another wealthy brewer, died in 1900 leaving an estate of some £950,000 (exclusive of gifts made immediately prior to death), of which 90% was to be used for furthering the purposes of missionary societies. Once again the will proved poorly drafted, but it was finally executed in 1910. In this case the Scheme approved by the High Court directed, as Arthington had wished, that all of the funds had to be expended within 25 years, which in due course, and with some difficulty, was achieved by his trustees. In this case compound interest had played its part before Robert's death. He had inherited £200,000 from his father in 1864 and, despite numerous charitable gifts to missionary societies during his life, by investments in British and American railway stocks and canal companies this had grown at an average

rate of almost 4½% p.a. to reach this amount, which is said to have surprised him when he discovered this shortly before his own death.¹⁶⁸ In the ten years the case was in Chancery the amount had grown by a further £¼ million. The trust was finally wound up, after the trustees were granted a short extension, in 1936.

The manner in which Henry organised his gift to the blind and constructed his will was not inevitable, and almost certainly not optimal, but equally it was not unusual (other than by virtue of its size). There were clearly several people who must have advised him, not least his lawyers, over whose skills a question mark must hang, but there remains a smack of individualism in the final wording of the will. A less than perfect relationship with his legal advisers may also have been why he did not adopt an increasing practice in late Victorian times, that of appointing a barrister or a solicitor as an executor and trustee. Charles Fishlake Cundy, who had acted for Henry Gardner and the County Fire Office, would have been a natural candidate, but he had recently retired and at seventy years of age would probably have been considered too old.

2.4 Henry Gardner and the blind

Why was Henry so concerned with the blind? What sounds like a fundamental research question is, in fact, very difficult to answer.

It seems clear from numerous sources that Henry Gardner was a supporter of the blind by various means during his life as well as after his death, but there is little clue as to why this should have been. This absence of information on the family lives and motivations of Victorian philanthropists has been pointed out previously by Harrison.¹⁶⁹ It is at least clear that this was not a 'deathbed bequest'. Henry's will had been drawn up in 1876 (when he was 79) and at least one earlier version contained a charitable bequest of a general nature. One is left to consider the 'Law of Bequests' suggested by Gray: 'that it is the interest of a lifetime that seeks to perpetuate itself after death'.¹⁷⁰

At least one contemporary writer suggests that Gardner himself suffered from deteriorating eyesight during his later years: 'The late Mr. Henry Gardner, who knew from painful experience towards the close of his life the distressing effects of blindness'.¹⁷¹ The statement of Gordon Phillips that Henry had lost his sight prior to his

death seems to have been based on Forster's comment and cannot otherwise be substantiated.¹⁷² King also says that 'Henry Gardner ... became blind, and, it is said, left the whole of his fortune to found institutions for the blind', but without great reliability or any supporting evidence.¹⁷³ However, the following extract from the Minutes of the General Committee of Gardner's Trust for the Blind dated 13 March 1957 may be relevant, if the facts were indeed as stated:

The Secretary stated that he had then approached Mr. Dickie, of Messrs. Freshfields, as one of the Trustees of the Beaumont Estate, and the latter had referred his enquiry to Mrs. Beresford, a daughter of the late Captain Beaumont. She had replied that a brother of Mr. Henry Gardner was blind, and that this appeared to be the reason for his benevolence to the blind. Her father, Captain Beaumont, was blind in one eye, and he therefore had a special feeling for the blind, and as he had no son, and neither of his daughters had children, this presumably accounted for his bequest to Gardner's Trust.

The last census in which Henry was enumerated was that of 1871 and neither in this, nor in those that had preceded it, was he or any of his immediate family (including his two brothers) described as blind. Since his brother William was a commissioned officer in the City Rifle Brigade and a bank director it is extremely unlikely that he would have been blind, but it is just possible that Philip might have been (notwithstanding his active involvement in the family brewing business).

It is quite possible that there was no personal reason for Henry's interest in the blind. The privileged position among the disabled enjoyed by the blind and the high public profile of charities for the blind has already been noted. If Henry were a reader of *The Times*, he would have been familiar with some of the debates on aspects of the problem of the blind that appeared therein and this may have been enough to whet his interest.

As a benefactor to the Royal Normal College, the School for the Indigent Blind and other institutions, Henry would have come into contact with many activists on behalf of the blind, most notably Thomas Rhodes Armitage, Francis Joseph Campbell, Bennett George Johns and Edmund Charles Johnson. It was, perhaps, because of their associations with particular institutions that Henry did not appoint any of them as trustees, or members of his proposed committee of management.

As will become clear, Henry had taken legal advice on at least one aspect of his will, but it seems unlikely that he had discussed his intentions with some of the leading activists for the blind with whom he came into contact, such as Armitage and Campbell. It is less clear whether he had made plain to his executrix and executors what he had in mind beyond that which was strictly stated in the will. His daughter, Maria Louisa, certainly thought she knew and in due course stated this in public. The other trustees did not make such a statement, but their actions suggested that they also thought they knew and that this was not consonant with Maria Louisa's view.

The fact that Henry may well not have heeded the personal advice of Armitage, Campbell and others, even if it had been sought or offered, did not mean that Henry would have been unaware of the arguments and alternatives. It would seem likely that he had personal knowledge of several of the London institutions, although the level of his interest in, and previous charity towards, for example, the Southwark and Swiss Cottage schools is unclear. He does not seem to have been particularly swayed by the pro- or anti-‘asylum’ movements since he supported these two schools with quite different approaches.¹⁷⁴ Despite an apparent lack of personal familiarity with blind institutions outside of London, his will specifically provided that his bequest was for the benefit of the blind in the whole of England and Wales. Also, a slew of books, pamphlets, articles and letters on the blind that would have been easily available to him had appeared in the decade or two prior to his will being written, such as those that have already been described. He may have been undecided, but he is unlikely to have been uninformed.

2.5 The beneficiaries

2.5.1 The specific beneficiaries

In order to answer the question of why Henry chose the three specific charities that each benefited from a bequest of £10,000 under his will and to determine whether these choices throw any further light on his motives it is necessary to examine them more closely.

2.5.1.1 The Southwark School for the Indigent Blind

Although Henry Gardner's bequest of £10,000 represented a great deal of money in 1879, the School for the Indigent Blind had received bequests of this magnitude as early as 1828 (from James Tillard), while £6,000 was received in 1852 from Miss Elizabeth Sebbon, c. £17,000 in 1874 from Miss Mary Stevenson and £6,500 from Robert McGhie in 1876, 'Sums of four figures being by no means uncommon' for legacies, at least in the early days of the School,¹⁷⁵ although these fell off somewhat as competition from other schools for the blind increased. Before they could receive their legacy from Henry Gardner, the School's solicitor had to submit an affidavit to the Court of Chancery and a cheque was not received until 29 February 1880. The sum was initially invested in Exchequer Bills and after the March 1880 committee meeting switched into £5,000 Metropolitan Board of Works Stock 3½% and £4,150 Great Indian Peninsular Railway Debenture Stock 4%.¹⁷⁶

There is no firm evidence from the periodic lists of benefactors published by the School of Henry Gardner having donated significant sums before his death, but one pair of donations should be mentioned. In 1870 an anonymous gift of £1,000 was received through Ransom Bouverie and Co. and acknowledged in the press. The same process was repeated in 1874.¹⁷⁷ It is known that Ransom Bouverie and Co. were Henry's bankers in Pall Mall and that he made several donations of £1,000 each to the Royal Normal College between its foundation in 1871 and his death (although neither these, nor the smaller donation to the Society for Promoting the General Welfare of the Blind, were anonymous). The argument against is that both donations were referenced 'W.S.D.', which initials seem to bear no reference to Henry's name. In any event there were no further such donations after Henry's death.

The committee of Gardner's Trust continued to support the School for many years, one example being in 1884 when they provided £500 towards an organ for the music room.¹⁷⁸

2.5.1.2 The Association for Promoting the General Welfare of the Blind

The Minute books of the Association for Promoting the General Welfare of the Blind for the period from its foundation to 1906 have not survived, but certain of the printed Annual Reports produced by the society have. From these it is clear that Henry Gardiner [sic] of 1 Westbourne Terrace, Hyde Park, gave a donation of £100 at some time between the beginning of 1867 and the end of 1870, thus entitling him to 20 votes.¹⁷⁹ The size of this donation had not increased by the end of 1878 and his place in the list had gone by the end of 1879.

The following has been taken from the annual report for the year 1879:¹⁸⁰

During the last year Henry Gardner left the Association the sum of £10,000, but as this was not paid till 1880 it does not appear in the monetary statement. It may, however, be mentioned that the Committee have invested it in new Three per Cents., in the names of the Trustees of the Society.

Earlier in the annual report it had been stated that the loss of income had arisen from: '... the depressed state of trade and the loss of donations and subscriptions'.¹⁸¹

Gardner's Trust continued to support the society once it had come into existence, with a contribution of £500 to the Building Fund in 1882 and another £300 in 1894, of which £250 was also for the Building Fund.

The ongoing support of the Trust was much appreciated by its founder, Elizabeth Gilbert:¹⁸²

Two events in the history of the Association which deeply interested her were the removal from Oxford Street to more commodious premises in Berners Street, and the special bequest of £10,000 by Mr. Gardner. She was gratified to learn that the special bequest was no bar to the participation of the Association in the general advantages provided by Mr. Gardner for the Blind.

2.5.1.3 The London Society for Teaching and Training the Blind

No evidence has been found that the London Society for Teaching and Training the Blind was supported by Henry Gardner before his death, although subscription lists and annual reports held in the institution's archive are incomplete. There was certainly

nothing in the minutes of the first meeting at which the bequest was noted, on 10 March 1879, to suggest that Henry was well known to the executive committee.¹⁸³

Mr. Gardiner's [sic] Legacy of £10,000. Treasurer reported that he had received notice from the Executors that the Will of this Gentleman is to be administered in Chancery.

Early in 1880 the society was informed by Mills Roche, solicitor to the Gardner trustees, that they were about to receive the legacy, at which point three members of the executive committee were appointed as trustees and granted investment powers, thus suggesting that the society had not previously had any material endowment. On receipt the money was initially placed on deposit and lengthy discussions ensued on exactly how the funds should be invested. In July the Treasurer reported that the money had been invested in a mixture of English and (guaranteed) Indian Railway stocks. References to Gardner's Trust are thereafter fairly infrequent, but like the other two institutions benefitting directly from Henry's will, it continued to receive grants from the Gardner committee.

2.5.1.4 Charities notably omitted from the will

Notable by its absence from the list of direct beneficiaries was the Indigent Blind Visiting Society.¹⁸⁴ Henry Gardiner [sic] is first recorded as a donor (of 5 guineas) in the Annual Report for 1873, giving further sums of 10 guineas, thereby entitling him to 'Life Membership', in 1874 and 1876. By the time of publication of the 1879 Report, his name had been removed from the list of Life Members. In 1885 Gardner's Trust commenced a series of annual donations of £30 for the purposes of buying Braille books for the Society's circulating libraries based in their three London reading rooms. These donations continued until at least 1894 and were supplemented in 1887 by a special grant of £500 towards the 'Shaftsbury Fund', set up in memory of its founder and first President in order to replace the income from some annuities that had recently terminated. Armitage was again a major contributor to this fund. In 1893 Lord Kinnaird became the third President of the Society following the death of its second President and co-founder, Lord Ebury. The Society was later incorporated within the Metropolitan Society for the Blind, in which form it still exists.

The specific bequests were therefore directed at three quite different sorts of institution for the blind, as Gardner must have realised and intended, although two had appeared in the list of charities published by Edmund Johnson around the time Henry Gardner drew up his will.¹⁸⁵ Despite the existence of several societies for that purpose, Henry chose not to support blind visiting societies and pension societies, although there was nothing in his will to preclude the trustees from supporting the former and the direct provision of pensions was positively encouraged.

It is also notable that Henry Gardner chose not to provide bequests directly to two highly regarded higher educational institutions for the blind, Worcester College and the Royal Normal College, where he was in personal contact at the latter with Rhodes Armitage and Francis Campbell and had been a material benefactor during his life (see below), so the absence of the bequest was presumably not as a result of outright disapproval. He would not have been precluded from granting bequests to these two institutions by the Mortmain Acts, as long as he had not specified that the bequests should be used for the purchase of land. In his will Henry did specifically encourage the study of, and training in, music, which is not surprising given his contact with the RNC.

2.5.2 The new trust

The existence of so many different types of charities for the benefit of the blind has been noted and, to a modest extent, Henry clearly thought that some of these were worth supporting directly. Additionally, he placed no constraint or encouragement on these three selected charities being further supported by the new trust that he established. Other charities that he knew well and either had already supported (such as the RNC) or had not supported (such as Worcester) were not included as direct beneficiaries, but again there was nothing in his will to restrict or encourage their support by his new trust.

The detailed interpretation of the relevant clauses in Henry's will is left until the following chapter, but limited comment on the formation of the new trust is necessary at this point. Although there was nothing particularly surprising in the instructions given to his trustees, there is a clear implication that Henry was trying to attempt something different. With more than a score of serious charities for the blind listed by Johnson,

Henry could have chosen some permutation that would have come close to achieving whatever combination of objectives he desired. Yet he did not do so. Why?

Lack of confidence in the management of existing charities is a possible reason for not giving more, or larger, direct bequests, but in only one case (the RNC) is there even indirect evidence of this. Also, he did not seek to populate the management committee of his new trust with anyone who had existing experience of managing charities for the blind. What is possible is that he thought deserving institutional applicants might change over time, as implied by the phrase in his will referring to the use of the income from his trust fund ‘... and generally in such other manner as the said Committee shall from time to time think best’. In this scenario, a certain imprecision in the instructions to trustees may also have been deliberate. If this is correct, then the Committee was simply a filtering mechanism and relevant expertise would have been less critical. On this assumption the answer to our research question is then that Henry had no real choice but to start a new endowed trust.

We have raised the research question as to whether the imprecision of the wording ultimately helped or hindered the executors and the members of the management committee. Of course, given the widely different objectives existing among the executrix and the executors, a wording that helped one may well have hindered another. Viewing the situation dispassionately, a wording that discouraged referral to Court (or ensured that it was thrown back very soon after referral) would probably have been advantageous, and it certainly did not meet that criterion. The Committee could have worked very well with the limited directions contained in the will, but they were not allowed to do so. As will be seen, the Scheme approved by the Court constrained their actions more tightly and gave rise to numerous difficulties, which could only eventually be solved by a succession of amendments to the original Scheme.

2.6 The initial response of the higher educational institutions

At the time of Henry’s death, the two existing higher educational establishments for the blind were the Royal Normal College and Academy of Music for the Blind and Worcester College for the Blind Sons of Gentlemen. Not provided with direct bequests under his will, it was critical to each that they should be able to benefit from grants to be

made by the new trust. They immediately set about trying to ensure that this occurred and lobbied hard. Probably to their surprise, they also soon discovered that they also had to lobby against the foundation of a new competing higher educational establishment for the blind in Windsor. Although the name of neither establishment was mentioned explicitly in the Scheme and Declaration of Trust eventually approved by the Court, they were prime examples of the 'institutions for the time being existing' mentioned in the Scheme and thus their lobbying was successful.

2.6.1 Royal Normal College and Academy of Music for the Blind

The RNC was almost certainly the largest single beneficiary of Henry's largesse to the blind before his death. It was also the first charity to receive a grant from his trust, even before it commenced formal operations in 1881. Yet it was not a direct beneficiary under his will and was not even referred to as an exemplar beneficiary under his new trust. A brief diversion into the relationship of Henry Gardner and the RNC prior to his death and the contacts between the RNC and Henry's executors after his death sheds some light on this apparently anomalous position.

The primary sources for these contacts are the first three Minute Books of the RNC's Executive Committee (covering the period from 16 August 1871 to 30 October 1883) and the printed reports of the RNC for the four years 1876 to 1880 inclusive. As its name implies, the Executive Committee seems to have taken all of the key decisions, such as the recruitment of the RNC's first principal, Dr. (later Sir) Francis Campbell (to whom was delegated considerable authority). However, there were numerous other committees (such as general and house) and sub-committees (such as printing, building, finance) and not all of the minutes of these have survived. Minutes of the Executive Committee were generally quite brief and tended not to have attached to them related documents referred to (for example, minutes of other committees, bye-laws, etc.), so it should not be assumed that they contained a comprehensive account of key issues. Nonetheless, they cover the period of time between Henry Gardner's death and the first minuted meeting of the General Committee of Gardner's Trust, from which no internal records of the Trust have survived.

Notwithstanding these limitations, Henry Gardner is first mentioned in the minutes of a meeting held on 10 October 1873, when a cheque for £25 that he had given as a donation via Lady Smith on 22 March was referred to. The second reference, by inference only, is in 1876 when Thomas Jodrell Philips-Jodrell (1807-1889), a benefactor better known in the field of biological research and after whom the laboratory at Kew Gardens is named, organised a donation from several parties for £5,000, to enable the building work that had been started, but put on hold, to be resumed. Although the Executive Committee resolved that the names of the benefactors should be published in the daily papers, this does not seem to have happened. However, on 11 July 1876 notice of motion was given that Henry Gardner, along with Jodrell and Dr. Armitage, should be proposed as Vice Presidents of the RNC. At the next meeting this item was deferred and the subject was not mentioned again, yet by the time the 1876 Report was published all three appeared on an expanded list of Vice Presidents and Henry continued to appear as such in the Reports for 1877 and 1878 (that for 1879 being published after his death). On 21 July 1876, a specific donation of £1,000 by Henry Gardner is mentioned in the Minutes and on 24 November the Executive Committee notes that he has paid £1,000 into the RNC's account at Ransom's, although it is not clear whether this is a second sum of the same amount. In any event Dr. Armitage was instructed to express to Henry 'the grateful thanks of the Committee for this liberal and renewed proof of confidence in the working of the College'. Armitage was also asked to ascertain if Henry would allow his name to appear in an advertisement on three separate days in *The Times*, *Standard*, *Daily News* and *Daily Telegraph*. At the next meeting, on 7 December, it was reported that Henry had declined the offer and at a meeting on the 28 December it was determined to advertise in *The Times* only a donation of £1,000 from a 'Friend' of the college. In fact, by this time it would appear that Henry had made three payments of £1,000 to the college, as mentioned in the Report for that year.¹⁸⁶

Henry Gardner's name next appears on 10 October 1878, when it was arranged that Dr. Armitage and Dr. Campbell should visit him and propose that some of the pupils should come to his house. At the following Executive Committee meeting, on 8 November, after a discussion on the financial position of the college, Dr. Armitage reported that 'he had very little hopes of anything from Mr. Gardner'. There is no indication as to whether this was as a result of ill health, or a feeling that he had already been

sufficiently generous. However, only a few days before his death, it was revealed that Henry Gardner had made a gift of £200 to the RNC, matching the gift of Baring Brothers and not far behind that of the Duke of Westminster.¹⁸⁷ There is one other clue that there may have been some late problem in the relationship of Henry with the RNC, although it should be remembered that Henry had written his will in 1876 and given several substantial donations after this. In a letter of 4 February 1880 to Lady Kinnaird, Lady Isabelle Lowther, wife of Sir Charles Lowther, wrote as follows:¹⁸⁸

If I were a co-Trustee, dear Lady Kinnaird, knowing as I do, all the outs & ins of the Normal college, in connexion with the late Mr Gardner, & how he left the mention of it out, as we see it, in his will, I should be only too thankful to take advantage of his daughter's willingness to share in such a gift to it, as £10,000 ...

Although Henry's death and munificent legacy were widely reported in the press shortly after his death on 9 January 1879, it was not until 5 May that the Executive Committee minutes recorded that 'Mr. Shaen [secretary to the committee] was requested to make formal application to Mr. Gardner's executors for a share in his legacy'. At the following meeting, on 14 May, it was reported that this had been 'favourably received', although by now the controversy surrounding the use of the bequest proposed by the Richardson-Gardners must have been well known to the members of the Executive Committee.

A different slant is thrown on the Gardner bequest at the meeting of 7 July 1879, when the secretary reported that he had written to Sir Nathaniel de Rothschild and to the executors of the late Miss Hurst, pointing out that 'Mr. Gardner's bequest would not do everything that was required for the Blind'. The inference is that Henry's legacy was so munificent that other potential donors were now looking elsewhere to direct their own benefactions. The RNC was not the only charity to approach the Gardner trustees, the Minutes of 16 July recording that a scheme prepared by the Clothworkers Company had been submitted to Mr. Gardner's executors.

The attempts by the Richardson-Gardners to move the RNC to Windsor, after they failed to win support for completely new institute there, will be dealt with later, but they eventually failed. Support of the RNC by the Gardner committee will also be dealt with later.

2.6.2 *Worcester College for the Blind Sons of Gentlemen*

Unlike the RNC, there is no evidence that Worcester benefited from the largesse of Henry Gardner during his lifetime.¹⁸⁹ However, after Henry's will was published the college began to exert every effort to put their case for a share in the legacy. Its principals were probably right to be concerned. When the proposal to start the new college that was to become the RNC was first aired a few years previously, they had argued vigorously that it was unnecessary. In fact their arguments were weak and the Armitage/Campbell proposal prevailed.

On 20 January 1880 the (blind) solicitor to the college A.W.G. (later Sir Washington) Ranger met with and then wrote to the Hon. Arthur Kinnaid, stating the case for supporting Worcester College and implying that the proposal to build a new college near Windsor was flawed. Ranger was a former pupil of the college and well placed to argue in its favour. At this stage the divisions between the Gardner trustees would not have been clear to Ranger.

When I had the pleasure of seeing you this morning I omitted to point out that the Blind College at Worcester and 'The Scholarship Fund for the Blind Sons of Gentlemen' in connection therewith constitute the only organisation for assisting needy blind boys of the Upper and Middle classes to acquire a sound and liberal education suitable to their condition in life, and such as will enable them to maintain themselves in occupations similar to those followed by their sighted brothers. Numberless efforts are being made for the indigent blind but the Blind Sons of Clergymen, Officers, &c. are all but without any assistance whatever. Our Trustees have two Scholarships of £20 a year each, and this is all. ...

Since seeing you this morning I have noticed in the paper that Mr. F. Charsley, Registrar of Eton College, has offered your co-trustee Mrs. Richardson-Gardner a site in the neighbourhood of Slough for a college for the Blind. In deciding whether the offer sh^d be accepted and a college for the Blind founded, is it not material to bear in mind that a College of the Blind has existed in the City of Worcester for upwards of 14 years, and in spite of a great want of funds and other difficulties, has succeeded in sending no less than 11 pupils to the universities, many of whom have gained the very highest honours, and are now maintaining themselves in an honourable manner in occupations suitable to their condition in life. It w^d seem to be a matter of national concern that such an institution should receive all the effort it is possible to give it.

Later in the year its principal, Samuel Strong Forster, joined in the debate with a lengthy pamphlet, in which his main thesis was twofold:¹⁹⁰

- Henry Gardner explicitly wanted to benefit the blind in a wide variety of ways (such as education and training, pensions and others yet to be identified); and
- in the field of education, the RNC was doing an excellent job with regard to music, but only a small percentage of people had musical skills and institutions that encouraged training for other professions to a similar standard ought also to be encouraged.

By the latter, of course, Forster meant Worcester and he was certainly not the only one to reach this conclusion. The Bishop of Worcester wrote privately to the Bishop of London making a strong case for the support of the college.¹⁹¹ The students were also involved, according to Thomas:¹⁹²

A letter was signed by thirty one former and present pupils of Worcester College submitting the claim of the College as a body that had 'for twelve years maintained the cause of the higher education of the Blind'.

The absence of direct bequests to the RNC and Worcester does not necessarily reflect lack of confidence in those institutions, but it may reflect a belief that providing endowments was not the best way to support them, or possibly that their respective managements needed the additional control of his own management committee.

2.7 Henry's estate

2.7.1 Discovery of the will

Henry Gardner died on 9 January 1879 at the home and in the presence of Emily Powell, who registered the death on 3 February. On the day of his death his daughter wrote to the Secretary of the County Fire Office (of which Henry Gardner had been a trustee) who, she believed, held her father's will:¹⁹³

Sir, I have to inform you of the death of Mr. Henry Gardner of 1 Westbourne Terrace. The person who is the bearer of this letter is Mr. George Henry Long, my Solicitor. Will you please inform him whether you are in possession of the Will of Mr. Gardner and if it be addressed to me hand it over to Mr. Long, and if not will you kindly inform him to whom it

is addressed, and any other information you have respecting Mr. Gardner's affairs.

It seems that Long was successful in obtaining the will, along with a codicil. On the same day he wrote to Lord Kinnaird:

My Lord, By direction of Mrs. Richardson-Gardner I beg to inform you that Mr. Henry Gardner of No. 1 Westbourne Terrace died this morning by engrossing (?) of Messrs. Western who wrote his Will. I find that you are appointed one of the Executors. I propose calling on you tomorrow to ask you to be kind enough to arrange an hour for meeting the other Executors at Mrs. Richardson-Gardner's House at 46 Sussex Gardens, Hyde Park on Saturday. I remain my Lord, Yours very faithfully, George Henry Long.

Before seeing the will Maria Louisa may have been unaware that it and a codicil had been drawn up by Messrs. Western & Sons, who turned out to hold a duplicate copy of both, but it is probably stranger that at no stage do they seem to have been approached with a view to their throwing more light on the actual intentions of their client.

Henry's will was formally read on Saturday 11 January, only two days after his death (it would not normally have been read until after the funeral, which took place at 12.45 p.m. on Tuesday 14 January in the family vault at Kensal Green Cemetery) and immediately caused an uproar, with Robert Richardson-Gardner suggesting that it must have been written under undue influence (although with no suggestion as to whose) and that the family may wish to contest it in its entirety. Lord Kinnaird, who was present at the reading, wrote immediately afterwards to Robert of: '...the natural mortification and disappointment which Mr. Gardner's family felt at the contents of the Will ...'. In the same letter, written on the day before the funeral, Lord Kinnaird declined, mainly for reasons involving potential conflict of interest, Robert's suggestion that George Henry Long, the Windsor solicitor to Robert and Maria Louisa, should be appointed solicitor to the trustees and proposing instead the firm of Burrows & Barnes, of which a former partner, Mr. Charles Fishlake Cundy (1819-1900),¹⁹⁴ had acted for Henry Gardner and the County Fire and Provident Life Offices. The reply does not survive, but both Robert and Long must have reacted strongly and adversely to the proposal and the solicitor actually appointed was Charles Mills Roche of 33 Old Jewry, who had previously acted on behalf of Lord Kinnaird.

2.7.2 Inventory and estimate of value

The estimate for probate prepared by Roche listed the items in the table following as Henry's personalty (that is **excluding** freehold real property, a point made later by Maria Louisa in a letter to the *Telegraph*). The liabilities are as estimated by either Roche or Lord Kinnaird at the reading of Henry Gardner's will, leaving a net amount to Maria Louisa of around £40,000 plus the considerable value of the freehold. With an income from investments and property of in excess of £3,000 p.a., Maria Louisa would still have found herself well above the £1,000 p.a. that 'put a man towards the top of the middle class'.¹⁹⁵ Of course, Henry had previously settled an unknown amount on Maria Louisa at the time of her marriage and transferred to her the Gardner Cottages at Clewer. He had also been a significant benefactor of the RNC and transferred money to Emily Powell, so his total wealth had at one stage probably been closer to £700,000, or even more.

Table 2.3: Probate estimate for Henry Gardner - 28 January 1879

<i>Assets</i>	£	<i>Liabilities</i>	£
Furniture at house	400	Philip Gardner bond	30,000
Cash in hand and on deposit	32,458	William Gardner bond	60,000
Government stocks	342,053	Legacies for the blind	363,000
Railway shares	105,690	Other legacies	4,000
Mortgages	26,700	Capitalised value of annuities	90,000
Creditors	3,700	Maria Louisa Richardson-Gardner	42,137
Miscellaneous	640		
Leaseholds	77,496		
	<u>589,137</u>		<u>589,137</u>

Sources: LMA Gardner Archive (probate estimate and notes on will reading)

The composition of the investment portfolio is not particularly surprising. Government securities were the mainstay of most private portfolios and 'prudent men of business' had generally invested part of their funds in securities with a higher degree of risk and potentially higher returns. Earlier in the century instead of railway company shares investors may have chosen canal company shares, or stock in the Bank of England or the East India Company. The amount in mortgages was quite small, but this may well have been because Henry chose to make his real estate investments in direct freehold and leasehold properties, rather than in loans.

The value of the assets in this formal estimate is lower than that calculated 'on the back of an envelope' by Kinnaid or Roche at the reading of the will, despite the latter having excluded the cash on deposit and the mortgages. The difference was the value placed on leasehold investments, which had fallen by almost £185,000. This may have been a genuine initial miscalculation, or the inclusion in the leaseholds of properties that were actually freehold. If the latter were the case, it may give some clue as to the amount of freehold property passing to Maria Louisa as a lifetime interest and in fact there is an independent check of this.

The dates on which Henry Gardner had purchased his residential property assets are not known, but it seems likely they were accumulated after his sale of the Cannon Brewery in 1863 and the death that year of his brother, William. House rents had risen steadily during the nineteenth century and freehold property values were generally assessed on the basis of a number of years rental purchase, often in the range 14 to 20 (equivalent to a yield of 5% to 7% p.a., but not taking into account any growth in capital values).¹⁹⁶

On 10 December the High Court issued an Order whereby Frederick Augustus Mullett would receive the rents and profits of the testator's freehold and leasehold properties and make the associated payments. Later he was also instructed to make the semi-annual payments to annuitants under Henry's will. This replaced a previous arrangement whereby Maria Louisa had appointed William John Blake as her agent to deal with the property income. The receiver's accounts still survive and from these it is possible to construct a summary of the income and expense associated with the freehold and leasehold property, which comprised around 120 properties in total, but also including a dozen or so public houses (that is, licensed premises).¹⁹⁷

Table 2.4: Court Receiver's Accounts - Quarterly Summaries

<i>Start date</i>	10/12/80	08/02/81	02/06/81	03/09/81	12/12/81	07/03/82	08/06/82	09/09/82	09/12/82	03/03/83	Annual
<i>End date</i>	08/02/81	02/06/81	03/09/81	12/12/81	07/03/82	08/06/82	09/09/82	09/12/82	03/03/83	09/06/83	Average
Receipts	£	£	£	£	£	£	£	£	£	£	£
- Freehold	1,205	1,171	1,219	1,164	1,231	1,218	1,251	1,232	1,248	1,202	4,856
- Leasehold	1,681	1,651	1,645	1,660	1,619	1,685	1,694	1,788	1,545	1,703	6,668
	2,886	2,822	2,864	2,824	2,850	2,903	2,945	3,020	2,793	2,905	11,525
Payments											
- Freehold		(86)	(18)	(10)	(4)	(106)	(9)	(14)	(27)	(145)	(168)
- Leasehold	(303)	(362)	(312)	(274)	(321)	(399)	(458)	(423)	(239)	(419)	(1,404)
- Annuities			(1,231)		(1,226)		(1,105)		(1,173)		(2,368)
	(303)	(448)	(1,561)	(284)	(1,551)	(505)	(1,572)	(437)	(1,439)	(564)	(3,939)
- Admin.	(38)	(23)	(22)	(24)	(27)	(28)	(28)	(29)	(28)	(31)	(111)
	(341)	(471)	(1,583)	(308)	(1,578)	(533)	(1,600)	(466)	(1,467)	(595)	(4,050)
Balance	2,545	2,351	1,281	2,516	1,272	2,370	1,345	2,554	1,326	2,310	7,475

Notes: (1) Leasehold receipts net of expenses £5,624, c.f. £6,458 in probate estimate.
(2) Freehold receipts net of expenses £4,689.

Source: National Archives, Receiver's Accounts.

The net leasehold rents are somewhat lower than contained in the probate estimate. Placing a capitalised value on the net freehold rents can be done by applying a multiplier. The obvious one would be that used for the leasehold rents (12), leading to a value of c. £56,000, but the higher value used by Roche in his calculations at the will reading may be more appropriate (20), which would suggest the higher figure of £94,000. Either way, this would represent a substantial boost to the amount to which Maria Louisa would otherwise have been entitled and the capitalised value of the annuities would also have gradually accrued to her as the beneficiaries died.

The majority of the estate was still intact many years after Maria Louisa's own death in 1889, which gave rise to another court case (*Long v Gardner*), which hinged upon the responsibility for the payment of certain annuities granted under Henry Gardner's will. Part of the case was settled in 1894, but court hearings continued until at least 1898, when the bulk of the properties were finally sold.¹⁹⁸

The probate process for the will and the manner of its contestation in the Court of Chancery will be the subject of the following chapter, in which the specific impact of the Mortmain Acts will also become clear. However, it should be noted here that the value of the personalty was sworn by the executors at 'under £600,000' (a formula often used when the precise value of an estate was not considered critical) and therefore excluded the real property element, despite the fact that under the Succession Duty Act

1853 the total duty payable over a period of years would have been on a higher sum of around £700,000.

2.7.3 *Comparative value of estate*

We have asked the research question as to how Henry's wealth compared to that of others in late Victorian times. In 1883, the *Spectator* published a list of all those who had died in England during the previous ten years and left personal fortunes (excluding land and property) in excess of £250,000.¹⁹⁹ This was a supplement to a list published a little over ten years previously that had covered the previous decade. In both cases the source data was provided through the reporting of wills and estates by the *Illustrated London News*. The 1883 list showed that 13 people had died leaving over £1 million (1873: 10); 56 more than £0.5 million (1873: 53); and 195 more than £0.25 million (1873: 161). The data are distorted by the exclusion of land and real property, but on the basis actually used it can be seen that Henry Gardner was one of the hundred or so wealthiest persons, outside of the great landowning families, to have died in England in the period 1862 to 1882. Like Henry, many of these people would have been barely known to the general public before their deaths, often having accumulated their wealth through trade, manufacture or banking.

We have also posed the question as to whether the proportion of his estate that Henry left to charity was unusually high. It turns out that the answer is best given by posing the complementary question, 'Was the amount left to his daughter and the other personal beneficiaries unusually low?' The answer to this is almost certainly that it was not. There is no record of the will having been contested by any of the beneficiaries, nor was any claim lodged by any third party, as far as can be determined. Maria Louisa had the marriage settlement, the later property transfers and the income from her life interest, which she partially had the power to direct on her death. Failure to achieve what she and her husband had hoped is not equivalent to being treated unusually poorly. The value of the estate was whatever it was, the specific bequests added up to a known total and the balance, still a considerable sum, fell out from this. There had previously been higher (and lower) charitable bequests and the proportions of the total estates they would have represented would have varied, but here the specific amounts were not remarkable.

2.8 Summary of chapter research answers

The majority of Henry's wealth seems to have resulted from the hard work and industry of himself and his family. Henry's wealth was significant, but not extraordinary. Each day the newspapers would publish details of the estates of recently deceased members of the business and professional classes, most of them unknown to the vast majority of readers. While the Gardner estate was larger than some, it must be remembered that it had been generated, or increased, by the combined efforts of three brothers, rather than a single individual. Investing a large proportion of the proceeds of the sale of the brewery in government and railway stocks would have been considered conservative, but his investment in residential property seems shrewd.

During his life he gained the respect of an important establishment banking family who had extensive philanthropic interests. Even if they did not seek to influence him directly, they would have served as an example. Henry's decision to leave a munificent bequest to the blind is entirely in keeping with Victorian social values and the prevailing philanthropic macro-economic environment. It also reflects his lack of a close male heir, and it was not as though he had any title or seat to entail. The reason for his original interest in the blind and his choice of specific charities is much more difficult to explain. Despite newspaper reports of a long history of giving money to the blind, it seems clear that he only modified his will to reflect this interest three years before his death, in 1876. The earliest documented record for Henry making a donation to an existing charity for the blind is following his wife's death in 1869, or perhaps a couple of years earlier, with his major contributions to the RNC not commencing until 1873. Major debates on various aspects of the problem of the blind had occurred in the letters pages of *The Times* in 1865, 1868 and 1870-2. He was persuaded of the importance of musical education for the blind, but must have had some reservations about the RNC, or perhaps Francis Campbell, its Principal. The specific reasons for his choice of three rather different charities for the blind as direct beneficiaries may be hard to explain, but it was not at all unusual for testators to specify a range of very different charities among their bequests.²⁰⁰ The strong lobbying campaigns commenced almost immediately by the RNC and Worcester to participate in the legacy were predictable and justifiable. The reason for setting up the new trust is not obvious, but must, to some extent, have reflected dissatisfaction with existing charities, or their managers. Gordon

Phillips suggests that the concept of an integrated charity implied by the form of Gardner's bequest was a natural evolution, the different modes of benevolence being complementary and reciprocal.²⁰¹

Henry's decision to administer his bequests under a trust is entirely understandable for reasons of social custom, legal protection and tax efficiency. There was nothing unusual or unique in the way that he set up his trust and it was not uncommon for wills to be referred to Court if their intent was not absolutely clear. His avoidance of the use of a living trust, as opposed to a will trust, is not so readily explicable, particularly as it may have assisted him in avoiding the full force of the Mortmain Acts if the trust had been partially funded before his death. That said, he may have been unable to bring himself to transfer irrevocably a significant portion of his wealth to the trust before his death and therefore reached the conclusion that a living trust was unnecessary, even though transfer of property in advance of his death may also have resulted in a reduction in legacy and succession duty. Although, in principle, the terms of a living trust could have been kept confidential, he may also have been concerned that in practice its existence and terms would have become known, leading to disagreements with his daughter and son-in-law. It is also possible that his legal advisers, Western & Sons, were stricter in their interpretation of the Mortmain Acts than other law firms. Western & Sons may also be criticised for not persuading Henry to deal with the following issues:

- failing to make majority trustee decisions explicitly permissible from the outset, rather than after the execution of the trust;
- failing to include an 'express investment clause', specifying a broader range of investments than permitted by the Court of Chancery;
- failing to make clear how income accumulated prior to the trust being executed was to be applied; and
- permitting Maria Louisa to be appointed as a trustee without building in safeguards preventing her husband exerting his influence.

By granting his daughter a substantial life interest under the will and making her executrix thereof, he did not entirely prevent her from interfering with his wishes, but probably forestalled an outright contestation of the bequests to existing blind institutions and the new trust. In any event there is no suggestion that he wished to exclude her

entirely as a beneficiary. There is no evidence of particular closeness between Henry and his great nephew, Captain Alfred Beaumont, JP, but as a partial successor to Maria Louisa's life interest and Henry's only male blood relative he was also a candidate as an executor. Henry did not move in the same social circles as the 10th and 11th Lords Kinnaird, but he was (apparently) a respectable merchant and diligent in the exercise of his duties to the Vintners and the County Fire Office. As bankers the Kinnairds could not have ignored the scale of his wealth and they regarded him sufficiently highly to have introduced him to the CFO as a trustee. The appointment of Bishop John Jackson as a member of the proposed management committee of the will trust in addition to the executors seems at this distance of time to have been inspired. The sum of money involved and Jackson's known charitable interests meant that he was unlikely to refuse the office, even if Henry had never met him or arranged his agreement in advance. The fact that Henry's son-in-law, Robert Richardson-Gardner, was appointed neither trustee nor management committee member suggests that by this stage he had lost Henry's confidence, despite having previously been an executor under the will of Henry's brother, William. Overall, the composition of the executors and the management committee is not likely to have surprised even a knowledgeable observer of affairs, given the scale of the estate and the size of the third party bequests, although an eyebrow might have been raised at Robert's exclusion.

The lack of precision in the drafting of the will ought not to be too surprising. Whilst the possibility exists that it was left deliberately vague, it is more likely that ultimately Henry simply had confidence in the trustees to act in the professional manner expected of those at their level of society. Being called upon to act as a trustee of any sort was a mark of respect and to fail to honour this would have resulted in a diminution of social standing. For a sum of this size Henry would also have known very well that the Courts might become involved and, indeed, that this might be inevitable or desirable. Attempting to insert a clause to measure the performance of the trustees in some objective sense would have been unprecedented, as well as implying some concern as to their future behaviour. The micro-economic circumstances of the trust were thus pre-ordained.

There is nothing in these conclusions to contradict the relevant hypotheses established in the Introduction:

- During the late Victorian period the middle classes were increasingly able to support charities through their wealth generation and were increasingly expected to do so.
- There was an almost infinite variety of charities to support and methods to do so. Neither the focus of Henry's bequests nor his method of achieving these was unusual.

With the benefit of these answers it is possible to provide a context for the next set of research questions, which principally involve the motives of the parties with an interest in the interpretation of the will by its executors.



Illustration 3.1: Robert Richardson-Gardner
(source: *Vanity Fair*, 17 February 1877)

CHAPTER 3

The Chancery Division of the High Court

In this chapter the tensions between individuals and institutions and the somewhat uneasy alliances into which they entered will be examined, mainly within the context of the case brought before the Chancery Division of the High Court by Maria Louisa Richardson-Gardner. Henry Gardner's family and executors reappear along with some of the other activists for the blind introduced previously, but in most cases the latter are now wearing their institutional hats. It will also become clear that in one case, the Charity Organisation Society, what has previously been considered an almost faceless institution was driven largely by one extraordinary man.

Henry's family and the constituents of the trustees overlapped in the persons of Maria Louisa and Alfred Beaumont, so it is not surprising that it becomes convenient to distinguish between these and the independent trustees. Although not strictly a trustee, Bishop John Jackson seems to have acted as such, at least as regards the early debates on the use of the trust. For this reason he, together with the Kinnairds, tended to be referred to as the majority trustees, with Maria Louisa (strongly supported by Robert, also neither a trustee nor even a committee member) in the minority. This majority/minority designation continued to obtain even at a late point in the proceedings, when Alfred Beaumont switched his support to the proposal developed by Maria Louisa and Robert.

A curiosity of the suit lodged by Maria Louisa was that the named defendants comprised not only the three other executors (she, of course, being an executrix), but also her husband. The reasons for this remain obscure, but it may be that she felt this would somehow grant her and her husband access to the strategy and process to be followed by the other defendants. In practice this seems to have failed. The term 'defendant trustees' was therefore also used to describe the Kinnairds and Beaumont only, Robert being a defendant, but not a trustee.

3.1 Chapter research questions

The sum of money involved in Henry Gardner's bequest to the blind was such that a variety of individuals and organisations sought to influence its use. The following questions will therefore be posed:

- What methods did Maria Louisa Richardson-Gardner adopt to try to promote her own proposals for the use of her father's principal bequest?
- To what extent was Maria Louisa's position determined entirely by her husband, Robert Richardson-Gardner?
- How did the other executors and numerous interested parties forestall this?
- To what extent did the tactics of the other trustees and the existing institutions for the blind differ?
- What part did *The Times* and other newspapers play in the public debate that ensued?
- How did the Chancery Division of the High Court deal with the case?
- How did the Royal Normal College follow up on its initial lobbying against Maria Louisa's proposal?
- What part did the Charity Organisation Society ('COS') play in the ultimate outcome and who was its main driving force?
- Was there any connection between the 'scientific philanthropy' of the COS and the teachings of Emanuel Swedenborg?
- How did the several proposals submitted to the Court differ and were these differences material?
- Who tried to influence the trustees privately in advance of them making their Court submission and to what extent did they succeed?
- How did the Scheme and Declaration of Trust approved by the Court differ from the various proposals?
- Were Robert Richardson-Gardner's efforts eventually rewarded elsewhere?
- Was the outcome of the Court action always inevitable, or did any strategy exist whereby Maria Louisa and Robert could have achieved their objectives?

3.2 The referral to the Chancery Division of the High Court

In seeking to answer the research questions relating to how the various parties used the Court to try to achieve their aims, the somewhat tortuous legal process itself needs to be described. Since the strategies of some of those involved changed as the preliminary position of the Court became clear, this is most conveniently done before the strategies and tactics of the interested parties involved in this process are themselves described in detail.

When multiple executors are named by a testator, it is normal practice for them to apply to the Court together for 'probate', a legal document that confirms that the executors have the authority to deal with the deceased person's assets. There are exceptions to this, for example when an executor cannot be found, or does not wish to act, or is legally disqualified (as happened in the case of Maria Louisa's own will). Once probate has been granted, executors normally have to act together, unless they agree that day-to-day authority is delegated to one or more of them.

In this case surviving documents suggest that Maria Louisa almost immediately made an attempt to have the will proved in her sole favour without the other executors joining in the probate. By 17 January 1879, Charles Mills Roche, solicitor to the trustees, had taken counsel's opinion on how to proceed in order to forestall such action. This involved the entering of a 'caveat' at the principal registry of the Court of Probate. Both George Henry Long, solicitor to Maria Louisa and Robert, and Western & Sons, who had drawn up the will and codicil, were requested by Roche to lodge the duplicate copies of these documents with one of the registrars of the Court of Probate forthwith, which they appear to have done.

Having failed in her first attempt to control the administration of the estate, Maria Louisa was forced to take more drastic action. Although at the reading of the will her husband had stated that the family would consider contesting the will in its entirety, this would have been a high risk strategy and they chose adopt to a course of action that they must have considered had a higher likelihood of success. The writ issued in the Chancery Division by Maria Louisa has not survived, but must have specifically sought guidance from the court as to how the £300,000 bequeathed to the new trust was to be

administered. There never seems to have been any attempt to nullify the bequests to the other personal and institutional beneficiaries, although in practice they did experience some delay in receiving their bequests. Suits of this nature had been argued in the Court of Chancery for many years and had a reputation for being expensive and interminable. However, one of the provisions of the Law of Property and Trustees Relief Amendment Act 1859 enabled trustees to apply to Chancery for advice on questions relating to the management of trusts (the other related to the granting of indemnities) – it was no panacea, but did have the effect of curtailing costs and accelerating due process.²⁰²

On 20 January in a letter to Mills Roche, Western & Sons confirmed that they had lodged the will and codicil with the principal registry and also announced that Maria Louisa had: ‘... commenced an action in the Chancery Division against her co-executors for the purpose of having the deceased’s estate administered under the direction of the Court, and for other purposes.’ The court system had recently been reformed by the Judicature Act 1873. Until that time the three common law courts (Queen’s Bench, Common Pleas and Exchequer) had operated alongside the Court of Chancery administering equity, with the rules of equity prevailing in cases of conflict. Four additional ‘special’ courts (Admiralty, Probate, Divorce & Matrimonial and Bankruptcy) also existed. The 1873 Act united the first seven of these into the Supreme Court of Judicature, with Bankruptcy being added later, although the old names continued in use for some years.²⁰³

According to a legal report,²⁰⁴ a writ had been issued in the Chancery Division by Maria Louisa on 17 January 1879 (that is, before the will was even proved) and the statement of claim delivered on 17 February 1879. The issuance of the writ had an unfortunate side effect from the point of view of Maria Louisa. In May 1879 she wished to dispose of one of her father’s properties and pay the proceeds into Court, which a trustee of the will would normally be empowered to do. However, because of the dispute, this was contested by the other trustees and after Mr. Justice Fry declined to support Maria Louisa in Chambers the matter was referred to Court, where in July he confirmed his view that the sale should be handled by the ‘majority’ trustees. Maria Louisa followed the practice normal before the Married Women’s Property Act 1882 of entering the suit through a ‘next friend’, in this case Charles Dilkes Loveless (1827-1904).²⁰⁵

The Vice Chancellor in whose Court the claim was lodged was that of the Swedenborgian Sir Richard Malins (1805-1882), but he became badly lamed when falling from a horse later that year and resigned from the bench in March 1881 before the case was fully heard. Nominal responsibility thereafter passed to Mr. Justice (later Sir Edward) Fry (1827-1918), but in practice from the outset most of the appearances of the protagonists in the respective Chambers of both Malins and Fry (of which there were more than a dozen between July 1879 and June 1882) were before the Chief Clerk, Mr. Walker. The Court had considerable flexibility in how it dealt with a case such as this. Once it became clear that the views of Maria Louisa and the majority trustees could not be reconciled, Malins invited the trustees to submit their own detailed schemes for consideration by the Court. Once they had been submitted, the Court would be free to choose among them, or determine its own scheme. When the Court's request for competing schemes became known, other institutions and individuals also submitted draft schemes to the trustees and to the Court, but as will be seen these were ultimately rejected.

Western & Sons were clearly still involved with Henry's affairs at the time of his death, as is indicated in a letter from Mills Roche to Lord Kinnaid of 11 February that mentions their having a sum of money held at the City Bank (of which William Gardner had been a director) released for investment by the trustees. It is also apparent that under an Order issued by the Court, Western & Sons were responsible for paying certain monies to the Court's Paymaster General and in a letter from them to Mills Roche of 3 December 1879 they refer to Maria Louisa as their client – it would certainly have made sense for her to employ a London firm, regardless of her husband's close political connections with George Henry Long, their Windsor solicitor. This was confirmed in a letter from Mills Roche to Lord Kinnaid of 23 December 1880 in connection with '... the contemplated arrangements between Mrs. Richardson-Gardner and Captain Beaumont'. These arrangements concerned the entitlement of Beaumont (who had taken separate advice from counsel) to a proportion of the residuary estate after the death of Maria Louisa, who was life tenant. There is evidence of considerable acrimony between Maria Louisa and Beaumont, with the latter requiring proof that Henry Gardner had no financial interest in Cowley Manor or the Windsor properties at the time of his death.

Acting on behalf of the executors together, Mills Roche extracted a grant of probate on 12 February 1879. By first attempting to seek sole probate and then throwing the will into Chancery, Maria Louisa had by now exhausted the legal steps she could take to delay or influence the administration of the estate. Not being a lawyer herself, she had no doubt been closely advised by her husband, a non-practising barrister, and Long. From this point on her efforts needed to be directed at submitting a comprehensive and carefully considered draft scheme to the Court and drumming up support for her scheme. Somehow she and Robert first needed to establish their credentials as to their knowledge of the needs of the blind and hope that the other executors would not do the same.

Later in February, Robert and Maria Louisa left for 'a lengthened tour' on the Continent, intending to visit institutions for the blind in Paris, Lausanne, Rome, Milan, Florence and Naples.²⁰⁶ By the time they had reached Paris, on 27 February, Maria Louisa felt it necessary to defend her actions in throwing the case into Chancery with a letter to the *Telegraph*,²⁰⁷ which two days previously had reported that: 'the family of Mr. Gardner are not entirely satisfied with the manner in which the deceased gentleman has distributed his vast wealth'. Maria Louisa mentioned 'difficulties with my co-executors – Lord Kinnaird and the Hon. A.F. Kinnaird' and pointed out that her residue would likely bear the costs of the action (which turned out not to be the case, but on the appeal of Alfred Beaumont rather than herself). She also stated that 'As my father left a large freehold property, as well as the £600,000 personalty, I am perfectly satisfied with the provision of his will, both as regards myself and his munificent bequest to the blind.'

It is questionable as to whether Robert and Maria Louisa had any serious interest in the blind prior to Henry's death. During their visit to Russia in 1872 they recorded undertaking a tour of the Foundlings' Hospital in Moscow, but did not mention the School for Blind Children in St. Petersburg, which had been formed by Valentin Haüy after leaving Paris in 1806. The Continental trip was not without its incidents. In Paris, shortly after the commencement of the trip, their luggage was interfered with and a jewel case of Maria Louisa's maid stolen, causing Robert to write an indignant letter to *The Times*.²⁰⁸ Later Robert was struck down by a serious, but undisclosed, illness while on the Isle of Capri and recuperated in Naples, before resuming their tour.²⁰⁹ Although

their route passed through Germany, they did not visit any of its blind institutions and also avoided the long-established institution at Bruges. This may have been because the 'Saxon' system in use in Germany would not particularly have strengthened their arguments for a new institution. They also visited homes in Birmingham, Manchester, Sheffield, York, Liverpool and Leeds on their return.²¹⁰ Robert was not slow to exaggerate his expertise in the teaching of the blind and how long he had spent studying the subject. In 1882 he chaired the annual meeting of the London Society for Teaching the Blind to Read, a report of his address (written in the third person) including the following: 'He was himself somewhat of a specialist in matters relating to the blind, he having, in company with his wife, spent a twelvemonth in visiting the various institutions for the blind on the Continent ...'.²¹¹

A report of the Continental part of their trip, in the name of Maria Louisa,²¹² was printed shortly after their return in May and in due course sent to the other trustees,²¹³ *The Times* and various interested parties. In addition to notes on the various institutions they had visited it contained an extended version of the 'Scheme 1' proposal in the COS/Gardner documents (see later) for a new institute at Windsor. At a speech in Windsor on 30 May 1879 (thus not long in advance of the general election at which he would be re-contesting his not-so-safe seat), Robert announced in public that as a result of this research it was their joint wish to use the Henry Gardner legacy to found and endow a large home for the blind, with an emphasis on teaching music, at or near Windsor. In fact they had almost certainly made up their minds before they left for the trip, since rumours of the new Windsor music school had already reached the press.²¹⁴ Another curiosity of Robert's speech is that he only mentioned two of the other four proposed members of the management committee (the Bishop of London and Lord Kinnaird), noting that they were too busy to be expected to visit other blind institutions on the Continent. The Hon. Arthur Kinnaird and Gardner's great nephew, Alfred Beaumont, were not mentioned at all. While the younger Kinnaird was active in business, Beaumont was a man of leisure. Robert also failed to explain why, despite thinking of Henry Gardner as his own father (and referring to him as such during the speech), he had not been appointed by him as an executor and trustee under the will.

Although Robert Richardson-Gardner stated in his speech that there was no disagreement among the trustees, this was clearly far from the truth, giving the lawyers,

as one newspaper commented ‘a fine fat oyster to discuss’.²¹⁵ The principal argument of Maria Louisa and Robert was that Henry Gardner was very familiar with the leading institutions for the blind, such as the RNC, and would have explicitly left his money to them had this been his wish. That he did not do so implied that he would have been happy for his money to be used to build a new institute. The other trustees were not in agreement with the Richardson-Gardner proposal, arguing that if Henry had wanted a new institute he would have said so.

The terms of the will did not allow a majority decision to prevail in the event of such disagreement, although Maria Louisa’s ostensible reason for throwing in the will was so that a complete and detailed scheme for the administration of the fund should be drawn up. At the outset the majority trustees cannot have been particularly sanguine about the likely outcome of the suit: Charles Day’s 1830s legacy of £100,000 had been referred to Chancery and the Court had elected to employ the income ‘not very productively’ in small pensions.²¹⁶ Although the Gardner suit was later referred to at the time of Robert Richardson-Gardner’s death as ‘friendly’,²¹⁷ this is unlikely to have been the term then chosen by the protagonists.

On 5 May 1879, Roche informed the defendant trustees that on 25 April the Chancery Division had declared that the trusts of the will and codicil ought to be executed and that two Enquiries should be made, first as to the proportion of Henry’s personal estate unconnected with land, second ‘Whether any and what proceedings should be taken and by whom with reference to the legacy of £300,000 for the benefit of poor persons in England and Wales bequested by the Testator’s Will’.²¹⁸ The first enquiry may indicate that even at this stage the Court had some concern over a possible mortmain issue, although it was not to be raised again.

In fact during the following months a series of affidavits and depositions were lodged with the Court. That which has survived was submitted jointly by three of the defendants: Lord Kinnauld, his son and Beaumont. The copy contained in the LMA Gardner archive is undated, but from internal evidence it is known that it was submitted after the plaintiff, Maria Louisa’s, submission, which took place on 11 July. The defendants’ submission consisted of responses to 17 specific enquiries raised by the Court, most of them relating to financial questions and it is clear from their responses

that immediately following Henry's death Maria Louisa had begun to take actions in connection with her late father's real estate without the agreement or concurrence of the other executors. Maria Louisa's response to Enquiry 17 confirmed that she would be prepared to submit 'a Scheme for his Lordship's approval whenever authorized to do so'.

It is also known that affidavits were also submitted by Robert Richardson-Gardner and, perhaps more surprisingly, by George Henry Long, the solicitor to Maria Louisa and Robert (although it is hard to see how he could have represented them both for this action, in which Maria Louisa was plaintiff and Robert one of the defendants). These affidavits are mentioned in a letter from Frederick Abernethy Burrows to Arthur Kinnaird dated 20 April 1880 in connection with the replacement of Roche as solicitor to the defendants.

By 22 October, Maria Louisa's scheme had been presented to the Court and the other trustees. In a letter of that date to Lord Kinnaird, Roche wrote: 'Her Scheme is utterly opposed to the Testator's instructions as dictated by the language of his Will'. On 13 December Roche wrote to the Bishop of London informing him that Vice Chancellor Malins had directed that the trustees 'in conjunction with your Lordship' should bring into Chambers on or before the 10 of January next the heads of a scheme for the administration of the Charity. On 20 December 1879 the Court ordered the trustees to pay into Court the amount of £300,000, which was done.

Some of our specific research questions can now be answered. Maria Louisa adopted both legal and tactical devices in trying to achieve her objective of building a 'Henry Gardner Institute' in Windsor, attempting to establish herself as an expert on the needs of the blind. A moment's thought would have led to the conclusion that the easiest way to achieve a Gardner Institute would have been to take over the RNC or Worcester, so one must assume the Windsor location was key, which can only have been as a result of her husband's desire to increase his chances of re-election as MP. The will contained no suggestion of any sort of new institute and it is hard to see how Maria Louisa can have decided to fight what looked like a losing battle from the outset unless persuaded to do so by her husband.

3.3 The public debate

3.3.1 The methods used

By the beginning of 1880 it was clear that many observers and correspondents felt that the proposal for a new institution at Windsor would overlap with the already existing Royal Normal School for the Blind at Upper Norwood. The debate concerning the application of the bequest, which accelerated from that point, took place in at least four forums.

- Unilateral public comments by, for example, Robert Richardson-Gardner in his Windsor speech, referred to above, Maria Louisa in her pamphlet written following the visit to various European institutions for the blind, described previously, and in other pamphlets, for example that published by Samuel Forster of Worcester College.²¹⁹
- The leader and letters in *The Times*, which were published between 20 January and 6 February 1880, and other newspapers and journals (for example Armitage's long letter published in *The Athenaeum* of 10 July 1880 and the leader in *The World* of 7 July 1880).
- Private letters sent from institutions and individuals to the Gardner committee, such as the Memorandum from the Royal Normal College of which a copy is preserved in the LMA Gardner archive,²²⁰ the Clothworkers' Company proposals and letters from the Chaplain of the Liverpool School for the Blind (Alexander Wishaw) and the Bishop of Worcester (Henry Philpott) preserved at Lambeth Palace Library.
- The surviving documents submitted to the Court of Chancery by the interested parties, including the three formal schemes (see below).

This pattern of debate was not unusual. In connection with Sir Charles Trevelyan's campaign for the reform of the City parochial charities Owen observes: 'His two letters to *The Times* [17 June 1869 and 26 June 1870], later amplified in a paper before the London branch of the Social Sciences Association [*Social Science*, (1870-1), pp.437-51] and published as a pamphlet [*The City Parochial Endowments*, London: Head Hole & Co. (1871)], were typical of the assault of charity reformers.'²²¹

3.3.2 *The debate in The Times*

The Kinnaird family, being bankers, were naturally discrete and there is no evidence that they desired to engage in a public debate on the proposed use of the bequest, notwithstanding Robert's predilection for speeches and letters. The matter, however, was not entirely within their hands. Several other individuals, writing both on their own behalves and the institutions that they represented, felt the need to make themselves heard.

Debates on various aspects of blindness had a long and honourable tradition in *The Times*, notable examples having occurred in 1865 (mainly between Henry Kingscote and Bennett George Johns of the Southwark school on the limitations, or otherwise, of the 'school and asylum' system), in 1868 (mainly between Thomas Rhodes Armitage and Robert Hugh Blair of Worcester College on Roman letter versus Braille) and in 1871 (mainly the same two protagonists on the curriculum and location of a national college for the blind). Given the arguments Armitage, in particular, had brought forward for not locating a national college for the blind in Worcester, it was hardly to be surprised that he and Campbell argued at least as strongly for not moving it, now that it had been satisfactorily established, from Norwood to Windsor.

During the latter months of 1879 there was a phony war between Maria Louisa and the other trustees, at least as far as the press was concerned, but this changed in January 1880 when a superficially innocuous report occurred of a proposal by the registrar of Eton College (Mr. Charsley) to donate Rotham's Hotel, located near Slough, as a site for the erection of the proposed Gardner College.²²² The first published response was from an anonymous correspondent, 'Argus'.²²³ Argus mistakenly believed that Henry Gardner had resided in Windsor,²²⁴ but notwithstanding this he felt it was too far from London to be optimally located for its inmates and also that such a scheme would not be in accordance with Henry's wishes, especially that to benefit the blind as a whole.

A more orchestrated response occurred the following day, when there appeared in *The Times* not only a letter from 'W', almost certainly William Martin Wilkinson of the COS, but also a 1,750 word leader, which had clearly been written by someone who already knew a great deal about the 'problem of the blind' or had taken the trouble to

educate themselves on the subject for the purpose of the article.²²⁵ Wilkinson's letter contained three proposals: (i) a public debate on the use to which the bequest should be put; (ii) more coordination for blind charities; and (iii) more dedicated workshops for the blind. Each of these was in accord with what became official COS policy. The leader referred to several of the points made in Wilkinson's recent paper, particularly of the existing ability, not to say duty, of boards of guardians to educate blind children without an adverse impact on the financial position of their parents.²²⁶ The article was also extremely sceptical about 'institutions' for blind people (as opposed to specialist workshops), branding them as often poorly run and slow to change, particularly in the general adoption of Braille as proposed by Armitage.

William J. Day, a visitor of the Worcestershire Blind Visiting Society, himself blind, and Henry Trueman Wood, secretary of the Royal Society of Arts (RSA) were the next to contribute.²²⁷ Day simply argued that the proposed new college at Windsor was entirely superfluous, since the Royal Normal and Worcester Colleges were already doing an outstanding job and blind pupils were increasingly being taken into London School Board schools. He proposed that the fund should be used to provide scholarships for these institutions and also promote the use of Braille. Wood was responding to a comment made in the earlier leader, which had suggested the RSA might be willing to host a conference where issues affecting the blind could be debated. His reply confirmed that they would be happy to do this, but hinted at a lack of enthusiasm on the part of the existing institutions in the UK to push the matter forward.

Given the close involvement of Thomas Rhodes Armitage with the Royal Normal College, it was inconceivable that he could not have become involved, which duly occurred.²²⁸ As an un-endowed school, he was of the firm belief that the Royal Normal College, undoubtedly one of the best such schools in Europe and in a far superior location, could not compete against a new endowed college at Windsor. This simply seemed against the best interests of the blind, particularly when there were other obvious uses for the bequest, such as providing scholarships at existing schools, pensions for those unable to work and workshops for those that could. Unsurprisingly, he could not resist pointing out that this was precisely what the testator had directed in his will and he was of the opinion that the trustees would reach this decision in due course.

W.R. Carter, secretary of the Sheffield Institution for the Blind, was against the erection of further schools and asylums and in favour of more workshops.²²⁹ However, there were contrary views, as described in an article concerning the annual meeting of the Plymouth Blind Asylum.²³⁰ Two members of Parliament who spoke, John Carpenter Garnier (1839-1926), the member for South Devon, and Sampson Samuel Lloyd (1820-1889), the member for Plymouth, both felt the blind were better off in institutions. To be fair they were in favour of the adoption of a single raised type and greater public support of voluntary bodies. A letter from Edmund C. Johnson, who was closely involved with the School for the Indigent Blind at Southwark, Worcester College and Day's Charity, was published in the same edition. It was to be expected that he would rebut some of the criticisms raised against the existing teaching institutions for the blind and this, of course, he did. He also took the opportunity to suggest that the demand for blind musicians was far less than might be imagined, but agreed that here was a demand for more workshops. On raised types he was more equivocal, whilst recognising that a decision needed to be made quickly.

Robert Richardson-Gardner must have hoped that a letter would appear in support of the proposed new college at Windsor, but it failed to do so and after a few days he felt obliged to defend his wife's position, stating that she '...as one of the trustees, feels herself precluded by the courtesy, due to the Court of Chancery (before whose tribunal the ultimate decision will be given) from taking part in the discussion in the public journals'.²³¹ He may have forgotten her own earlier letter and also that he was actually one of the defendants in the action.²³² Robert's defense was based on that fact that Maria Louisa had known her father's mind (although the Mortmain Acts constraint was not referred to) and that she had known he was going to leave a 'large sum' to the blind. For this reasons she had resolved to make herself acquainted with '... the most advanced institutions for the blind in Europe and England', following which she had developed her detailed proposals for the new college at Windsor. A brave attempt was also made to reconcile her scheme with Henry's will.

Perhaps surprisingly, there the matter rested as far as *The Times* was concerned. No more was heard on the subject until 28 March 1881, when the Court's judgement on the necessity for a new institution was reported, without any reference to the intense debate

that had previously occurred. While letters in *The Times* did not constitute formal affidavits and depositions, they gave a clear indication of which way the wind was blowing, which was definitely away from Windsor. This view was supported by articles in other newspapers and journals. The sentiment of *The Times* letters may well have persuaded Maria Louis and Robert to modify their original proposal and try to persuade the RNC to relocate from Norwood. The majority trustees may have adopted a much lower profile strategy than the other interested parties, but they could not have been unhappy with the result.

It can be seen, therefore, that Robert and Maria Louisa waged a high profile campaign, using the press and public meetings to publicise their case. Other parties, such as the colleges at Norwood and Worcester and the COS, were happy to join in the public debate, but the majority trustees kept their counsel throughout. Other than their formal submission to the Court and purely private correspondence nothing survives in defense of their strategy and it is likely that their decision to refrain from such debate was deliberate.

3.4 The progress of the High Court action

In order to answer the question of how the High Court eventually arrived at its ruling, we must return to an examination of the legal process. After twelve months of preliminary skirmishing, during which Maria Louisa and Robert had failed to garner significant public sympathy for their proposals, the majority trustees may have been cautiously optimistic. In fact, the case took another two years to conclude, although its outcome was inevitable long in advance and Maria Louisa's fighting retreat would have served as a suitable model for Dunkirk. In order to provide greater continuity in the description of the Court process, consideration of the various proposals submitted to the High Court and the trustees will be deferred until a later section of this chapter. The process is illuminating not least for the minimal extent to which the defendant trustees felt it necessary to compromise with Maria Louisa's proposals.

Maria Louisa had submitted her draft scheme to the Court, with commendable alacrity, in October 1879. The defendant trustees had been given until January 1880 to submit their own. The date on which they did so is not recorded, but on 28 February 1880

Roche was able to write to Lord Kinnaird informing him that the Chief Clerk had adopted the scheme brought in by the defendant trustees as the basis for a settlement, giving the plaintiff fourteen days in which to bring in objections or propose amendments.

The result and the speed of its delivery may not have surprised Maria Louisa and she responded predictably. Roche forwarded Maria Louisa's inevitable amendments and alterations to the defendant trustees on 13 March, the latter being advised to meet and consider these as soon as practicable. How much the heads of the scheme were then amended is not clear, although the defendant trustees would probably have felt under little pressure to do so given the strong support of the Court. The matter, however, took some time to be completed as Maria Louisa and Robert fought a rearguard action to save their planned institution at Windsor.

By this time Roche's days as solicitor to the majority trustees were numbered owing to his involvement in a scandal.²³³ Although it was accepted by courts that trustees could delegate certain matters to professional agents, such as solicitors, they were unforgiving should any loss occur as a result of the unsuitability of that agent. In such a high profile case it was inconceivable that Roche could have continued in place, even if he had been absolved of the charges. Replacing Roche was not straightforward. Lord Kinnaird would have preferred the appointment of Mr. (later Sir) Frederick Abernethy Burrows of Burrows & Barnes, but Burrows felt unable to have his name put forward (although he was, in 1897, to become a member of the Committee of Management of Gardner's Trust and remained so until his death in 1894). His reasons were summed up in a letter to Arthur Kinnaird dated 20 April 1880: 'Having regard to the animus shewn against me at the onset and to the statements recently made by Richardson Gardner & Long in their affidavits about me I think it w^d be injudicious to push me forward as your solicitor in the place of Roche.' The third 'majority' trustee, Gardner's great nephew, had other ideas and thought of employing Roche's older son, Charles St. John Kellett Roche, who was also a solicitor. Perhaps as a compromise the solicitor actually selected was Sydney Gedge, senior partner of Gedge, Kirby, Millet & Morse, whose name had also been mentioned in the Burrows letter.²³⁴ Mills Roche was so informed by Lord Kinnaird in a letter of 23 April 1880.

There was now a hiatus. Revised Schemes were submitted to the Court in preparation for a meeting with the Chief Clerk in early December 1880 and in letters to Lord Kinnaird from Gedge on 1 and 2 December it is stated that Beaumont, who by now was being advised by Messrs. Freshfields, would be unlikely to wish to attend a meeting on the subject '... as he has expressed a desire to withdraw from support of the [defendant trustees'] Scheme' and '... now prefers Mrs. Gardner's Scheme'.²³⁵ This may have been a belated attempt to do a deal with the devil. Beaumont was to receive one moiety of the residuary estate automatically on the death of Maria Louisa, the life tenant, and the other moiety if she failed to nominate an alternate. This eleventh hour support may therefore have been an attempt to garner her favour, but it ultimately failed and she nominated a distant relative, Hardinge Goulburn Giffard.²³⁶

Nonetheless, the Chief Clerk, Mr. Walker, decided in favour of the proposal of the defendant trustees and the Committee to utilise existing institutions and not to erect a new building. As Maria Louisa was not satisfied with Walker's decision, it was agreed that he would speak to the Vice Chancellor with a view to having this one point argued before him in Court by counsel without touching any other points. Thus on 7 February the question was put formally to the Court.

The original decision of the Chief Clerk was upheld on 14 February 1881, but still Maria Louisa continued her action. Later in February the defendant trustees received a 'compromise proposal' from Sir Charles and Lady Isabelle Lowther, which is described later in detail. This was rejected on the advice of their solicitor and a further hearing before Mr. Justice Fry, rather than the Chief Clerk, was scheduled for 27 February. A report of the hearing was published the next day, perhaps surprisingly without any further comment.²³⁷ The first part of the report relates, in brief, the background to the hearing and manages to incorporate several errors of fact.²³⁸ Maria Louisa and Beaumont were represented separately, although they both now supported the same scheme. The other trustees were also represented, but their representative was not called upon by the judge. In his summing up the judge reached the conclusions that: (1) there was no reason to suppose that a majority decision of the Committee of Management (that is including the Bishop of London) should not prevail; and (2) that the testator expressed no wish for the building of a new institute. He therefore directed that: 'the

fund should be applied in assisting existing institutions rather than in founding and endowing a new one’.

A Worcester newspaper also reprinted an abbreviated version of the judgement, taking the opportunity to point out that Worcester had three institutions that might now benefit from the trust: ‘... a College for the Blind sons of Gentlemen, a society for publishing books for the blind, and an agency for teaching blind persons among the poorer classes ...’.²³⁹ Otherwise the judgement seems to have been poorly reported in the national and regional press, which is surprising given the amount of column inches devoted to the bequest when it was first announced.

Arthur Kinnaird and Beaumont appeared before the Chief Clerk on 8 April 1881 and settled the heads of a scheme, subject to any final points brought in by the defendant trustees. On 20 June 1881 Sydney Gedge wrote to Lord Kinnaird advising him that the heads of scheme finally settled before the Chief Clerk were now before the Conveyancing Counsel of the Court of Chancery for elaboration into a full scheme.

A ‘final’ version of the full scheme was circulated to the trustees on 8 November and they apparently met shortly thereafter to discuss this. On 15 November the Chief Clerk agreed that the accumulations of dividends and interest while the moneys had been held by the Court should be treated as income rather than capital, thus providing the Committee with a substantial starting balance to disperse. On 5 December Gedge wrote to Arthur Kinnaird enclosing copies of the Scheme as settled in Chambers and advising that an application was being made to the judge (Justice Fry) for an Order confirming the Scheme. He wrote again on 16 December stating that Fry had confirmed the Scheme, directing the costs to be paid out of the general estate, but that this point might be argued in Court. The point on costs was indeed argued (but on behalf of Alfred Beaumont, rather than Maria Louisa), who succeeded in having the costs paid out of the bequest rather than the general estate (of which they, of course, held a life and a residuary interest respectively).

In its final form the scheme rejected Maria Louisa’s proposal to use the funds to found a new institution, the majority trustees’ proposal to make a major donation to the Royal Normal College (although this was not explicitly prohibited) and the COS’s proposal

for more centralisation.²⁴⁰ Under the scheme, the ‘principal purposes’ of the charity were to instruct the poor blind in the profession of music and musical and other crafts as well as in the provision of pensions, very much as Henry Gardner had envisaged. Overall it came closest to the original proposal of the majority trustees, whilst supporting the view of the COS that existing institutions should be utilised where possible. Only Robert and Maria Louisa had any right to feel aggrieved, although few would have had sympathy with them. The scheme was embodied within a deed poll approved by the court (but not actually executed) on 20 January 1882.²⁴¹ Despite all of the earlier excitement, both events appear to have gone unremarked in *The Times*. The scheme was subsequently amended with the approval of the courts in 1894 and 1934. Although these amendments will be discussed later in more detail, it may be noted here that the main reason for these was the rather precise allocation of funds required by the Chancery scheme, as warned of by Wilkinson in his affidavit.

Throughout the case the High Court had to balance the strong views of a family member, to whom they would have tried to be scrupulously fair, with the equally firm views of independent trustees of high social standing. Also throughout it is clear that the Court would have preferred the two sides to agree some compromise among themselves, rather than having to opine. Even when an opinion was given, facilities were made available for the views of the losing party to be taken into account. Throwing the case into Chancery as quickly as was done hints at the impetuosity Robert Richardson-Gardner was to show elsewhere during his life and it is hard to believe that the motivation for this action was other than his.

3.5 Events in Norwood and Windsor

Meanwhile, the defendant trustees were not the only ones to have been taking a close interest in events. Here we address the questions of how the RNC went about defending itself from the unwelcome attentions of the Richardson-Gardners and how the Royal Family became involved.

In the summer of 1879 Maria Louisa wrote to Queen Victoria asking if she had any objection to a new institution for the blind being built at Windsor. Robert and Maria Louisa had some access to the Queen from the time of Robert’s appointments to his

Honorary Colonelcy of the North East London Rifles and Deputy Lieutenancy of the Tower Hamlets, thereafter attending a number of levees and 'drawing rooms' at the Palace. However, in 1874 this access would have increased significantly after his election as Member of Parliament for the Royal Borough of Windsor. The problem was that in the election petition that followed he was severely castigated by the judge for his behaviour and accused by him of not acting in the manner of a gentleman. He was also developing a reputation as something of a buffoon and a 'silent member' – he seldom attended the House and was recorded in Hansard as speaking only once during his sixteen year parliamentary career. Queen Victoria's advisers are likely to have disapproved of him, so it is not surprising that his bid for a baronetcy eventually failed (he did receive the jubilee medal, but this can have been scant recompense for the money he had spent on buying and holding Windsor for the Conservatives). However, Maria Louisa did manage to achieve a certain degree of intimacy with the Queen, attending a private dinner with her on at least one occasion.

In due course the Queen replied, through her private secretary, Sir Henry Ponsonby, that she had no objection to a new institute being built at Clewer, near Windsor Castle. This fact was communicated by Maria Louisa to the other trustees and the Bishop of London in a letter dated 22 September 1879, enclosing a copy of her Scheme, and must have been passed on immediately to Armitage and Campbell.²⁴² Noticeable in this letter is the absence of any reason for Henry having taken such an interest in the blind, but stressing his knowledge of institutions working for the blind – not only those to which he had left legacies, but also those to which he had not. However, she did state why Henry had not mentioned the founding of a new institute in his will:

I am in possession of documentary evidence (quite at your disposition) shewing that if it were not for the operation of the Mortmain Act more definite instructions would have been given to his Trustees as to his own views and wishes with regard to founding an Institution the insertion of which in his Will would have rendered the bequest illegal.

Lord Kinnaird's reply has not survived, but in connection with his response Maria Louisa wrote again to Lord Kinnaird, probably in October, arguing that she had no option but to submit a Scheme to the Court. Nevertheless, acting on the advice of 'one who has given special attention to the requirements of the blind for many years and on whose opinion I have the greatest reliance' she now believed: 'it is highly desirable that

the trustees should meet in order that some agreement should be arrived at before going to the Court for the purpose of avoiding legal litigation'. The one on whose advice she had acted was almost certainly Sir Charles Lowther.

At an RNC executive committee meeting of 12 November 1879, Major Cavendish FitzRoy reported having communicated with Sir Henry Ponsonby with regard to Maria Louisa's letter to the Queen and hoped Princess Louise would grant him an interview on the subject.²⁴³ Maria Louisa's letter to the trustees was also discussed and certain actions were agreed, with Sir Rutherford Alcock undertaking to see the Bishop of London, Lord Kinnaird and the Hon. Arthur Kinnaird, and endeavouring to arrange for them to visit the College.²⁴⁴

The restrictions on Henry's freedom of action imposed by the Mortmain Acts and the fact that written evidence to this effect existed was also referred to in a letter from Lady Isabelle Lowther, wife of Sir Charles Lowther, to the Hon. Arthur Kinnaird, dated 2 March 1881:

I only wish we could have an hour's converse together & I think I could prove to you that you are wide of the mark as to the right use of the Gardner legacy, as Mrs Richardson Gardner was, when she proposed the almost entire absorption of it in a grand college to be built in honour of her father & had we known her before she had sent in her scheme to the Court we should have done all we could to induce her to greatly modify it, but understanding thro' those conversant in such matters that, in the mind of any Judge, before whom the scheme might be brought great weight would be given to the fact that Mrs R G was the daughter of the Testator, she also having it in her power to show that on two different occasions when arranging with his lawyers the details of his Will, he had expressed a desire for a building to be erected, but the man of law said that would invalidate the Will.

The 'man of law' was presumably George Adolphus Western of Western & Sons. If such written evidence had existed in his possession he would have found himself in an awkward position. Producing the evidence to the Court may have given them cause to question the legitimacy of the will.

At the RNC executive committee meeting on 19 December 1879, it was reported that Major FitzRoy had met with Princess Louise, who had promised 'to do all in her power with regard to the College'. Sir Rutherford Alcock further reported meetings with the

Bishop of London and Lord Kinnaird, of whom the former had promised to visit the College.

On the following day Rhodes Armitage met Lord Kinnaird and immediately followed this up with a letter outlining his ideas as to how the Gardner bequest should be utilised, including a formal application on behalf of the British and Foreign Blind Association. On 23 December Lord Richard Grosvenor wrote to Lord Kinnaird containing a formal proposal from the management committee of the Royal Normal College; both of these are described later.

By the time of the meeting on 14 January 1880, matters had moved on. In a lengthy meeting Robert Richardson-Gardner had proposed to Campbell that: ‘... a new Institution should be built at Windsor ... Mr. Campbell and any of his Teachers and Scholars that he wished to bring with him should join the new Institution ... the Norwood property should be sold and the proceeds merged in the general fund in any way that the Committee considered best ... the President and members of Committee should become Honorary Members, without vote, of the new governing body’. Campbell had been non-committal and, since his meeting, had received letters from numerous leading musicians who ‘deprecated the idea of moving the College from the vicinity of the Crystal Palace’.

At the Executive Committee meeting on 21 January 1880, it was reported that both the Bishop of London and Lord Kinnaird, with his secretary, had visited the College, with the latter appearing ‘most pleased and interested’. On 11 February it was reported that the Duke of Westminster (the RNC’s president) had been in communication with the Bishop of London on the subject and that Mr. C. Mills Roche of 33 Old Jewry, the solicitor acting for Gardner’s trustees and who had obtained probate on Henry’s will, had visited the College.²⁴⁵

The proposal to move the Royal Normal College to Windsor (to be called, henceforth, the Gardner Musical Institute), ostensibly for it to be nearer to its royal patrons, was fiercely resisted by the College’s energetic and single-minded principal, Francis Campbell (who threatened to resign if the institute moved to Windsor), and to eminent musicians to whom he wrote in December 1879 seeking their views, which were passed

on to Lord Kinnaird. These included Sir Michael Costa, Sir John Frederick Bridge, Sir Julius Benedict, John Hullah, Francis Hueffer, Henry Leslie, William Cummings, Albert Randegger, Ernst Pauer, Walter Bache, Ebenezer Prout and Franklin Taylor. Somebody seems to have made the suggestion that the military music to which the pupils could listen at Windsor was as good as the concert music performed at the Crystal Palace, which had by then been removed from Hyde Park to Norwood. Among the comments made by these eminent musicians were 'No doubt the Military Bands at Windsor may be good, but it is not to be compared with such a variety of music they can hear constantly performed by the Crystal Palace Orchestra ...' (Costa, 22 December 1879) and 'I really cannot understand why any sane person who knows the musical conditions of the two places [Windsor and Norwood] can institute a comparison between the two' (Prout, 17 December 1879).

The basic scheme from the RNC was for the Gardner trustees to clear its existing commercial mortgage of £12,000 and endow 100 annual scholarships of £60 each, to be competed for by examination. The scholarships would be referred to in their entirety as 'The Gardner Foundation' and the college's Music Hall would be named in honour of Henry Gardner. In addition, the RNC Committee volunteered to try to intercede with the Court of Chancery on behalf of the majority trustees if they wished them to do so. A formal response from the majority trustees has not survived, although subsequent meetings were held with at least two of them. There appears to have been no formal intercession with the Court, as offered, but as will be seen the eventual *modus operandi* entered into between the Committees of Gardner's Trust and the RNC did turn out very much as envisaged in the RNC proposal. The college did name one of its buildings after Gardner, which remained the case after its relocation to first Shrewsbury and then Hereford.

Despite his discussion with the RNC committee suggesting an amalgamation, in public Robert was still canvassing for the new college to be built at Clewer or Eton in early 1880. According to the press, Robert apparently even persuaded Eton College to release some land for the purpose of building the new institution,²⁴⁶ but the College Archivist has been unable to find any trace of the College's involvement and suggests it may have been a private initiative of the Registrar, rather than of the Provost and Fellows.²⁴⁷ This view is supported by a report that Mr. Charsley, Registrar, had offered to give a

substantial property, Rotham's Hotel at Salt Hill to the trustees for the use of the new institute.²⁴⁸ Moreover, if this was felt to be unsuitable, Charlsey had also communicated to Maria Louisa Richardson-Gardner that other sites in Arbour Hill and Mackenzie Street could be available. The only problem with all of these, from Robert's point of view, was that they were in Slough, a separate election district, rather than Windsor or Eton, where he was MP.²⁴⁹

In order to further strengthen their case, early that summer Robert visited Paris (including a tour of the 'Quinz Vingts' asylum for the blind) and arranged for 100 pupils and teachers from the Paris institute for the young blind to visit London. It is no doubt in connection with this that Robert wrote to the Marquis of Salisbury on 15 May, requesting a formal introduction to the French Minister of the Interior.²⁵⁰

The defendant trustees were probably not overjoyed to learn what was being planned by the Richardson-Gardners and may have lobbied against the proposal. In any event the topic was the subject of a letter from Robert, then in Paris at the Grand Hotel, to Lord Kinnaird on 20 May in which he complained that: '... today it was reported to me while addressing the Consul Consultative that there may be some English "Intrigue" (it may called) endeavouring to prevent our object and questions were put to me with regard to yourself & the Bishop of London.'

The natural place for the French students to have stayed during their trip to London would have been the RNC, but most likely because of the disagreement between them he instead approached the School for the Indigent Blind at Southwark. Following an initial interview with its Chairman (Dr. E.C. Johnson) and Chaplain (the Rev. B.G. Johns), he arranged to attend a meeting of its general committee to put his case in person, but he was prevented from doing so, probably because of the trip already described.²⁵¹ Johnson therefore explained on his behalf that 45 students and guides would require accommodation for a week, with all costs and expenses indemnified by Robert. The Committee immediately accede to this request. Within a few weeks Robert did manage to appear before the SIB Committee to explain that he had underestimated the numbers of the students and guides for whom accommodation would be required – there would now be 70, rather than 45.²⁵²

Even this did not account for all of the accommodation required. Hornsby Wright of the London School for Teaching the Blind at St. John's Wood lodged a further twenty female students.²⁵³ The minutes of the meeting of that society's executive committee held on 12 July 1880 record a letter of thanks received by Hornsby Wright from Robert Richardson-Gardner at Claridge's Hotel.²⁵⁴

Three concerts in all were given: before the Prince and Princess of Wales at St. James's Hall; before the Lord Mayor at the Mansion House; and before the Mayor of Windsor at St. Mark's School.²⁵⁵ All of these were well received, but none of this lobbying worked; the executive committee held their ground and the RNC stayed at Norwood. There was one postscript. At the SIB Committee meeting on 9 September the minutes recall that: 'A very handsome letter of gratitude was received from the "Inspecteur Général Directeur de l'Institution National des [Jeunes] Aveugles" [Monsieur Jules Sirius].'

The efforts of Maria Louisa and Robert were therefore just as great outside of the Court as they were within. No record survives of the cost of bringing the French pupils and staff to England and putting on the concerts, but it must have been significant. Notwithstanding the success of these concerts, the Richardson-Gardners failed to achieve their primary or secondary objectives (either establishing a new institute in Windsor, or moving the RNC there). They had also used their connections with the Queen (in attempting to gain her tacit support) and the Prime Minister (in establishing contact with the French government), ultimately to no effect. This may have cost Robert his baronetcy.

3.6 The Charity Organisation Society

Of the institutions that sought to influence the trustees and the Court, arguably the most important was the Charity Organisation Society ('COS') of London. The COS had been founded around 1869 (exactly when and precisely by whom is subject to some debate) for the purpose of promoting 'scientific philanthropy', in this context the application of scientific principles to the relief of poverty. Within a decade its influence generally had become significant and among the names of the great and the good on its notepaper was the Bishop of London. The size of the Gardner bequest was too large to be ignored and soon after the publication of Henry's will the COS began to take a hand.²⁵⁶

The governance and administration of the COS underwent several changes over its first decade or so of existence, although the overall strategy remained the preserve of its Council and most of the day to day work was undertaken by the Administrative Committee, or delegated to one of a number of sub-committees. In April 1876 the COS had set up a Cooperation Sub-committee, reporting to the Administrative Committee, for the purpose of liaising with other charities, among its initial members being William Martin Wilkinson. This sub-committee continued to meet until June 1880, when it was finally disbanded, and from March 1879 until its disbandment took the lead in attempting to influence the manner in which the trustees made use of their bequest.

The subject was first discussed in March 1879, when it was resolved to obtain a copy of Henry's will and to make contact with the Bishop of London, President of the COS.²⁵⁷ On obtaining the will, the initial view of the sub-committee was that the scheme to be devised should concentrate on three areas: (1) those requiring assistance for the purpose of securing a higher education; (2) those requiring assistance for a better mechanical education; and (3) deserving persons requiring pensions owing to old age, and to other causes.²⁵⁸ At this meeting it was also recommended that 'a memorandum be prepared by the sub-committee, on the present state of the education and industrial training of the blind, as a basis for a conference with the Trustees of the Gardner bequest'.

The writing of the memorandum proved more difficult than anticipated, probably not least because it was delegated to William Martin Wilkinson, who had strong views on such matters.²⁵⁹ He was requested to redraft the memorandum, making it '... somewhat more historical in its character, leaving to individual representatives at any deputation the liberty of expressing their own views to the executors of Mr. Gardner for their consideration.'

This draft of the memorandum has not survived, but within a week the sub-committee had recommended that Wilkinson's revised paper be printed and distributed to members of the COS. For unexplained reasons the sub-committee did not meet between 2 July 1879 and 14 January 1880, but when it did reconvene the subject was still on the agenda and it was recommended that the Secretary prepare a letter to the trustees of the Gardner Trust, pointing out 'the disorganised

state of the Blind Charities' and that 'to build a new Asylum, without any general arrangement, would only add to the confusion, and that the Gardner Trust might, with great public advantage, be made the nucleus and centre of an improved system, with the assistance of a representative Council of existing Institutions'.²⁶⁰

The first **public** intervention of the COS may have been unofficial. In *The Times* of 23 January 1880, the leader referred to a letter on the blind published in the same issue by W, '... a correspondent who has for many years interested himself in all that appertains to the welfare of the blind'. Both the leader and the letter were antagonistic towards the idea of a new institute at Windsor, calling for public debate of the use to which the Gardner bequest should be put. The identity of W does not seem to have been discussed either then or later, but it seems most likely to have been William Martin Wilkinson. This contention is supported by the recommendation of the Administrative Committee the day before the letter was published, supporting the sub-committee and directing that the paper be circulated widely, but with a caveat that in a covering letter the Secretary should take care 'not to pledge the Society to every detail in Mr. Wilkinson's paper'.²⁶¹

The draft of the letter to the trustees was approved the following week and it was also resolved that the COS should be represented before the Vice Chancellor by Messrs. Wilkinson and Loch.²⁶² Later that month 'Mr. Wilkinson read to the sub-committee a scheme which he had matured for the application of the Gardner Trust'; further decisions were made at a following meeting.²⁶³ It was also decided that copies of: (1) the scheme proposed by Mrs. Richardson-Gardner; (2) the scheme proposed by the remainder of the trustees for the Gardner bequest; and (3) the scheme drafted by Mr. Wilkinson, be sent to all Blind Societies in England and Wales, with the request 'that they will furnish their opinions upon them, in time for them to be digested and submitted to the Vice Chancellor'.

The *Reporter*, weekly journal of the COS, printed both the letter and a statement of the facts concerning the bequest.²⁶⁴ Several other issues also contained letters concerning the bequest, for example from William Martin, manager of the Edinburgh Asylum and School for the Blind and the Rev. S.S. Forster, principal of Worcester College.²⁶⁵ In April, Loch reported an interview with Robert Richardson-Gardner, accompanied by Mr. Western. By this stage Robert must have been desperate for allies in his faltering

and much modified proposal.²⁶⁶ He again stated categorically that Henry Gardner had wished to found an institution 'but that legal difficulties had prevented his inserting a clause to that effect in his Will' and that '... his daughter was anxious to carry out her father's real wishes'. By this time Maria Louisa's modified proposal was that two-thirds of the legacy should be used for an Institute for the Blind, while one third was devoted to other general purposes, such as those mentioned in the Schemes of the other trustees and the COS. Despite the presence of Western, who ostensibly had personal knowledge of Henry's desire to build an institution, the sub-committee members were unpersuaded.

However, the other Gardner trustees, their solicitor and the Bishop of London clearly felt that they needed to maintain their distance from the COS, declining to accept as evidence the affidavit prepared by the COS and suggesting that the Secretary should meet privately with the Bishop of London.²⁶⁷

Notwithstanding this, the COS did submit a third scheme and its affidavit to the Chancery Division. Moreover, all three schemes were distributed widely by the COS to individuals and organisations they thought would or should be interested, seeking their views, although the interest generated was less than they had hoped.²⁶⁸ The COS also took the trouble of printing and binding the key documents presented to court, although it is clear that there were other contemporary documents of relevance that may not have been preserved.²⁶⁹ In accordance with the practice established by Phillips,²⁷⁰ these printed materials will be referred to as the COS/Gardner documents.²⁷¹ Of these, the Wilkinson affidavit is particularly interesting in that it refers to a response from Mrs. Richardson-Gardner to the Heads of Scheme proposed by the other trustees. Regrettably this does not seem to have survived, but a 'compromise' proposal submitted to the trustees by Sir Charles Lowther, with the concurrence of Maria Louisa, may well have incorporated these points.²⁷²

However, this was not a complete list of all documents deposited with the Court (for example it does not include the compromise proposal, or the codicil to Henry's previous will). That such a bundle was available is apparent from the following entry in the COS minutes: 'The Committee were of opinion that £10 was too large a sum to pay [for the depositions in the case] and that, should occasion arise, copies of the depositions might then be purchased.'²⁷³

Shortly after the Scheme and Declaration of Trust was signed, the COS published a report of the Administrative Committee meeting that had been held on 16 November, including a comment on the operations of the trust.²⁷⁴ The Secretary regretted that although ‘A large amount of evidence had been collected on the subject from experts in all parts of England ... The Society was not, however, a beneficiary, and the evidence had therefore been excluded from the court.’ In so far as the proposal that a general council for the blind should be formed had been rejected, ‘A golden opportunity for helping the blind in a thorough and systematic manner has been consequently lost’.

There was a postscript to this heated activity by the COS. When Helen Dendy Bosanquet came to write her history of the COS she tarred all of the trustees with the Richardson-Gardner brush, while suggesting a significant influence of the COS on the final decision of the Court and its continuing influence on the trust.²⁷⁵ The characterisation of all of the trustees wishing to build a new institution is clearly both incorrect and unfair and, as has been seen, the influence of the COS on the Court is questionable. The closeness of the ongoing relationship between the two organisations is also slightly exaggerated. Loch and Wilson, the respective long-serving secretaries of the COS and the trust, may well have developed a close working relationship and there is no doubt that the trust also worked closely with the COS at the district committee level on specific cases, but there is no evidence to suggest strategic influence of the COS over the trust in the long term. There is certainly no internal evidence of the ‘baleful influence’ of the COS over Gardner’s Trust mentioned by Phillips.²⁷⁶

3.7 The proposals to the Chancery Division

In order to understand the shape of the Scheme as finally approved by the Court, it is necessary to examine the key elements of each of the three Schemes and the two affidavits that we know to have been submitted and in particular to understand how these differed.

3.7.1 Maria Louisa Richardson-Gardner

The key elements were as follows:

- The principal use of the funds should be for the construction of a new institute, to be known as 'Gardner's Musical Institute for the Blind', with pupils being taken from existing blind institutions and at no or subsidised cost.
- Part of the funds would be used to provide pensions to pupils after graduation, should they require them despite their own best efforts.
- All pupils admitted had to 'conform to the services of the Established Church'.
- The full number of seven members of the General Committee, as envisaged as a maximum under the Will, should be appointed immediately.
- On the death or retirement from his office of the Bishop of London, his replacement should be the Bishop of the diocese in which the institute was located. The two additional members of the Committee should comprise public figures, in the person of the MP of the constituency in which the institute was located and a senior member of the Government's department of education.
- That certain honorary and stipendiary roles within the institute should be filled as soon as possible and be held by those appointed for an initial period of three years.

There is no mention here of the almshouses to be associated with the new institution, later commented on by Armitage.²⁷⁷ They may have been discussed in the amended proposals of Mrs. Richardson-Gardner referred to in Wilkinson's affidavit forming part of the COS/Gardner documents, but apparently not surviving.

By the time the proposal was submitted Robert Richardson-Gardner's desire to locate the institute in Windsor was well known, so he would have been the constituency MP who would have automatically become a member of the General Committee. The Bishop of London, however, would not have been replaced by his successor in that office on his death or retirement, since Windsor fell under the diocese of Oxford.²⁷⁸ The imposition of a condition that all pupils had to be Church of England was simply not contemplated by Henry Gardner, notwithstanding the fact that philanthropy in the nineteenth century was still frequently based on religious principles. The proposal did

not contain an estimate of the cost of purchasing the land, erecting the institute and paying the staff.

In January 1880 the majority trustees sought counsel's opinion (from J.W.E. Everett of Lincoln's Inn) on the Scheme proposed by Maria Louisa, how they should frame their own Scheme and how they should respond to the Clothworkers' proposal (see below). The opinion was unequivocal:

- The trustees should stick as closely as possible to a Scheme following exactly the objects set out in Henry's will.
- This would involve giving one third to pensions and splitting the remainder equally between trades, handicrafts and professions (especially music).
- They should provide support to the Royal Normal College and seek some recognition for this, perhaps by way of 'Gardner Scholarships' and a 'Gardner Wing'.
- The Court would be unlikely to sanction the proposal of the Clothworkers' Company, on the grounds that a designated Committee had been specifically contemplated under the will.
- The court would almost certainly not accept the plaintiff's Scheme since it was so far from what was contemplated under the will and that the plaintiff and her husband clearly had a vested interest in a new institution being built at Windsor.

3.7.2 The majority trustees

The key elements on which the majority trustees decided on the basis of this advice were as follows:

- The whole of the bequest, including interest generated thereon during the period in which the scheme was finalised, should be invested in government bonds, with the income generated therefrom to be divided into three parts.
- That two thirds part of the income should be applied in instructing poor blind persons residing in England and Wales in suitable trades, handicrafts, occupations and professions, including the profession of music, with a minimum of two ninths being applied to instruction in the profession of

music (that is four ninths being available for instruction in other professions).

- That the remaining one third part should be applied in providing pensions or donations for poor and deserving blind persons residing in England and Wales who may be incapable of earning their livelihood.
- That in the instruction and in the awarding of pensions, institutions for the time being existing should, as far as practicable, be utilised.
- That the trades, handicrafts, occupations and profession selected (other than music) should chiefly be those found by experience to be most adapted for the blind.
- That the instruction of music should generally be at the Royal Normal College ('RNC'), or some other suitable existing institution, paid for by means of 'Gardner Scholarships'.
- That an amount to be determined should be donated to the RNC for the purpose of paying off part of its mortgage and, in recognition of this together with the Gardner Scholarships and Henry Gardner's previous generosity to the College it should be renamed the 'Royal Normal College and Gardner Academy of Music'.
- That the Committee should be empowered to make various other kinds of donations on an ongoing basis, including for the maintenance and erection of workshops, purchase of materials, etc.

The proposal of the other trustees seems generally much more akin to the original intent of Gardner's will, with the exception of the proposal to pay off some of the debt of the Royal Normal College and to add Gardner's name somehow to that institution.²⁷⁹ This follows the advice received from counsel and also smacks very much of an attempt at compromise by the other trustees, who clearly held by the general belief that having two musically oriented colleges for the blind close to London would be wholly counterproductive. (This point is expanded upon below.)

3.7.3 *The Charity Organisation Society*

The key elements were as follows:

- To establish, near to Board Schools, workshops, initially in London and later elsewhere in the country, in which blind from the area could work, such workshops to have associated training schools for children.
- To contribute to higher musical education, mainly by the development of the Royal Normal College, including the provision of scholarships and fellowships, and also to support the training of teachers for the RNC.
- To contribute to higher literary education, mainly by the development of Worcester College, and also to establish there musical scholarships and fellowships.
- To provide pensions to the blind poor.
- To establish and fund a Council to be responsible, *inter alia*, for co-ordinating all aspects of blind charities, including education and training of the blind, teacher training and certification, central purchasing of materials and literature, provision of loans, etc.

As admitted by Loch in his affidavit (see below), the COS proposal was drawn up without the benefit of having seen the proposal of the other trustees, or Maria Louisa Richardson-Gardner's response to those, and there was much in the proposal of the other trustees with which the COS agreed. There was therefore considerable similarity, especially regarding the use of existing institutions. The two main differences were the suggestion for the building of workshops near Board Schools and the establishment of a central co-ordinating council for blind charities. The former is a development of Kingscote's proposals of some fifteen years earlier, which had never seriously been taken up. The latter was also an idea that had been proposed previously (in 1863/4) and fallen largely on deaf ears, not least because those responsible for the management of blind charities valued their independence.²⁸⁰

3.7.4 *Loch affidavit*

Essentially all respondents were against the Richardson-Gardner Scheme, most would have been content with the scheme of the other trustees (especially if subject to some minor modifications, as in respect of providing workshops, etc.) and of those who preferred the COS scheme the reason normally given was because for the perceived

advantages of greater co-ordination of blind charities. However, there were also those who thought greater co-ordination undesirable in principle or simply impractical, having been tried previously without success.

3.7.5 *Wilkinson affidavit*

Wilkinson had been deeply involved with the foundation of the COS and served on its Special Committee examining the problems of the Blind in 1874-76, and remained active in other areas of its work. He also maintained an association with the Cardiff Institution for the Blind. Unsurprisingly he was against the Richardson-Gardner proposal, had a great deal of sympathy with the proposal of the other trustees and threw his weight behind the COS proposal, choosing to emphasise several of its key points, including the formation of a central co-ordinating body. He also made the perfectly fair point that, in a changing legislative landscape, it would not be sensible to constrain too precisely the amount that should be allocated to certain classes of activity.

Wilkinson was a follower of Emanuel Swedenborg (1688-1772), the Swedish scientist, philosopher, theologian and mystic. The possible influence of Swedenborgism on the actions of the later philanthropist Andrew Carnegie has already been mentioned. Commentators have argued that the Swedenborgian ‘Doctrine of Uses’ – that God expresses himself in common terms through the use to which each person puts their special gifts to enrich the lives of other – was adapted by Carnegie to the industrial age.²⁸¹ He did not merely give away his wealth, he did his best to ensure that it was used productively. Although none of the surviving writings of William Martin Wilkinson attempt to reconcile his own interests in Swedenborgism and scientific philanthropy, his approach through the Charity Organisation Society presages that of Carnegie less than two decades later. (Of the blind themselves, Helen Keller was probably the most famous follower of Swedenborg.)

In answering the question as to how the schemes differed, it is immediately clear that those of the trustees and the COS followed Henry’s will, with a few embellishments, whereas that of Maria Louisa did not. The affidavits supported the COS proposals as would have been expected of Loch and Wilkinson, with further emphasis on central coordination. Although the Court formally rejected the COS submission, and by

implication the two affidavits, it cannot have helped to observe the degree to which the COS and its executive reinforced the main proposals of the trustees and discounted the need for a new institute.

3.8 Proposals to the trustees

In addition to the documents that were presented to the High Court, others were presented privately to the trustees and may have influenced their final submission to the Court. The most important of these are described in this section. The first of these also throws some light on how other interested parties with some sympathy towards the Richardson-Gardners, but real knowledge of the blind, reacted to Maria Louisa's proposal.

3.8.1 The Lowthers' compromise proposal

Sir Charles Lowther (1803-1894) and his wife, Lady Isabelle (née Morehead), were well placed to approach the majority trustees with a compromise proposal and did so in February 1881. Blind from infancy following an attack of scarlet fever, Lowther was one of the first in England to be taught to read embossed books, which were imported for him by his mother. In later life he became a benefactor of William Moon, the inventor of Moon type, funding his workroom and aiding in the distribution of books produced in Moon type. Sir Charles was a second cousin to the Rt. Hon. James Lowther, MP (later Viscount Ullswater), who served as a member of the Gardner's Trust committee between 1882 and 1897.

Almost immediately after the contents of the will became public, Lady Isabelle, acting in her own right, as well as an amanuensis to her husband, began to advance the cause of William Moon's printing establishment as a suitable recipient of grants from the fund. These letters were accompanied by letters from William Moon himself and publicity material on the institution.

There is no indication that the Lowthers had come into contact with the Richardson-Gardners before Henry's death and it is clear that Lady Lowther disapproved of Maria Louisa's original grandiose scheme, on which they did not have the opportunity to

comment before its submission to the Court. However, in later correspondence between January 1880 and February 1881, Lady Lowther tried to persuade Lady Kinnaird (with whom she must have been previously acquainted), Lord Kinnaird and the other trustees of the advantages of Maria Louisa's modified scheme.

Sir Charles Lowther's covering letter to John Jackson of 23 February 1881 has survived, along with a copy of the 'compromise proposal', and it can be assumed that he wrote similarly to the majority trustees. The key elements of the compromise were:

- £50,000 to be available to Maria Louisa for building and fitting out the proposed Windsor Institute
- £100,000 to be invested in to fund scholarships at the Windsor Institute
- £50,000 to be given to the trustees of the Musical College for the Blind at Upper Norwood
- £20,000 to the trustees of the Worcester College for the Blind Sons of Gentlemen
- £30,000 to be invested to fund pensions for the poor blind
- £6,000 to be given to the trustees of Moon's Printing Establishment in Brighton
- £4,000 to the Home Teaching Society
- £5,000 to Dr. Armitage for his works for the Blind in London
- £35,000 to be devoted to the erection of workshops and other facilities for the blind

Maria Louisa's letter to Lady Lowther of 21 February 1880 also still survives, in which, to avoid further litigation, she accepted the basis of the 'Compromise proposal' and authorised her to bring it before the other trustees.

Some response to Sir Charles and Lady Lowther was clearly necessary and although a draft of the actual letter has not survived, on 23 February Gedge wrote to Lord Kinnaird expressing his amusement at the Compromise proposal – as far as he was concerned it moved little from Maria Louisa's original proposal and the majority of litigation costs had already been incurred anyway.

He followed up with another letter on 5 March referring to Lady Lowther's 'incubations' and noting 'How well she would arrange the whole matter if only she were Trustee, Committee and Judge!' He did not feel a reply to her was necessary, but continued to believe that Maria Louisa would have less influence over the judge as the testator's daughter than she imagined. Gedge's judgement seems to have been correct and no more is heard of the compromise.

3.8.2 *The Clothworkers' Company*

Although not a part of the formal submission to the Chancery Division (as far as can be ascertained), the proposal submitted to the trustees by the Worshipful Company of Clothworkers is worthy of note. Outside of the minutes of the Clothworkers' Company, only two passing references to it have been found and neither has been commented on in the literature. These references were in the minutes of the Royal Normal College in 1879 and in the evidence given to the Royal Commission of 1886 by the Clerk to the Clothworkers' Company.

The Clothworkers Company had been associated with the administration of charities for the blind since at least the first quarter of the eighteenth century and subsequently became well known for the assistance it was able to give to those who were blind.²⁸² By 1879, the annual amount dispersed by the Clothworkers to charities for the blind was c. £3,500, or a little more than a third of the expected gross income from the Gardner bequest (Clothworkers' Company Order of Court, 4 June 1879). As recently as 1875 the Clothworkers had been appointed to administer a legacy of £70,000 left for the benefit of the blind by William Wing.²⁸³ On 5 March 1879, shortly after Henry Gardner's death, the Court, or governing body, of the Company resolved that a committee of specified members should be appointed 'to consider and report to the Court whether the Company should make a proposal to administer this Charity [Gardner's Trust] in connexion with their other Charities for the benefit of Blind Persons and with power to communicate with the representatives of the late Mr. Gardiner [sic] thereon'.

At the following meeting of the Court, on 2 April 1879, it was reported that the Special Committee were having difficulty in making a formal approach to the trustees (for unspecified reasons). However, by the Court meeting of 4 June one of their number had

met with Lord Kinnauld and there had been a subsequent meeting between the Clerk to the Company, Lord Kinnauld and the Hon. Arthur Kinnauld. The Special Committee seem to have felt that the meeting went well and that Lord Kinnauld would discuss the proposal favourably with the Bishop of London. Lord Kinnauld was provided with a Memorandum (and later a Supplement) outlining how the Company would administer the trust should they be given the responsibility. The key proposal was that the Company should become the sole trustee and administrator of the Gardner bequest and that it would be prepared to cover all administrative, secretarial and other costs of the fund (which it would keep distinct), so that the whole of the fund's income would be available for distribution.

The reason that the Company could afford to bear the costs itself was that it had a considerable corporate income, which it was absolutely entitled to use as it pleased, in addition to its trust income, which could only be applied in accordance with the terms of the relevant trust. According to Owen, of the 'Great Twelve' livery companies in 1884, the Clothworkers had the fifth highest corporate income (£40,458) and the seventh highest trust income (£10,000).^{284,285} There were those who were jealous of the wealth of the Great Companies and the Clothworkers doubtlessly saw this as an opportunity to underscore their charitable propensities.

Owen Roberts, Clerk to the Company, wrote to Arthur Kinnauld on 23 May 1879 assuring him that the Clothworkers would do all they could to take into account the wishes of him and his father in agreeing a Scheme, with the single caveat that the trust should ultimately devolve upon the Company.

In a letter from Mills Roche, solicitor to the Gardner trustees, to Lord Kinnauld of 6 June 1879, he reported on a meeting with the Clerk who, he said was 'fully alive to the difficulties in the way of carrying out the proposition', referring to the question of whether the Court would have the power to sanction such a Scheme.

Further details of the proposal were provided in the form of a Supplementary Memorandum (Clothworkers' Company Order of Court, 2 July 1879), the key additional elements of which were:

- No unnecessary outlay on new buildings

- Possible extension to the Royal Normal College (to be called the Gardner Wing) and ongoing support, subject to certain conditions (for musical training)
- Close association with the 'London Society for teaching the Blind to read and training them in industrial occupations' at Regent's Park (for training in other trades and professions)
- Pensions to be administered using existing Clothworkers' facilities, but in larger amounts
- Publication of books and provision of apparatus for the blind generally
- Support for Worcester College for the Blind

The Company was prepared for the trustees appointed under Henry Gardner's Will to continue in that office for as long as they wished, with the objective that they would be replaced by members of the Court on their death or resignation and the Company would eventually take on the role of trustee in its corporate capacity.

From that point on the records of the Clothworkers' Company contain no reference to Gardner's Trust for many years to come, so it can be assumed their proposal was declined without further debate (albeit on the basis of advice the trustees had received from counsel). The unresponsiveness of the trustees must have rankled. In 1886, when giving evidence to the Royal Commission, Owen Roberts, Clerk to the Company, mentioned the offer that had been made and underlined that had the Clothworkers been appointed to manage the bequest they would have distributed all income of the fund without deduction for administrative expense (Report S5240/1).

Notwithstanding this rebuff, Peter MacIntyre Evans, Clerk to the Company (1907-1933) and Master (1935/6) subsequently became closely involved with Gardner's Trust and strove to reconcile the sundry charitable bodies set up to assist blind people.²⁸⁶ It will also become clear in due course that the Clothworkers' proposals did have some influence on the trustees.

3.8.3 The Royal Normal College and Thomas Rhodes Armitage

Since these proposals are related, they will be dealt with together for convenience.

In Armitage's 'sketch' of 20 December 1879 he considered the disposition of the legacy under four headings:

- A. Musical education, to be satisfied by 100 scholarships of £60 p.a. each tenable at the Royal Normal College, half to be awarded by open competition throughout the country.
- B. The granting of assistance to the best conducted workshops of the blind at Liverpool, Bradford, Leicester, Sheffield and the establishment of a new workshop in London.
- C. The granting of pensions to the old and infirm blind who could not work in the amount of £10 p.a. each, to be administered by the Indigent Blind Visiting Society and with an agreed proportion divided between town and country applicants.
- D. The sum of £10,000 to be given to the British and Foreign Blind Association for producing books and apparatus for the education of the blind.

The expected income from the bequest before expenses and without allowing for any large initial grants was around £10,000 p.a., so that the proposed scholarships amounting to £6,000 p.a. would have left little to provide pensions and scholarships at other schools and colleges, such as Worcester. Armitage implied that had Henry Gardner lived he may have changed his will to include the RNC explicitly, but this does not seem likely. Gardner was well of aware of the RNC by the time he drew up the codicil to his will providing an annuity to Emily Powell in May 1877 and could easily have taken the opportunity to add the RNC as an explicit beneficiary at that time.

Armitage subsequently fleshed out his proposal in a longer (undated) document that also survives and in which he made some additional points:

- The fund should be administered at the smallest possible cost compatible with efficiency.
- Apart from Gardner Scholars and Gardner Pensioners, there should be Gardner Workmen, comprising additional workmen employed at existing workshops whose wages would be subsidised by the trust. His feeling was that this would '...probably be agreeable to Mrs. Richardson Gardner whose wishes on this

subject ought to be attended to as long as this can be done without injury to the Blind’.

- The examiners for the Gardner Scholarships should include eminent musicians, such as Professor Macfarren and Dr. Stainer.
- The total number of pensioners should be 360, receiving £10 each p.a. Regional equivalents to the IBVS should be used for distributions outside of London.
- It would be inadvisable to give large sums to existing institutions, since this was contrary to the will. The money should be invested in its entirety and only the income utilised by the Committee.
- It would probably be necessary for the Committee to have a small office and a trustworthy secretary who would also act as almoner.

Armitage may by then have given up on the idea of one-off grants to the BFBA and RNC, or hoped that these may have been made out of income accumulated during the Chancery case.

The proposal submitted by Lord Richard Grosvenor on behalf of the Royal Normal College envisaged the following:

- A. The property of the College should be vested in four trustees, of whom two would always be appointed by the Gardner Committee.
- B. The governing body of the College should consist partly of the present Committee and their successors and partly of nominees of the Gardner Committee.
- C. The Gardner Committee should clear off the existing £12,000 charge on the property of the College and found 100 Scholarships of £60 a year each to be held by pupils of the College under regulations to be drawn up by the new College Committee.
- D. Of these Scholarships a certain proportion, perhaps half, should be open to general competition throughout the country, the other half being granted after a qualifying examination only and preferably to young persons.
- E. Henry Gardner’s name would be permanently connected with the College, while at the same time preserving the character as a public Institution under

Royal Patronage, perhaps by designating the scholarships as 'Gardner scholarships' and naming the music hall the 'Gardner Hall'.

It will be seen that these are broadly consistent with the Armitage proposals in so far as they related to the college, subject to the additional point of paying off the college's mortgage. In the event that the trustees accepted the proposals, the college committee was prepared to work with them to produce a joint scheme for the submission of the Court of Chancery, or to appear in Court on their behalf.

It may be noted that the RNC was not the only institution to offer to support the defendant trustees in the Chancery proceedings. In a letter of 6 March 1880, G.H. Webb, honorary secretary of the Cardiff Institute for the Blind (who must initially have been concerned about the course of action likely to be taken by the trustees as a whole) wrote to Lord Kinnaird saying that he was pleased to find that he would be able to work with, rather than against, the trustees (other than Maria Louisa). However, Kinnaird may well not have been best pleased to find that Webb was now being advised by the ubiquitous W.M. Wilkinson.

Not everyone agreed with the RNC's enthusiasm for musical education and as encouraged by Henry's will. One opponent who took an opposite and extreme view was Colonel Mansfield Turner. In a letter of 3 June 1879 written to J. Standish Turner, secretary of the Association for the Establishment of Workshops and Classrooms for the Blind, he wrote:

I sh^d be very glad to help any effort in London for the Blind, but I am very sorry to see Mr. Gardiner's Com[mittee] inclined to spend the money on teaching the Blind music, the worst thing for them possible. If you can do, ask them to pause – the money might as well be thrown away. ... – the argument from the Continent is quite fallacious, the conditions in this country are so entirely different.

In this respect he may have been ahead of his time. Writing about the proceedings of the York Conference of 1883, the author (most probably Mansfield Turner himself) expressed the view that while music might well be viewed as a luxury and amusement for the better-educated blind, it would only ever provide work for a small minority and

that caution was required if it was used even as an amusement for the poor, lest it should 'lead them to become fiddlers at public-houses'.²⁸⁷

3.8.4 *Alexander Wishaw, Chaplain of the Liverpool School for the Blind*

There must have been many letters written privately to the trustees, but not all of this correspondence seems to have been retained by the Committee once the trust began to operate in 1881. In a few cases the correspondence was copied to other parties and this is the case with Wishaw's proposal, who in April 1880 sent an extract under a covering letter to the Bishop of London, who was a member of the proposed Committee, but not a trustee.²⁸⁸ Again there is no evidence to suggest that a copy was provided to the High Court.

In brief, there were two elements to Wishaw's proposal:

- (1) to set up a school for very young blind children, from infancy to the ages of 9 or 10; and
- (2) to set up one or more asylums for the aged, infirm, sickly, incapable or destitute blind.

His first point had very rarely been raised in any of the literature of the time dealing with the problem of the blind, but in the event the trustees rejected both elements of the proposal.

Of the four approaches described here, three had little or no impact: the Lowthers; the Clothworkers; and Alexander Wishaw. The first differed so little from the original proposal of Maria Louisa that it stood little more chance of influencing the majority trustees. The Clothworkers' proposal had intrinsic merit, but the legal basis contemplated (which could hardly have been avoided) put it into the 'too difficult' pile as far as the majority trustees were concerned. The Wishaw proposal also had merit, but doubtless the trustees felt that genuine needs by institutions of the type highlighted by Wishaw could apply for funds in the normal way once the trust was properly up and running. The Armitage/RNC proposals could not be ignored and the trustees must have realised that they could not ignore the RNC and, for that matter, Worcester, which had made its claim clear in Forster's pamphlet. The Kinnairds cannot be described as

arrogant in largely ignoring those who tried to influence them, but they were certainly single-minded in sticking to the letter of Henry's will.

3.9 *The Scheme finally approved by the Chancery Division*

The key elements (clause 7 and following) were as follows (italics added for emphasis, to help distinguish between *trades and handicrafts* on the one hand and *professions* on the other):

- The income generated from the investments should be divided into nine parts, with
 - (i) two ninths to be applied in instructing the poor blind in the *profession* of music;
 - (ii) two ninths to be applied in instructing the poor blind in suitable *trades, handicrafts* and *professions*, other than the *profession* of music;
 - (iii) two ninths to be applied in instructing the poor blind in suitable *trades, handicrafts* and *professions*, including the *profession* of music; and
 - (iv) three ninths to be applied in providing pensions or donations for the poor and deserving blind who may be incapable of earning their livelihood and, generally, in such other manner as the Committee shall think best for the benefit of the blind.
- As far as allocation (i) goes, the Royal Normal College or other existing institutions should be utilised as far as possible (Clause 10).
- As far as allocation (ii) and (iii) are concerned, existing institutions should also be utilised as far as possible (Clauses 9 and 8 respectively).
- 'Gardner Scholarships' should be made available on a competitive basis, tenable at appropriate institutions (Clause 13), and fees in connection with instruction could also be paid directly or indirectly by the committee (Clause 12).
- Training can be given to both adults and children (Clause 11).
- The committee could also contribute to the cost of erecting and maintaining workshops for the blind (Clause 14).
- Clauses 15 to 17 related to the purchase of books, instruments and materials and the sale of finished articles.

- Clause 18 provided for the payment of pensions, grants, etc. to the blind other than in connection with training and education.
- Clauses 19 to 24 were concerned with the operations of the committee.

To suggest that at this distance of time the precise distinctions between the first three allocations of two ninths each is not altogether clear would probably be an understatement (the extreme vagueness of this clause was commented upon a little later by Johns).²⁸⁹ The meaning of the *profession* of music is straightforward, for example playing an instrument, composition and teaching music. *Trades and handicrafts* connected with music are also straightforward, of which piano tuning would be the best example. *Trades and handicrafts* other than music would probably include the traditional blind occupations of brush and rug making. *Professions* other than music would realistically have included teaching in subjects other than music, the law, Holy Orders, etc. Nonetheless, it is hard to see how some of the uses envisaged under (ii) would not also have been included under (iii), and *vice versa*. In practice the Court and the committee probably had in mind where they wanted the grants to go, rather than precisely how they should be utilised once there. Certainly this is the conclusion reached by Armitage.²⁹⁰ He saw the Royal Normal College as the principal beneficiary of (i) and Worcester College as the principal beneficiary of (ii); in each case the funding was to be effected principally by the provision of ‘Gardner Scholarships’.

Leaving aside the contents of the affidavits and the other proposals submitted to the trustees, the principal elements of the will, the three schemes submitted to the court and the scheme eventually approved may be summarised as follows.

Table 3.1: Comparison of key elements of proposals				
Will	Instructing in suitable trades, handicrafts and professions, especially in the profession of music.		Providing pensions for those who may be incapable of earning their livelihood.	In such other manner as shall from time to time be thought best.
No. I	Gardner Musical Institute, including pensions to graduates (and possibly almshouses).			
No. II	Instructing in the profession of music*: 1/9 th	Instructing in suitable trades, handicrafts and professions, including the profession of music: 5/9 ^{ths}	As above, combined: 1/3 rd	
No. III	As per the Will, but with the explicit addition of workshops and schools for technical training near Board Schools. Also, the provision of scholarships at both the Royal Normal and Worcester Colleges.		As per the Will, but including supplements to those who work but still cannot quite support themselves.	A detailed list, including a co-ordinating Council, training for teachers of the blind, a blind sick fund and a business loan fund.
Court	Instructing in the profession of music: 2/9 ^{ths} (to include scholarships at the Royal Normal)	Instructing in suitable trades handicrafts & professions other than the profession of music: 2/9 ^{ths}	Instructing in suitable trades handicrafts & professions including the profession of music: 2/9 ^{ths}	As above, combined: 1/3 rd

* To include a sum for paying off the mortgage of the Royal Normal College.

Armitage was generally in favour of the court approved scheme and acknowledged the flexibility retained by the Committee ‘... these rules are not like the laws of the Medes and Persians...’,²⁹¹ with only two serious caveats:

- That it would have been better to direct grants towards workshops or actual employment, rather than training for such employment, given the acknowledged difficulty of blind people to find employment once trained.
- That as far as pensions were concerned, it would have been better to provide them through an existing organisation, such as the Indigent Blind Visiting Society, who were skilled in providing supplemental pensions without jeopardising relief that was already being received by the poor blind.

Although the Committee accepted the principle of making their scholarships tenable at existing educational institutions such as the RNC and Worcester, they were clearly reluctant to entrust pensions to the IBVS, or the administration as a whole to the Clothworkers.

Armitage also referred to some other restrictions, such as: 'The marriage of any holder of a scholarship or pension to a blind person or to any other person without the previous consent of the committee shall involve the forfeiture of the scholarship or pension.' This was not a condition of the scheme, but may well have been one of the original by-laws drawn up by the committee. Restrictions on the intermarriage of blind persons were a common feature of blind philanthropy at this period, especially within residential institutions.²⁹²

The impact of Armitage's single-minded opposition to the Richardson-Gardner proposals should not be underestimated, as noted, for example, by the *Guardian*: 'He rendered a signal service to the Blind of England and Wales by preventing Mr. Gardner's noble bequest of £300,000 in the erection of one [an asylum] at Windsor.'²⁹³

The importance of one over-riding principle of Gardner's Trust should be noted: it was not to be a fund-raising charity. The task of the trustees and management committee was to invest the capital and distribute the income, not to seek to maintain the capital value (and thus the distributable income) of the fund in real terms. Indeed, following a long period of relative financial stability (at least in terms of inflation), it would have been surprising had this been a stated objective. Even had it been, routes to the achievement of such an objective would have been far from clear to the trustees. Almost all readily available investments would have been of a fixed income nature – gilts, corporation stocks, railway bonds and private loans (usually by way of mortgages). Investment in property (within the limitations imposed by the Mortmain Acts) would have been a possibility and, given Henry Gardner's own expertise in this area, it may be surprising that he did not permit the trustees to consider this form of investment, regardless of any inflation protection attributes. The almost inevitable consequence was that over time the real value of the fund diminished and with it the influence of the trust.

3.10 *Robert Richardson-Gardner: postscript*

So what became of Robert Richardson-Gardner, probably the true instigator of the Chancery case? Robert's involvement with the blind continued for several years after his Windsor proposals were rejected, for which there seem to be three possible explanations. The first, and least cynical, is that by now he was genuinely interested in problem of the blind, or at least that his apparently accepted expertise in the subject pandered to his ego. The second is that by then Maria Louisa was genuinely interested in the problem and it would have been difficult for him not to continue to have supported her actively. The third is that he had gone out on a limb to signal his interest in the problem and he could not be seen to be withdrawing his interest too quickly after the failure of his proposal, especially as he was still hoping for a baronetcy. Robert was not only a barrister, but an amateur thespian and there can be little doubt that he could have carried off such a deception had this been his wish.

Robert also continued to be closely associated with the Royal Normal College for some years and presided at least once at the annual meeting of the Society for Teaching the Blind to Read.²⁹⁴ In 1884 the pupils of the Royal Normal College undertook a continental tour under the guidance of Robert Richardson-Gardner, giving a concert in Brussels in the presence of the king and queen.²⁹⁵ A similar concert planned for Berlin was cancelled due to the death of the Duke of Albany.

Despite the fact that many of the arrangements for the French and Italian visits seem to have actually been made by Maria Louisa, Robert's work for the blind led to him becoming a Commander (3rd class) of the Order of the Crown of Italy and an Officer (4th class) of the Royal Order of Leopold of Belgium, honours conferred on him respectively by the kings of Italy and Belgium 'in appreciation of his efforts for the amelioration of the condition of the blind in all countries'.²⁹⁶

3.11 *Summary of chapter research answers*

With the full gaze of the public upon them, and the close attention of the courts, it is hardly surprising that the majority trustees felt themselves unable to do anything other than follow the word of Henry's will as closely as they could, despite its imperfections

and incompleteness. It may have been a comfort to them that respected campaigners for the blind, such as Armitage, were basically supportive of their scheme, but in all likelihood they would have pressed ahead even had he and others like him been antagonistic. Their strategy can perhaps be best described as playing a straight bat throughout, with a minimum of inventive strokes. Their tactics, involving making no public comment in response to those of the Richardson-Gardners and a close attention to the legal process, are likewise predictable and unremarkable; they were figures of the Establishment and acted as such. Jackson's full initial involvement, including his chairmanship of the first few trustee meetings, which were held at Bishop's House, Aldersgate, must be lauded, but thereafter his role diminished significantly. The Kinnairds continued to take their trustee responsibilities very seriously throughout their lives.

That Robert Richardson-Gardner acted in his own selfish interests throughout seems incontrovertible and completely in character, the only real question being the extent to which he actually became genuinely interested in the problem of the blind after he was forced into a public adoption of this position. There is some evidence for this, but it is just as likely that his continued apparent interest was part of his ultimately failed campaign to achieve a baronetcy. The tactics he adopted were again in character – when the failure of Plan A for a completely new institution became clear, he switched to Plan B, trying to blackmail the RNC into moving to Windsor. When this, too, failed, he still fought a rearguard action on the use of the trust.

It would be easy to conjoin the strategy and tactics of Maria Louisa with those of her husband, but this may be a little unfair. Her marriage to Robert may very well have been a love-match, at least from her perspective. Given her father's wealth, she might have been expected to aim a little higher than one of the younger sons of an untitled family whose wealth could not have exceeded that of her own. Robert's perspective may, of course, have been different. She was not unattractive, if her photographic portrait in the London Metropolitan Archives is a faithful likeness, but the probably substantial marriage settlement, negotiated in advance, was probably the deciding factor. In any event the influence swayed over her by her husband seems to have been great, despite the fact that the marital infidelities of which he was later accused by his second wife may have begun during his first marriage. Certainly Maria Louisa took her

responsibilities as a member of the management committee very seriously once the court case was settled.

Alfred Beaumont also needs to be considered as an individual. Even without the residual interest in Henry's will that fell in to him on the death of Maria Louisa (which he cannot have guessed would happen so soon), he was already wealthy by virtue of the money he inherited from William and Philip via his mother. There is no evidence of a cordial relationship between Alfred and Maria Louisa or her husband and it is not surprising that he should have originally sided with the other majority trustees. More surprising is his late decision to switch camps and here the most likely explanation may be that Maria Louisa agreed to confirm him as residual beneficiary of the moiety of her late father's estate not already directed to him by Henry, but this can only be speculation and in any event did not prove to be a critical move. Alfred was undoubtedly public spirited (he was a militia captain and a magistrate in Hampshire), but although he made no pretence of having a particular interest in the blind, he served faithfully as a member of the management committee until his old age and the considerable residue of his estate was bequeathed to Gardner's Trust.

The behaviour of the COS was fully consistent with its public position on the way that endowed charities should act, but the vigour of its lobbying seems largely to have been due to the single-mindedness of one individual, William Martin Wilkinson, ably supported by the society's indefatigable secretary, Charles Stuart Loch.²⁹⁷ Its support of existing successful institutions for the blind was predictable, but its proposals for the new trust to act as a clearing house and co-ordination centre for blind charities was simply not consistent with Henry Gardner's testamentary wishes and a step too far for the trustees and the courts. This did not prevent others, including Robert Richardson-Gardner, trying to resurrect a version of the proposal in time to come, with similar lack of success. There has been a tendency for writers on this subject to credit the COS with having exerted considerable influence on the outcome of the court case, but in truth their most radical suggestion was not pursued and their other suggestions were very close to Henry's original intentions and the natural inclinations of the majority trustees.

As an aside, the figure of Wilkinson seems to have been largely unappreciated historiographically. Facets of this complex character included his activities as a charity

organiser, Swedenborgian, spiritualist, sports fisherman and proselytiser of cremation for the dead, quite apart from his closeness to his brother, Garth Wilkinson, a translator of Swedenborg and probably the leading and earliest major exponent in the UK of homeopathy, and in whose shadow he stood. He deserves further study.

The attempt of the Clothworkers Company to become involved seems to have been an unselfish attempt by them to put their expertise and additional funding at the disposal of the trustees. Had Maria Louisa and Robert not raised the stakes, some type of deal may have been possible, but such a strategy became untenable with the courts also involved.

Of the other individuals and organisations who sought to exert an influence, Armitage, the RNC and Worcester College are the most important and, for convenience, can be considered together. The RNC had the additional complication of being in direct competition with a new college for the blind at Windsor, but all three had an interest in the provision by the trust of scholarships to these two existing higher educational establishments. Armitage's additional wishes, for example of providing more workshops and supporting the use of Braille, also turned out to be met by the wording of the scheme that was agreed and the manner in which it was implemented by the management committee. Washington Ranger and Samuel Forster must have been similarly pleased with the outcome as far as Worcester College was concerned.

Of the remaining voices raised, none seems to have had a great influence. William Moon's printing establishment at Brighton, strongly advocated by the Lowthers, was eventually supported to some extent by the trustees (even Armitage admitted that Moon type had its uses), but there was no support of a hostel for the infant blind and any reservations on musical education were put to one side.

The Court's decision is hard to fault. As the judge said, Henry never mentioned in his will his desire for a new institute and, failing this, there seemed no reason why the majority views of the trustees should not prevail. Moreover, supporting existing successful institutions seemed eminently reasonable and in accord with the weight of public opinion. The judge would also have been aware that although mortmain restrictions might have prevented Henry from leaving land to his trust, it ought not to have prevented him from liquidating his investments and leaving the resulting cash to a

new institution which could have used some part of this to buy land and erect a building (as the RNC had done). Maria Louisa's arguments on this point are hard to sustain and certainly Messrs. Western & Sons, who were supposed to have advised Henry on this point, cannot have done much to support her contention.

What evidence that does exist suggests that Henry may well have wished to transfer some or his entire property portfolio to his trust, but was advised by Western of the mortmain implications. Maria Louisa seems to have equated this with him wishing to found a new institute, but this object alone would not have been prevented by the relevant laws, either before or after his death. Henry may have been somewhat constrained in the way he set up and funded the trust, but there were several precedents that would have been well-known to his legal advisers, such as the Peabody Trust and what became the Royal Holloway College, of which the latter coincidentally also came into being in 1879. Certainly publicity does not seem to have been Henry's primary motive – he declined the opportunity for this at least once in connection with his donations to the RNC.

Maria Louisa seems to have consistently overestimated the influence that she would have on the Court as the only daughter of the testator. The strategy of Maria Louisa and Robert to establish credentials as experts on the education of the blind was sound, but insufficient to avoid having to seek an alliance with at least the Kinnairds and, if possible, Bishop Jackson. This became almost impossible when she caused the probate process to be accelerated and referred the case to Chancery. By that stage a scheme that deviated even marginally from the terms of the will was unlikely to be looked on favourably by the Court unless the Kinnairds were in agreement. Probably, there was never a significant chance of a new institute being built in Windsor, so Robert's desire to maximise his chances of re-election was never likely to be fulfilled (although he was, of course, re-elected with an increased majority and perhaps merely his efforts in this direction were sufficient to achieve his objective). Causing the RNC and/or Worcester College to be renamed in honour of Henry Gardner and influencing their management by executive committee appointments almost certainly would have been possible had the income from a sufficiently high proportion of the trust been dedicated to them. However, for Maria Louisa and Robert, Worcester and Norwood must have seemed socially as distant as St. Petersburg.

The result of the referral to Chancery could have turned out far worse from the point of view of the majority trustees, the existing institutions (and their supporters) and the COS. The Court procedure took only two years, which must almost have been a record in comparison with some other famous cases, and the costs, although borne by the trust, were not as great as may have been feared. The trustees were all on speaking terms by the time the trust commenced its formal operations and even Robert Richardson-Gardner was later allowed to address them on his proposal for a 'central depot' scheme to be administered by the trust – an echo of the COS proposals, and equally unsuccessful.

The Times should not be forgotten. By encouraging public debate as to the use of the bequest it certainly helped prevent the Court from viewing the arguments as simply being between a well-meaning daughter of the testator on the one hand and 'independent' trustees imposed on the family on the other, the latter with no idea as to the testator's true wishes. Henry, looking down, would have undoubtedly had reason to be pleased with the outcome and not least with *The Times*.

The Scheme and Declaration of Trust provided clear landmarks for how the trust should operate, but the trustees still needed to agree a practical *modus operandi* and to respond to the demands that would be placed upon it. Moreover, this was not a static environment. Over the first four decades of the trust's existence the legislative framework in which the trust operated changed fundamentally. Next will be considered how the trustees responded to these challenges.



Illustration 4.1: 11th Lord Kinnaid
(source: *Vanity Fair*, 11 September 1912)

CHAPTER 4

The development and decline of Gardner's Trust: 1881-1950

The beginning of the period covered by this chapter has been chosen since it marks the commencement of the trust's operations. Although the Deed Poll constituting the Scheme and Declaration of Trust approved by the Chancery Division of the High Court was not executed until 1882, Gardner's Trust for the Blind had been allowed by the Court to make its first grants the previous year. With the Scheme to guide them and two years in the Courts listening to arguments on how the funds should be utilised, the management committee of Gardner's Trust had a firm legal basis on which to build their operations and a good understanding of the many facets of the problem of the blind.

The following sixty odd years saw dramatic changes to the social and legislative landscape. The period's close is marked by the implementation of the 1948 National Assistance Act, almost the last of a string of key legislative measures placing upon local and central government the duties for so long undertaken by the voluntary sector and funded by the trust and other charities. Should the period require any punctuation mark, this would be provided naturally by the 1920 Blind Persons Act and the retirement in the following year of Henry Wilson, the first permanent secretary of Gardner's Trust. It would be no exaggeration to suggest that the indefatigable Wilson, during his forty year tenure at Gardner's Trust, became the most powerful blind administrator in England and also one of the most respected.

Part One of the chapter is concerned with the internal management of the trust, its governance arrangements and how it discharged its responsibilities for the distribution of its income. Part Two takes a more general view of the changes to the trust that occurred and places them in the context of a changing social and legislative environment. It also examines areas in which the trust exerted its influence during this period, including the two most important educational establishments for the blind.

Part One: management, governance and administration

4.1 Chapter research questions – Part One

The questions addressed in Part One of this chapter will include the following.

- What sort of people did the original management committee bring in to strengthen their own number and to what extent did they conform to the Establishment stereotypes?
- Did the profile of management committee members change over time?
- Whom did the management committee employ to administer the trust on a day to day basis and execute its decisions and was this recruitment successful?
- Is it necessary or possible to distinguish between the work of the trust and the work of its first secretary?
- What other important appointments did the management committee have to make and how did it organise itself?
- What additional rules did the management committee need to impose to make the Scheme and Declaration of Trust workable in practice?
- How did the management committee organise themselves and did they take their duties seriously?
- In what manner were the funds of the trust initially invested and what was the consequence in terms of the income available for distribution?
- How did the management committee disperse the trust's income between the various classes of recipients (both individual and institutional) and were they able to comply strictly with the terms of the Scheme?
- Did the pattern of distribution vary over time and, if so, why?
- Is there any evidence that the pensions and grants awarded by the trust met the needs of their recipients?
- In the event of non-compliance with the terms of the Scheme, what avenues did the management committee have open to them and did they take advantage of these?

4.2 *The committee and management*

4.2.1 *The initial committee*

Various commentators on Victorian philanthropy have contributed to a stereotype of those who served as the trustees or committee members of the major endowed charities. The picture that emerges is of a male, near to or over middle age, of considerable means, usually inherited, but sometimes self-made, and with his fingers in a number of philanthropic and similar pies. An understanding of the issues which the charity concerned was set up to address was seldom a requirement, but sometimes occurred. Here the question will be addressed as to whether some or all of the Gardner's Trust committee members matched this stereotype.

As has been described earlier, the initial members of the committee of management, under the terms of Henry Gardner's will, were: Maria Louisa Richardson-Gardner; the Bishop of London, the Rt. Rev. Dr. John Jackson; the Rt. Hon. Lord Kinnauld (the 10th Lord Kinnauld of Inchtute and 2nd Baron Kinnauld of Rossie), the Hon. Arthur Fitzgerald Kinnauld (later the 11th Lord) and Captain Alfred Philip Slade Beaumont, JP (Henry Gardner's great nephew). All of these, except for the Bishop of London, were also executors and trustees under the will. The first few minuted meetings of the committee, commencing on 8 August 1881, were chaired by the Bishop of London,²⁹⁸ but at the meeting of 14 February 1882 it was resolved that Lord Kinnauld should be Chairman for 1882, a position he held until his death in 1887.

Although the minutes record changes in committee members and trustees and the annual election of a chairman, there is no discussion of the qualifications of potential members, or any debate concerning them. This absence of comment on what might be termed strategic issues is a common feature of the minutes throughout.

Despite (or, perhaps, because of) his intense interest in the use to which the bequest was put, Robert Richardson-Gardner was not appointed as a member of the committee, or as a trustee.²⁹⁹ Two more committee members were elected on 2 May 1882: The Rt. Hon. James Lowther, MP (Speaker of the House of Commons between 1905 and 1921, later 1st Viscount Ullswater) and W.S. Seton-Karr of Kippilaw (who had been in the Indian

(Bengal) Civil Service and written extensively on Indian affairs). This increased the number of management committee members from five to seven. Lowther was a second cousin of Sir Charles Lowther, who had been blind from infancy and a benefactor of William Moon, as well as being an activist for the blind. It was Charles Lowther and his wife, Isabelle, who had attempted unsuccessfully to negotiate a compromise between Maria Louisa Richardson-Gardner and the other trustees.

4.2.2 *Walter Scott Seton-Karr*

The social background and manner of appointment of Seton-Karr to membership of the committee and, ultimately, its Chairmanship, provides an interesting case study.

Walter Scott Seton-Karr (1822-1910), a god-son of Sir Walter Scott, like the Kinnairds came from an old Scottish family. After an education at Rugby, under Arnold, he was accepted by the Indian Civil Service and attended Haileybury (then its staff college) before travelling to the sub-continent in 1842. There followed a combined administrative and judicial career that indicated he might eventually reach the level of Lieutenant Governor of Bengal, but fate intervened.

During the nineteenth century a large demand had developed for the dye indigo and large areas of Bengal had been devoted to its cultivation, that process involving a system local indigo workers likened to slavery and which, by 1858, led to widespread rioting. By then Seton-Karr, who had literary interests and was a frequent contributor to the *Calcutta Gazette*, was Supreme Judge of Jessore and became aware of a play written in the local language titled *Nil Durpan* (Mirror of Indigo). This play was critical of many aspects of European society in Bengal, including the judiciary and the indigo planters. Nonetheless Seton-Karr and a minister, the Rev. James Long, felt that it had merit and should be translated into English and distributed. Long arranged this and sent out copies of the play in official government envelopes. A preface to the translation was also critical of two local English language newspapers, unnamed, but easily identified.

Although it would have been hard for anyone in England to understand how the play could cause serious offence, it certainly did so locally and the editor of one of the newspapers (the *Englishman*), together with the association representing the indigo

farmers, caused a criminal libel action to be brought against Long. Long was found guilty, fined and sentenced to a month's imprisonment. Seton-Karr, who had not been charged, was severely reprimanded.

After a brief spell in England Seton-Karr returned to India and held a variety of judicial and other positions (including Vice Chancellor of Calcutta University and Indian foreign minister) before retiring in 1870 and returning to England for good. Many years later he wrote in his autobiography:³⁰⁰

Soon after my return home in 1870, I was asked by Lord Kinnaid (then the Hon. Arthur Kinnaid) to join the board of the Lock Hospital. I think I had met him previously at dinner at the late Sir James Weir Hogg's, or some other house, and Kinnaid had always taken a certain interest in some Indian subjects and had been very useful to us in and out of Parliament on the Indigo question. ... Arthur Kinnaid was then full of vigour and activity.³⁰¹

The Lock Hospital for venereal disease and its associated asylum became a major centre of Seton-Karr's interest over the following years, but his manuscript autobiography also describes in some detail his involvement with numerous other good causes, including the Middlesex Hospital (member of the Committee of Management), Guy's Hospital (member of the Committee of Management), the Chelsea Board of Guardians (Vice Chairman) and Marlborough College (member of the Governing Body). During this period he wrote an authoritative account of Lord Cornwallis in India and provided literary contributions to the *National Review* and several other journals. On literally the last page of his autobiography he wrote: 'I have still to do with ... the Gardner's Trust for the Blind, as Chairman of the Committee'. Nowhere in his autobiography is his recruitment to the management committee of Gardner's Trust discussed, but by the time of his appointment in 1881 he would have known Lord Kinnaid (who inherited the title in 1878) for ten years and it may be assumed that they had developed considerable mutual respect.

Seton-Karr's taking over of the Chairmanship of Gardner's Trust also is not mentioned, but of the year 1883 he wrote of the Lock Hospital: 'When Arthur Kinnaid's health began to give way, I saw that there was nothing for it but for me finally to step into his shoes.' Although the younger Kinnaid would have been a possible candidate (and indeed later took on the role), it may well be that Seton-Karr felt the same responsibility

towards Gardner's Trust, although there he did not take over as Chairman until Kinnaird's death in 1887.

Ostensibly a pillar of the community, the 10th Lord Kinnaird may have had a darker side. Writing thirty years after his death, Mrs. Stuart Menzies provided him with the somewhat unoriginal soubriquet of the 'pious fraud'.³⁰² She also related a story involving a public altercation between Kinnaird and the Rev. Evelyn Burnaby (younger brother of the better-known soldier and adventurer Colonel Frederick Burnaby). Kinnaird intimated that Burnaby was unsuitable material for a vacant prebendial stall at Westminster Abbey, to which Evelyn responded "I am not surprised you take such an interest in the ____ Hospital, considering you help to fill it."

4.2.3 Committee developments

On 6 January 1885, Dr. John Jackson unexpectedly died (he is buried in All Saints, Fulham next to his wife, who had died 11 years earlier to the day) and he was replaced in due course by Dr. Frederick Temple, the new Bishop of London, who had been translated from Exeter. Prior to this he had been Headmaster at Rugby.³⁰³ Although never formally elected as a Chairman of the management committee, Jackson had, in fact, taken the chair at meetings from the outset in August 1881 and continued to do so until the election of Lord Kinnaird in February 1882. He attended regularly for a few more meetings, but in November 1882 he wrote to say that he would be occupied on Tuesdays (the day when meetings were normally held) for the foreseeable future. The fact that the day of meetings was not changed to accommodate this may imply that Jackson and the other trustees had agreed that his contribution to the initial organisation of the trust was complete.

Temple remained as a committee member until 1893 and was appointed to the see of Canterbury in 1896, in which post he died in 1902. He had been a keen worker in the interests of the blind (having been a member of the Royal Commission 1886-9) and was himself only partially sighted in his later years.

Lord Kinnaird, who had been Chairman since the trust's formation, died on 26 April 1887 and was replaced as a committee member (but not as a trustee) on 5 July by Sir

William Tindal Robertson, MD, FRCP, MO, JP. W.S. Seton-Karr took over as Chairman. Tindal Robertson had been an eminent surgeon, mainly in the Nottingham area, whose eyesight had begun to fail in 1883 due to glaucoma, at which point he retired from his practice. On moving to Brighton he had become chairman of the Conservatives association there and was subsequently returned unopposed as the member for Brighton in a by-election in 1886. He was a member of the Royal Commission on the Blind, Deaf and Dumb and knighted in the New Year's honours list of 1888. Tindal Robertson also died in 1889, by his own hand on 6 October. He had been in poor health for some time and in later years suffered from depression. Maria Louisa Richardson-Gardner died of gastric fever following a short illness at Château Louis XIII in Cannes on 2 April 1889.

Sir Alexander John Arbuthnot, KCSI, CIE was elected to the committee in her place and Lt. Gen. Sir George Wentworth Alexander Higginson, GCB, GCVO was elected the following year *vice* Robertson. Arbuthnot had been an eminent civil servant in India, serving briefly as governor of Tamil Nadu, Madras among his many other senior positions. He also wrote on India and was a noted rose grower. Higginson (1826-1927) was a Crimean War hero who served more than 30 years in the Grenadier Guards. During his career he traveled extensively on military affairs to Ireland, Canada, France, Italy and Russia. He also spent time in the United States during the American Civil War. He served as Lieutenant Governor of the Tower of London from 1888 to 1893 and was also a close personal friend of the Royal Family.

Arbuthnot retired from the committee in 1892, having only attended its meetings sporadically, and was replaced the following year by George Denman, QC, the High Court judge, politician (he had been MP for Tiverton) and classicist. However, he survived only three years and was himself replaced, following his death in 1896, the following year by Sir Gardner Engleheart, a barrister and civil servant. (Lord Francis Hervey of the Civil Service Commission was initially approached with a view to taking Denman's place, but declined.) The regularity of attendance of members of the committee was a cause of concern and also caused a proposal for a reduction in the quorum from three to two members in 1897, although this was soon withdrawn. (However, the quorum was reduced to two at a later date that has yet to be determined.)

However, some members were extremely diligent in their attendance, as can be seen from Table 4.1 following.

Table 4.1: Attendance record of selected committee members

<i>Committee member</i>	<i>Meetings attended</i>		
	<i>Actual</i>	<i>Possible</i>	<i>Percentage</i>
MacMahon, Neil Cullagh Mildred (secretary)	172	176	98%
Wilson, Henry Josiah (secretary)	408	420	97%
Seton-Karr, Walter Scott (chairman)	281	295	95%
Boag, George Townsend	93	103	90%
Clay, Ernest Charles (secretary)	181	213	85%
Parsons, Geoffry Lawrence (chairman)	172	204	84%
Kinnaird, Arthur Fitzgerald (11 th Lord) (chairman)	340	433	79%
Crane, Charles Percy Paston (chairman)	139	178	78%
Moon, Edward Robert Pacy	65	83	78%
Richmond, Bruce Lyttleton (chairman)	114	149	77%
Lyttleton, Neville Gerald	96	127	76%
Loyd, Robert Lindsey (chairman)	148	199	74%
Richardson-Gardner, Maria Louisa	61	83	73%
Beaumont, Alfred Philip Slade	366	519	71%
Engleheart, John Gardner Dillman	76	110	69%
Kinnaird, Arthur Fitzgerald (10 th Lord) (chairman)	44	65	68%
Burrows, Frederick Abernethy	45	76	58%
Richmond, Douglas Close (chairman)	191	409	47%

Source: compiled from attendance records in committee minutes

The Bishop of London resigned in 1893, having barely attended in recent years, and was replaced by the Rt. Rev. Dr. Randall Davidson, Bishop of Rochester. He stayed for only two years, at which time he was translated to Winchester, before progressing to Canterbury in 1903 (he was the first Archbishop of Canterbury to retire, rather than die in office). He was replaced in 1895 by the new Bishop of Rochester, the Rt. Rev. Dr. Edward Talbot.

James Lowther resigned in 1897 as a committee member, being replaced by Alexander Charles Hamilton, Rt. Hon. Lord Belhaven and Stenton (10th), a former Indian Army officer who served as a Scottish representative peer in the House of Lords, where he would have come into contact with Lord Kinnaird. Lowther also indicated initially that he wished to resign as a trustee, but was subsequently prevailed upon to change his mind.

Talbot attended infrequently and resigned (in fact, he was invited to do so) due to other priorities after two years in 1897. The remaining committee had given up on bishops and he was replaced by a solicitor, Sir Frederick Abernethy Burrows, Bt., the seventeenth person to serve as a committee member and representing a turnover rate of around one a year. It will be recalled that Burrows was Lord Kinnaid's first choice to replace Mills Roche when he had to stand down during the Chancery case. This was the last change during the Victorian era. Only two of the original members remained, Lord Kinnaid and Alfred Beaumont, of whom only the latter was related to the founder. The number of committee members at the end of the period remained at seven.

Those appointed as members of the committee during the second two decades of its existence were no less prominent than their predecessors, but there were certainly differences. For example, the established Church had ceased to be represented on the retirement of the second Bishop of Rochester, possibly reflecting a generally more secular approach to philanthropy in society.

Those who left the management committee were: Sir Frederick Burrows (died 1904), Sir Gardener Engleheart (retired 1908), Sir George Higginson (retired 1909), Walter Seton-Karr (died 1910) and the Rt. Hon. Lord Belhaven and Stenton (retired 1919). On the death of Walter Seton-Karr, his place as chairman was taken by Lord Kinnaid, the position held by his father from 1882 to his death in 1887.

The replacements were: Philip Lyttelton Gell (1905, from an old landowning family, possibly connected by marriage to the other Lytteltons, who himself retired in 1909), Douglas Close Richmond (a civil servant), W.F. Lawrence, the Rt. Hon. Viscount Cobham (a parliamentarian), Edward Robert Pacy Moon (a Member of Parliament), Gen. the Rt. Hon. Sir Neville Gerald Lyttelton (a distinguished soldier), Sir Lewis Tonna Dibdin (an ecclesiastical lawyer) and Ralph Neville. Overall, the number of committee members was one higher at the end of the period (eight) than it had been at the beginning (seven).

As has already been seen, external circumstances conspired to reduce the economic and social influence of Gardner's Trust in the new century, particularly after the passage of

the 1920 Blind Persons Act. A cursory review of the list of members appointed between 1920 and 1944, of which there were twenty, shows perhaps slightly less lustre than previously. There was still a strong army connection (three each of generals, lieutenant-colonels and majors), several civil servants and public administrators and a scattering of other professions. One of the latter, Dennis Lucas Capron, a landowner and County Councillor, was involved in a famous scandal involving the Provost Marshal of England, Sir Percy Laurie in 1943. He resigned as a committee member in 1944 and committed suicide in a remote part of Ireland in 1949.³⁰⁴ One would have had to wait until 1945 for the first woman since Maria Louisa Richardson-Gardner to be appointed to the committee. This was Sybella Jane Bailey, the niece of Sir Neville Lyttelton, a former committee member, and she only served briefly.

In fact, family connections seemed to count for a lot in appointments to the committee. Douglas Close Richmond was the nephew of Alexander Charles Hamilton, 10th Lord Belhaven and Stenton; his son was Sir Bruce Lyttelton Richmond and Charles Paston Crane was his nephew. All three served as chairman. Robert Loyd was the father-in-law of Malcolm Coit Dunlop, again with both serving as chairman, and Geoffry Parsons was his brother-in-law (they both married daughters of Sir John Evelyn Gladstone). Parsons and Bruce Richmond were contemporaries at Winchester College, a school also attended by several other members of the committee and of which Sir George Gater, another committee member, became Warden. Charles George Lyttelton, 5th Baron Lyttelton and 8th Viscount Cobham, was the brother of Lavinia Lyttelton, who married the Rt. Rev. Edward Stuart Talbot; Sir Neville Gerald Lyttelton was his younger brother and Douglas Richmond was for a time tutor to Charles and Neville. Sir Kenneth Raydon Swan and Geoffrey Lawrence Parson were connected through their father (Sir Joseph Wilson Swan) and uncle (Sir Charles Algernon Parsons) respectively. The elder Swan and Parson were both pioneers of the electrification of Great Britain in the 1880s – the pond at Sheriff Hill, outside Newcastle-upon-Tyne, was illuminated by a combination of a portable Parsons generator and Swan incandescent lights for the purpose of night skating in January 1886.³⁰⁵ No doubt other connections would be found if this line of enquiry were pursued.

There are almost no references to meetings of the trustees as a body, which had no statutory or assigned duties other than those devolving on charity trustees in law

(essentially only relating to responsibility for holding the assets of the trust). On the death or resignation of a trustee his replacement, almost always an existing member of the committee would be nominated at a meeting of the committee. Seton-Karr was appointed on the death of Lord Kinnaird (10th) and Sir James Lowther on the death of Maria Louisa Richardson-Gardner. Lowther continued in this role after his resignation from the committee, despite initially indicating a wish to step down. On the death of the younger Lord Kinnaird (11th) his family continued to act as trustees for two more generations, although these had no involvement with the management of the fund.³⁰⁶ At any one time the number of trustees was usually maintained at four, but sometimes there would be three or five. Alfred Beaumont remained a trustee until his death in 1938, having thus been involved intimately with the trust for almost sixty years.

After the death of the younger Lord Kinnaird (11th), the chairmanship was assumed by Douglas Close Richmond, CB (1839-1930), a civil servant who became a Charity Commissioner before his later appointment as Comptroller-General. On his retirement in 1928, his successor was Lt. Col. Charles Paston Crane, DSO, OBE, whose early career was with the Royal Irish Constabulary and as a resident magistrate in Donegal. During the Boer War he served with the Imperial Yeomanry and in the First World War with the Lancashire Fusiliers, the Irish Guards and the York and Lancaster Regiment. On his death in 1939, he was initially replaced as Chairman by A.E. Rogers, who himself resigned in July that year on grounds of ill health and was replaced by Sir Bruce Lyttelton Richmond, a journalist who was founding and long-serving editor of *The Times Literary Supplement*.

One observation in particular can be made about those who constituted the committee: they had almost no direct exposure to the blind themselves. As far as can be determined only two of them were actually blind (William Tindal Robertson and William Frederick Lawrence) and only one had an independent and pre-existing interest in another institution for the blind (Viscount Cobham at Worcester College). Personal appearances before the committee were rare at the best of times and only two attendances by blind people are recorded in the minutes, Francis Campbell of the RNC (on a number of occasions) and William Moon of the Brighton printing establishment. No doubt the various chairmen and other members of the committee visited the charities they supported from time to time, but their main purpose was as a clearing house for

applications for funds from institutions and almoners, rather than the blind themselves. Of course individuals did apply for grants and pensions, but generally through a third party and the applications were vetted and processed by the secretaries with minimal direct exposure of the committee members to the vicissitudes of blindness. By and large the trustees and committee members were non-executive in both a technical sense and almost in the sense used today – they would debate and approve (or, in some cases, not approve) applications and other matters brought to them by the executive secretary, but one struggles in the minutes to find any real sense of leadership.

The short answer to the question as to the type of people brought in by the original trustees to strengthen their number was that they were mirror images of themselves. This is not to suggest they were clones, but overall the membership was never noticeably broadened in relation to its skill set. To a large extent they did conform to the Establishment stereotype.

4.2.4 Appointment of Henry Wilson as secretary

Now the question can be addressed as into whose hands the management committee placed the day to day running of the trust. Illingworth tells us that Henry Josiah Wilson was born in Wales in 1844, the third son of Edward Wilson of Hean Castle, Pembrokeshire (1808-1881), a comfortably-off collector, and younger brother of Major-General Sir Charles William Wilson (1836-1905), a well-known military cartographer.³⁰⁷ In 1855 he went to Cheltenham College and remained there until 1863. In 1866 he had a very severe attack of scarlet fever with complications and, being recommended to spend some time in a warmer climate, in 1867 he went to Argentina. There he settled near to the frontier and engaged in cattle and sheep farming. In 1871, when lassoing a horse, the rope snapped and recoiled into his face, badly damaging the right eye. He had to travel across the prairie for more than 200 miles before the eye could be treated and, although the inflammation was eventually cured, the sight was lost in that eye. In 1873 he came home for a year, returning in 1874 until 1880, when he returned to England for good, marrying Edith Nairne, daughter of Rev. John Du Pré Addison, in 1882.

In the same year he answered an advertisement for the post of secretary of Gardner's Trust. There were 373 applicants from a wide variety of backgrounds and he was selected as one of five to interview by the committee on 18 February 1882. He was successful and appointed secretary on 21 February, starting work on 24 February at a salary of £200 p.a. As the first holder of the post, he not only had to deal with an accumulation of 1,500 letters from applicants for assistance, but also had to organise the implementation of the Chancery approved Scheme.

In addition to managing the administration of the trust, Wilson came over time to perform two other functions. The first, a natural adjunct to his administrative duties, was to represent Gardner's Trust on the boards or committees of various institutions that the trust supported financially, or with which it worked closely. This duty was shared, at least in the early days of the trust's existence, with some members of the committee. However, there were occasions when offers of representation were declined, particularly if the committee felt that this might expose their secretary or one of their number to controversy, or place them in an awkward position. Following the resignation in 1919 of Lord Kinnaird from his place on the governing body of Worcester College (with which there had been some difference of opinion), the committee passed a resolution 'That it is not desirable that the Trust be represented on the Governing Body of any College or Institution for the Blind'.³⁰⁸ The committee were open-minded as to how the income from the Gardner bequest was to be spent (within the terms of the Scheme and Declaration of Trust), but were always reluctant to take on broader responsibilities (for example the 'Central Bureau' proposed in 1905 or the managements of the RNC or Worcester College, discussed later), although they did act as sponsor of the 'Conference on the Blind' held at Church House, Westminster in 1902, for which most of the organisation was actually undertaken by Wilson.

The reluctance of the trust to set policy objectives and force the pace of change is summed up quite well by Phillips: '... the ... Gardner Trust enjoyed extensive contacts within the world of blind charity, extolled unity of action, but at the same time lacked any clear sense of direction of its own' and 'It was addressed more to immediate than to ultimate objectives, to institutional rather than social reform'.³⁰⁹

Although she was describing the effect of appointing a permanent secretary to a branch office of the Charity Organisation Society rather than Gardner's Trust, Helen Dendy Bosanquet's words are appropriate: 'The more capable the Secretary was, the greater became the mass of work which he attracted to the office ...', and Wilson was nothing if not capable.³¹⁰

The second function, which implicitly had the support of the committee, was for Wilson to play an active role in the affairs of the blind in his own name, rather than as a formal representative of the trust. He was a tireless visitor to institutions for the blind, organiser of conferences and publisher of magazines, papers and booklets. The result of this activity, the extent of which can hardly be exaggerated, has been commented on, among others, by Phillips: '... he became for some thirty years perhaps the most powerful figure in the position of blind charity'.³¹¹ To some extent it is now difficult to see where the trust's corporate influence ended and Wilson's personal influence began, but his undoubted energy in promoting initiatives cannot be ignored. Within four years of taking on his position with the trust, in 1886 Wilson was testifying before the Royal Commission on the Blind, Deaf and Dumb, as was Dr. Temple, a former member of the committee.

In 1887 the first edition of *Information with Regard to Institutions, Societies, and Classes for the Blind in England and Wales* was published by Wilson, with financial support from the trust. This went through several editions, before being replaced after his retirement by the RNIB's *Directory of Charities for the Blind*, which continued to be supported financially by the trust.

It was common practice for charities to publish annually reports of their activities, together with a financial statement. The main reason for this was undoubtedly that such publications could assist in fund-raising activities by serving as an advertisement and, indeed, summaries of such reports were often published in daily newspapers together with an appeal for funds. Perhaps because Gardner's Trust was not a fund-raising charity, it did not initially follow this pattern. For both 1881 and 1882 (and probably succeeding years) Henry Wilson did produce a manuscript report for the trustees, summarising the trust's financial position and the various institutions and individuals that had been supported.³¹² However, by 1892 the trustees must have become aware that

the publication of such annual reports was becoming considered best practice for all charities and a compendium report was published covering the first ten years of operations of the trust, largely prepared by Wilson. Thereafter reports were published annually.

In January 1898 Wilson published the first edition of a quarterly journal for those who worked in the interests of the blind entitled, naturally enough, *The Blind*. Although the committee of Gardner's Trust had approved his proposal and underwritten the costs for the first year, it was intended to be self-financing and was his personal initiative, not that of the trust. The journal proved successful and continued to be issued until October 1919, when it ceased publication shortly before Wilson's retirement as secretary. He then wrote that he laid down his pen owing to 'recent serious illness and the increasing burden of the years'. *The Blind* is barely mentioned in the minute books of the committee, leading to the conclusion that it was indeed largely Wilson's organ and that the committee wished to keep their distance, although doubtless Wilson would have been anxious not to offend them.

A conference of blind organisations took place in July 1890 at the Royal Normal College, Norwood, but if it was attended by any representative of Gardner's Trust this was not noted in the minutes (the Gardner's committee had sent a delegation to the RNC as early as 1883 and remained in close contact).³¹³ Table 4.2 following provides a list of the main conferences and congresses on the blind held on the Continent between 1873 and 1891 and in the United Kingdom between 1876 and 1914.

Table 4.2: Conferences and Congresses on the Blind

<i>Continent</i>		<i>United Kingdom</i>		
<i>Place</i>	<i>Year</i>	<i>Place</i>		<i>Year</i>
Vienna	1873	London	(School Board)	1876
Dresden	1876	York		1883
Paris	1878	Sheffield	(Local only)	1884
Berlin	1879	London	(RSA)	1889
Frankfurt	1882	London	(Norwood)	1890
Amsterdam	1885	Birmingham		1894
Cologne	1888	London	(Westminster)	1902
Kiel	1891	Edinburgh		1905
Brussels	1891	York	(Local only)	1907
Munich	1895	Manchester		1908
Berlin	1898	Preston	(Local only)	1909
		Exeter		1911
		London	(Westminster)	1914

Note: The UK list excludes the Grosvenor House conference of 1884, which was convened by the Duke of Westminster and led to the setting up of the Royal Commission.

Source: Ritchie, *Concerning the blind*, etc.

The Westminster conference on the blind of 1902, held at Church House, Westminster, was effectively sponsored by Gardner's Trust and almost single-handedly organised by Henry Wilson. The contribution made personally by Wilson to the success of the 1902 conference and his long and efficient service to the trust was recognised by the committee at their first meeting after the conclusion of this conference by an increase in his salary from £400 to £500 p.a. His appointment to two special committees set up to consider the question of the Uniform Braille system and the possibility of a special Institution for children who, in addition to their blindness, were 'physically or morally defective [sic]' was also noted.

Also at the conclusion of the 1902 conference, an organising committee was appointed to make all the necessary arrangements for the first 'International Triennial'. Wilson was the chairman of this committee and subsequently chaired the conferences held Edinburgh in 1905, Manchester in 1908, Exeter in 1911 and Westminster again in 1914. These conferences almost always resulted in Wilson taking on additional responsibilities, for example at Manchester in 1908 he was elected to four committees and it was agreed that his expenses in attending these should be met by the trust.³¹⁴

The formation of regional unions for the blind was gently encouraged by Gardner's Trust and, in 1907, Wilson convened a meeting in London of the executives of the seven regional unions for the blind, the result of which was that it was decided to form a central union of unions, whose chief function should be to secure uniformity of principles of administration of the several regional unions, and interchange of opinion on all matters concerning the blind.

At the Edinburgh conference for the blind held in 1905 chaired by Henry Wilson, one of the papers presented (by A.B. Norwood, Superintendent of the Yorkshire School for the Blind) proposed that a national 'Central Bureau' should be established with a view to co-ordinating the many and varied voluntary organisations working on behalf of the blind and establishing a comprehensive register of blind persons. There were two existing organisations that could have logically taken on this role, Gardner's Trust for the Blind and the British and Foreign Blind Association. The latter declined the suggestion and the Gardner committee simply did not see this as falling within the terms of the original bequest '[they] did not see their way to undertake such additional duties'.^{315,316} Norwood subsequently asked the committee if he could pass on the letter and was informed that he could do what he liked with it.

The Gardner committee was, however, prepared to facilitate the achievement of this aim by others and supported the creation of regional 'unions of institutions, societies and agencies for the blind'.³¹⁷ The first of these, covering the northern counties, was formed in Manchester in 1906. In 1908 Gardner's Trust and the Royal Normal College actively supported the formation of a similar body to cover London and the south eastern counties of England (Berkshire, Essex, Hertford, Kent, Middlesex, Surrey and Sussex), the first chairman of which was Wilson.³¹⁸ It was originally known as the Union of Institutions, Societies and Agencies for the Blind the Metropolitan and Adjacent Counties, later known as the Metropolitan and Adjacent Counties Association and from 1930 the South Eastern and London Counties Association for the Blind.

By 1914 seven such unions covered the whole of England and Gardner's Trust continued to support their work by means of annual financial grants. A national body, the Union of Institutions, Societies and Agencies for the Blind, subsequently renamed the Union of County Associations for the Blind, was also formed in 1914, again with

Wilson as its chairman. At the Conference on the Blind held in London in 1914 Henry Wilson presented a paper on the history and possible development of the Unions.³¹⁹ The momentum that had begun to be generated was dampened by the outbreak of war later that year, although their efforts were encouraged by the Advisory Committee from the end of the war. The Union of County Associations was eventually dissolved in 1938, at which time the seven regional unions were replaced by four new regional bodies.³²⁰

In 1907 the College of Teachers of the Blind was founded, mainly on the initiative of the British and Foreign Blind Society, to increase the professionalism of teachers of the blind (for example, by setting appropriate examinations) and to facilitate the recruitment of such teachers. Once again the first chairman was Wilson and a modest contribution was made by the trust to their initial expenses.³²¹

Several of the subsequent meetings were held at the office of Gardner's Trust, clearly with the implicit support of its committee.³²² In 1924 it merged with the Association of Teachers of the Blind, which had been founded in 1912 as a professional body for teachers of the blind. At a meeting of the General Council of the College of Teachers of the Blind, held in London on 23 October 1909, Wilson was elected a Fellow of the College; only five fellowships were conferred, the other four being Sir Francis J. Campbell (co-founder and first principal of the Royal Normal College), the Rev. J.W. St. Clare Hill (chaplain and later principal of the Southwark school, which later moved to Leatherhead), William Henry Illingworth (head of Henshaw's and, previously, other institutions for the blind) and Henry Stainsby (head of the Birmingham institution).

As a result of a motion by Mr. A.J. Wardle, MP for Stockport, a Departmental Committee was appointed in May 1914 by the President of the Local Government Board (Herbert, later Viscount Samuel, 1870-1963) to consider the condition of the blind in the UK and what could be done for them. The appointment of Wilson to this committee was noted by the Gardner committee, but without obvious enthusiasm. The Report of the Committee, chaired by the Rt. Hon. Hayes Fisher, MP, was published in 1917 and led, in December 1917, to the appointment of a permanent Advisory Committee, on which Wilson also served.³²³ This Advisory Committee, under the initial Chairmanship of Stephen Walsh, MP and Vice Chairmanship of Wilson, was appointed to advise the Board (and later the Ministry of Health) on matters relating to the care and supervision

of the blind in England and Wales. Another MP succeeded Fisher (Godfrey Locker-Lampson) when he stood down, but in 1920 Wilson became chairman, although with the passage of the Blind Persons Act 1920 the committee arguably began to lose its pre-eminent position of government influence and he resigned in 1921 when its membership was reconstituted to include a higher proportion from outside the voluntary sector.³²⁴

In 1916 Sir Ellis Cunliffe wrote to the Gardner committee asking them to appoint a representative of the trust on the Federation Board of London Workshops for the Blind. Wilson was directed to reply, perhaps a little tetchily, that the committee regretted that as they consisted of only seven members, all of whom were very busy men, there was no member available as a representative of the trust on the Board.³²⁵ The Federation Board had been founded in 1911, its object being to co-ordinate the activities of the several workshops for the blind active in London, for example by the appointment of a joint travelling salesman. Seven out of the nine workshops for the blind joined the Federation and what the Gardner minutes do not reveal, in either 1911 or 1919, is that its first chairman was again Wilson, from which position he resigned in 1919.³²⁶

In 1920 a conference was held at the Clothworkers' Hall, with Wilson in the Chair, to consider the desirability of the centralisation and unification of all collections made on behalf of the blind. As a result of this conference the NIB (formerly the BFBA) took on responsibility not only for central fund-raising, but also for blind registration (on behalf of the National Advisory Committee) and home teaching.³²⁷

In addition to the foregoing responsibilities, Wilson was also chairman at various times of the National Committee for the Employment of the Blind, the Prevention of Blindness Committee, the Federation of Libraries for the Blind and the Blind Pensions Committee.³²⁸

Wilson was also astonishingly active outside the field of the blind, a long list of his other interests being provided in the anonymous short biography of him that appeared in *The Beacon* (March 1926) a few years after his retirement. His retirement in 1921, following a period of ill-health, was celebrated with numerous tributes and honours, including honorary membership of the Clothworkers' Company. A fitting tribute to Wilson was paid by Ritchie:³²⁹

Wilson was a man of tact, courtesy and unaffected zeal in the welfare of the blind. As the years passed, his friendly offices were more and more sought as confidant and chairman. He stood apart from inter-institutional jealousies. Neither he nor the Trust had any axe to grind. His rooms were neutral territory, and they became to an increasing extent the meeting place of the blind world. Innumerable gatherings were held there, and not a few movements had their inception round his table.

It is clear that Wilson could not have risen to his position of eminence without his position as secretary of Gardner's Trust and the tacit support of its management committee. However, these were necessary, not sufficient, conditions. Wilson's contributions to the betterment of the lot of the blind went beyond his strict duties as secretary of the trust and must be recognised as such. He has his niche in the minor pantheon of those who have served the blind, but deserves one in a larger edifice.

4.2.5 *Later secretaries*

Wilson's immediate successor as secretary was Lt. Col. Ewen Allan Cameron, CMG, DSO, who worked in parallel with Wilson as assistant secretary for some months prior to Wilson's retirement. Cameron may have had too much initiative and was forced to resign in 1924 as a result of responding to a letter without first discussing its contents with the committee. He was replaced by another army man, Lt. Col. Ernest Charles Clay, CBE, who had joined the committee in 1923, and it is possible Cameron was already unpopular by the time of Clay's first appointment. Clay remained in this position for 15 years and there is no evidence that he took the role anything like as seriously as Wilson had done. A third army appointment took place in 1939 when Clay was replaced by Major Neil Cullagh Mildred MacMahon, OBE. MacMahon seems to have been more in the Wilson mould and had a very poor opinion of his immediate predecessor, but the days of the trust having great influence had long passed and he did not have the platform from which to rise to Wilson's level of eminence. MacMahon retired in 1960 and, on his death in 1969, left a significant bequest to the trust for additional pensions, despite the fact that by then the whole *raison d'être* for blind pensions was debateable.

4.2.6 *Other appointments*

Mr. Frank J. Belton was appointed clerk to the committee on 21 March 1882 at a salary of 18 shillings a week and occasionally attended meetings thereafter. He retired on 31 March 1939, having given 57 years of service, and died on 14 December 1944, in his eightieth year.

Regular vacations do not seem to have been part of the deals agreed with Henry Wilson or Frank Belton, but in due course they were awarded six weeks and three weeks respectively.³³⁰ A period of closure of the office for a few weeks during the summer months was later agreed, allowing holidays to be taken simultaneously by Wilson and Belton, and later the office also began to close for a few days over Christmas, Easter and even Whitsun.

The firm of solicitors of Messrs. Gedge, Kirby, Millet and Morse had been appointed before the first minuted meeting of the committee. Mr. Sydney Gedge was a regular attendee at meetings for many years and Mr. Morse occasionally appeared in his absence.³³¹ Cheques drawn in favour of the firm were a common item in the minutes and in 1883 it was resolved that they should be paid 50 guineas p.a. for specified ordinary services, with other business to be paid for in the 'usual way'.³³² There may have been some early friction between Sydney Gedge and Henry Wilson, noting a comment in the minutes that: 'The Secretary was instructed to consult Mr. Gedge more frequently, where large loans or grants were applied for'.³³³ The committee was not acting unreasonably here – it was generally accepted that in the case of complex investment decisions trustees would take appropriate legal advice, or risk personal liability for losses if problems subsequently occurred. George Henry Long, who was the solicitor for Robert and Maria Louisa Richardson-Gardner, also appeared on at least one occasion.³³⁴

On 19 January 1882, the management committee agreed a lease of the ground floor of One Poet's Corner, Westminster, from the firm of Gedge & Co. (who had recently taken a lease on the whole house), for a rent of £120 p.a., free of rates and taxes. Part of the deal was that the committee would be permitted to meet in the personal office of Mr. Gedge, at One Old Palace Yard, Westminster.³³⁵

The matter of an auditor was first raised at the committee meeting on 6 February 1883, when it was resolved that Messrs. James Waddell & Co. should be invited to act for the fee of 10 guineas p.a. and a Finance Sub-Committee was also appointed. The accounts up to 31 December 1882 were passed at a meeting of the Sub-Committee on 19 February 1883 and, after audit, were approved on 3 April. It was determined not to publish a balance sheet with a report on the trust, but on 29 May 1883 it was resolved to place a report in *The Times*, *Morning Post* and *Daily Telegraph*. The accounts for the early years were not appended to the minutes and have not survived.

Messrs. Waddell & Co. were not reappointed for a second year, for reasons that are not discussed. In a letter of 22 October 1883 to Lord Kinnaird replying to one of the 19 October, Eustace Booker of Grey, Prideaux and Booker agreed to take on the appointment, but for some reason this did not proceed. On 6 November 1883 Mr. W.H. Elliot was appointed auditor at the same fee of ten guineas p.a.

Of these other appointments none was as critical as that of the first secretary, but in aggregate they provided a solid foundation on which the work of the trust could be built.

4.3 Governance

4.3.1 Bye-laws & regulations

The questions as to how the management committee organised itself and provided a framework for its operations need to be addressed. The agreement of the Scheme and Declaration of Trust put an end to the court case and served as the basis for a rapprochement between Maria Louisa and the other trustees. However, it was a long way short of a detailed plan for the administration of the fund and the committee chose to delegate the task of producing this. In putting in place such a plan the committee certainly exercised their right to act as they thought fit.

At the committee meeting on 19 January 1882, Mr Sydney Gedge was instructed to draft 'Bye-laws for the regulation of the meetings of the Committee' and 'Regulations

for the Management of the Scheme'. These were produced at the next meeting, on 7 February, and accepted with only minor amendments. Regulation 1 is of some importance and bears examination.

1. In administering the Fund the following objects shall be kept steadily in view-
 - A. To make grants from this Fund the means of eliciting the contributions or assistance of other persons and facilities.
 - B. To give to the persons aided such assistance as will call out their own exertions and put them in the way of maintaining themselves, but this is not meant to apply to the cases of aged persons who are considered fit subjects for pensions and are altogether past work.
 - C. To avoid such application of the Fund whether in the way of instruction or of pension or otherwise as will merely do what would otherwise be done by the parochial rates.

These were, of course, consistent with the Scheme and Declaration, but went further.

1.A. introduced the concept of the trust being a catalyst for contributions from other charities. Interpreted strictly it meant that the committee would only infrequently agree to be the sole provider of assistance to an individual or institution. 1.B. meant that in order to qualify for assistance, any able bodied blind person had to be prepared to work at something. 1.C. was meant to ensure that a Gardner's grant or pension did not simply absolve a Board of Guardians, or some other body, from making a payment to which the individual would anyway have been entitled. Conversely, it was intended to ensure that applicants were already receiving all of the benefits to which they were entitled. The third regulation in particular reflected comments made by William Martin Wilkinson of the COS in his pamphlet written for the benefit of the Gardner's Trustees, so it is possible that at least Sydney Gedge had taken the trouble to read it.³³⁶ Nonetheless the regulation proved difficult to apply in practice and the subject of 'relieving the rates' occurred frequently in the minutes of committee meetings.

A late example of this is provided in a lengthy diatribe forming part of the notes prepared by Major MacMahon, then secretary, for a proposed meeting with certain members of the NIB in 1943. MacMahon had taken over from Colonel Clay (who remained a member of the committee) as secretary in 1939 and was to remain until 1960.³³⁷ He complained that the trust had long been on unsound ground in the way that it awarded Gardner Scholarships to applicants who were already receiving State support, thus falling foul of their self-imposed restriction on 'relieving the rates'. When

he had raised this with his predecessor, he had been told 'Why do you want to stir up trouble, why can't you leave things as they are? What is good enough for me and for the Committee and past Committees should be good enough for you', in view of which he had then let the matter rest.

Regulation 2 is also worthy of comment.

2. The marriage of any holder of a Scholarship or pension to a blind person or to any other person without the previous consent of the Committee shall *ipso facto* involve the forfeiture of the Scholarship or pension.

The committee confirmed its disapproval of the intermarriage of blind persons at its August 1898 meeting, to the extent that it would lead to the automatic withdrawal of pensions. This was in accordance with the recommendations of the Royal Commission, 'That the intermarriage of the blind should be strongly discouraged.'³³⁸ In fact this had been a cause of considerable debate among witnesses appearing before the Royal Commission, particularly in relation to the intermarriage of the deaf, and in retrospect it is surprising that no distinction was made between those suffering from congenital conditions and those who lost their sight, or hearing, through later disease or accident.

It was certainly a subject on which some benefactors of the blind felt strongly, including Elizabeth Gilbert.³³⁹

In 1878 she [Gilbert] heard that one of the workmen was about to marry a workwoman (since dead) who was blind, deformed, and very much out of health. She could not approve of such a marriage, and did her utmost to prevent it. She wrote to express her views, and sent a favourite sick-nurse to the institution to emphasise them.

The marriage arrangements were terminated forthwith, perhaps because both parties feared for their employment.

Another writer on blindness who took a firm stand against intermarriage, and, like Gilbert, was blind himself, was Hyppolite van Landeghem.³⁴⁰

Moreover, being in constant communication with the five-senses, they [the blind who lived in 'exile' institutions] are not forced to intermarry – a point which may be taken into consideration, as intermarriages greatly tend to aggravate existing evils.

Hyppolite Van Landeghem and his wife were followers of John Bird, who was also opposed to the segregated education and the intermarriage of the blind.

Few printed copies of the Gardner bye-laws and regulations have survived, but one that does was a set published when the trust was in offices at Chancery Lane, which it occupied between 1992 and 1995. They have changed remarkably little from those of 1882, although by then references to the marriage of pensioners had been removed in their entirety.

4.3.2 Format of committee meetings

With the bye-laws and regulations in place, the management committee still needed to decide how often it would meet and how it would handle its business. No two committee meetings were quite the same, especially in the early years of the trust's existence, but eventually a pattern developed that persisted for many years. There would normally be ten meetings a year, the most common months being January, February, March, May, June, July (often twice), October, November and December.

The first agenda items typically involved apologies, approval of previous minutes and matters arising therefrom. Committee and trust appointments were often taken next, including the annual election of a Chairman, the election of new committee members or trustees, changes in the salary of the secretary or clerk and the appointment and remuneration of auditors.

If there were any investment or banking issues, these would be dealt with next. The classes of securities in which the trust invested its funds would occasionally be discussed, but more often the discussion was on operational aspects of mortgages advanced by the trustees, for example to the Duke of Manchester. Cheques signed (other than pension cheques) were approved individually. In addition to the grants it was common to see cheques for legal and accounting fees, office rent, printing, etc.

Applications for grants or loans by charity organisations would often be dealt with next, either in connection with the needs of a specific individual or for a more general project. Over fifty charities made applications in the first twenty years of the trust's existence,

many of them appearing on a regular basis. In many cases the organisation would be applying in the role of what would today be termed an almoner – once a grant had been approved receiving it on behalf of the individual and passing it on to them. It was very common for local branches of the Charity Organisation Society to act in this way, as could individuals in a position of ostensible authority.

In the case of institutions where the trust provided scholarships on an ongoing basis, a lengthy report from the principal of the institution would be received periodically and debated, the main examples being the Royal Normal College, Worcester College and Edgbaston Institute. This might well involve the ratification (or otherwise) of the recommendations of the principal, for example in filling up vacant places.

Pension applications were considered at most meetings and occasionally the secretary would be required to report that all pensioners still satisfied the award criteria. When a pension application was received it would be either accepted or rejected by the committee, in the former case going on to a waiting list until a vacancy arose. Members of the committee were free to put forward their own applicants for pensions and grants and it is known that Maria Louisa Richardson-Gardner put forward a list of applicants to be considered by the committee during her absence at Ascot in 1883.

Grants to individuals would also be considered if received directly, although the secretary would be required to establish the *bona fides* of the individuals concerned and cheques would often be sent to an intermediary (such as the bursar of an Oxford College in the case of a student). General administrative business and correspondence would be dealt with briefly before the close of a meeting, such as the attendance at conferences, granting of holidays, closing of the office, printing of pamphlets and reports and other office matters. Where the trust was entitled, by virtue of its grants, to vote on matters at an institution, a member of the committee would be appointed as a nominee at this point.

What was not discussed at meetings could be as revealing as what was discussed. For example, with a few exceptions replacement members of the committee would appear almost from nowhere, with minimal discussion as to their qualifications. Also, with a

few exceptions, the non-appearance of committee member beyond a note of their apologies would seldom be remarked upon.

There was little unusual in the way the management committee went about its business. Almost all charities of any size had quite detailed bye-laws and regulations, or the equivalent. As has been seen the regulations were quite strict, but again there was nothing atypical in this. The committee met regularly and invariably had a busy agenda; in time only rarely were there problems with the lack of a quorum. The management committee members would have had good reason to feel that they were diligent in the execution of their duties and that the operations of the trust were efficient.

4.3.3 Note on voting charities

One method adopted by charities to increase the amount of regular subscription income was to grant to such regular donors voting rights in connection with who should be beneficiaries of the charity. This was particularly important where such beneficiaries could expect to benefit over a period of years, such as students at school and pensioners. As early as 1874 opinion against this practice coalesced into the Charity Voting Reform Association, under the patronage of such as the Earl of Shaftsbury and Florence Nightingale. The general position of its members was that the costs of the canvassing required with the procurement of votes was a 'dead loss' and inevitably ended up with those elected being the best connected, rather than the most deserving.³⁴¹ The Gardner committee members were not amongst those antagonistic towards this process and supported many charities for the blind that adopted a voting system, such as the School for the Indigent Blind at Southwark. Had they wished to have justified their position they could have done so by observing that Henry Gardner himself had been a voting donor at the Southwark school.

4.4 The original investments and income

In the following chapter the financial performance of the investments of Gardner's Trust will be examined in detail, along with the trust's changing level of economic influence. First, however, we can answer the question as to how the funds controlled by the trust

were invested at its inception. This is important since it determined the income the trust had available for distribution.

4.4.1 The opening financial position

The court approved the Deed Poll on 19 January 1882 and the Gardner management committee met for the first time formally later that day, at which date the holdings of the trust were as shown in Table 4.3 following.

Table 4.3: Gardner original investments and income

<i>Category</i>	<i>Securities</i>	<i>Nominal value</i>	<i>Income (less tax)</i>
Original Capital	New £3%	£146,264 19s 11d	£4,387 19s
	Reduced £3%	£126,007 2s 11d	£3,780 4s
	Consols £3%	£32,724 2s 3d	£981 15s
Sub-total		£304,997 2s 3d	£9,149 18s
Accumulated interest (to be dealt with as income in due course)	Consols £3%	£17,155 1s 2d	£514 13s
Total (minimum)		£322,152 3s 5d	£9,664 11s
Retained by court (to cover any costs awarded if paid by the fund)	Consols £3%	£30,068 1s 4d	£902 1s
Total (maximum)		£352,220 4s 9d	£10,566 12s

Source: Gardner minutes

The total nominal value of the original capital and the sum retained by the court shown here amounts to £335,065 7s 0d. In the probate estimate the price for the government securities was taken as £95%, which would give a market value of £318,312, somewhat higher than might have been expected. On the other hand this nominal amount of 3% securities would have generated £20,905 of interest over the 25 months the funds were lodged with the Court, equivalent to an additional £22,044 nominal of Consols, almost £5,000 greater than the amount shown. The sum of £1,000 had already been drawn out of court and part thereof used to make an initial grant to the Royal Normal College, accounting for part of the latter difference. In the event the fund did bear the costs of the case, which were paid in March 1882 following the success of Beaumont's appeal, so the amount received was the minimum total.³⁴²

These holdings of British government securities were very low risk investments that had been owned by Henry Gardner prior to his death and transferred from his estate first to

the court and later to the trustees. The accumulated interest had also been invested in Consols. Although Henry had also owned railway shares, these did not become court approved investments until 1888. At their first formal meeting the committee also resolved to open a bank account at Ransom, Bouverie & Co. (the banking firm of the Kinnairds), who had previously been acting for them on an *ad hoc* basis. The committee had also been given the opportunity to invest in two 'sureties for success', in the amounts of £150,000 and £55,500, both at 3½%, but these were declined.³⁴³

As can be seen, the gross income produced by the original investments was a little over £9,100 p.a., but to this needed to be added, for the time being, the income on the interest accumulated during the period the funds were lodged with the Chancery. This brought the total annual income to over £9,600, an amount that would increase slightly as some government securities were switched into mortgages, but from which the Secretary's salary and other office expenses would have to be deducted (initially running at some £600 p.a.). In practice, over the first twelve years of the trust's operations it managed to distribute over £10,000 p.a. net, including a proportion of the accumulated income.

For reasons that have not been established, Maria Louisa gave notice of motion early in 1882 of her intention to propose that the holdings representing capital were transferred out of the name of the trustees into that of the Official Trustee of Charity Funds.³⁴⁴ The matter was discussed at the next meeting, on 14 February, but the proposal was then withdrawn. The implication is that she did not trust her fellow committee members to invest the funds securely.

4.4.2 *Early changes to the investments*

Over the course of the next two years, sums of stock were sold to cover expenses, grants and loans to institutions, this being perfectly permissible given the amount of income that had accumulated during the Chancery episode. This did not prevent the Charity Commissioners enquiring as to the reasons for holdings of stock having been reduced.³⁴⁵

Although modest sums were advanced to institutions for the blind on the security of mortgages, a proposal of a different order was placed before the management committee

by Mr. Gedge in 1883, when they were asked to consider a loan by way of mortgage (or mortgages) to the Duke of Manchester in the sum of £96,000 at an interest rate of 3¾%.³⁴⁶ Despite a decline in agricultural land values during the nineteenth century and often high associated legal expenses, investment in mortgages remained popular due to the perceived security and high interest rates available compared with government securities. The amount advanced on a mortgage loan was usually between two thirds and three quarters the estimated value of the land, although later when commercial property mortgages became more available the proportion tended to be reduced to around one half. Subject to satisfactory title being proved, the committee accepted the proposal. The advance was funded by the sale of £101,000 of reduced 3% stock. This was followed on 24 July by an agreement to advance up to £15,500 at 3½% by way of mortgage to the Royal Normal College. The background to this has already been described.

A further commercial loan was considered not long after, when the committee reached the decision that a proposed loan of £100,000 to Charles George, Lord Lyttelton, should not be made unless the interest rate could be increased from 3½% to 4%.³⁴⁷ He was later to become Viscount Cobham and, in 1910, a member of the committee. In fact Maria Louisa had been vehemently opposed to the transaction and in a letter dated 17 November 1883 took the opportunity to remind the other committee members through their solicitor of her earlier proposal to ask the Charity Commissioners to invest the money on behalf of the trustees. The following, somewhat lengthy, quotation (with original emphasis) gives a good idea of her literary style and combative character.

Dear Mr. Gedge, In answer to your letter of this day's date – If you have any wish to remember what 'I prefer', it is – as I have often reiterated – to leave the remaining capital of the Gardner Bequest where it is. I have a very strong objection to lend any more of the Trust Fund on mortgage by land – and I must protest against any steps being taken with regard to any mortgage before the meeting of the Committee – they hold the Trust Fund in their hands and they are responsible to future Trustees, and to the Blind of future generations for the good management and security of the same – and no money should be lent without due and mature consideration and consultation by the Committee.

Rather than land I would prefer (if the Will gives us the power) to lend money on town improvements (England) guaranteed by the rate-payer. I know this is done and at 4 per cent and by one of our Government offices. The Duke of Manchester mortgage I suppose is safe – but it is quite

sufficient for us to have £100,000 of our Capital invested in land. In fact, the more I think of it, the more I regret that I did not urge at the first my proposal to place the Capital of the Fund in the hands of the Charity Commission.

Maria Louisa may have had some justification for her position. Notwithstanding her objections, by the end of 1884 the amount invested in mortgages had risen to £153,916, representing just over half of the fund's capital account, the remaining £149,765 still being invested in gilts. There was then an additional £10,869 on the income account awaiting distribution, also invested in gilts. Mortgages were not necessarily unduly risky, but they were certainly illiquid.

The sale of gilts and reinvestment of a substantial proportion of the trust's funds in mortgages over a period of some three years increased the income available to the management committee to over £11,000 p.a., before expenses. Thereafter the income began to decline slightly, as the accumulated interest was expended on some relatively large grants and the amount invested became slightly smaller. There was also an adverse impact due to the compulsory conversion (interest rate reduction from 3% to 2½%) of Consols in 1888. Since all of the trust's investments were of a fixed income nature (gilts, bonds and mortgages) and interest rates over the initial period were relatively stable, the yield on those investments was also stable (other than to the extent the trustees took on increased risk with commensurately higher interest rates, which was only marginal). Leaving aside the criticisms of Maria Louisa, at this time the investments of the fund were entirely appropriate.

4.5 The distributions of the trust

Although interim distributions were made by the trust to the Royal Normal College in 1881,³⁴⁸ it was not until the following year that the Deed Poll constituting the trust was engrossed, the first Secretary was appointed, the first sets of Bye-laws and Regulations were approved and the committee was strengthened with two additional members. Then it set to work with a vengeance.

The whole purpose of the trust was to distribute its income in accordance with the Chancery approved Scheme. Having seen that the income available to the management

committee from the original endowment was likely to be fairly stable, its distribution among the various categories of beneficiaries according to the Scheme ought to have been quite straightforward, but was it? By looking at the distributions actually made from 1881 onwards, the question as to how well the management committee began to discharge its responsibilities can be addressed. This in turn leads to an answer to the question of whether the strict terms of the Scheme regarding the distribution of income could be practically complied with by the management committee.

The manuscript reports prepared by Henry Wilson for the management committee for 1881 and 1882 provide a convenient summary of the operations of the first two years of the trust’s operations, as shown in Table 4.4 following.³⁴⁹

Table 4.4: Gardner grant expenditure, etc. in 1881 and 1882

<i>Music A/c</i>	<i>Trades A/c</i>	<i>Pensions A/c</i>	<i>Loans</i>
Royal Normal College Gardner Scholars:	Worcester College Gardner Scholars:	Pensions	In 1881:
In 1881: 46 (£1,800 p.a.);	In 1881: 5;	In 1881: 71 (£965 p.a.);	£5,000 to Leicester Institute;
In 1882: 68 (£2,600 p.a.).	In 1882: 7.	In 1882: 191 (£2,410 p.a.).	£2,000 to Sheffield Institute.
	RNC Primary School:	Grants	In 1882:
	In 1881: 20;	In 1881 none.	£1,800 to William Moon’s Institution.
	In 1882: 22.	In 1882:	
	RNC Technical School:	39 to institutions (£5,611);	
	In 1881: 16;	83 to individuals (£925).	
	In 1882: 17.		
	Devonport Association:		
	In 1881: 0;		
	In 1882: 3.		
	London School Board:		
	In 1881: 0;		
	In 1882: 4.		

Source: Gardner manuscript reports for 1881 and 1882

Given that the management committee had to find its collective feet during this period, too much should not be read into the actual annual amounts distributed. What can easily be seen is the extent to which the trust had begun to develop important relationships with not only the RNC and Worcester, but also other schools for the blind. The mechanisms for awarding pensions and individual grants were also clearly beginning to function effectively.

4.5.1 *Pensions and individual grants*

According to the Scheme and Declaration of Trust, one third of the income of the trust was to be applied in providing 'pensions or donations for the poor and deserving blind'. It soon became clear to the management committee that this would be one of the highest areas of demand upon their resources. By the time that Henry Wilson was appointed as secretary the trustees had already received 1,500 pension applications, a number which was to rise to 3,000 by 1885 and 3,900 by 1888.³⁵⁰ Any applicant for a Gardner pension or grant had to complete a detailed application form, providing information on their income, savings (if any), expenses and other personal details. These applications needed to be countersigned by an 'almoner', who could vouch for the truthfulness of the information provided. Examples of these completed application forms have not survived, although it is likely that they are not dissimilar to those in use by the trust today. The vetting procedure was never discussed in the minutes of committee meetings, but it is manifest that even after spurious applications were rejected the number of genuine applicants at or near the poverty level far exceeded the allocated funds available for this purpose.

The Charity Organisation Society had no doubt played a role in determining the use to which Henry Gardner's legacy was put by virtue of their Chancery submission, but there is little evidence in the minutes or elsewhere of ongoing formal contact between the central committee of the COS and the Gardner Trustees, although Henry Wilson would doubtless have been in frequent personal contact with Charles Loch and his colleagues at conferences and other events.³⁵¹ However, the principles upon which the COS was based were adopted by the Gardner trustees (unlike those of some of the older charities for the blind) and the ongoing importance of the COS in the form of its local committees should not be underestimated. These were frequently used by Wilson and the trustees to vet applications for both pensions and grants. It would be a rare committee meeting at which at least one of the applications was not made through a COS local branch acting as almoner and this was also often the route by which cheques were transferred to pensioners and recipients of grants. If a local branch of the COS was not available, some other form of support would be required, such as another philanthropic society, or an individual of sufficient standing (for example, a magistrate, military officer, or clergyman). The preference of the Gardner trustees was to avoid

paying pensions to blind people who were well capable of work or training, so it would be unusual for a recipient to be under the age of 50. Equally, they would pay pensions (often at the lower rate) to those who had some income if they could produce evidence (perhaps through the COS) of making an effort to provide for themselves.

4.5.1.1 Pensions

In 1891 the committee of Gardner's Trust produced a booklet providing an account of its operations during the first ten years of its existence. Certain of the statistics contained in this booklet are illuminating and provide further insight into the ability of the management committee to fulfil its responsibilities.

The report reveals that during the first decade 300 pensioners had been elected, of whom 73 had subsequently died and 27 had their pensions withdrawn, leaving 200. In addition to these, the trust funded 22 small pensions made by other charities: Christian Blind Relief Society (14); Poor Adult Blind Society (5); and Blind Female Annuity Society (3). The distinction between the award of pensions and grants was stated to be as follows in this report:

Pensions are not usually given when a reasonable grant will enable an applicant to earn sufficient to support himself or herself. They are not infrequently bestowed on gentlewomen in reduced circumstances, or others, who have seen better days, or who have been deprived of their income by no fault of their own.

In the following chapter the difficulties in relating monetary values between time periods will be discussed in detail and it will be shown that a wide range of 'reasonable' values can be established when making comparisons. Pre-empting this discussion we can say that a pension of £10 in 1882 would have a purchasing power today of around £780 using an RPI deflator. However, using an alternative deflator the amount could easily be £6,000, or even more. The fact remains that using either method the amount concerned was not great, but would have been very welcome. For an individual with no other source of income, a pension of £20 would have been enough to survive on, particularly if that individual lived outside London (always an expensive area). For an

individual, or couple, with some other income, a £10 pension would make a real difference to their standard of living.

Since the annual amount of a Gardner pension could initially vary between £10 and £20, the total number of pensions awarded might also vary. In practice the number soon stabilised at around 200, although it increased slightly after the trustees became responsible for administering the Rashdale pensions and also received other legacies specifically for pension purposes (for example, that of Edith Lord). By 1900 there were 225 pensioners and the number peaked at around 280 in 1930. Neither the Chancery approved Scheme nor Gardner's Rules and Bye-laws specified how pensions should be split between males and females, but in practice it was initially approximately 50:50, with the proportion of women slowly increasing over time. Even allowing for new pensioners being appointed on the death or disqualification of previous appointees, the vast majority of applicants were disappointed. Of course, Gardner's Trust was not the only institution providing pensions for the blind and nowhere near the largest. Both Christ's Hospital, which administered Hetherington's Charity, and the Clothworkers' Company, which administered Wing's and several others, were of significantly greater importance in this field and Gardner's Trust worked closely with them, exchanging information on a regular basis.

A Gardner pension was not awarded for life. If the circumstances of the recipient changed the trustees were quite capable of withdrawing or reducing the pension. For example, marriage of a pensioner could only be with the permission of the trustees and would almost invariably be withheld (or the pension withdrawn) if both parties to the marriage were blind. After a few embarrassing problems in the early years of the trust's existence, Henry Wilson was required to produce a full review of all pensioners once a year with a positive recommendation that such pensions be continued.

Although the trustees did not actively solicit contributions to the fund, they were happy to accept gifts, if offered without too many conditions, and regularly pointed out in their annual reports that the demand for pensions, particularly, always exceeded supply and they would be happy to receive any gifts specifically to bolster the pension fund.

Henry Gardner's will had been quite explicit that the income from his bequest was to be used for the benefit of the poor and deserving blind of 'England and Wales'. However, as with other parts of his will this could be interpreted in a number of ways. Clearly it excluded the poor blind of Scotland, Ireland and other countries, but did it imply that the committee should focus on England and Wales outside of the Metropolitan area, which after all had benefited from the three specific grants? There is no evidence to suggest that the committee concerned themselves unduly with this question, or sought to favour provincial applicants, but the national coverage they soon achieved, albeit somewhat patchy, is clear from the addresses of pensioners contained in the annual reports from 1892. The geographical dispersion of the pensioners can be seen from an analysis of the lists provided in the annual reports for 1892, 1902 and 1912, a summary of which is provided in Table 4.5 following.

As might be expected, London and Middlesex accounted for by far the largest number of pensioners, at around 40% of the total in each of the three years examined. It will also be readily seen that some parts of the country were quite disproportionately represented relative to their populations (for example Devon and Cornwall), while other counties fared very poorly indeed (for example Derbyshire, Herefordshire and Shropshire). The reasons for this have not been investigated in depth, but it is likely to be related to the level of activity of the Charity Organisation Society and organisations specifically for the welfare of the blind in these counties. It is also possible that Christ's Hospital and the Clothworkers' Company had strong existing contacts with some counties, but this has not been checked.

Table 4.5: Gardner pension recipients by county, 1891-1911

	03/02/1891	08/01/1901	04/01/1911
Bedfordshire	2	1	1
Berkshire	12	7	3
Bristol	0	1	4
Buckinghamshire	0	1	3
Cambridgeshire	4	1	2
Cheshire	0	1	2
Cornwall	12	9	10
Cumberland	0	0	0
Derbyshire	1	0	0
Devon	5	7	6
Dorset	1	2	0
Durham	0	0	0
Essex	4	6	3
Gloucestershire	7	6	5
Hampshire	4	9	6
Herefordshire	0	0	0
Hertfordshire	2	3	3
Kent	6	11	13
Lancashire	6	11	11
Leicestershire	1	1	2
Lincolnshire	3	3	3
London	69	72	75
Middlesex	14	14	18
Norfolk	2	1	3
Northamptonshire	2	0	1
Northumberland	0	1	1
Nottinghamshire	2	1	0
Oxfordshire	4	3	3
Rutland	0	0	0
Shropshire	2	2	0
Somerset	4	4	1
Staffordshire	1	3	2
Suffolk	4	2	3
Surrey	2	10	9
Sussex	2	2	5
Warwickshire	3	7	5
Westmoreland	0	0	0
Wiltshire	3	5	3
Worcestershire	6	3	1
Yorkshire	7	8	10
Wales	4	9	12
Total	199	226	229

Source: Gardner annual reports

Note: The censuses carried out in these three years were taken on 05/04/1891, 31/03/1901 and 02/04/1911.

The provision of addresses for pensioners means that further research on individual recipients could be carried out without too much difficulty, particularly if they could be matched to individuals in each of these three census years. As a trivial example, for each of the three years concerned two pensioners were residents of the Phoenix Home for Blind Women, at Alma Square in 1891 and 1901 and at Abbey Road in 1911, while

one was resident at Gardner Cottages in Windsor in 1891. The census data for these individuals is summarised in Table 4.6 following.

Table 4.6: Sample census data for Gardner pensioners

<i>Year</i>	<i>Address</i>	<i>Name</i>	<i>Relation</i>	<i>Status</i>	<i>Sex</i>	<i>Age</i>	<i>Occupation</i>	<i>Born</i>	<i>Condition</i>
1891	62 Gardner Cottages	David Barrington	Boarder	Widower	M	68		Devizes, Wiltshire	Blind
1891	44 Alma Square	Emily Bye	Boarder	Single	F	59	Annuitant	Botley, Hampshire	
1891	44 Alma Square	Louisa E. Lea	Boarder	Single	F	39	Annuitant	St Pancras, London	Blind from birth
1901	44 Alma Square	Emma Lea	Boarder	Widow	F	61		Paddington, London	Blind
1901	44 Alma Square	Louisa E. Lea	Boarder	Single	F	49		Marylebone, London	Blind from birth
1911	111 Abbey Road	Louisa Elizabeth Lea	Boarder	Single	F	59		Camden Town, London	Totally blind
1911	111 Abbey Road	Lucy Jane Redman	Boarder	Single	F	55		Faversham, Kent	Totally blind

Source: census returns for years concerned

Each of these pensions was for £10 or £15, a substantial contribution to the annual fee of £20 charged to residents of the Phoenix Home from its foundation in 1861 until 1920.

The steady decline in the real value of pensions from the 1910s, as shown in Table 4.7 following, was of concern to their recipients and the committee of Gardner’s Trust.

Table 4.7: Change in number and value of Gardner pensions

<i>Pensioners</i>							
<i>Year</i>	<i>Males</i>		<i>Females</i>		<i>Total</i>	<i>Average Pension</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>		<i>Actual</i>	<i>1882</i>
1890	104	52%	96	48%	200	£12.70	£13.85
1900	104	46%	122	54%	226	£12.65	£13.61
1911	102	45%	127	55%	229	£12.55	£12.71
1920	115	43%	155	57%	270	£14.17	£5.65
1930	108	38%	173	62%	281	£14.43	£9.07
1940	116	42%	158	58%	274	£15.81	£8.58
1950	83	44%	104	56%	187	£16.41	£6.52
1958	58	41%	84	59%	142	£19.04	£4.44

Source: Gardner annual reports

Note: Actual pounds are deflated to 1882 pounds using the Officer & Williamson RPI deflator (see following chapter).

The gradual increase in the total number of pensions awarded between the formation of the trust and 1930 due to additional bequests is clearly seen, combined with a modest increase in the average nominal value of those pensions. The real value of those pensions, expressed in 1882 pound values, tells a different story. The modest deflation of the late nineteenth and early twentieth century was followed by the rapid inflation caused by the First World War. Even after a modest recovery during the decade of the 1920s, the real value of average pensions had fallen by over 25% by 1930 and by over 50% by 1950, reflecting the impact of the Second World War. The minutes of the committee meetings occasionally refer to increases in living costs (not least in relation to staff salaries), but they contain no attempt to quantify its impact. Moreover, there is some evidence (for example, by categorising staff salary increases as ‘temporary’) to suggest that the committee really believed that in the long term deflation might return prices to pre-war levels. Even when the number of pensions awarded began to fall from the 1930s onwards (notably later than the Old Age Pensions Act 1908), there does not seem to have been any serious attempt to increase significantly the nominal value of those remaining. Unfortunately this data set cannot be continued beyond 1958, but were this possible another significant decline in value thereafter would be observable.

The table also reveals another fact. The proportion of pensions awarded to male applicants fell from 52% in 1890 to 38% in 1930, before staging a very modest recovery. This may partially be explained by the greater longevity of females, although the number of pensioners above the age of 59 varied quite considerably over the period and in the early years at least the number of males in this category exceeded the number of females (see Table 4.8 following). Nothing in the minutes of the committee suggests an explicit desire to increase the number of female pensioners at the expense of males (given that the total number of pensions was strictly limited at any time), but an implicit or unconscious bias in favour of female pensioners does seem to have been present.

Table 4.8: Gardner pensioners above age 59

<i>Year</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
1890	37%	31%	34%
1900	50%	48%	49%
1911	57%	53%	55%
1920	63%	61%	62%
1930	45%	39%	41%
1940	59%	59%	59%
1950	73%	71%	72%
1958	64%	74%	70%

Source: Gardner annual reports

4.5.1.2 Individual grants

The application procedure for one-off grants to individuals was very similar to that for pensions. The stated purpose of the request would often be the purchase of stock for resale, tools (such as barrows, musical instruments, piano tuning equipment, typewriters and knitting machines), or even animals (horses and donkeys being not uncommon). While the provision of instruments to street musicians was discouraged, the committee seems to have been realistic about the limited trades open to many of the blind and fully appreciated that not all graduates of the RNC could find work as piano tuners or musicians. The surviving records provide little detail on the age or other personal characteristic of those applying for individual grants, but it can be surmised that their average age was younger than that of pensioners, on the basis that the committee always preferred to encourage the blind to work, if they were capable of doing so, rather than simply to provide pensions.

The decennial report indicated that individual grants were made to 491 men and women to enable them to carry on a trade, most on graduation from one of the blind schools or institutions, but sometimes to older people who were felt able to establish themselves in a simple trade; the total amount was £4,675.

The annual reports from 1892 onwards contained a list of pensioners, with their addresses, and also the names of institutions that had received grants. However, these reports never contained a list of individuals who had received grants and only very rarely were details contained in the minutes of committee meetings. Ascertaining

whether these grants met the needs or expectations of their recipients is therefore almost impossible to say. Given the care taken by the committee not to waste its funds, when the amount of such individual grants was large (sometimes as much as an annual pension), they would have had to have been highly confident of the ability of the applicant to use the money wisely, probably based on a personal recommendation from an almoner, or on a proven record.

The real value of grants to individuals fell in line with the real value of pensions, as has already been described above. The purposes for which grants were awarded also changed subtly over time. In the earliest reports grants were invariably made to individuals 'for assistance in starting or carrying on their trades, &c.' By 1897 this had been expanded to 'in starting or carrying on their trades as pianoforte tuners, basket makers, mat makers, chair caners, &c.', in which form it remained more or less unchanged until 'boot repairers' was added in 1911. A more significant change occurred in 1923, when 'and occasionally for relief of distress in cases of advanced old age' was also added, thus implying that grants could now be given as a substitute, or in addition to, pensions (which had never actually been precluded under the Scheme).

Following the outbreak of the Second World War, the formula used in the reports changed more significantly, with further relaxations on the use of grants in the two following years.

- **1940** 'grants to ... individuals as assistance in starting or carrying on their trades or callings, or for maintenance in cases of necessity, ill-health, or old age.'
- **1941** 'grants to ... individuals as assistance in starting or carrying on their trades or callings, or for maintenance in cases of necessity, ill-health, or old age; or towards the provision of comforts and utilities, such as bath chairs, Braille typewriters, furniture, a pony for a delivery cart, etc., and for the provision and maintenance of wireless sets.'
- **1942** 'grants to ... individuals as assistance in starting or carrying on their trades or callings, or for maintenance in cases of necessity, ill-health, or old age; or towards the provision of comforts and utilities, such as clothes, aural aids, special medical treatment, etc.; for household rents, repairs or decorations, for typewriters and Braille machines.'

Thus within three years the idea that grants should principally be used as an alternative to pensions had disappeared almost completely. This remains the case today, with the majority of grant applications by value and number relating to requests for funds to purchase computer software and hardware.

4.5.1.3 Individual loans

There were very few cases recorded where the trust made loans to individuals, which may have resulted from this practice not having been specifically sanctioned by the Scheme and Declaration. Such 'micro-lending' is now promoted quite heavily, especially in the developing world, but in fact has a long history, on which Helen Dendy Bosanquet is worth quoting.³⁵²

One form of assistance seems to have been more successfully carried on then [1870] than in later days, assistance by way of loan. It is probable that in this the [COS district] committees were guided by the example of the Jewish Board of Guardians, with whom we find the Council taking consultation. Loan funds were established, and, according to the reports, there was remarkably little failure in repayment.

She also quotes some statistics produced by the COS in its 1879 Annual Report covering the two year period from 3 September 1877 supporting her conclusions.³⁵³

Total amount advanced	£3,694 3s 11d	(100%)
Amount repaid	£2,936 12s 5d	(79.5%)
Amount outstanding	£613 0s 7d	(16.6%)
Written off as bad debts	£144 10s 11d	(3.9%)

4.5.2 Grants for education and training

The somewhat convoluted wording of the clauses in the Scheme relating to the amounts to be awarded for educational and training grants has already been commented upon:

- Two-ninths for instruction in the profession of music.
- Two-ninths for instruction in trades, handicrafts and professions, including music.
- Two-ninths for instruction in trades, handicrafts and professions, other than music.

By the time the first report on the operations of the trust were published (not until 1891) these categories were ignored, as they had been ignored in internal reports produced in 1881 and 1882. The main problem was music.

4.5.2.1 Education

The extent of the support provided to the Royal Normal College and Academy of Music for the Blind at Norwood and Worcester needs to be set in context. The RNC in particular had several wealthy sponsors prior to the creation of Gardner's Trust. Henry Gardner himself had provided £5,500 in aggregate and was due to be presented with a testimonial from the College on the day that he died.³⁵⁴ However, much of this largesse had been spent on setting up and equipping the College and individual pupils might still have to be turned away through lack of funds to pay for their on-going care and tuition. Suddenly this situation changed. Within only a few years from the inception of the trust 80 Gardner Scholarships of £60 p.a. were created, tenable at the College itself, with a further 40 or so of lower amount tenable at the Primary and Technical Schools.

At Worcester the transformation was less dramatic, but still important. When the College had been established a Scholarship Fund had also been set by the Rev. S.S. Forster, but with a capital of some £3,000 its income was sufficient only for 5 scholarships of £20 p.a. each. Gardner's Trust immediately provided a similar number of annual scholarships, eventually to grow to 10, but again at the higher rate of £60 p.a. School and college educational grants did not end at the RNC and Worcester. For some years Worcester had prided itself on sending its young men on to the universities and these now also became eligible for grants, initially at Oxford and Durham and later at Cambridge.

In addition to the RNC and Worcester College, grants were made from 1881/82 to the London School Board (which tended to make use of the Southwark and Swiss Cottage Schools), the Devonport Association and Henshaw's. This list grew in the following years. Over the period 1882-1891, 374 scholarships were granted to the three constituent parts of the RNC, viz. the College itself (228), the Technical School (64) and the Preparatory School (82). The students in each of the sections at the end of the period were, respectively: 70, 11 and 20, some having progressed from the Preparatory

School to the College. At Worcester, 15 scholarships were granted, 5 remaining under instruction and 5 having progressed to university. In other schools and institutions 169 scholarships were granted, of which the most important in terms of numbers was Henshaw's Asylum (24); 67 remained under instruction at the end of the period. At the universities, 8 scholarships were granted, 6 at Oxford and 2 at Durham, 3 remaining under instruction at the end.

The full list of educational establishments supported during the period 1882-1891 is shown in Table 4.9 following.

Table 4.9: Educational Institutions assisted by Gardner scholarships, 1882-1891

Berners Street Institution	Kensington Institution	Royal Normal College
Brighton Asylum	Kent Workshops	RNC Primary School
Bristol Asylum	Kilburn Home	RNC Technical School
Cardiff Institution	Liverpool School	Sheffield Institution
Cheltenham Institution	Liverpool Catholic Asylum	Southsea School
Devonport Institution	Norwich Institution	St. John's Wood School
East London Home	Nottingham Institution	Surrey Association
Edgbaston Institution	Plymouth Institution	Worcester College
Henshaw's Asylum	Preston Institution	York School

Source: Gardner's Trust, a Short Account of Ten Years' Operations, 1882-1891

4.5.2.2 Training

Although music and its associated trades was taught at various schools and colleges for the blind, the proportion set aside in the Scheme had undoubtedly been largely determined by the anticipated demand for scholarships at the RNC. The reality was that even at the RNC an increasing slice of the costs was devoted to non-musical activities. Before children could be competent musicians they needed a good primary education, hence the support of the trust in building a primary school on the Norwood site. It was equally apparent that a large proportion of the blind had no aptitude for music or its associated trades, but could respond well to training in other trades. This resulted in the building of a technical school at Norwood, again supported by the trust. Meanwhile Worcester, which never had a strong musical tradition, grew steadily in size (supported by the Report of the Royal Commission) and ultimately thrived despite adverse circumstances.

As long as Maria Louisa Richardson-Gardner remained a member of the management committee (which she did until her death in 1889) any contemplation of a wholesale revision of the Scheme to reduce significantly the amount available for musical education was clearly unrealistic. Yet even she must have realised the practical difficulties faced almost from the outset and seems to have raised no objections to the initial amendment broadening the discretion of the committee to award grants ‘as they think best’. This was first proposed in 1886, but not actually agreed until 1894.

Meanwhile, the committee needed to interpret the terms of the Scheme as widely as it could. From the outset ‘instructional’ grants came to include those to other institutions for the blind providing not only teaching facilities (including several schools for the blind), but also workshops for their employment as well as instruction.

During the period 1882-1891, block grants amounting to £29,353 were made to 66 institutions for purposes of building, increasing accommodation, apparatus, books, maintenance, etc. There does not seem to have been any standard form for applying for such grants, but it is likely that all of the institutions concerned would have been visited personally by Henry Wilson, who travelled widely on behalf of the trust. To a large extent these block grants were funded by the interest that had accumulated on the bequest during the period when the case was before the court. The long list of institutions helped in this way during the first decade of operations is given in Table 4.10 following.

Table 4.10: Institutions for the blind assisted by Gardner grants, 1882-1891

Bangor Home Teaching Society	Liverpool Workshops for the Blind
Bath Blind, Deaf and Dumb Institution	Liverpool School for the Blind
Bath Blind School Home	Liverpool Catholic Blind Asylum

Blackburn Home Teaching Society	London Society (Upper Avenue Road, NW)
Blind Female Annuity Society	Midland Institution (Nottingham)
Bolton School and Workshop	Moon’s Institution (Brighton)
Brighton Blind Missionary Fund	North Devon Home Teaching Society
Bristol Home for Blind Women	North London Homes for Blind Men and Women
Bristol and Clifton Association	Northumberland and Durham Home Teaching Society
British and Foreign Blind Association	Norwood College for the Blind
Burnley Home Teaching Society	Norwood Preparatory School
Cardiff Institution for the Blind	Norwood Technical School
Carlisle and Cumberland Association	Oldham Workshops for the Blind
Carlisle and Cumberland Workshops	Phoenix Home for Blind Women
Cheltenham and Gloucester Institution	Plymouth Blind Institution
Chester Home Teaching Society	Poor Adult Blind Society
Christian Blind Relief Society	Preston Industrial Institute
Colchester Home Teaching Society	Royal Victoria Asylum for the Blind (Newcastle)
East London Home for Blind Children	Salford Workshops
Ebury Street Blind Class	School for the Blind (Southwark)
Edgbaston Institution	Sheffield Blind Institution
Hants & Isle of White Blind School (Southsea)	Somers Town Blind Aid Society
Henshaw’s Asylum Outdoor Workshops	South London Association for Assisting the Blind
Home Teaching Society (London)	Sunday Bible Classes for the Blind
Hull Blind Institution	Sunderland and Durham Institution
Hull Mutual Improvement Association	Surrey Association for the Blind (Peckham)
Indigent Blind Visiting Society	Swansea and South Wales Institution
Kensington Blind Institute	Walsall Home Teaching Society
Kent Workshops for the Blind (Greenwich)	Wolverhampton Home Teaching Society
Kilburn Home for Blind Children	Wolverhampton Industrial Institute
Leeds United Institution for Blind	Worcester Blind College
Leicester Institution for the Blind	Worcester Cheap Literature Society
Lending Library for the Blind (London)	Yorkshire School for the Blind

Source: Gardner’s Trust, a Short Account of Ten Years’ Operations, 1882-1891

4.5.3 Distributions over the longer term

The ability of the management committee to distribute the fund’s income in accordance with the Scheme in the longer term now needs to be addressed. The details of grants made in the first decade of operations (actually between 1882 and 1893) and two longer subsequent periods are as shown in Table 4.11 following. The two break points, 1894 and 1934, have here been chosen to coincide with the years in which the Charity Commissioners approved modifications to the Scheme and Declaration of Trust.

Table 4.11: Gardner aggregate grant expenditure, 1882-1976

Period	1882-1893		1894-1933		1934-1976	
Expenditure	Actual	Target	Actual	Target	Actual	Target

Music A/c	£39,367	32%	33%?	£95,444	24%	22%	£44,216	9%	22%
Trades A/c	£42,460	34%	33%?	£104,785	27%	22%	£111,199	22%	22%
Pensions A/c									
- Individuals	£28,060	23%		£116,163	30%	22%	£134,044	27%	22%
- Other	£13,724	11%		£76,372	19%	33%	£205,106	41%	33%
- Sub-total	£41,784	34%	33%	£192,535	49%	55%	£339,150	70%	55%
Total	£123,611	100%		£392,764	100%	100%	£494,565	100%	100%

Data source: Gardner audited accounts and annual reports, 1882-1976

The method of disaggregation for the various categories of expenditure and grant-giving adopted in the published accounts of the charity does not facilitate an exact comparison of the amounts actually given with the proportions set by the Scheme and Declaration. Initially, the 'Pensions Account' can be identified quite easily with the last of the four formal categories, actually covering pensions and donations and in 'such other manner as the Committee see fit'. The percentage achieved (34%) was very close to the target (33%).

Although it was nowhere formally approved or made explicit, almost from the outset the Scheme's third formal category ('trades and handicrafts including music') seems somehow to have been split equally in two and merged with the first two formal categories ('the profession of music' and 'trades and handicrafts other than music'). This would have given revised targets of 33% each which were close to the percentages actually achieved (32% and 34% respectively). There is some evidence in the minutes of the committee meetings that in order to meet these targets a certain amount of creativity was required, for example by the categorisation of grants to the Royal Normal College as being for music, even when the scholarship grants were actually being given for a more general purpose.

After the modification to the Scheme in 1894 (which will be considered below), the comparison between grants awarded and targets becomes slightly easier. Over the thirty year period until the next modification of the Scheme, there was a slight overspending on the music and trades accounts (24% and 27% respectively, compared with a target for each of 22%), a larger overspending on pensions for individuals (30% compared with 22%) and a residue of 19%. However, the wording of the revised Scheme effectively permitted the last category (comprising up to 33%) to be spent as the

committee saw fit, so boosting the amounts allocated to the first three categories, including pensions, would have been within the rules.

The further relaxation of 1934 permitted under-spending on music and trades (9% and 22% respectively) to be spent on additional pensions (27%), but in practice this still meant that a greater amount than authorised (41%) was being spent on awards outside of the three designated areas. The committee were aware of this discrepancy and it was clearly a matter of concern to Major MacMahon, when he took over as Secretary, but successive Chairmen filed it in the ‘too difficult’ drawer. On the basis that the Charity Commissioners received copies of the audited accounts each year and did not raise any recorded objections, this position seems defensible.

4.5.4 *Increases in running costs*

This is a convenient point at which to examine the increase running expenses over the period 1882 to 1976, using the same three phases of development as were used when analysing distributions. The data is presented in Table 4.12 following.

Table 4.12: Gardner administration expenses, etc., 1882-1976

Period	1882-1893		1894-1933		1934-1976	
	£	%	£	%	£	%
Total Income	119,029	100	441,268	100	572,784	100
Grants	123,611	104	392,764	89	494,565	86
Expenses	7,629	6	48,773	11	133,595	23
Unspent Income	(12,211)	(10)	(269)	(0)	(55,376)	(10)

Data source: Gardner audited accounts and annual reports, 1882-1976

The significant negative ‘unspent income’ in the first and third phases requires some comment. In the first phase it arises through the disbursement of income that accumulated on the fund during the period when the case was being heard in the court. This amount was effectively treated as capital in the opening 1882 accounts. During the third phase it arises through the definition of income used excluding capital gains. Although the trust was slow to invest in equities, capital gains were an increasing element of total income towards the end of the third phase.

The virtual doubling of the expense ratio between the first and second phases and again between the second and third phases is dramatic. The trust started life in rooms within the offices of its solicitor (1 Poets Corner) with a poorly paid secretary and a clerk. By 1895 it moved to more substantial offices (53 Victoria Street) and the salaries of both employees had been raised. Soon after a 'lady clerk' was also recruited. Increases in administration expenses are mentioned frequently in committee minutes over the next forty years, including central heating, rates, telephones and further salary increases. The second phase included the inflationary period during and after the First World War. The final phase included the highly inflationary periods of the Second World War and the first half of the 1970s, despite the fact that in 1961 they moved to less expensive offices in Bloomsbury Square. After 1976, attempts to control costs continued, with first a move to even smaller offices in Eastcote and, finally, to the complete outsourcing of administration.

Once again it is clear the management committee were alert to the problems they faced in relation to spiralling costs and were prepared to take action when necessary. Again, however, they were reactive rather than proactive. The expense ratio today is around 25%, which is not exceptionally high for self-administered charities.

4.5.5 Modifications to the Scheme and Declaration of Trust

The report of the first ten years of operations of the trust did not make clear the difficulty the management committee were already having in distributing the income according to the prescribed proportions. The demand for pensions and grants consistently exceeded the allocated funds available and it was increasingly difficult to spend the amount allocated to education and training in music and its associated crafts.

The only practicable path available to the trustees, if they wished to avoid personal liability, was to obtain a formal amendment to the Scheme approved by the Charity Commissioners, not an inexpensive option given the legal fees that would have been involved.

A modification of the Scheme with the object of giving more flexibility was proposed to the Charity Commissioners as early as 1886, reflecting the difficulty the trustees had in

satisfying the need for pensions and the giving of general grants. The detailed reasoning behind this was described at some length by Dr. Temple, the Bishop of London, in his evidence to the Royal Commission in May 1887.³⁵⁵ The Scheme was not finally modified along these lines until 1894, when the principal purposes of the trust were modified to relax the proportion of the income that had to be spent on the instruction of the blind in trades. A further relaxation of the terms was agreed in 1934, although the trust still found it difficult to stick within the agreed proportions. On neither occasion was the amendment requested and agreed sufficiently forward looking.

The 1894 and 1934 amendments are summarised in the Table 4.13 following (with the changes emboldened). The Cassandra-like warnings from some quarters of the inappropriateness of relying on musical education to provide employment for the blind at the time of the Chancery case will be recalled.

Table 4.13: Modifications to Clause 7 of the Scheme and Declaration of Trust

1882	1894	1934
Two of such nine equal parts shall be applied in instructing the poor blind in the profession of music	Two of such nine equal parts shall be applied in instructing the poor blind in the profession of music	Two of such nine equal parts shall be applied in instructing or aiding the instruction of the poor blind in the profession of music
Two other of such nine equal parts shall be applied in instructing the poor blind in suitable trades handicrafts and professions other than the profession of music	Two other of such nine equal parts shall be applied in instructing the poor blind in suitable trades handicrafts and professions other than the profession of music	Two other of such nine equal parts shall be applied in instructing or aiding the instruction of the poor blind in suitable trades handicrafts and professions other than the profession of music
		Provided that any part of either of such two-ninth shares which cannot be applied in any year to the appropriate benefits aforesaid may be applied in augmentation of the other such two-ninth share
Two other of such nine equal parts shall be applied in instructing the poor blind in suitable trades handicrafts and professions including the profession of music	Two other of such nine equal parts shall be applied in providing pensions for the poor and deserving blind who may be incapable of earning their livelihood	Two other of such nine equal parts shall be applied in providing pensions for the poor and deserving blind who may be incapable of earning their livelihood
The remaining three of such nine equal parts shall be applied in providing pensions or donations for the poor and deserving blind who may be incapable of earning their livelihood and generally in such other manner as the Committee shall think best for the benefit of the blind	The remaining three of such nine equal parts shall be applied in such manner as the Committee think best for the benefit of the blind	The remaining three of such nine equal parts shall be applied in such manner as the Committee think best for the benefit of the blind

Although the specific problems faced by Gardner’s Trust were doubtless unique, this type of problem must have occurred in many other charities with restrictive covenants on income distribution and it can hardly have been a surprise that the Charity Commissioners turned a blind eye to the failure of the trustees to comply with even the twice-amended Scheme.

Part Two: the trust's work and influence in a changing environment

After the research questions have been posed for Part Two, there will be a brief review of the main legislation in place relating to charities at the time of Henry Gardner's death (other than that concerning investments) and the principal changes that have taken place since. The work and influence of the trust will then be examined over three successive periods of time, focusing particularly on the drivers of the changes that took place.

- The first period, from 1882 to 1893, might fairly be termed the trust's development period. The manner in which the committee set about its task has already been described in detail in Part One of this chapter. Here the focus will be on external events having a major impact upon the welfare of the blind.
- It would not have been unreasonable for the committee to have hoped that following the first decade or so of operations the trust might have settled down into a period of stability. In fact, the period from 1894 to 1920, when the Blind Persons Act was passed, was one of constant readjustment.
- Henry Wilson retired in 1921 and there commenced a period of decline in the influence and ability of the trust to improve the welfare of the blind, effectively reaching a plateau by 1950. Once again a series of external events lay behind the changes in the operations of the trust.

Part Two will conclude with an examination of the areas where the trust chose to exert its influence, both financially and otherwise.

4.6 Chapter research questions – Part Two

The questions addressed in Part Two of this chapter will include the following.

- What were the key legislative changes over the period that had an impact on the blind, how did they begin and to what extent were the consequences predictable?
- Did the blind continue to be treated as a more important class than others of the disadvantaged?
- How did the trust interact with other established charities for the blind, particularly the higher educational establishments?
- How did the trust seek to exert its influence other than purely financially?
- Was the trust called upon to broaden its activities beyond those comprised in the Scheme and how did it respond to this?

- To the extent that the trust's influence had waned by the end of the period, what factors contributed to this?
- How was the trust perceived by those outside it and did this perception change over time?

4.7 General charity legislation

In a later chapter the impact of the gradual removal of constraints on charity trustees to invest in certain asset classes will be considered in detail. Alongside these investment-oriented Acts were others aimed to make the actions of trustees generally more accountable and transparent. Leaving aside specific issues involved with mortmain provisions, the objectives of successive governments and the Charity Commissioners were to ensure that:

- The public raising of charitable funds was properly regulated.
- Money raised for charities was used for a genuine charitable purpose and for the public good.
- Trustees of charities were accountable for how funds were invested and utilised.
- Where the purposes of a charity had to be changed, this could be done efficiently.
- The assets of defunct charities could be reallocated in an appropriate manner.

The most important items of legislation between 1853 and 2006 were as shown in Table 4.14 following.

Table 4.14: Principal Charity and Charitable Trusts Acts, 1853-2006

<i>Act</i>	<i>Purpose</i>
Charitable Trusts Acts 1853, 1855, 1860 & 1869	The first of these was the Act that created the Charity Commissioners. The succeeding Acts increased their powers and, <i>inter alia</i> , brought under their purview charities that had previously been excluded.
Charitable Trustees Incorporation Act 1872	This Act empowered trustees of a charity established for 'religious, educational, literary, scientific or public charitable purposes' to apply for a certificate of incorporation. The Charity Commissioners would grant such a certificate if they considered incorporation to be expedient in the light of the charity's circumstances. Conditions or directions on certain specified matters relating to the makeup of the trustee body could be inserted into the certificate.
Mortmain and Charitable Uses Acts 1888 & 1891	The background to, and purpose of, the Mortmain Acts has already been described. These Acts relate to the general relaxation of Mortmain restrictions, although final repeal did not occur until 1960.
Charities Act 1960	'An Act to replace with new provisions the Charitable Trusts Acts, 1853 to 1893, and other enactments relating to charities, to repeal the mortmain Acts, to make further provision as to the powers exercisable by or with respect to charities or with respect to gifts to charity, and for purposes connected therewith.' ³⁵⁶
Charities Act 1985	'... designed to secure and stimulate the more effective use of charitable resources. In part they [the provisions of the Act] arise from the failure of some trustees to account fully and publicly to the community within which the charity operates, and from the ineffectiveness of many local authority reviews of charities ... to achieve the modernisation of trusts and the utilisation of charitable resources in close co-operation with the local authority welfare services.' ³⁵⁷ One of the effects of this Act was to allow the Charity Commissioners to take steps to rationalise small or ineffectual charities.
Charities Act 1992	'An Act to amend the Charities Act 1960 and make other provision with respect to charities; to regulate fund-raising activities carried on in connection with charities and other institutions; Schedule 6 to make fresh provision with respect to public charitable collections; and for connected purposes.' ³⁵⁸ The thrust of the legislation was to control the way in which charities raised funds.
Charities Act 1993	'An Act to consolidate the Charitable Trustees Incorporation Act 1872 and, except for certain spent or transitional provisions, the Charities Act 1960 and Part I of the Charities Act 1992.' ³⁵⁹ Among other things this Act updated the definition of what constituted a charitable trust.
Charities Act 2006	'An Act to provide for the establishment and functions of the Charity Commission for England and Wales and the Charity Tribunal; to make other amendments of the law about charities, including provision about charitable incorporated organisations; to make further provision about public charitable collections and other fund-raising carried on in connection with charities and other institutions; to make other provision about the funding of such institutions; and for connected purposes.' ³⁶⁰ This was a major overhaul of charity legislation, including a reorganisation of the Charity Commissioners. The 2009 reorganisation of Gardner's Trust and amalgamation with the Cecilia Charity for the blind was undertaken under the terms of the 2006 Act.

Again leaving aside the provisions of the Mortmain Acts, it can be seen that the principal aspects of charity legislation had been put in place before Henry Gardner's death and were not modified significantly until the 1960 Act. Even thereafter the impact of these changes on Gardner's Trust was minimal, although its merger with the Cecilia Charity for the Blind was facilitated by the Acts from 1985 onwards.

4.8 Development of the trust, 1882-1893

At the time of Henry's death, State intervention in the care of the poor and the disadvantaged was still minimal. It had been for centuries and he cannot have foreseen how quickly this was about to change. Yet the legislative landscape was soon to be transformed by a series of Acts of Parliament that would marginalise voluntary and charitable activities of all kinds, particularly in relation to the blind. Only by reviewing these changes as they occurred is it possible to understand the framework in which organisations like Gardner's Trust operated.

4.8.1 The Royal Commission on the blind, deaf and dumb

The frequent isolation of teachers of the blind has already been mentioned and an attempt to overcome this was undertaken in 1883, when a conference on the education of the blind was held in York. In fact this was not the first to be held, but the previous one (the Universal Congress for the Improvement of the Condition of the Blind in 1878) had been held in Paris and had limited attendance by British teachers and administrators. The delegates to the York conference recognised the need for a government enquiry into the position of the blind and this was echoed the following year at a meeting hosted by the Duke of Westminster, who had a long connection with the blind, at Grosvenor House.³⁶¹ Westminster's political connections enabled him to persuade the government of the need for such an enquiry, which was announced in 1885, with Westminster as the chairman of the Royal Commission, its brief being to report upon the condition of the blind in the United Kingdom, with an emphasis on their education, training and employment prospects. Arguably this was the single most important catalyst in changing the position of the blind in society.

Meanwhile, those working on behalf of the deaf and dumb had also been seeking an enquiry, their efforts being led by Lord Egerton, who was the Chairman of the school for the deaf in Manchester. Neither Egerton nor Westminster thought that a joint enquiry would be a good idea, but it was that into which the Royal Commission transmuted in 1886, its brief being extended commensurately. Perhaps for this reason Westminster stood down as Chairman, his place being taken by Egerton, and to the experts on the blind already appointed (including Francis Campbell, Rhodes Armitage, Tindal Robertson, Edmund Johnson and the Bishop of London) were added several experts on the deaf. However, not only was the brief extended to include the deaf and dumb, but the Royal Commission was also asked to consider the needs of others who might require special education, that is, in the language of the day, others of the physically and mentally handicapped.

The Royal Commission took three years to take evidence and its members visited many of the important institutions in the UK and continental Europe. The 1889 *Report of the Royal Commission on the Blind, Deaf and Dumb, etc.*, published in four volumes, comprised over 1600 printed pages in its entirety. If York had been the catalyst, the Report was the reaction. Among the many witnesses appearing before the Commission were Henry Wilson and Dr. Temple, the Bishop of London. With so many members and so much to consider, it is no surprise that the recommendations of the Report were tinged with compromise and some of the members indicated that they did not agree with all of the conclusions.³⁶² In the section of the Report dealing with the blind, the following were among the major conclusions:

- Legal authority for the education of the blind had been established by a number of Acts, but there was considerable local difference in how this legislation was put into effect. The Report recommended that blind children should be compelled to attend school between 5 and 16, with the costs of education and maintenance being shared between Local Authority school boards (if parents were unable to pay up to the level of 'normal' educational costs) and central government. Grants should continue beyond the age of 16 to allow the blind to learn a trade after completion of their basic education, or to prepare themselves for university. Local Authorities were broadly free to use existing schools of their own, set up new ones, or use existing charitable institutions (with the

possibility, therefore, of government funds being directed towards charitable institutions).

- The Report's recommendations on whether education should be integrated (with the sighted) or segregated were equivocal, suggesting that blind children should attend general schools up to the age of 12, transferring to specialist institutions thereafter. Specialist training for various manual skills and music in dedicated institutions was also recognised. However, considerable autonomy in this area also remained with the Local Authority school boards.
- The value of Braille was recognised, but mainly due to the proposed integration of the teaching of the blind and non-blind before the age of 12, the case for retaining one of the forms of the embossed Roman alphabet at least in the early years was also made (which lack of decisiveness probably caused the reservations of Campbell and Armitage).³⁶³ The final ascendancy of Braille was thus delayed once again.
- It was recommended that teachers of the blind should be certificated, but that the vocational element of their calling should not be ignored. The Royal Normal College received the strong approbation of the Royal Commission, as did Worcester College, but with the caveat that it was too small.

The management committee of Gardner's Trust must have felt reasonably happy with the Report, since it did not call into question any of their practices or suggest any dramatic changes to their *modus operandi* and also because of the following comment: 'Gardner's Trust for the Blind has been of the greatest service in supporting existing institutions, in encouraging the foundation of new ones, and assisting the blind to help themselves'.³⁶⁴ They would not, however, have been so pleased with a number of references within the Report to the 'Richardson-Gardner Trust', evidencing the extent to which Robert Richardson-Gardner had insinuated himself into the public's perception of the genesis and management of the charity.³⁶⁵ It is also clear elsewhere that some institutions believed that the approbation of Robert and Maria Louisa was equivalent to the approval of the management committee of Gardner's Trust.³⁶⁶

The Gardner's Trustees were also ambivalent over which typefaces to support. Phillips states that grants were provided directly to the BFBA to cover the publication costs of works in Braille, but that they were not provided directly to support other relief types.³⁶⁷

This is not quite true. At an early stage in its existence Gardner's Trust provided a mortgage to William Moon's printing establishment in Brighton and the trustees even received a deputation comprising William Moon and his daughter – the presence of non-members of the committee at their meetings was a rare event. While the trustees were probably persuaded of the intellectual superiority of Braille, they, too, needed to be pragmatic.

While the Royal Commission did not represent the very first efforts of individuals to coordinate the activities of charities for the blind and increase the involvement of the State, at least to the extent of education and training, its importance should not be underestimated. By bringing together those with genuine expertise, such as Rhodes Armitage, and those with political influence, it prepared the way for legislation and credit is due to parliament that this took only four years to introduce. The responsibility of the State towards the blind and the deaf, who were here treated almost equally, was established beyond doubt.

4.8.2 Elementary Education (Blind and Deaf Children) Act 1893

The practical result of the Report was the passage, in 1893, of the Elementary Education (Blind and Deaf Children) Act, which effectively remained the basis for the **education** of the blind until 1944, with only minimal subsequent changes.³⁶⁸ It was the first major piece of legislation specifically designed to benefit the blind (and deaf). In essence it required every School Board to provide education for blind and deaf children resident within their area of responsibility between the ages of 7 and 16 (the Royal Commission had recommended a maximum age of 21) in a school (either private or public) certified for the purpose by the government's education department. This was positive discrimination in the sense that, for the able bodied, education only had to be provided up to the age of 12 under the Elementary Education Act 1870. If such children were sent to private schools, they were now required to meet the bulk of the costs of education and boarding. Many School Boards took advantage of the existing private institutions, although relatively few of these had previously accepted children as young as 7. Among the more proactive of the School Boards was London, which immediately began to send blind children to existing institutions such as the RNC on a fee-paying basis. As will be shown, this had a limited impact on Gardner's Trust, since many of the students it

supported at the RNC and elsewhere were over 16, but arguably it did reduce the universe of possible beneficiaries.

A more important consequence was the decision of the London School Board to purchase the Royal Normal College from its trustees in 1896. This matter is dealt with at length in the minutes of the RNC's Executive Committee over a prolonged period. The immediate result was that Gardner's Trust had repaid to it the outstanding mortgage on the RNC's premises at Crystal Palace, but the provision of Gardner Scholarships to qualified students continued. Since the advance to the RNC was accounted for as an investment, it had to be reinvested, rather than distributed. This was just as well, since within only two years the arrangement was found to be unworkable and the RNC trustees repurchased the college buildings from the London School Board. Fortunately, the Gardner trustees were willing and able to re-advance the funds on a new mortgage. The London School Board subsequently set about building its own specialist facilities.

Despite the importance of the Act, the impact on Gardner's Trust was initially no more than marginal. It had no effect on the demand for funds from workshops for the blind and potential blind pensioners, whilst Gardner scholarships tenable at Worcester College had almost invariably been for those aged over 16. The funding it had provided some years earlier to the RNC to assist in the building of a primary school had already been committed and could not be returned. One important element absent from the 1893 Act, although it had been recommended by the Royal Commission, was to give schools for the blind responsibility for the after-care of their former students (a feature of the Saxon system adopted in Germany and elsewhere). Had this been included the Gardner's trustees might well have had to review their *modus operandi*, even if the pattern of grant giving remained much the same. It also meant that schools were not encouraged to foster their links with workshops and other facilities providing practical training for those aged over 16, which many had previously done voluntarily.

4.9 Readjustments in a changing environment, 1894-1920

The passage of the Education (Blind and Deaf Children) Act 1893, in response to the Report of the Royal Commission, led to the committee's first major change in its approach to educational grants. The Act, implemented in 1894, made School

Authorities responsible for the provision of suitable elementary education for blind children up to the age of 16 years and the committee immediately withdrew grants to students below this age, forcing institutions such as the RNC primary school to arrange substitute funding with the relevant authority. The committee appreciated the fact that there would still be requests for grants to complete the instruction of the blind after that age. Almost immediately it became clear that the demands for grants for over-16s would be considerably in excess of the amount they had been previously making. The reasons for this remain unclear, but may have been related to a larger number of pupils being able to remain under instruction until 16 and then having only a very limited number of charities to which they could turn to provide for financial help in completing their training.

By 1898 the committee was bemoaning the fact that by having to make such grants in large quantities (over 150 each year) they were being called upon to fulfil a role that should rightly have been the responsibility of the State and they continued to agitate for action in this regard.

Until around 1898 the introductory section to each annual report of the trust tended to be brief, if not actually perfunctory. Thereafter the committee often took the opportunity to make a brief statement on some point they considered of importance, for example the inadequacy of financial provision for the over-16s, as already mentioned. In 1900 they observed with satisfaction two beneficial trends. The first was the increase in the number of organisations dedicated to the care of the blind in England and Wales, which they noted had increased from only three at the beginning of the nineteenth century to over 160 by its end. The second was the increase in the number and size of workshops for the blind, many of which the trust itself had helped to finance. Yet the trust still regretted that there was no formal system of care for the blind once they had completed their education and training. The 'Saxon system' operated in some parts of the Continent was looked on by many experts as the gold standard and had been that favoured by the report of the Royal Commission, but if the trust lobbied for its adoption in England and Wales they did so on a very low key basis and without obvious success.

4.9.1 Education Act 1902

Rhodes Armitage had died in 1890, but activism on behalf of the blind continued. The 1893 Act was a step in the right direction, but there were many who felt that more remained to be done. To their disappointment, the Education Act of 1902 was not even partially directed to advancing the lot of the blind, or the otherwise disadvantaged. Its main purpose was to replace the School Boards set up under the Elementary Education Act 1870 with Local Education Authorities ('LEAs'), which would also, *inter alia*, have power to establish new secondary and technical schools and provide adult education. Under Part II of the Act, the newly established education committees had the power to pay, with the sanction of the Board of Education, the school fees of blind persons above the age of 16 – previously this could only be done under the provisions of the Poor Law. However, there was no concerted action at a national level to take advantage of this and relatively few schools seem to have succeeded in attracting such funds.

Initially there was no detailed discussion of the implications of the 1902 Act by the Gardner's Trust committee and in practice it had no impact on the manner in which they operated or on how they allocated their grants, although they later tried to persuade education committees to make use of their discretionary powers for funding over-16s. Some of the new committees did agree to adopt this approach, but it was many years before the practice became commonplace and Gardner's Trust continued to provide grants for up to 180 over-16s for some years to come, often accounting for over 50% of the annual net income of the trust. In 1902 the London School Board set up a Special Committee to deal with blind pupils approaching their sixteenth year, on which the chairman of the trust, Seton-Karr, unusually agreed to serve.

Although voluntary organisations for the blind increasingly felt that more specific legislation was required after the passage of this and the 1893 Act, Gardner's Trust as a body did not participate actively in such lobbying (although Wilson, its secretary, may well have done so privately).

The committee had been active supporters of new workshops for the blind, but their ability to help finance these by large donations came to an end around 1904. During the period between 1879 and 1882 when the case of *Gardner v. Beaumont* wended its way

through the Chancery Division of the High Court, the interest on the capital of £300,000 that had been deposited with the court accumulated. By the time the funds were handed over to the trustees this amounted to over £18,000, of which a small amount had already been provided to the Royal Normal College and others in 1881 as interim grants.

Although it was determined that this accumulation was available for distribution without restriction, in practice the trustees eked it out over the next twenty years or so, mainly in building grants.

From 1905 the annual reports noted that large donations for building purposes would no longer be available unless the trust received gifts especially for that purpose. This exhortation continued to appear in the reports for several years alongside that for additional gifts to fund pensions, but did not result in any bequests of the former type. In practice building grants did persist for a few years longer, but on a reducing scale.

The Education Act 1907 was largely concerned with the powers of Local Authorities to purchase land for educational purposes and to borrow for this purpose, but it also contained a clause relaxing the conditions for the funding of schools under the Elementary Education (Blind and Deaf Children) Act 1893. Under that Act at least one third of the annual expenses of schools for the blind and deaf not managed by school authorities had to be defrayed out of sources other than local rates or central government funds, a condition that ceased under the 1907 Act.

4.9.2 Old Age Pensions Act 1908

The passage of the Old Age Pensions Act 1908 involved a review of the pensions awarded by the trust, which they undertook in conjunction with Christ's Hospital, administrator of Hetherington's Charity for the blind, and the Clothworkers' Company, administrator of several other charities for the blind. Some adjustments had to be made in order to ensure that beneficiaries were not actually worse off under the new system by virtue of Gardner (or other charitable) pensions raising them above the permitted income threshold, but the number seems to have been relatively few and there was no apparent immediate reduction in the demand for pensions.

Neither the Education Act of 1918 nor the Old Age Pensions Act 1919 had any significant impact on the blind.

The period from 1909 to 1920 was remarkable in that the committee found almost nothing specifically relating to the blind on which to comment in their annual reports, notwithstanding the approaching passage of the Blind Persons Act 1920. Wilson's appointment as Vice-Chairman to the Advisory Committee to the Special Department for the Blind had been noted in 1917, as well as his promotion to the Chairmanship in 1920, but the committee claimed no other credit and gave no criticism or plaudits.

4.9.3 *Blind Persons Act 1920*

The campaign for further legislation to improve the welfare of the blind has been described in detail elsewhere, and over the period 1902 to 1920 there were some other relatively small changes in addition to those described above, such as an increase in the grants paid to schools for the blind and the deaf in 1914.³⁶⁹ All of the attempts to introduce a comprehensive Bill dealing with blind education, employment and pensions failed. One Bill introduced in 1906 had given the committee cause for concern insofar as a significant part of their funds may have been categorised thereunder as an 'educational endowment' if it had been enacted, with the possibility that the committee would have lost control over its use. In providing legal advice Sydney Gedge, still the committee's solicitor and until recently an MP himself, stated that 'all that the Committee can do is to present a petition against the Bill, and to use private influence to prevent its passing, but probably in the present state of things in the House of Commons either of these courses would be futile'. The Education Act 1918, which raised the school-leaving age to 14, had virtually no impact on the blind. One side effect of this lack of progress was that some of the voluntary organisations for the blind that had not always previously worked together in harmony, such as the National Institute for the Blind and the National League for the Blind, were forced into a working, if still uneasy, alliance. Finally, in 1920, a breakthrough was made.

The Blind Persons Act of 1920 covered not just education for the blind, but also their workshops, residential homes, other facilities and pensions. During several months of

debate in Parliament its provisions were amended substantially, but in its final form the key clauses were as follows:

- A new definition of blindness was introduced: 'too blind to perform work for which eyesight is essential'.
- Every blind person who has reached the age of 50 shall be entitled to receive the pension he would otherwise be entitled to on reaching the age of 70.
- Local Authorities shall be responsible for promoting the welfare of their blind residents, for example by providing and maintaining workshops, hostels and homes, with the power to raise rates and/or borrow for this purpose.
- Charities for the blind would need to register (with a stipulated body) before being allowed to appeal for subscriptions or donations or otherwise raise money.

Absent from the Bill as eventually enacted was the duty of Local Authorities to actually provide for the employment of the blind.

The introduction of old age pensions for the blind at age 50 (instead of 70 for the rest of the population) would have a real impact on Gardner's Trust. The Old Age Pension Acts of 1908 had introduced such pensions (5s. a week for individuals and 7s. 6d. for married couples) for those aged over 70, with certain residuary restrictions. The £13 a year that resulted was very close to the level of pensions (usually between £10 and £20 p.a.) granted by Gardner's Trust. At this time around 20% of Gardner's pensioners had been over this age, but their Gardner pensions had not been cut as a result. However, it may well have been the case that from that point the management committee took State pensions into account when deciding which applications to agree. From 1920 a much higher proportion of existing pensioners, in fact almost 90%, was affected and it became necessary for the committee to rethink their eligibility criteria, although the value of both Gardner's and State pensions had been severely ravaged in real terms by the inflation during and after the First World War (which will be considered in more detail in a later chapter). The alternative of directing pension payments to other purposes was not immediately open to them, due to the restrictions imposed by the Scheme and Declaration of Trust. By then the Scheme had already been modified in agreement with the Charity Commissioners in 1894 and it was clear that the trustees had no immediate appetite for negotiating a further amendment, although the possibility also exists that they thought there was a sufficient case for supplementary pensions. Although nowhere

stated in the Gardner minutes, the rationale adopted by the trustees seems to have been that Gardner pensions would now be awarded **in addition** to the modest State pension to improve further the lot of the blind (as long as this did not adversely affect State benefits), rather than providing them with basic subsistence where Poor Law aid was unavailable or insufficient, as had effectively been the case hitherto.

Placing the primary responsibility for the welfare of the blind on Local Authorities was consistent with the manner in which responsibility for their education had previously been placed on School Boards and it is therefore no surprise that the first thing many Local Authorities did was turn to the existing voluntary organisations for the blind that ran homes, hostels and workshops. On the whole these organisations responded positively and strongly, not least because of the additional funding that was forthcoming, but there were some that resented what they saw as interference in their affairs. Yet the overall response was inconsistent, not least because of the lack of leadership or co-ordination from central government.

Gardner's Trust found itself in an odd if not difficult position. Although the voluntary organisations would always have the need for funds in addition to those they would in future receive from Local Authorities, the trust's influence in determining which workshop and similar projects should be funded (where other charities would often follow their lead) was bound to wane. Ironically the 1920 Act caused a great deal of additional work where Gardner's Trust could, and arguably, should have taken a lead – the compilation of a central register for the blind, or at least some form of central control over the lists compiled by individual Local Authorities. The difficulties associated with this task, which was closely related to the problem of the definition of blindness, have been well covered elsewhere.³⁷⁰ Once again, however, Gardner's Trust declined the opportunity to become involved, believing that the various county associations for the blind were best placed to provide the leadership required and that central co-ordination of this process was not required. This may well have been true, but the strictness with which they pursued the goals of the trust as set down in the Scheme belied the changing world in which Henry Gardner's wishes had to be implemented. Reflection might have led them to the view that the influence they had accumulated over forty years could quickly be eroded, particularly coupled with the retirement of Wilson in 1921, and that this might not be in the best interests of the trust, or the blind.

The fact remains that for almost forty years the management committee of Gardner's Trust could legitimately take the view that their organisation represented an island of stability in a somewhat choppy sea, but one where the landscape remained virtually unchanged when the storms abated. The First World War came and went. The National Institute for the Blind increased in importance and St. Dunstan's came into existence, but both served very different purposes to the trust. The voices of Arthur Pearson and Ben Purse were much heard, but they would not have been considered suitable members of the trust's management committee. Wartime inflation was inescapable, but there was a general feeling that its effects would eventually be reversed. Such insularity may have been understandable, but became increasingly untenable.

4.10 The decline of the trust, 1921-1950

A disinterested observer would have to take the view that the 1920 Act was of enormous benefit to the blind, as, on balance, were several further pieces of legislation enacted over the next three decades. These will be discussed in due course. Yet the seeds of the trust's decline had been sown, in what turned out to be fertile soil.

4.10.1 Legislation from 1921 to 1935

The question as to whether the blind were treated better than other classes of the disadvantaged has already been answered in the affirmative – despite lobbying from some quarters there was never a Deaf Persons Act. For the time being this privileged treatment continued and the blind continued to be favoured by legislation after 1920, with the Wireless and Telegraphy (Blind Persons Facilities) Act 1926 and Post Office (Amendment) Act 1935, although these had no major impact on the running of the trust and for the next two decades it continued to operate much as it had for the previous four. However, by virtue of the monetary inflation already referred to its economic influence was now considerably less and its support was rarely a critical factor for either individuals or institutions. The impact of the 1920 Act did eventually lead the trustees to seek a further relaxation in the rules as to how they had to dispose of their income, which was agreed by the Charity Commissioners in 1934.

There was also another Education Act in 1921 and although it consolidated all previous laws relating to education, it had little impact on the blind.

4.10.2 Blind Persons Act 1938

There was a further Blind Persons Act in 1938, reducing the age of eligibility for old age pensions for the blind from 50 to 40 and providing additional support to blind persons, although such pensions were also reduced or withdrawn for certain blind workers in paid employment at institutions. The definition of blindness for entitlement purposes was modified very slightly from the 1920 definition: 'so blind as to be unable to perform any work for which eyesight is essential'. On balance the Act further relieved the demands upon the trust, especially for pensions and individual grants.

4.10.3 Education Act 1944 and Disabled Persons (Employment) Act 1944

The Second World War was again accompanied by monetary inflation and its end was almost coincident with the implementation of the Education Act 1944. Although this Act contained no specific clauses dealing with education for the blind, it did provide free secondary education for all and the raising of the school-leaving age to 15, thus again serving to reduce the trust's universe of needy potential beneficiaries. Also from the end of the Second World War, it became increasingly common for Local Education Authorities to pay the tuition fees and provide maintenance grants to students attending the rising number of universities, although this was not embodied in legislation as a requirement until the Education Act 1962. Again, therefore, a class of potential Gardner beneficiaries almost disappeared.

The Disabled Persons (Employment) Act 1944 placed the responsibility for the vocational training, or industrial rehabilitation, of disabled persons (including the blind) firmly on central government, with the understanding that such training would largely be provided through specialist institutions. This was another area where Gardner's had actively given funds, both to the institutions providing such courses and to those attending them, and where they would be called upon much less frequently in the future.

4.10.4 *National Insurance Act 1946*

The National Insurance Act 1946 was an important step towards a comprehensive system of social security throughout the United Kingdom. A system of social insurance providing health and unemployment benefits had first been introduced in the National Insurance Act 1911, but was limited in scope. The 1946 Act called for compulsory contributions from employers and employees, topped up from general taxation, to provide for a wider range of welfare benefits, including unemployment, sickness, maternity and widows' benefits and increased rates of old age pensions. However, what should have been legislation that was beneficial, or at worst neutral, to the blind initially turned out to be detrimental in some cases. Careless drafting led to a concern by the committee that Local Authorities would reduce or withdraw their Domiciliary Assistance grants to blind persons who received the increased pensions, since such grants were usually means-tested. Gardner's Trust once again had to review all pensions in payment, but a pragmatic approach by Local Authorities seems to have obviated the difficulty.

4.10.5 *National Assistance Act 1948*

One final piece of legislation needs to be mentioned, the National Assistance Act 1948. This was the last piece in the jigsaw of the Labour government's attempt to build a comprehensive scheme of social insurance. Its intent was to extend the benefits of the welfare state to those who were so poor that they did not fall within the scope of the National Insurance Act 1946 and thereby to improve the welfare of all classes of the disadvantaged.³⁷¹ Its side effect was that in repealing the Blind Persons Act 1920, as well as the main provisions of the Blind Persons Act 1938 (other than the provision of blind old age pensions at the age of 40), it removed blind persons from the position of privilege they had come to think of as their right since at least 1893. For the blind the Victorian era now finally came to an end, almost forty years after it had done for the rest of the population. Lobbying by Gardner's Trust and other providers of charitable pensions eventually led to the government disregarding small pensions when assessing State benefit levels, so another major review of Gardner pensions could be avoided. Nevertheless, it was a further step in the State taking over responsibilities from the voluntary sector.

4.10.6 *The cumulative effects of legislation, 1893-1948***Table 4.15: Impact of legislation on Gardner distributions, 1893-1948**

	<i>Pensions</i>	<i>Scholarships (<16s)</i>	<i>Scholarships (>16s)</i>	<i>Individual grants</i>	<i>Institutional grants</i>
Elementary Education (Blind and Deaf Children) Act 1893		-	+		
Education Act 1902			-		
Education Act 1907			-		
Old Age Pensions Act 1908	-			-	
National Insurance Act 1911					
Old Age Pensions Act 1919					
Blind Persons Act 1920	-			-	-
Education Act 1921					
Wireless and Telegraphy (Blind Persons Facilities) Act 1926					
Blind Voters Act 1933					
Post Office (Amendment) Act 1935					
Old Age Pensions Act 1936					
Blind Persons Act 1938	-				
Education Act 1944			-		
Disabled Persons (Employment) Act 1944				-	-
National Insurance Act 1946	-				
National Assistance Act 1948					

Key: '-' indicates a reduction in demand for grants and '+' an increase.

The cumulative effect of the various education, blind persons and other relevant acts between 1893 and 1948 (summarised in Table 4.15 above) was overwhelming as far as Gardner's Trust was concerned. The importance of musical education and training in crafts associated with music had been overestimated anyway, as feared by Mansfield Turner and others. The ability of the trust to contribute to education generally had not diminished in monetary terms, but its support was no longer critical and it was increasingly difficult for it to find ways to provide educational grants to individuals that did not simply result in 'relieving the rates' (that is, leading to a reduction in the amount otherwise obtainable from Local Authorities). Old age pensions were now universal, with entitlement for the blind at a very young age. Improved education and training for all classes of the disabled, including the blind, meant that there was much lower reliance on workshops provided by charities especially for the needs of the blind. One of the few areas where the committee found an increasing demand for their funds was in the

provision of care for the old and infirm blind. After the Second World War an increasing proportion of the trust's grants to institutions were to homes for the blind, or to other charities that ran them. However, if the real value of the income the trust was able to distribute had not been falling as a result of inflation, the management committee may have found it genuinely difficult to find ways for its distribution in accordance with even their more flexible revised guidelines.

Were these consequences of legislation predictable? As will be seen the members of the management committee of Gardner's Trust were, by and large, able and intelligent men, but nothing survives to suggest that they were self-questioning, either individually, or as a group. As early as 1893, State responsibility for the education and training of the blind was established, albeit not to the age or extent envisaged by the Report of the Royal Commission. However, if activists for the blind continued to achieve success, the educational age limit was likely to increase and the involvement of Local Authorities would increase. In any case the legislation was unlikely to be reversed. The introduction of old age pensions was also a critical step, the significance of which was probably not fully appreciated by the management committee. It is difficult to avoid the conclusion that by not aligning themselves strongly with the activists, the management committee failed to appreciate the position that would be reached should the activists achieve all of their goals for the blind, which eventually they did. In seeking to understand how the trust functioned from its foundation to beyond the end of the Second World War, and whether it met its objectives successfully, the changing legislative environment is undoubtedly the most significant single determinant. Gardner's Trust and other similar charities did not quite disappear overnight, but the 'welfare state' legislation of the 1940s was as close to an extinction event as made no difference.

4.11 Specific areas of influence of the trust

Gardner's Trust did not exist in a vacuum and it is reasonable to ask how it interacted with those it sought to influence and those who wished to influence its own actions. The first question that naturally arises is whether the Gardner trustees and committee should have supported a wider range of objectives than the relatively straightforward one of income distribution according to the formula set out in the Scheme and Declaration of Trust – their financial clout and wisdom in appointing Henry Wilson put them in a

position where they could quite easily have done so. It will be shown that they continually failed to take such initiatives, or to respond to invitations from others to do so. There were, however, a few examples of where they became involved in situations outside their comfort zone and these will be examined in due course.

Early examples of decisions not to broaden its interests occurred in 1896, when the management committee turned down the opportunity for one of its members to serve on the Council of the Charity Organisation Society, and, in 1898, when it declined to become more closely associated with the Lending Library for the Blind.³⁷² Neither of these would have been likely to have been particularly onerous obligations, but provide two cases where the committee chose not to become involved directly in potentially difficult or conflicting situations. In fact such situations did occur in 1898 at Worcester College and in 1903 at the Royal Normal College.

4.11.1 Worcester College

In seeking to answer the question of how the trust interacted with other charities for the blind two case studies present themselves, those of the RNC and Worcester College. There was a fundamental difference in how these relationships developed, not least because of Henry Gardner's personal involvement with the former prior to his death and its proximity to London (and thus to the Gardner's Trust offices and management committee). However, the staff and supporters of Worcester College had made a strong case to the Court for the provision of Gardner scholarships and the Scheme made a clear reference to the use of existing institutions. As will be seen the trustees soon found themselves involved in the financing and management of Worcester, but declined the opportunity to take this involvement to what might have been considered a logical conclusion.

On its foundation in 1868, Worcester College was initially run as a private enterprise of its founders, Blair and Forster. This was clearly unsatisfactory and an attempt was made almost immediately to convert it into a limited liability company with a share capital of £10,000. Although a third or more of this sum was raised, the attempt failed and the company was wound up in 1871. Although the college's finances were far from secure, it made progress academically and the governance arrangements were reconstituted

under a Trust Deed dated 11 July 1879, but even these gave Gardner's Trust and others concern. This concern was aired publicly in the 1884 report of the college, where the case was argued for the college becoming an endowed 'Public Institution ... governed by a responsible Council'.

Despite this Gardner's Trust continued to make scholarship and special grants to Worcester College, including one of £260 in 1886 for a 'library cum organ room' for the college's growing library of embossed books and a two-manual organ at its new premises in Powick. It became known as the Gardner Library and was opened in May 1887 with a grand tea. It was described by Bell as a corrugated iron building capable of seating 150, which could also be used for morning and evening prayers and other purposes.³⁷³

Under continuing pressure from Gardner's Trust and the Clothworkers' Company, Worcester was eventually reconstituted again, but not until 1888 under the Chairmanship of Viscount Cobham, who later became a Gardner's trustee.³⁷⁴ Under the new arrangements Gardner's nominated two members of the Board of Governors and the Clothworkers' Company one. Another problem arose in 1891 on the death of Forster. The Governors appointed Forster's widow to take over the running of the school temporarily, to which the Gardner's trustees objected and only renewed their grants, which they had intended to withdraw, 'after strenuous protests had been made'.³⁷⁵ Forster's widow had long been involved with the day-to-day running of the school and two of her unmarried sisters taught there, but it was considered unfitting for a boys' school to be in the charge of a woman. A short-lived principal was appointed in 1892 and another in 1895.

In any event the new governance arrangements did little to improve the financial situation of the College and, in November 1898, Lord Cobham wrote to Lord Kinnaird, the chairman of the Gardner committee, asking if the trust would be prepared to take over responsibility for the college.³⁷⁶ After careful consideration they replied that they could not see their way to taking on the management of the college, but were quite prepared 'to consider any other plan for giving effective assistance to the College in its present condition'.

Somehow a corner was turned without the direct involvement of Gardner's. A benefactor of the college, Miss Warrington, had enabled the purchase of a new site and although there were concerns as to where the funds for the building costs would be obtained, construction commenced. The new building was opened in 1901 and the name of the college changed to 'The College for the Higher Education of the Blind'. The finances of the college did not cease entirely to be a concern, but it was no longer an all-consuming problem.

A contrary example concerning the Gardner committee's involvement in external matters is provided by the Scholarship Fund for the Blind Sons of Gentlemen, which refers to the name by which Worcester College was originally known. This fund, with an original capital of £740, had been set up under an indenture dated 23 July 1879 by the same parties involved in the constitution of the college itself a few days before. The fund was administered by Worcester College from its inception in 1879 until 1914, by which time the income had grown to around £125 p.a. The honorary secretary of the Worcester College governors, Dr. (later Sir) Washington Ranger, approached the Gardner committee informally in October 1914 and arrangements were completed within a few months. These were as follows, the last of which echoes the Clothworkers' proposals for the management of the Gardner bequest as a whole:³⁷⁷

- The trust would supplement the present income of the fund a year by a similar sum and the annual scholarship grant of £250 already agreed would not be decreased.
- Any part of the fund income not used in any one year would be invested and the grant from the trust increased annually in proportion as the income on investments increased until it amounted to £250 a year, when the trust would be freed from any further obligation to supplement the income.
- If there were insufficient annual scholarship applications to absorb the whole of the supplemental grant, then the trust would be free to spend the unused part as it thought fit.
- The trust would administer the fund free of expense.

The Trust Deed was modified, *inter alia*, so that members of the committee of Gardner's Trust would automatically become trustees of the scholarship fund and, thereafter, separate meetings of these trustees were held and minuted.

In 1920 the Public Trustee, administering the will of the late Mrs. Lucy Block (1841-1916), exercised its discretion in awarding Gardner's Trust the sum of £3,300 for the purpose of providing scholarships at Worcester College, this effectively becoming part of the Scholarship Fund. Lucy Block (née Dart) was the widow of William Allen Block (1825-1890), a wealthy City merchant from an old Scottish trading family. Lucy almost lost her eyesight around 1909 and died in 1916, leaving an estate of a little over £150,000 and appointing the Public Trustee as her executor. Clause 12 (g) of her will specified that, after the payment of certain legacies 'As to one equal ninth share [of her residual estate] to distribute the same in such proportions and manner as the Trustee shall think fit among Societies of Institutions formed for the purpose of instructing and/or providing manual employment for the blind'. In 1945 administration of the fund, less the amount of the Block legacy, reverted to the college following the passing of the 1944 Education Act.

This case study provides a number of insights into the attitudes of the Gardner management committee. It was prepared to nominate individuals to act as Governors of Worcester, but was not prepared for its own members to act in this capacity. On the other hand it was quite prepared to manage the scholarship fund, which was a financial rather than an operational responsibility. This was clearly a disappointment to Viscount Cobham and others. A closer relationship between the two institutions would have been likely to lead not only to more and larger grants for Worcester, but also to increased prestige and the ability to raise funds from other sources alongside Gardner's Trust.

4.11.2 *Royal Normal College*

The second case study concerns the Royal Normal College. As has been observed, the initial relationship was nominally closer in this case, although there is some evidence to suggest that the Gardner trustees did their best to keep the College at arm's length during the period when the Scheme was being negotiated.

After a prolonged absence from the minutes of the RNC executive committee, the Gardner bequest is mentioned again on 9 March 1881 when Mr. Shaen, acting as honorary secretary, provided some particulars with regard to the Gardner bequest 'showing that it might be years before anything would be forthcoming from that source'. As it turned out this proved to be unduly pessimistic, given that the Court of Chancery approved the principles of a scheme later that month.

Notwithstanding the unfounded pessimism of the RNC Executive Committee, some form of dialogue must have been maintained, since on 22 July 1881 it is noted that, among others, Mr. Richardson-Gardner had delivered an 'effective speech' at the Annual Festival of the RNC. More importantly, and despite the fact that a definitive declaration of trust was not drawn up by the Gardner trustees until the following year, on 12 October 1881 there was a critical development for the RNC, when Campbell reported that an immediate grant would be made by the trust of £1000 towards scholarships for one year. This was sufficient for twenty three pupils, who would be designated Gardner Scholars.

Another short gap ensues with no mention of Gardner's Trust, until, on 8 February 1882, the principal reported on a conversation he had had with Mr. Gedge as a consequence of which he was hopeful that the Gardner trustees might take over the RNC's mortgage at an interest rate of 3%, rather than the 5% they were currently paying. This mortgage of £12,000 had been incurred to finance property acquisition and building costs, having not long previously been increased. In what was presumably an attempt to tie the Gardner trustees further into the RNC, at the following meeting (13 February) it was proposed that four of them should be invited to become members of the General Council of the RNC, namely Lord Kinnaid, the Hon. Arthur Kinnaid, Mrs. Richardson-Gardner and Captain A.P.S. Beaumont.³⁷⁸ This was confirmed at the meeting on 22 February. By the 13 March only the last had accepted the invitation.

Meanwhile it seems likely that the principal remained in close contact with the trustees and/or their representatives. In the minutes of an Executive Committee meeting on 10 May 1882, reference is made to a donation of £100 received from Mrs. Croll, which would be applied 'to meet the conditions of the Gardner Fund Trustees, for the purposes of establishing the Preparatory School'. The implication is

that the trustees had agreed to provide money for the foundation of such a school if it was matched by support from other parties. By now the committee of Gardner's Trust had begun to meet on a regular basis and the ongoing relationship can be dealt with elsewhere. There are, however, a few issues that can be dealt with conveniently at this point.

The RNC achieved a long-held ambition in June 1882, when the pupils performed at Windsor before the Queen and the Royal Family. Among those in attendance were Col. and Mrs. Richardson-Gardner. Practical issues in connection with the examination of pupils for Gardner scholarships were discussed at the meeting on 12 July 1882, while a more significant and connected development was noted on 11 October 1882. At this meeting it was reported that the Gardner trustees had agreed to provide £2,100 over three years for the furnishing and maintenance of a new Technical School, the necessity for which had become apparent during interviews for potential Gardner scholars. The precise manner in which Gardner scholarships operated at this point is not clear. On 8 November it was noted that Henshaw's Asylum of Manchester had requested a reduction in the amount they paid for students sent from them to the RNC as Gardner's scholars, which request was refused for the time being.

Suitable space was always in short supply at the college and on 13 December 1882 the minutes record that the property adjoining the RNC was available at a price of £4,800. The principal was asked to bring the matter before the Gardner trustees.³⁷⁹ Meanwhile, the Gardner trustees (still dealing through Mr. Gedge) had encountered a problem under the terms of their recently approved declaration of trust whereby they found they could not justify the advance of the monies for the Technical School under the heading of 'handicrafts' (minutes of 29 December). The management committee undertook to demonstrate that such a heading was justified and by 12 January 1883 Mr. Gedge was quite satisfied.

In 15 May 1883 it was proposed that Col. Richardson-Gardner should be appointed a Vice President, along with the Marquess of Northampton and Sir Rutherford Alcock. Richardson-Gardner's agreement was noted on 8 June 1883 and he took his involvement seriously, with a proposal reported at the meeting of 31 July that the college choir should make a provincial fund-raising tour, with his personal guarantee to

cover expenses.³⁸⁰ At the same meeting it was reported that the Gardner trustees had agreed to provide up to £15,500 by way of mortgage at 3½%, to cover the repayment of the existing mortgage and the purchase of some houses nearby. Since a certain amount had recently been raised to reduce the mortgage, it was hoped by the committee that they would not need the whole of this amount. The matter was raised again on 30 October, when it was agreed that the sum requested of the trustees by way of mortgage should be £12,500, based only on the covenant of the College trustees, with an additional £1,000 requested as a grant towards the cost of the new buildings. At the same meeting further discussions were reported with Col. Richardson-Gardner concerning the proposed tour and it was agreed to admit girls of 18 or 19 as Gardner scholars.³⁸¹ The importance of Henry Gardner and his trustees in connection with the RNC should not be underestimated, as put by Phillips: ‘... they financed the innovations which Francis Campbell and Thomas Armitage preached’.³⁸²

As has been seen, Gardner’s Trust had provided a mortgage to the Royal Normal College from 1883, but this was repaid when the London School Board took over responsibility for the college in 1896. This arrangement proved disastrous and in 1897/98 the college repurchased its premises from the Board and regained its independence, which required a new mortgage from the trust. In the same year Francis Campbell, principal of the Royal Normal College, wrote of the liberal aid provided by the trust in connection with the establishment of its primary and technical schools, helping raise the poorest blind children from the ‘charity class’ into a position of ‘independence and usefulness’.³⁸³

Despite this considerable support from Gardner’s Trust, the RNC continued to lead a hand to mouth existence and it soon found itself in a similar position to Worcester College, appealing to the Gardner committee.³⁸⁴

The secretary read a report of the conference of a deputation from the Norwood College, which attended at the office on November 6th in regard to the financial difficulties and it was agreed that a letter should be written to Dr. Campbell stating that the Committee, whilst considering that the financial arrangements required careful investigation, and probably revision, would come to no definite decision in regard to giving further assistance to the College, until the case was stated in writing, but that they could not entertain for a moment the idea of taking over the administration of the College.

This reluctance to become involved with the administration did not prevent the committee from expressing their concern at not having been consulted when Guy Campbell succeeded his father as principal in 1913, particularly as the appointment process had taken some time and an undertaking had been given to them that they would be consulted.³⁸⁵

Although not appearing in the minutes, some notes prepared by the secretary (Major MacMahon) in 1944 as background for a conference between representatives of the Gardner's Trust committee and the Education Committee of the National Institute for the Blind suggest that '... the Trust was on one occasion asked to take over the administration of Chorley Wood College but this was also refused'.

There are clear parallels in the relationships between the trust and the two premier higher educational colleges for the blind, not least the reluctance of the management committee to interfere in operational issues, with the exception of what they saw as key appointments of staff and governors. The importance of the financial support of the trust to the RNC was obvious to all and frequently referred to in public statements of the RNC.

4.11.3 Central Depot Scheme

An early opportunity to address the question of the management committee's preparedness to involve itself in areas outside of its normal activities is provided by one of a series of attempts to improve the coordination between the activities of the many institutions for the blind

In January 1884 Robert Richardson-Gardner, who had caused so much difficulty with his proposals for the new institution for the blind at Windsor, drew up a 'Central Depot' scheme for selling goods made by blind institutions and buying materials centrally.³⁸⁶

The fact that his wife was a trustee and member of the committee presumably gave him access to one of its meetings and the only occasion on which he attended was to address them on this subject.³⁸⁷ This was an idea that had been mooted as far back as the report of the Special Committee of the Charity Organisation Society and Robert ultimately had

no more success with his grandiose proposal involving large retail premises in the West End than had been achieved by those who went before him.^{388,389}

However, the committee agreed with him to the extent that the views of the principal institutions for the blind ought to be canvassed and sent out a questionnaire on the subject in their name in March 1884, but they stopped short of actually endorsing the idea. They also approved the submission of his proposal to the Royal Commission on the Blind (although there was no particular reason why they should have done so) and it was mentioned in the Report.³⁹⁰

Although in principle there was some support for such a scheme, several important institutions did not respond and it was ultimately rejected by a large majority of the institutions that it was intended to assist, who foresaw too much interference with how they organised themselves if they fell in with the proposal.³⁹¹ This should not have come as too much of a surprise – the issue of increased centralisation discussed in the COS proposal to Chancery in 1881 had not received strong support either. The personal response of Rhodes Armitage, who had been sent a copy of the proposal, may be taken as representative. In a letter to Arthur Kinnaid of 4 February 1884, written on BFBA notepaper, he stated that he felt good local management was far more important than a central organisation, although he conceded that some form of national inspection of workshops would not be a bad thing.

In this particular instance the management committee almost certainly understood that it was potentially stirring up a hornets' nest, but doubtless considered it to be the lesser of two evils given Maria Louisa's presence on the management committee and the fact that the proposal would have been submitted by Robert to the Royal Commission regardless of their support.

4.11.4 Blind clergy

When the management committee of Gardner's Trust felt they had a moral duty to take action outside of their normal areas of activity, they were more than capable of doing so effectively, not least through taking advantage of their Establishment connections. This is clearly demonstrated in a case study involving the ordination of blind clergy.

At the management committee's meeting on 6 June 1899, the minutes refer to the case of Mr. W.H. Hamilton, who, having graduated from Oxford University and wishing to be ordained, had been turned down by several bishops of the Church of England. Letters from these bishops were produced and it was resolved to consider the matter further at the next meeting in July, which they duly did. The matter was considered of importance by the committee since its outcome would effectively set a precedent in respect of several other scholars studying at Worcester College for the Blind and at the universities, who fully expected to be ordained on satisfactory completion of their studies. What made this case even more delicate was the fact that Hamilton was himself the son of a clergyman, the Rev. G.F. Hamilton.³⁹²

At the meeting on 4 July, the Chairman, Walter Scott Seton-Karr, informed his colleagues that he had been able to discuss the matter with several senior clergy. He had clearly been looking for some 'rule' from them as to the ordination of blind candidates for Holy Orders and the results of his discussions could be summarised as follows:

- The Bishop of Rochester (Dr. John Talbot, formerly a member of the committee) stated that this case had first been brought to his attention in 1898. He was reluctant to lay down any firm rule over the ordination of the blind, but felt that they would have to be of 'exceptional merit' in the candidate or 'exceptional circumstances' in the case.
- The Bishop of Hereford (Dr. John Percival) thought that blind clergy could do well in towns and cities, but less well in scattered rural communities, such as those prevalent in his own diocese.
- The Archbishop of Canterbury (Dr. Frederick Temple, also formerly a member of the committee) saw issues of a practical nature in the celebration of Holy Communion by blind clergy and likewise thought '... there should be exceptional and distinct evidence of merit in any blind candidate'.
- The Dean of Westminster (Dr. George Granville Bradley) '... did not see why a blind vicar should not prove efficient', but like the others added that there must be positive merit.

The conclusion that there had been some general discussion on this issue between the various respondents is hard to escape, unless Seton-Karr was reporting inaccurately.

It was resolved that the Chairman should write formally to the Archbishop of Canterbury ‘... to place before His Grace all the difficulties of the questions with the hope that he could provide ... some suggestions or advice on this difficult question’. This lengthy epistle still survives.³⁹³

The next meeting of the committee was held later the same month, by which time the Chairman had received a reply (which has not survived) from the Chaplain to the Archbishop of Canterbury, who hoped that consideration of the matter ‘... could be postponed for a few months as he would like to ascertain whether the bishops generally would be able and willing to formulate some rule on the matter’.

Whether this actually occurred is not recorded in the Gardner committee minutes, but shortly after the committee’s customary long summer recess was over the matter had anyway been resolved.³⁹⁴ The Rev. G.F. Hamilton, vicar of High Clere, Wandsworth, had written to state that the Bishop of London (the Rt. Rev. Mandell Creighton) had consented to accept his son for ordination. The sting in the tail was that an additional grant of £20 was requested from the trust to assist with his son’s ordination expenses. The committee agreed to this and also agreed to provide a further £30 on condition that his son passed the Bishop of London’s examination, which he was to sit the following February. The minutes of the meeting in March 1900 reveal that he was indeed successful.

The matter was not, however, entirely put to bed. In March 1909 it was reported to the committee that a blind candidate for ordination, Mr Wilfred A. Schofield, had been advised by the Bishop of Manchester (Rt. Rev. Edmund Arbuthnot Knox) that, contrary to an earlier undertaking, he was no longer able to ordain him as a result of a decision made at a recent meeting of bishops. It was agreed that the secretary would write to the Bishop of Manchester and this he did, with an immediate positive result. By the next meeting, later in the month, the committee was advised that the Bishop of Manchester had reverted to his original position having received permission to proceed from the Archbishop of York (Rt. Rev. William Cosmo Gordon Lang), who had not been long in office. However, following a meeting of blind clergymen and others arranged by the secretary a letter was sent in June by the Chairman to the Archbishop of Canterbury (by

now Rt. Rev. Randall Thomas Davidson, who had also been on the committee while Bishop of Rochester) explaining the continuing difficulties faced by some blind candidates for ordination.³⁹⁵ This letter was in much the same vein as that of 1893, but somewhat shorter and pointed out that fifteen blind scholars supported by Gardner's Trust, many of them sons of clergymen, had already been ordained and proved successful in their calling, in addition to other blind priests.³⁹⁶ The reply from the Archbishop confirmed what had been implied previously, that he would not over-rule the decisions of other bishops and that, in his opinion, blind candidates must have 'really exceptional intellectual capacity' in compensation for their disability.^{397,398} This caused the committee to pass the following resolution at their meeting in July:

It was unanimously resolved, after consultation with the highest ecclesiastical Authority, that no application for a Gardner scholarship, tenable at any one of the universities, from a blind man, a candidate for Holy Orders, be entertained henceforth, unless:— 1. He can give proof that he possesses such exceptionally high intellectual qualifications so as to overcome the objection which obviously puts him at so grave a disadvantage; 2. He has sufficient private means to prevent him from being wholly dependent on his stipend as a curate; and 3. He has reason to expect that a Bishop, to be named and specified, will be prepared to ordain him. It is also desirable that applicants should be fluent readers of Braille type, and not of a nervous or excitable temperament.

Once again the committee added its own criteria (financial means, fluency in Braille and a calm temperament) to the criteria imposed by others, just as they had done when putting in place their Bye-laws and Regulations.

Although the Gardner committee presumably fought this issue as a matter of principle, many years later their successors received a financial benefit as an indirect result. John Henry Gordon Smith, who was born in 1880, was a blind Gardner's scholar at Worcester College from 1890 to 1900 and at Keble College, Oxford, from 1900 to 1903, subsequently taking Holy Orders. He died on 22 July 1954 and under the terms of his will half of the residue of his net estate was bequeathed to Gardner's Trust. He declared that '... in disposing of my estate I have had in view my wish to give expression to my gratitude to those who have been kindest to me in the years of physical and mental agony through which I have passed'. The amount eventually received by the trustees under this bequest was approximately £4,500. Although the terms of his will did not require the setting up of specific pensions, the committee

resolved that the money would be used to fund five 'Gordon Smith Pensions', which would be available to applicants on the usual Gardner terms.

There was another postscript to this event. In March 1903 the committee was approached by the Archbishop of Canterbury as to which of five institutes for the blind by which he had been approached he should agree to provide his patronage. The only one that was recommended by the committee was the Royal Normal College, for which advice the Archbishop subsequently expressed his thanks.

Although this serves as an example of the power and influence of the trust, it will be noted that it had been in existence for almost two decades before it was presented with a situation where it felt that it needed to act in such a manner. Moreover, it did not provide a precedent for similar actions in the future.

4.11.5 Other external views

Truly independent views of how the trust operated are hard to find, making it difficult to answer the questions of how it was perceived in the wider world. Two examples have been identified.

As early as 1885, William J. Day, a partially sighted visitor of the Worcestershire Blind Visiting Society described two aspects of the work of Gardner's Trust in what was essentially a description of the difficulties of working as a blind visitor in a rural area where his clientele would be widely dispersed.³⁹⁹ He described his main duties as being those of almoner, scripture reader and, to a limited extent, teacher of reading embossed literature. The comments related to the basis on which grants were given by the trust and its pensions. In reference to the former, and in particular the fate awaiting the man who left a blind school after completing his training, he was concerned that the committee of Gardner's Trust would not always be able to react sufficiently swiftly to be of real help and might anyway be reluctant to help unless some sort of 'track record' had been established. This criticism may have been less valid in later years, but it was certainly true that the Gardner's committee were cautious in their choice of both almoners and beneficiaries. His comments concerning pensions were more positive, perhaps overestimating the amount of the trust's income to be used for pension payments.

However, his hope that ‘... owing to the freedom of action left to the trustees, the distribution of the income can be in accordance with the capital requirements of any age’ was fulfilled to only a very limited extent. The problem did not arise immediately, but despite significant monetary inflation around the time of the First World War, the trustees, just like the British Government, were very slow to raise the value of their pensions. In the case of the trust this was not surprising, since their income was more or less fixed and to have increased the amount of pensions would have meant reducing their number.

In August 1912, the newspaper *John Bull* contained an editorial titled ‘Exploiting the Blind – a call for government action’.⁴⁰⁰ The article was severely critical of many charities for the blind, complaining ‘how shamefully these concerns are carried on’. Gardner’s Trust was not mentioned by name, but the conditions imposed by charities like Gardner’s, such as refusing to make grants or pensions to street musicians, were strongly condemned. Earlier in the year Gardner’s Trust had come in for individual criticism.⁴⁰¹ In March the newspaper referred to the Edith Lord bequest, which had been announced in 1909, and noted that in the 1911 report of the trust the committee had stated that the legacy had still not been received. The newspaper asked for a copy of the trust’s accounts, which the secretary refused to provide, on the grounds that they were provided directly to the Charity Commissioners and the Board of Education. *John Bull* was unimpressed, but there was nothing more they could do.

An additional test of the positive reputation or otherwise of the fund was its ability to attract additional donations, particularly since it never actually solicited these. In this respect it was indeed successful, as will be seen from an analysis of such donations in the next chapter.

4.12 *Summary of chapter research answers – Parts One and Two*

When Henry Gardner died, he cannot have foreseen that within little more than forty years the State would have taken over responsibility not only for the education of the blind, but also for their general welfare and the provision of a subsistence level of income. Had he done so, he would clearly have allowed his trustees far more latitude than outlined in his will, although to be fair to him he had included the words ‘and

generally in such other manner as the said Committee shall from time to time think best' along with his wish for the fund to be used for paying pensions and donations and to provide education, training and employment. The court and the trustees were no more visionary than Henry and never argued for the flexibility necessary for the committee to be able to move with the times. Setting the proportions required to be used for each purpose provided a straightjacket not just for their actions, but also for their thinking. The key legislative changes did not happen all at once – there was time for thought, reflection and planning between the Elementary Education (Blind and Deaf Children) Act 1893, the Old Age Pensions Act 1908 and the Blind Persons Act 1920. That this does not seem to have happened to any significant degree reflects poorly on successive members of the committee.

Until 1945, all members of the committee, with the notable exception of Maria Louisa Richardson-Gardner, were male and from no lower than the upper reaches of the middle class – absolutely typical of endowed charities. Only two were blind (William Tindal Robertson and William Frederick Lawrence), although Wilson had lost an eye and there is a suggestion that Beaumont may have been partially sighted. Recruitments to the committee of management had both successes and failures. After the real contributions of Bishops Jackson and (at least initially) Temple, their ecclesiastical successors attended infrequently and the rest of the committee gave up on bishops as a dead loss after the resignation of Talbot. The outstanding success was Seton-Karr, who, having accepted his invitation to join the committee from from the 10th Lord Kinnaird, felt his obligation keenly after Kinnaird's death and acted accordingly by accepting the chairmanship. Generally the committee's chairmen did pull their weight – the 11th Lord Kinnaird was no less diligent than the 10th, as were Douglas Close Richmond, Charles Paston Crane and, at the end of the period under consideration, Sir Bruce Richmond. Failure to achieve a quorum was rare, but this may have been down to cajoling from successive secretaries. Throughout the period committee members were drawn from the Establishment and many of them had multiple charitable activities, so it is scarcely surprising that for some of them their attendance record was poor and their tenure brief.

As secretaries, Wilson was outstanding, MacMahon highly competent (if somewhat paranoid) and Clay pragmatic. Wilson cannot be judged on his contribution to Gardner's Trust alone and although his loyalty to his committee of management seems

to have been unswerving, one can occasionally detect the feeling that they felt the trust sometimes suffered from his activities elsewhere. Sensibly they must have reached the conclusion that their responsibilities to the blind went beyond the strict wording of the Scheme and Declaration of Trust and allowed him to get on with it. The allocation of duties between secretary and clerk is nowhere made clear, but Frank Belton's contribution to the processing of many thousands of grant and pension applications over almost sixty years should also not be overlooked, for much of which period he had little or no other assistance.

With very few exceptions, the committee themselves actively avoided exceeding the remit set for them in the Scheme and Declaration of Trust, even whilst permitting Wilson and his successors some latitude. This may well have been an entirely pragmatic decision. In the early years of the trust, almost monthly meetings were common (although it is not known how long they lasted) and some involvement of the Chairman outside of such meetings must have been inevitable. For the committee to have agreed to take on full responsibility for, say, Worcester College or the RNC would have involved a significant additional burden, doubtless exacerbated by the fact that none of them were educationalists. The financial commitment of the trust towards Worcester and the RNC was, of course, extraordinary. In a small way the committee did stretch their remit, for example by sponsoring the Westminster conferences and publishing the booklets on blind charities and advice on the prevention of blindness, but agreeing to manage a Central Depot scheme (where they probably felt they would have minimal support from other blind institutions) or a register for the blind (where their objections are less clear) were steps too far. Their activism in respect of the ordination of blind clergy was perhaps atypical, but may simply have been in avoidance of a situation where they could have been accused of wasting the trust's money.

The committee's refusal to become too closely involved with the management of Worcester College and the RNC did not mean that they lacked interest in these institutions and without the support of the trust both might well have failed. From the outset applications for scholarships to these colleges were reviewed individually by the committee, which also took a close interest in requests for funds for other purposes, such as the provision of technical and primary school facilities at Norwood, the library-cum-music-room at Worcester and the administration of the Worcester College

scholarship scheme. The committee also lobbied strongly for a reconstitution of Worcester College on a more secure basis and threatened to cut off funding if this did not happen. Wilson, and sometimes the committee members themselves, also visited and maintained a dialogue with schools and workshops for the blind up and down the country, with frequent reports of such visits appearing in the minutes.

Contemporary external criticism of Gardner's Trust was rare, other than from a few individuals whose requests for grants or pensions were declined, or who found its bureaucracy irksome. Retrospective criticism has concentrated on the fact that its committee declined to become involved in areas where they might have made a further positive impact. To some extent the second of these criticisms has already been answered. The highly public genesis of the Scheme and Declaration of Trust should also be remembered – even after the death of Maria Louisa and Robert Richardson-Gardner, Alfred Beaumont remained a member of the committee and had demonstrated that he could be very awkward when pushed. The eventual further substantial bequest to the trust from his own estate (many years after his death) was clearly a surprise to the members of the committee at the time.

The Bye-laws and Regulations adopted by the trustees provide one of the strongest indications of the influence of the COS upon them, particularly in the additional conditions set for the award of grants and pensions to individuals over and above those in the Scheme and Declaration of Trust. These regulations occasionally gave rise to problems (especially 'relieving the rates'), but the main problem encountered by the trustees was in meeting the distribution targets set by the High Court. From the outset this proved difficult, notwithstanding some creative accounting and the occasional turning of a blind eye, no doubt with the informal complicity of the Charity Commissioners (bearing in mind that one of the trust's chairmen had served in this capacity). There is no evidence that the committee strongly agreed with the clauses in the original Scheme requiring support for musical trades and professions, but this was one of the few clear wishes expressed by Henry Gardner in his will, so they would have been foolish to fight this, the more so because Robert and Maria Louisa Richardson-Gardner were so much in its favour and it would also have brought about the opposition of Armitage and Campbell. Periodically, Schemes of Arrangement sanctioning changes to these proportions inevitably had to be agreed by the Charity Commissioners. Taking

a broad view, however, both the original Scheme and Declaration and the Bye-Laws and Regulations turned out to be remarkably robust. Sydney Gedge, who participated in the drafting of the former and produced the latter almost single-handedly, certainly deserves some credit in this regard.

Frustratingly for the historian, strategic issues were almost never discussed at meetings of the committee, or, if they were, these items were not minuted. The extent to which the committee members discussed such matters, which they could have done privately, therefore cannot be known with certainty. Although the trust's (outgoing) letter books for the period have survived almost in their entirety, again they contain almost no references to such issues. Incoming correspondence has not survived at all, with the exception of certain items relating to the Chancery case. The absence of evidence does not mean that the committee failed to consider long-term strategic issues, such as the relentlessly increasing involvement of the State in the care of the blind, but there is not even circumstantial evidence to suggest that they did.

From the moment the hullabaloo over the size of its initial endowment died down, the existence of the trust was almost forgotten as far as the popular press was concerned and even the specialist press scarcely referred to its activities other than in passing. When it was mentioned the judgement was usually favourable, albeit occasionally with some minor caveats. It did not seek absolute anonymity (for example, it published reports of its activities regularly in daily newspapers), but it comported itself in such a way that it would have appeared boring to most journalists and editors. This did not prevent it from attracting additional bequests from those knowledgeable about the field of blind charity.

In the early years of the trust the size of the pensions it awarded would have made a real difference to recipients – for example, a £15 pension covered 75% of the annual costs of being a resident at the Phoenix Home. The individual grants awarded to those it wished to encourage to work, by and large those it considered too young or too able-bodied to receive a pension, could be sizeable. Whether grant recipients would have been happier receiving a pension cannot be known, but in many cases it is quite likely that they would have been. By bending the rules of the Scheme, the trust made a major contribution to the cost of building workshops and other facilities, particularly in the period when it had accumulated income to distribute. The national coverage (of England

and Wales) achieved by the committee was somewhat uneven, but they obviously made an effort to comply with this aspect of Henry Gardner's bequest.

Without the trust to support them, Worcester College and the RNC would probably not have survived in their original forms long enough to benefit from the increasing State involvement in the education of the blind. The trust must also have made a significant positive contribution to other schools and asylums, although in such cases its contributions were probably less critical for their survival. It could be argued that the members of the committee could have done more for the RNC and Worcester, but individually they were no more educationalists than they were experts on the blind.

The financial performance of the trust and its economic influence will be the subject of the next chapter. However, the almost doubling in the percentage of the fund's income spent on administration expenses in 1894-1933 (11%) compared to that in 1882-1932 (6%) was a bellwether of problems to come. At the end of the nineteenth century the committee could have been forgiven for not having heard of inflation. This was no longer the case by the end of the First World War, but with limited ability to alter their investment policy, what the committee could do about it was a different matter.

Illustration 5.1: Walter Scott Seton-Karr
(source: Gardner's Trust Archive, LMA)

CHAPTER 5

The economic influence of Gardner's Trust and its investment strategy

In this chapter the key theme is again institutional, examining the survival of Gardner's Trust and a comparative institution, the Cecilia Charity for the Blind, in a century of financial and social turmoil that included two World Wars.

5.1 Chapter research questions

Henry Gardner lived all of his adult life during the *Pax Britannica* – the period starting with the Battle of Waterloo in 1815 and ending with the outbreak of the First World War in 1914. Even by 1879 the effective hegemony of the British Empire over much of the world was beginning to fail, but to the middle and working classes this would have been scarcely discernible. Equally unthinkable would have been any change to the fundamental structure of the nation's finances, but this, too, was to begin in 1914. Inflation was not unknown, it had existed in Europe at a high level from the fifteenth to the seventeenth centuries, but its causes were thought to have been identified and there was an implicit assumption that in the UK, at least, it could never return. When it did so its impact on the economy as a whole was dramatic and nowhere more so than on endowed charities and other institutions that held only monetary assets. Gardner's Trust was no exception.

This chapter investigates a number of distinct, but related, research questions in connection with financial and investment aspects of Gardner's Trust. Although the development of the trust in previous chapters has only been examined as far as 1944, here data and conclusions will be provided almost up to the present day.

Other than to the blind themselves, Gardner's Trust was generally not well known, even at the height of its influence. However, to those interested in the blind it became a focus of attention and much respected. Although it never sought additional bequests proactively, it was happy to receive them and eventually these additional bequests came to represent a significant proportion of funds under management. In a sense these

bequests acted as an endorsement of the strategy adopted by the trust's committee. In this context the following questions will be addressed.

- Who were the people who made these bequests and how did they gain their wealth?
- Why did they make them?
- Were they used wisely?

Charities for the benefit of the blind came in many different shapes and sizes, but it can be difficult to appreciate how much they could differ. As a comparative case study the history of another charity for the blind, founded in 1861, or nearly two decades before Gardner's Trust, will also be examined. Various known during its life as the Phoenix Home for Blind Women, the Cecilia Charity for the Blind and other names, for most of its existence it could not have been more different in scale and objectives from Gardner's, yet by the time of their merger in 2009 they were of very similar size and had almost identical objectives. A comparison of Gardner's and Cecilia will be used to answer the following questions.

- At the foundation of each, how different was Phoenix/Cecilia from Gardner's?
- Did the people responsible for forming and running Cecilia over more than a century conform to the same stereotypes as those responsible for managing Gardner's?
- What impact did bequests have on the operations and objectives of Cecilia?
- Was the impact of changing legislation as great on a small charity, such as Cecilia, as we have seen it was on a large charity, such as Gardner's?
- How similar were the sizes and activities of the two charities prior to their merger in 2009?
- Was the impact of inflation in the twentieth century as devastating for Cecilia as it was for Gardner's?

Owen, in his lengthy discourse on Victorian philanthropy, states that he does not concern himself with 'such grubby aspects as organisation and finance', but this is exactly what must be done in order to understand how the influence of Gardner's Trust waxed and waned and this is also the approach recommended by Harrison.⁴⁰² An attempt will therefore be made to answer:

- What would be the size of the endowment that would be needed today to bring into being a new charity with a similar level of economic impact to Gardner's Trust when it was founded in 1879?

In answering the previous question the conclusion will be reached that the sum required would be far in excess of the funds today under management by Gardner's Trust, even after subsequent bequests and absorbing the assets of the Cecilia Charity for the Blind. Another question therefore needs to be posed, one often asked by those who do not inherit as much as they expected:

- What happened to all the money?

It turns out that answering this question requires an understanding of the general legal constraints on investment strategy imposed by trust law and any specific constraints imposed by those who set up trusts. We shall therefore ask:

- What were the principal legislative changes regarding trust investments in the century following Henry Gardner's death?

With an understanding of the constraints under which the Gardner trustees were initially obliged to work and later chose to work voluntarily, it is possible to address the two most important questions:

- What was the extent of the trust's loss of economic influence over its life?
- Was the shrinking influence of Gardner's Trust evidence of a failure of its trustees to recognise an unwritten, but critical, objective – grow or die?

5.2 Additional legacies and bequests

Almost from the outset Gardner's Trust began to receive small donations from the public as a contribution to its grant making, although it never actively sought these. More importantly, it also began to receive bequests, two of which have already been touched upon (those of the Rev. J.H.G. Smith and Mrs. Lucy Block). However, an early example of Gardner's Trust being asked to take on the management of additional funds fell into neither of these categories. Its importance lies in the fact that by 1893 the Charity Commissioners had sufficient confidence in the Gardner trustees to place upon

them a small burden, which they undertook with their customary attention to detail. There is also a postscript to the Rashdale Charity transfer, involving another major benefactor of the blind.

5.2.1 Joanna Rashdale and Leopold Salomon

Joanna Rashdale was the widow of William Rashdale (died 1794), a wealthy linen draper and property owner originally from Lincolnshire, but who traded in the Minories in London for a great deal of his life. They also had a house at St. John's, Hackney. Joanna's charity was set up under her will dated 8 September 1797 and proved in London on 19 September 1801. The opening part of the will has nothing to do with the bequest, but is sufficiently ghoulish to be worth quoting:

... as I always had great horror and apprehension of being buried too soon I desire my body may not be put into the coffin for a week after my death & likewise that it may not be buried till it is in a state of putrefaction & to be sat up with until buried my reason for this request is owing to have known an instance in a family I was particularly intimate with who was very near being buried alive therefore hope my friends who are to have the management of my affairs will execute this my request and comply with it as it is the last trouble I shall give them.

It was not uncommon for wills to stipulate that an artery should be opened to confirm that blood flow had ceased, but the test described here is unusually extreme.

In this will, among many other bequests, the income from £1000 of 3% Bank Annuities was settled on one of her aunts for the remainder of her life and thereafter to be divided among: '... six blind females for and towards their maintenance ... of good moral character having no means of subsistence'. The original trustees were William Millar (who had also been an executor and trustee of William Rashdale's Will) and Richard Smith (a nephew and the principal heir of William Rashdale). The investment later came to comprise £1000 of consols.

The Charity Commissioners appointed trustees to the charity by an order dated 7 May 1875, but by 1892 only one remained, Thomas Simpson of Coggleshall in Essex, and four out of six of the beneficiaries also lived in or near Coggleshall. Thomas made an

application to the Charity Commissioners for the appointment of new trustees on 29 November 1892 and died shortly thereafter.

On 12 September 1893, the Charity Commissioners agreed that the trustees of Gardner's Trust should also act as trustees for the Rashdale Charity, with a view to the beneficiaries being less concentrated around Coggleshall. They further suggested that the dividends that would be remitted to the trustees should be applied under Clause 7, paragraph 5 of the Gardner Scheme and Declaration of Trust (relating to the distribution of investment income). Also, since the amount involved was small, the number of pensions should be reduced to two of five shillings a week. Rashdale pensioners were shown separately in the annual reports from 1893.

In October 1921 the Gardner trustees were approached by the Public Trustee (which had been set up under an Act of 1906) and advised that the committee appointed by the will of Leopold Salomons to distribute his residuary estate had it in mind to make a donation of £100 to the Rashdale Charity.⁴⁰³ In October 1922 the sum of £100 was indeed received and invested in £176 1s 7p of consols.

Leopold Salomons, JP was the owner of the Norbury Estate near Dorking in Surrey together with much other wealth property and was noted for his shire horses. He gave Box Hill to the National Trust in 1913 and had given a portrait of John Bright, MP by Walter William Ouless to the National Portrait Gallery in 1889. He died on 23 September 1915 and, in a somewhat unusual move for men of his class and social connections, appointed the Public Trustee as executor of his will. He had been involved with the formation of the Employers Liability Insurance Company in 1880 and joined its permanent board in 1881, by which time '[He] was a well known figure in financial circles'.⁴⁰⁴ Under his will a fourth part of his residual estate was to be divided among non-sectarian blind asylums, ophthalmic hospitals and other institutions for the blind in the City of London or the Counties of London and Surrey. Curiously, Gardner's Trust itself does not seem to have received a share of the Salomons bequest, although the Cecilia Charity did.

By 1965 the Charity Commissioners had agreed that there should be a single Rashdale pension of £30 and, on 8 April 1988, they concurred with a resolution of the trustees

made under the provisions of the Charities Act 1985, whereby the funds of the charity were formally transferred to Gardner's Trust and the Rashdale name effectively disappeared. At some stage it would appear that the securities held on behalf of Rashdale were then handed over by the Public Trustee to the Gardner trustees and invested with its other assets.

With this early precedent having been set, the Gardner trustees may have expected the Charity Commissioners to direct more failing blind charities towards them, but this did not happen (with the exception of the Block bequest in 1919, actually directed towards the Worcester College Scholarship fund). Possibly it was simply the case that such situations only arose very infrequently, but it is also possible that the Charity Commissioners were among those who realised that as the twentieth century progressed Gardner's Trust was becoming marginalised.

The fate of the Rashdale Charity, once sufficient to provide for six pensioners even without the Salomons supplementary contribution, is a salutary reminder of the impact of inflation on trusts invested wholly in fixed income securities. In this sense it represents a microcosm of Gardner's Trust as a whole.

5.2.2 Edith Rebecca Lord

The next additional bequest was far more substantial and involved the Gardner trustees in a great deal of effort over many years. Edith Rebecca Lord (born c. 1859; died Zehlendorf, Germany 1909) was a US citizen, the daughter of John Taylor Lord and Janet Hay Lord, although she had been living at Les Lotus in Cannes, France prior to her death and was closely connected with London. Edith had a brother, Norman, who predeceased her and a sister, Janet Gifford Hamilton. Edith was short-sighted, but not blind. She had been interested in the care of the disadvantaged, particularly the blind, for all of her life and her 'blind feasts' pre-dated the Gardner bequest and the setting up of the Norman Lord dinner fund.

The will was proved in London on 7 July 1909 and in New York on 5 November 1909, with an initial total value of c. £100,000. The UK executors appointed under the will were Rowland Edmund Prothero (from 1919 the 1st Lord Ernle, husband of her cousin

Barbara Prothero) and her friend Jessie Giles Gammack (later Duff).⁴⁰⁵ Edith's estate included a quarter share in the residuary estate of her later father, another share passing to her sister. The Lord fortune derived from Lord & Taylor, the department store on 5th Avenue in Manhattan, which for a time was the largest such store in the world. This was founded in 1826 by Edith's grandfather, Samuel Lord, a former foundry worker who had emigrated from Cheshire to the US with only \$200, and his later partner and wife's cousin, George Washington Taylor. By the 1860s, both men were millionaires and retired, returning to the UK. Samuel's son, John Taylor Lord (born c. 1834), also retired from the business in due course.

In her main will (she also left a subsidiary French will), Edith Lord made numerous substantial specified bequests to third parties, including several annuities, and a number of smaller legacies. Among the latter were four to institutions for the blind, namely (i) the British and Foreign Blind Association (£500); (ii) the School for the Indigent Blind at Leatherhead Surrey (£500); (iii) the Association Valentine Haüy at Paris (£200); and Gardner's Trust for the Blind (£1,000). She also left £500 to Miss Beatrice Taylor, to be used by her at her discretion for the Blind Branch of the Sunbeam Mission, and small sums to several blind individuals.

There were conditions to the specific Gardner bequest, which was to be invested and the income therefrom to be used in providing a 'Dinner Concert Tea and presents' to two hundred blind people on the 28 October each year. This was to be named, in honour of her late brother, the Norman Lord Dinner, his birthday having been on that day. The Lord dinner was held annually until 1939, when it was cancelled because of the outbreak of war. Prior to the war it had been held in a number of locations, including the Holborn Hall and the Whitfield Tabernacle in Tottenham Court Road (which was destroyed by enemy bombing during the war). Edith's sister, Mrs. Janet Hamilton, was a regular attendee at these dinners, at which upwards of 200 guests would be present. The committee noted on her passing in 1940 that 'her kindly presence and hospitality will be much missed by the guests at future dinners'. The dinners were eventually re-established in 1947, first at Central Hall, Westminster and thereafter at the Royal Horticultural Society Hall, Westminster. Edith's nephew (Mr. Patrick Hamilton) and niece (Mrs. Lockyer) would still attend when they could. However, costs were escalating and the fund was not, so the dinner was eventually replaced by the

distribution of 'Army & Navy' food parcels to around fifty local blind persons. Even this practice became intermittent and on 8 April 1988, the Charity Commissioners concurred with a resolution of the trustees made under the provisions of the Charities Act 1985, whereby the funds of the Norman Lord Dinner Fund were formally transferred to Gardner's Trust. Again the trustees seem to have failed to draw a more general lesson from the erosion of the value of the Lord Dinner Fund.

The residue of Edith's estate was also left to the Gardner trustees with the capital to be invested and the income generated to be used to provide pensions of ten shillings a week to an equal number of blind English men and women, who could be married or unmarried. There were several tests that potential 'Edith and Norman Lord Pensioners' would have to pass: they would have had to have become blind after their twentieth year and be over thirty five years of age; they would have to be of good character and never have begged in the streets or other public places. Edith's main will (together with a contemporaneous codicil) had been executed on 21 January 1908. She may have been aware that legislation was likely to be passed in the English Parliament later that year bringing about the payment of Old Age Pensions, but if so she would also have been aware that the most likely minimum age from which such pensions were payable would be 70 and it was to be another twelve years before the qualifying age for the blind was dropped to 50. The minimum age requirement that she stipulated seems to have been of little practical significance, but this may have been because the Gardner committee was always reluctant to provide pensions to those it considered capable of working. In 1900 only 6 Gardner Pensioners were under 40 and a further 35 under 50 out of 226 in total. By 1920, the respective numbers of Gardner and Lord Pensioners combined had actually fallen to 0 under 40 and 27 under 50, out of 270 in total.

Edith's estate, included the share of her father's, was invested almost entirely in overseas securities and property, including real estate in Manhattan and US industrial common stock, for example in railway and steel companies. It was several years before the Gardner trustees received the first distributions and it took many years to collect in full. This involved the Gardner Trustees in a great deal of effort and expense, not least because they also had to administer the various annuities bequeathed by Edith in her English will. When Lord Ernle stepped down as a trustee of the Lord estate in 1925 his place was taken by Lt. Col. R. Awdrey, one of the Gardner committee members, who

handed over to Lt. Col. C.P. Crane in 1932. The residuary portion initially passing to Gardner's was approximately £40,000, although it was augmented on several occasions up to 1944 on the death of various annuitants. There was no instruction in her will for her trustees to 'sell call in and convert' her real and personal assets into money, so they were free to hand over all such assets constituting the residue, including overseas stocks and shares, to the Gardner Trustees, which they did. During the First World War these securities had to be handed over to H.M. Treasury for 'safe-keeping'. There was no requirement for the Gardner Trustees to sell such securities and reinvest them according to any requirements for the original Gardner bequest. That they did not take the opportunity to continue to invest this fund according to different investment principles will come as no surprise.

5.2.3 *Adela Beatrice Coryton Taylor*

Among the several legacies and annuities under the will of Edith Lord was one to Miss Beatrice Taylor for £500. This is Adela Beatrice Coryton Taylor, whose own bequest to Gardner's Trust will now be discussed. Edith and Beatrice were friends and had been travelling together in Austria not long before Edith's final illness. At the first meeting of the Union of Unions for the Blind, held at the offices of Gardner's Trust on 23 October 1909, Beatrice Taylor proposed a motion of sympathy and condolence to the friends and family of Edith Lord, which was seconded by Henry Wilson. Despite her surname, Beatrice does not seem to have been related to George Washington Taylor, the co-founder with Samuel Lord of Lord & Taylor. Beatrice was the daughter of Captain (later Major General) George Kepple Taylor, RA (1830-1906) and his second wife, Adela Coryton. Adela's own father, John Rawlins Coryton, RM (1790-1867), and nephew, Major General Sir Edward Richie Coryton Graham, KCB, KCMG (1858-1951), were also distinguished soldiers.⁴⁰⁶ Although army pay was not considered to be good, overseas postings often offered other opportunities to accumulate wealth.

The will of Beatrice Taylor, of Edinburgh and London, dated 20 June 1927 and proved 21 August 1944 following her death in Edinburgh on 7 June, bequeathed her residuary estate (after a number of specific bequests and a lifetime interest to Phyllis Muriel Sheward) to Gardner's Trust for the Blind, to be known as the 'A. Beatrice C. Taylor Fund'. The value of the bequest eventually reached around £42,000 and was thus of a

very similar size to that of Edith Lord. It was also easier for the Gardner trustees to collect than Edith's, with only one annuity being payable (for which they were responsible until Sheward's death in 1949), rather than several in the case of Edith's estate. In this case the will trustees were instructed to 'sell call in and convert' her assets at death, but the Gardner Trustees were permitted to invest the money they received as they saw fit. Once again they did not vary their usual investment strategy, although these funds would have been subject to normal charity investment rules.

For some years Beatrice served as Honorary Secretary of the Branch for the Blind of the Sunbeam Mission, which was started in 1902. In 1920, the Sunbeam Mission was taken over by the Church Army, with the exception of the blind branch. The management of this branch was still retained by Beatrice Taylor under the name of 'The Letter-Friend Society for Blind Children' until 1926, when, owing to Miss Taylor's leaving Norwood (where she may also have been associated with the RNC), the Society ceased to exist. During her time in London Beatrice had also been involved with the Metropolitan Union for the Blind and she had been responsible for hospitality at the Westminster Conference on the Blind (largely sponsored by Gardner's Trust) in 1912, as a result of which she was presented with a gold medal by Lord Kinnaird.⁴⁰⁷

The conditions of the bequest were more complex than under the will of Edith Lord and are set out below essentially in full.

- (a) The grants to be made shall ... in each year as far as possible exhaust the income of my residuary estate for that year provided that no one person shall in any one year receive a grant or grants amounting in the aggregate to more than twenty pounds.
- (b) Such grants as aforesaid shall supplement and not take the place of and (if any) afforded the grantee by any public statutory body (such as the Local Education Authority or the Board of Guardians).
- (c) Such grants as aforesaid shall not be made by way of pensions in the manner in which pensions are granted out of other funds in the hands of the Trustees of the said Gardner Trust.
- (d) In determining to whom grants are to be made preference shall be given to female blind persons over male blind persons and the following object shall be borne in mind, *videlicet* [namely], that the grants are to enable the grantees to begin the practice of or to continue some trade handicraft or profession.
- (e) All male and female blind persons residing in England and Wales between sixteen and thirty years of age are eligible provided that (i) they are in the opinion of the said Committee of Gardner Trust fit

and proper persons and (ii) that they have been (prior to the first grant being made to them) in a school or Institution for the Blind.

Here, therefore, the impact of the 1920 Blind Persons Act may well have been at work, with pensions being specifically prohibited under condition (c), and there are some other implications. Condition (b) relates to the hoary old issue of not making any grant that would 'relieve the rates', the responsibilities of Local Education Authorities towards the blind having also become increasingly explicit over time. The positive discrimination towards women in condition (d) was arguably scarcely necessary. As far as pensions were concerned, 158 out of 274 pensioners (58%) had been women in 1940, although this percentage had actually declined slightly to 56% by 1950. The problem was that the majority of applications for grants had been, and continued to be, from men. Condition (a) was also of interest. By 1944 England had suffered two severe and virtually unprecedented bouts of monetary inflation in under thirty years, so preventing the establishment of a reserve (thereby increasing the amount of capital invested) was almost a guarantee that the income from the fund would eventually become worthless in real terms, given the inability of the trustees to invest in assets generating real returns.

5.2.4 *Minor bequests*

From 1898, the Gardner trustees began to receive a series of minor bequests, some of which took years to collect and to some of which additional conditions were attached. The following examples give some idea of the diversity of the people who made these bequests and the sums involved. Over a fifty year period the aggregate amount reached almost £40,000, and was therefore comparable to the individual bequests of Edith Lord and Beatrice Taylor.

- Ann Shaw Warner was born in Leighton Buzzard in 1834, the daughter of a wealthy maltster, John Warner, and his wife, Elizabeth Wilkinson. She never married and on the death of her parents moved in with her sister in Wolverhampton, who had married a well-known iron founder, Moses Bayliss, when herself of somewhat advanced years. In Ann's will, dated 2 December 1898, there were a number of specific legacies, with the instruction that the residue should be divided between Gardner's Trust and

the Royal Hospital for Incurables, Putney. During the course of 1900, the Gardner's trustees received the sum of approximately £2,340.

- Annie Goff died on 2 April 1913. Under the terms of her will she left £1,000 to Gardner's Trust to be used as the trustees thought fit, but with one condition: 'that such legacy or any part thereof shall not be used for the teaching of music which is already so well provided for'. The collecting in of this money, which was one of several bequests in her will, took several years. The final instalment was not received until 1941, when the total amount, including interest, had grown to approximately £1,450. The committee resolved in 1922 that this bequest should be used to provide two 'Annie Goff Pensions' of £20 p.a., which were indeed shown in the trust's report for that year.
- In 1922 the trustees were notified that on the proving of the will of Miss Amelia Bruerton Harper (dated 22 August 1913, proved 22 July 1922), the residue of her estate was to be divided into three, with one third passing to Gardner's on the death of the life tenant, Miss Annie Bayley. Enquiries by the trustees could shed no light on why Miss Harper had chosen Gardner's as a beneficiary, along with the RSPCA and the Royal Institution for the Instruction of Deaf and Dumb Children. Miss Bayley died on 21 May 1928 and eventually the Gardner's trustees received the net sum of approximately £1,555.
- Major Neil Cullagh Mildred MacMahon, OBE was the secretary of Gardner's Trust from 1 February 1939 to 31 March 1960, when he retired to Bath and received a discretionary gift of £900 granted by the committee. Following his death on 12 August 1969, Gardner's Trust became entitled to one third of his residual estate under the terms of his will (his wife, Alice, had predeceased him). In due course a number of instalments were received from the executors, the final amount being approximately £4,850. In 1971 (when the anticipated amount was £3,545 in total), the Charity Commissioners confirmed that a simple resolution of the committee would be sufficient to use this sum to establish three 'Major N C M MacMahon Pensions', the number of which was increased to four when the final instalment was received in 1972.

- Many other unsolicited bequests were received by the trust, including: Miss E. Allen (£1,000 in 1932), Miss E.I. Marshall (approximately £4,400 by 1971); Miss Jennie Jones, a former Gardner's pensioner (approximately £1,000 in 1971); and Mr. Alfred Foley (approximately £6,000 between 1972 and 1974).

5.2.5 *Alfred Philip Slade Beaumont*

The final bequest to be considered individually is that of Henry Gardner's great nephew and executor, Captain A.P.S. Beaumont, JP. He had served as a committee member of Gardner's Trust from when it was founded until he retired in 1930, remaining as a trustee until his death in 1937. His military rank resulted from his service with the militia; he was commissioned with the rank of Lieutenant in the Bedfordshire Regiment on 6 January 1872 and was promoted to Captain on 31 March 1875, resigning his commission on 14 December 1878. Beaumont had married Mary Blanche Pavy in 1878, the year before Henry Gardner's death, with whom he had two daughters: Grace Blanche (born 1879) and Muriel Gwendoline (born 1889). The Settlement entered into in connection with this marriage involved a sum of at least £30,000 and survived the death of his first wife. Mary Blanche died in 1910 (she is buried in the Gardner family vault in Kensal Green, where Beaumont himself originally intended to be buried) and in 1917 he married Esther Stafford Smith, known as Mollie. Beaumont died in 1937 and in accordance with a codicil to his will was actually buried in the old graveyard in front of the east window of All Saints Parish Church, Eling, near Totton in Hampshire (probably involving the removal of a previous burial, but no doubt he had been an important benefactor of the parish). For many years he had lived at Great Testwood House, also near Totton. His second wife died in 1944 and is buried alongside him.

Beaumont's will was originally executed on 8 March 1917, shortly after his remarriage, although there is some internal evidence to suggest that it did not differ significantly from an earlier version thereby revoked. The complexity and terms of the trust set up under his will lead to the conclusion that he was concerned for the financial well-being and independence of his two daughters, particularly Grace. Both daughters were already married by the time of his remarriage, but childless. Grace had married a Captain of the 3rd Sikh Infantry Regiment, Punjab Frontier Force, James Hugh Brownlow Beresford in

1906, who subsequently took the additional names 'de la Poer' before Beresford, presumably to establish a connection with the family name of the Marquess of Waterford. Under the terms of Beaumont's will trust, his two daughters were life tenants of his residual estate (there were several specific bequests, but none to charity) and, were they to remain childless, on the death of the last of these Gardner's Trust would become entitled to the residue, rather than any children. Six codicils to the will were executed between 1925 and 1932, but without any changes to the main provisions of the original will. Grace was appointed an executrix following the death of her husband in 1924. It is possible that Beaumont did not expect both of his daughters to die childless, but this is exactly what happened.

The Gardner trustees seem only to have become aware of their potential windfall in 1956, on the occasion of a new secretary attempting to discover more of their founder from his surviving family. They were then advised that the net residue was expected to be around £40,000 (£110, 000 gross). Muriel, who in 1911 had married Robert Michael Douglas Fox, son of a Church of England clergyman, died in 1962, only a short time after her husband.⁴⁰⁸ However, the second daughter to die, Grace Blanche, did not do so until 1977 (at the age of 98), by which time this net amount had grown to around £150,000. Beaumont's character has been commented upon previously, but ultimately he understood his family duty to return his residuary estate to the trust set up by his great uncle. Maria Louisa Richardson-Gardner, by leaving her residuary estate to an already wealthy distant cousin, saw her duty differently. Had she not done so the trust would most likely have benefitted from another large sum at the time of Robert's death in 1898, or an even greater sum when Grace Blanche died in 1977.

There is another postscript to the Beaumont bequest. Although the Gardner management committee minute books are missing for the period from 1978 to 1990, it is clear that when received, around 1978, these funds were predominantly invested in equities. As will be seen investment in this asset class is something that the trustees eschewed for a prolonged period long after this option was available to them, but with the arrival of new funds the problem of capital losses on selling fixed income securities to buy equities and the consequent loss of income was obviated. Why some of the smaller bequests received after the 1961 Trustee Investments Act were not also invested

in equities is unclear, but it may have been felt that they were too small to make a meaningful difference.

The financial impact on the trust of these additional bequests will be considered in detail later in this chapter, but it is convenient here to answer the specific questions posed at the outset concerning these additional bequests. The benefactors fall naturally into four groups. The first comprises Edith Lord and Beatrice Taylor, both of whom were familiar with the work of charities for the blind in general and Gardner's Trust in particular. Beatrice Taylor must have worked closely with Henry Wilson and was likely to have been on good personal terms with him. The nominal value of these two bequests amounted to almost £90,000 and thus a third of the value of the initial bequest, although in real terms it was worth less by the time the various tranches were received. The second group comprises only one bequest, that of Alfred Beaumont, which may be considered a natural extension of the original Gardner bequest. Its value, at around £150,000, was also significant when compared to the original bequest (50%), but, as will be shown, in real terms it was worth very much less. The third group comprises those who for one reason or other had good reason to be familiar with the trust at a personal level, including Major MacMahon, its one-time secretary, and Jennie Jones, a former pensioner. Finally there are those where no previous connection with the trust has been identified. As we have seen the total value of the third and fourth categories was around £40,000 and therefore not inconsiderable, despite the impact of inflation. Although it has not been possible to identify any previous research into the proportion of bequests to charities for the blind made by women as opposed to men, the high proportion of women here (over 50% in terms of number, although not value) is notable. It will later be seen that a higher proportion of bequests came from women in the case of the Cecilia Charity, although in that case it is more readily explicable by the female-oriented nature of the charity's beneficiaries in its early days.

The conclusion can reasonably be drawn that the reputation of the trust was such as to provide comfort to a number of people that it remained a suitable beneficiary of their estates, often in conjunction with other charities. Their individual motivations cannot be known with certainty, but it is clear that all felt the lot of the blind could still be improved, notwithstanding the fact that most of the additional bequests were received after the 1893 Act and several after the 1920 Act. Why the trustees failed to capitalise

on this by adopting a higher profile campaign to attract funds than the rather inhibited approach they actually adopted is impossible to say.

Were these additional bequests used wisely by the trustees? Several were specifically directed to be used to fund pensions (those, for example, of Edith Lord, Major MacMahon and the Rev. Smith), so the trustees can scarcely be criticised for using them for this purpose, although after the 1934 Scheme amendment an equivalent amount of funds could, in theory, have been released to provide general individual grants. Despite the introduction of Old Age Pensions the demand for Gardner pensions remained high. Beatrice Taylor specified that her bequest should **not** be used for pensions, with a preference for female beneficiaries. Annie Goff specified that her bequest should **not** be used for music, which was probably a great relief to the trustees. With hindsight the additional bequests were not invested with any imagination and the opportunity was not grasped to vary the basis of grant giving dramatically, but they were dealt with according to the customary diligence and prudence of the management committee.

5.3 The Cecilia Charity for the Blind

The sheer diversity of charities for the blind has already been commented upon, but in order to answer the question as to the extent to which charities for the blind could differ in practice it is necessary to look at another such charity in some detail. There is a ready candidate for a comparative study with Gardner's Trust. Very soon after it was formed, the trust began to provide financial support, and continued to do so for many years, to an already existing and very small charity that eventually became known as the Cecilia Charity for the Blind. In order to undertake this comparative study, some background needs to be provided on Cecilia's formation and development. The period chosen is from its foundation in 1861 until its merger with Gardner's Trust in 2009, since one of the areas to be addressed is the long-term financial performance of each.

The Cecilia Charity (as it will be referred to, unless the context dictates otherwise) provides as much of a contrast as can be imagined for two charities both designed to serve the needs of the blind, thereby underlining the fact that the 'problem of the blind' had many facets. The first of these contrasts is in their respective sizes, which has had an impact on the very limited archive of material available on Cecilia. Apart from

census returns showing the occupants of the home at its various locations between 1871 and 1911 (it was founded just too late to be included in the 1861 census), the main source is an incomplete series of mainly printed Annual Reports from 1875 to 1952 containing: (i) details of the committee of the charity and its officers; (ii) a brief review of the key events of the year; (iii) details of subscriptions, donations and gifts; and (iv) a statement of income and expenditure (referred to, confusingly as a 'balance sheet'). About sixty percent of these reports have survived in the RNIB research library. This collection does not include the Report for 1894, which contained a short history of the home from its formation in 1861 until that year. The Memorandum and Articles of Association for the incorporation of the charity in 1911 are also available (along with details of subsequent changes to these). Annual Companies House filings are available from 1952 to 2009.

5.3.1 Formation of the first home

The 'foundress' of the home for the blind instituted at 4 Upper Eamont Terrace, St. John's Wood in 1861 was Mrs. Maria Jamson, of whom almost nothing is known. Her objectives, however, remain clear from those of the home's subsequent incarnations.

- The home was to be run as a 'family' with a Lady Superintendent (sometimes referred to as a Matron) at its head, a maximum of eight blind women in residence and one servant.
- It was to be run on strictly Christian principles and, aside from their infirmity, all residents otherwise had to be in good health on admission.
- The women had to have lost their sight after childhood, the initial age range being a minimum of 30 years and a maximum of 50 (although this was subsequently varied to a minimum of 20 and a maximum of 60).
- All residents would have to pay £20 p.a. towards their upkeep, with all else being found except for their personal clothing. The payment, in quarterly instalments in advance, had to be guaranteed, either by a responsible householder, or by a corporate body (such as a Board of Guardians).
- The residents were expected to be industrious in the production of knitted goods for sale, the profits of which they shared with the home.

- The women residents were to be from the 'lower middle classes', which was defined as including those who, but for their infirmity, would otherwise have been in service, or in trade, or in teaching.

As pointed out in the charity's Annual Report for 1911, it supplied a want met apparently by no other charity. Its occupants were not paupers, but relatives of working people unable to give up time for their care while they made their own livings. In most cases the only alternative would have been the workhouse, a cruel fate. The importance of the care of individuals as a valuable form of charity, as opposed to the large scale care for the blind, undertaken by charities such as Gardner's Trust, continued to be emphasised by the committee until at least 1913.

The second point of distinction between Gardner's Trust and the newly formed home was the fact that the first was an 'endowed' charity and the second entirely 'voluntary', in other words it had no permanent source of investment income or rent on which to draw to meet its expenses and depended entirely on donations and subscriptions (in this context promises from individuals to pay a regular, usually annual, sum to the charity).⁴⁰⁹ Subscriptions were considered much more valuable than donations and one of the main reasons the charity was reluctant to increase in size over the coming decades was its difficulty in increasing subscription income. The annual reviews of the charity constantly bemoaned the loss, generally through death, of subscribers, often referred to simply as 'friends' and the difficulty in replacing them. Subscribing to the home at a minimum rate of 5 shillings a year did bring one benefit – those doing so were permitted to submit one name of an otherwise qualified blind woman for consideration as a resident should a vacancy occur. Another difference was that the home was run on Christian lines. Although Maria Louisa Richardson-Gardner had inserted such a condition in her proposal for the new college for the blind at Windsor, this had never been a condition of Henry Gardner's will and was not included in the Scheme and Declaration of Trust.

The census of 1871 shows eight women residents at the home, all with the occupation 'knitter', together with the Matron and a servant. It is known from other sources that the Matron (Miss Georgina E. Gill) had been in that position by then for eight years. Phillips describes the home as the earliest residential facility for the blind and there

certainly seems no other candidate for an older residential home for blind women in London.⁴¹⁰ That the women were indeed industrious is demonstrated by the fact that in 1865 the home was presented with a medal by the Prince of Wales at an Industrial Exhibition. The Matron was entitled to an annual salary of £15, but the incumbent waived this from 1881. One of the residents, who herself was only partially blind, acted as a helper and a guide to the others and received £8 p.a. for her troubles.

5.3.2 *Formation of the Phoenix Home*

Maria Jamson died in 1875 and there seems to have been a real risk that the home would close. In fact it did not do so and it was reconstituted at a new address, on a short lease, not far away, at 10 Alma Square, which had room for nine residents (the previous property had room for ten). The driving force behind the reconstitution is not known with certainty, but it seems to have been Mrs. E.A. Larkworthy, who had been on the committee for 38 years by the time she resigned in 1908 and had served as Chairman for some of this period. The names of the committee appear on the surviving Annual Reports for each year, but the name of the President (or, later, Chairman) was not noted until very much later. The reviews were unsigned, but the initials 'A.B.' (for Alice Bostock, the honorary secretary and treasurer) appear under that for 1879 and 'E.A.L.' (presumably for Mrs. Larkworthy) for 1899.

Upon the move Miss Gill was retained as Matron, but the committee was strengthened and three 'patronesses' were brought in: the Dowager Marchioness of Exeter, Lady Sophia Cecil and the Dowager Countess of Gainsborough, while two other members of the aristocracy appear to also have been involved in the wings (Lady Louisa Percy and the Dowager Marchioness Cholmondeley).⁴¹¹ The practice of having one or more Patronesses continued for many years, with Lady Charles Wellesley and Lady Victoria Buxton (a well known philanthropist in her own right) also serving in that role. However, unlike the members of the aristocracy and establishment involved with Gardner's Trust, these patronesses seem to have had nothing at all to do with the day to day running of the charity. The charity was named the Phoenix Home for Blind Women on its reconstitution in 1875, on the basis that it had arisen from the ashes of the former home.

10 Alma Square did not prove a satisfactory dwelling for various reasons and after some searching a move to 44 Alma Square took place in 1881, although it was not large enough to accommodate the two additional residents as had been hoped.⁴¹² The maximum number of residents was still nine until another bedroom was added some years later. In 1902 the leasehold of 44 Alma Square was purchased by Cecilia Higgins, one of its committee members, who thus became the landlord of the charity, presumably until her death in 1908. Whether she charged rent to the charity from this point is not clear from the accounts. The source of Cecilia's wealth is not known, but seems to have been inherited from an uncle, the Rev. Thomas Higgins, with whom she and another niece (her cousin Winifred Higgins) lived for much of their lives. Winifred, who also later served on the committee, died in 1923, but did not remember Cecilia in her own will, despite leaving bequests to the National Society for the Prevention of Cruelty to Children and the Metropolitan Drinking Fountain and Cattle Trough Association.⁴¹³

The Matron of the home in 1881 and 1891 was still Miss Gill, who died in 1894 and was replaced by Miss Anne E. Prosser. An innovation for the residents in 1895 was a day trip by carriage into the country, which was repeated in later years. Another change that was introduced for the first time in 1898 was the closing of the home for a month, permitting redecorations and other necessary works while the residents benefited from a change of air in the country or at the seaside. Eventually this became an annual event.

The Phoenix Home was one of the early applicants to Gardner's Trust in 1882, in the person of its honorary treasurer and secretary, Miss Alice Bostock.^{414,415} The committee decided to provide £10 p.a., plus an additional £20 at the outset.⁴¹⁶ The secretary of Gardner's (Henry Wilson) is recorded as having visited the home on 21 June 1882. Although the Gardner committee believed they might be able to recommend someone for the Phoenix Home in due course, this does not seem to have occurred.⁴¹⁷ However, at least one inhabitant of the Phoenix Home was a recipient of a Gardner pension and another was a beneficiary of a pension from the Royal Blind Pension Society, subject to annual re-election.^{418,419} In 1896 the home's annual report refers to thirteen years of continued support from Gardner's Trust, but in 1899 the application of the home for a renewed grant from Gardner's Trust was withdrawn.⁴²⁰ The Clothworkers' Company were fairly regular contributors. The Annual Report also recorded the thanks of the committee to Gardner's Trust from time to time for providing them with the Braille

edition of the *Church Messenger* magazine. There would also be gifts of Braille books occasionally and even Braille games. Providers of annuities for the blind were not the only institutions giving funds to the charity for the upkeep of their residents, in 1911 it was reported that several Boards of Guardians had also contributed towards the maintenance of those who might otherwise have ended up in the workhouse or infirmary.⁴²¹

Legacies, often small, were left to the Phoenix Home from time to time, including £100 from Lady Louisa Percy in 1883, £500 from Sarah Meadows in 1896, which was used to start a reserve fund (apparently mainly invested in New South Wales stock and subsequently supplemented with Dominion of Canada stock) and £95 from Mrs. Hart in 1901. However, in the year ending 29 June 1903, the home received a large legacy of £5,565 16s from Mr. Francis Thomas Freeman, who was not previously known to its committee.⁴²² He had left a total of around £140,000 to a wide variety of charities, including the (unnamed) 'Home for the Blind at 44 Alma Square'. In the report to 31 December 1905 there was a statement that: 'The Home is quite full, but the committee state that they do not see their way to utilize a generous legacy left to the Home some years ago in securing a larger house so as to admit more members'.⁴²³ The legacy was paid into a trust set up specifically for the purpose and thus did not appear as an asset of the charity in its financial statements. It was invested initially in London, Midland and Scottish Railway stock. Although the committee had consisted entirely of women throughout the charity's existence, three men were asked to become the trustees, one of whom, John Vezey Mason, vicar of Emmanuel Church and honorary chaplain, immediately resigned and had to be replaced, by another man.

Subsequent bequests included an amount from Miss Hannah Danby in 1908, £90 from Mrs. Tatchell in 1911 (mainly used to pay for the incorporation expenses) and £50 from Mrs. Hudson in 1915. By 1928 (the first year for which a true balance sheet was published in the Annual Report), the market value of the investment portfolio, which still only comprised fixed interest securities, was £5,540, showing a loss of 42% on the purchase price of £9,678 (£4,000 was written off the value of investments in 1944). Once again inflation had taken its toll. Miss Eleanor Sarah Soutter, a former committee member, died in 1928 and left to the charity her holding of Great Western Railway Stock, valued at around £5,000. The Leopold Salomons endowment of £900 (invested

in War Stock) appears explicitly for the first time in the balance sheet in 1943, but by implication existed earlier and may well have been received around the same time as the Rashdale Charity received its similar endowment in 1922.

5.3.3 *Formation of the Cecilia Charity*

There are no entries in *The Blind* relating to the metamorphosis of the Phoenix Home into the Cecilia Charity, but it is known that this followed the receipt of another legacy. Cecilia Higgins, the charity's landlord at 44 Alma Square, had been a member of the committee from 1885 until her death in 1908 and left £3,000 to be added to the sum already received from Mr. Freeman, with the wish that it be used to expand the activities of the charity. Any residual value to the lease on 44 Alma Square that she had purchased in 1902 fell into her general estate, which passed to her cousin Miss Winifred Higgins, who also took her place on the committee.⁴²⁴ This additional legacy gave rise directly to three events: (i) the change in name of the charity in 1909 to 'The Cecilia Charity for the Blind'; (ii) the removal in 1909 to larger premises at 111 Abbey Road, St. John's Wood, with sufficient accommodation for up to ten residents; and (iii) the incorporation of the charity in 1910 as a 'company limited by guarantee'. Despite its new corporate status and the transfer of the accumulated legacies from the trust fund, it was several more years before the Annual Report began to include a balance sheet as well as an income statement. An alternative to moving to Abbey Road had been considered seriously, which was buying the house next door to 44, which was about to become vacant. On investigation it was found that the necessary alterations would involve significant cost with no guarantee of a satisfactory result. In 1910, the purchase price for the Abbey Road lease was stated to be 'half of our last bequest', which assuming it refers to the Cecilia Higgins bequest would have implied around £1,500, consistent with later accounts.

The total amount of the bequests received by Cecilia up to 1908 was probably no more than £20,000, of which only one was from a man (Francis Thomas Freeman), so as was the case with Gardner's Trust a high proportion of the number of additional bequests and, in this case, a high proportion of their value, was received from women. As a charity for the blind predominantly run by women for the benefit of women, this is quite understandable. Apart from the purchase of the Abbey Road lease funds were mainly

used to purchase conventional fixed income securities, the consequence over the inflationary period accompanying two World Wars being inevitable.

An incidental change at around this time was of the work done by the inmates. A high emphasis had always been placed on knitted goods (where it became increasingly difficult for the residents to compete on price with commercial goods), but by 1910 the committee were also advertising the availability of basket making and re-caning of chairs.

The Memorandum and Articles of Association of the incorporated entity are dated 29 September 1910. The relevant license for the formation of the charity as an 'Association Limited by Guarantee' was granted on 19 October 1910 (the company registered number is 00112514). The signatories to the Articles of Association comprised various previous members of the committee and some other 'friends', including two males: Arthur William Kirkpatrick Picard (a physician and surgeon), and Jackson Hunt (a barrister). The Abbey Road property was registered in the name of Cecilia on 24 February 1911 and received its full complement of residents by 1914. The first (paid) secretary was Miss Rosina Elizabeth Thomas.

At this point the composition of the Phoenix/Cecilia committees may be compared and contrasted with those of Gardner's. The latter consisted almost entirely of men (apart from Maria Louisa Richardson-Gardner, there has only been one lady member in its history and that for a very brief period) and for the most part they were Establishment figures, with a few from the aristocracy.⁴²⁵ This is almost entirely in accordance of the observation of Oliphant that blind charities in Victorian times were among the most serious and prestigious of philanthropic causes, with their committees of management usually dominated by males.⁴²⁶ Perhaps, however, because the Phoenix home was for blind ladies, all members of the Phoenix committee over a period of at least 35 years were ladies and all but two of the original **members** of the Cecilia limited company were ladies, as were all the members of its first committee and as was the first secretary. While Messrs. Picard and Hunt were members of the professional classes, it would have been a stretch to describe them as Establishment and this also seems to have applied to the ladies and their husbands (with one or two possible exceptions).⁴²⁷ There also seems to have been a geographical connection, with the majority of the subscribers and

members having addresses in north-west London (and thus close to St. John's Wood). As a specific example, Reginald and Elizabeth Faber were living at no. 10 Oppidans Road, Hampstead in 1881, close by Harriet Miller at no. 8 and Mrs. Hales at no. 1. Both the Miller and Faber families were described as 'living on own means'. Emily Cattarn's father, Richard, was a solicitor and ship owner, Eleanor Soutter's father, Robert Harmond, was a merchant and ship owner and Lucy Burdon's father, George, was of 'independent means'. Frances Seville Gingold's husband, John, was a stockbroker's agent and Annie Fison Smith's, Thomas, was an accountant. These families were firmly in the upper middle / professional class, to which Maria Louisa Gardner had also belonged, but with rather greater wealth in her case.

5.3.4 Early years of the Cecilia Charity

The first two (principal) objects of the Society were to take over the whole of the assets and undertakings of what had formerly been the Phoenix Blind Home and to 'provide a Home or Homes, or places of residence for the blind, or persons suffering from defective sight and generally to promote their physical, mental and spiritual well-being'. The earliest financial accounts for Cecilia obtained (as at 31 March 1930) show that the Abbey Road property was leasehold, held by then on the balance sheet at the modest written down amount of £1,062; in addition the charity held £14,578 of fixed income investments. The investment income was supplemented by payments from residents, donations and grants from the Ministry of Health (£168 in 1921). A small operating surplus was generated. A decade later the situation was little changed, although the value of the lease had been written down to £637.

Like Gardner's Trust, Cecilia also suffered at the hands of inflation in the early decades of the twentieth century, not only in terms of the loss of value of its investments, but also in higher ongoing expenses. In 1913 the Annual Report states: 'It must be remembered that the price of most necessities, provisions, coal and household goods, has risen during the last few years'; in 1930: '... the repairs to the fabric are a terrible financial burden'; and in 1936: '... life is more expensive than it used to be'. By 1920, the annual payment made by residents had been increased to £36, having been fixed at £20 for at least the first forty years of the life of the home. The Blind Persons Act of 1920 generally entitled anyone who was blind to receive the state old age pension at the

age of 50, but this did not apply to residents of charitable institutions. However, the Ministry of Health was sufficiently happy with the manner in which the home was run to make a grant from about this time.⁴²⁸

At the outbreak of the Second World War the inhabitants of 111 Abbey Road were initially evacuated to Little Easton, near Dunmow in Essex, where they were to remain until 1942, when they moved to Sunnyside Road in Ealing. Due to continuous bombing they were evacuated again to Rainscombe House, at Oare, near Marlborough in Wiltshire in July 1944 and stayed there until May 1945, when they returned to Middlesex. The Abbey Road property was damaged by enemy action in 1940, although unoccupied at the time. While the residents of the home were at Little Easton, the committee 'accepted an invitation to join forces with the Middlesex Association for the Blind ('MAB'), as they believe that by so doing, the Home's long tradition of devoted service to the blind may best be carried on'.⁴²⁹ There had been no prior discussion of such a possibility in the Annual Reports of previous years, but the matter is mentioned in a 1940 Council Minute of the MAB. The deal proposed was that the assets of Cecilia, valued at some £9,000, would become available to the MAB for the purpose of building a new home for the blind, the control of which was to be shared between members of the MAB and members of Cecilia. The MAB was itself a charity, but to a large extent carried out the wishes of the local authorities in whose areas it operated as envisaged by the Blind Persons Act 1920. An amalgamation sub-committee of six people was appointed to put this plan into action, but it was not an amalgamation in the strict sense – Cecilia would retain a separate existence and control of its assets. Thomas places the emphasis slightly differently and states that in 1941 the Middlesex Association for the Blind '... took over the management of the Cecilia Home for Blind Women'.⁴³⁰ The Middlesex Association had two other homes for the blind, at Cheshunt and Finchley, with 19 and 16 blind residents respectively, so there may have been some logic in this move.

Searching for a suitable property did not begin in earnest until the war was drawing to a close and in May 1945 in the minutes of a joint meeting of the council of the MAB and the committee of the Cecilia Home for Blind Women it was resolved that 'The Lawns', Hanger Lane, Ealing, W5, be purchased, complete with all furniture for the sum of £10,750. This decision was subject to a satisfactory arrangement being reached

concerning the maintenance and management. It was also agreed that the property should be let by Cecilia at a nominal rent to MAB. The purchase of the freehold of 16/17 Hanger Lane was completed later in 1945 for £6,750. The property, subsequently renamed 'Cecilia House', still exists a little to the north of Uxbridge Road in Ealing. Presumably a price reduction was negotiated, or a significant sum was allocated to the furniture. The lease on the Abbey Road property was retained until it expired (apparently around 1956), producing an income of £115 p.a. and a small investment portfolio was retained (of around £1,600, including the Salomons endowment). From this point on the 'family' nature of the home so evident previously from the Annual Reports entirely ceases and its eventual complete absorption into the MAB probably became inevitable. For the first time several of the members of the Cecilia committee were men and one of these, Mr. Grimshaw, Chairman of the MAB, immediately took on the Chairmanship of Cecilia as well.

Not all of the charity's funds had been expended on the property purchase and arrangements had to be made to dispose of surplus income, which was accomplished around 1950 by extending the first part of its objectives. The reference to the Phoenix Home in the principal objects clause remained, but with an additional object added as follows:

To support charitable research into the development of physical, medical and mental aids whose object is the improvement of the condition of blind persons or persons who are partially sighted and where appropriate to make loans with or without security and with or without payments of interest thereon to charitable bodies carrying out such research and development.

In practice much of the 'surplus' income was spent on the upkeep of Cecilia House, or otherwise gifted to the MAB for general purposes. During the 1960s and 1970s there was considerable uncertainty as to major road-works in the Hanger Lane area and an attempt was made to build up Cecilia's financial resources to provide options for the future. Perhaps because of this uncertainty, for a few years the home was unable to fill the accommodation for blind people. The deteriorating situation was described in a minute of January 1982 when the poor state of the building's fabric, which had not been properly maintained, was detailed, together with the intolerable pressure on the staff. It was agreed that the situation was critical and that the home should be closed as soon as possible, with its remaining residents being transferred to other homes run by the MAB.

Although it had been hoped to close the home before winter set in this did not prove possible and the final residents only departed in June 1982. The Cecilia Charity contributed £15,000 to the costs incurred by the MAB during the final year of the home's operation and the closure costs, although it was estimated that the total loss over the last four years had exceeded £40,000.

Finally, on 27 September 1982, the Hanger Lane property was sold for £200,000, leaving the charity with a total endowment of almost £300,000. This implies that the investment portfolio had increased to around £100,000 even before the sale. Details of the charity's investment portfolio between 1945 and 1982 have not survived, but clearly it must have begun to invest in real assets, most likely equities, at an early stage. The charity had already been reconstituted as a grant-making charity in 1981 and the name was accordingly changed to 'The Cecilia Charity for the Blind' on 30 August 1983. On 11 April 1984, the Memorandum of Association was formally amended again, by the further amendment of the principal objects clause, which now dropped the reference to the old Phoenix Home and became:

- (i) To make grants to charitable organisations in the United Kingdom whose objects are the provision of services of all kinds to those who are blind or partially sighted and to assist individuals who are suffering from the same disability.
- (ii) To support charitable research into the development of physical, medical and mental aids whose object is the improvement of the condition of blind persons or persons who are partially sighted and where appropriate to make loans with or without security and with or without payments of interest thereon to charitable bodies carrying out such research and development.

In general terms, the first object could easily have been used to describe what were by then the objects of Gardner's Trust, an example of convergent evolution in a charitable context, determined principally by the legislative environment. The background to the second object is unknown, but in practice the disbursement of funds and making of loans for research purposes never took place on a large scale. Following discussions with the Charity Commissioners a further grant of £20,000 was made to the MAB and a connection was initially maintained by having a member of the MAB council on the Cecilia committee. Mr. E.J. Venn, the retiring Director of the Royal National Institute for the Blind, also joined the committee.

5.3.5 *Decline and final transformation of the Cecilia Charity*

With the sale of the property realised, the occupants dispersed to other homes and the committee notionally strengthened, its members nonetheless never really refocused their attention on purely grant-giving activities and the day to day running of the charity was handed over to Fordyce Curry, a small firm of accountants, in 1987.⁴³¹ Over the course of the next decade there was a steady decline in the number of active members. Fordyce Curry eventually asked the trustees of Gardner's Trust, for whom they also acted, if they would take on the management of Cecilia, which they were pleased to do in September 1996. The Chairman, Norman Lancelot Hall, a solicitor, retired at that time and was followed over the next few years by the other incumbent members. Unfortunately the historical records of Cecilia do not seem to have been passed on to Fordyce Curry, or to the Gardner's committee, and apart from a few Annual Reports they have not been located in any of the main archives (for example the RNIB or the LMA). It is clear, however, that once the disposal proceeds of the Hanger Lane property had been received, the committee allowed its investment managers to invest these in equities as well as fixed income securities, so that significant growth in the value of the portfolio continued over the next two decades.

Between 1996 and 2009 Gardner's and Cecilia were run in parallel, with the members of the Gardner management committee (by and large) also serving as members/directors of Cecilia and *vice versa*. Quarterly meetings were held sequentially on the same day and it was quite usual to find the same applicants' names appearing on the agendas for both meetings. By 2008 the same investment manager was handling the still separate portfolios for each of the charities, the same auditor had been appointed and banking was gradually being consolidated with a single bank. Some economies of scale were being achieved, but the arrangements were hardly optimal. A scheme of consolidation was clearly required, preferably with both charities surviving to facilitate the acceptance of future gifts or bequests, which continued to turn up from time to time. This was agreed in principle by the Charity Commission in 2007, but for various reasons not pursued aggressively until the following year.

The merger as finally agreed between Gardner's and Cecilia and sanctioned by the Charity Commissioners had four aspects. First, a self-regulating and amalgamating

Scheme was agreed for Gardner's Trust, which had the effect of incorporating and eliminating all of the previously separate sub-charities and accounts and significantly simplifying the requirements for the distribution of income. Second, Cecilia transferred all of its assets and liabilities to Gardner's Trust under a Deed of Agreement. Third, Cecilia changed its name to Gardner's Trustee, felt to be more in keeping with its new role, and adopted a new Memorandum and Articles of Association consistent with this. Fourth, Gardner's Trustee was appointed the sole trustee of Gardner's Trust, with the directors of what had been Cecilia becoming responsible for the management of Gardner's. The scheme also had the benefit of allowing Gardner's Trustee to operate as a dormant company (from a financial perspective), thus minimising reporting requirements to Companies House and the Charity Commission (including obviating the need for an annual audit). For convenience, the financial year-end of Gardner's Trustee was made conterminous with that of the trust itself.

We can now answer the question of how changing legislation for the blind affected Cecilia. With no responsibilities for the education and training of the blind, Cecilia was effectively insulated from the legislation that affected Gardner's Trust between 1893 and 1908. However, the Blind Persons Act of 1920 set about a train of events that led to it ceasing to exist as an independent home for blind women within two decades, admittedly with a final catalyst provided by the onset of the Second World War. From the end of the war until the early 1980s it was little more than a charitable shell, leasing its main asset at a peppercorn rent to the Middlesex Association for the Blind, although there is some evidence that the members of its committee realised that this could not go on indefinitely. Unfortunately they did not have the expertise to become an effective grant-giving charity and, as a result of their experience with the MAB, must have been wary of approaching another charity that did have such expertise. Fordyce Curry being in a position to act as a 'marriage broker' was entirely serendipitous. Had the decision on who should run Cecilia in the future have been left to the Charity Commissioners, it may well not have been Gardner's Trust.

The fact that the remaining activities of Cecilia and Gardner's were so similar at the time of their merger is not as surprising as might first seem the case. Essentially the legislative changes had removed the necessity, or ability, of both to carry out the tasks

originally allotted to them. In this sense the convergence of their activities was preordained. The convergence in their sizes was another matter entirely.

5.4 The worth of Gardner's Trust in today's currency

Although never a household name, Gardner's Trust for the Blind exerted considerable economic and social influence from its effective formation in 1881 until at least the end of the First World War, with a steady decline from then until the end of the Second World War and, thereafter, almost complete obscurity. As has been seen, the dramatic changes in legislation affecting the blind played a significant part in this decline, but this was not the only factor and here the question of what these factors were is answered.

Unlike business enterprises, endowments operate in a virtual vacuum: if those who establish and run them do not set operating or financial targets, no one else will do so.⁴³² There are no shareholders or paying customers to complain and, other than in cases of malfeasance, no third party to whom complaints can be made. Under such circumstances, risk-taking is unlikely to be rewarded and in the case of a perpetual endowment, slow decline is almost inevitable. It would have been a very unusual Victorian charity that did set such targets explicitly and Gardner's Trust was not one of them. A less direct approach is required in trying to judge its financial success.

One natural question to ask in relation to Gardner's Trust is what value it might have been expected to attain by the time of its merger with the Cecilia Charity for the Blind in 2009, given that it was initially endowed with a bequest of £300,000 in 1879 and that this had already grown to £320,000 by the time the committee of management provided the first grants in 1881. In fact there are at least two ways of looking at this:

- (i) What value of endowment would have been required in 2009 to have had a similar economic impact to £300,000 in 1879?
- (ii) Given the trust's objectives and the investment strategies available to it, does its actual value prior to its merger with the Cecilia Charity in 2009 (c. £1.9 million) seem 'reasonable'?

Before attempting to answer the first of these questions in detail, the general principles attaching to changes in value or worth over time need to be addressed. A good review of these principles is provided in Officer & Williamson’s *Measures of Worth*.⁴³³ The associated website also provides a convenient calculating engine for estimating changes in value over periods between 1830 and the present according to each of the principles summarised below.

The Officer & Williamson methodology considers separately changes in value of three types of ‘subject’ (or asset/liability) as defined by them: commodities (essentially goods and services purchased by consumers); income and wealth (such as wages, profits, rent, financial assets, real estate); and projects (for example, large business or government investments or expenditures). Applied to each of these subjects are four ‘indicators’ of value change, each of which can be measured on more than one basis: general prices (such as RPI/CPI, or the GDP deflator); household consumption (the Value of the Household Bundle, otherwise ‘VHB’); income (for example, average wage and GDP *per capita*); and output (for example, GDP).⁴³⁴

For the change in value over a given time period, and not seeking to identify at this stage the type of ‘subject’ of interest, the possible results of the application of the Officer & Williamson methodology may be represented by the twelve cells of a three by four matrix, as follows:

Table 5.1: Comparative methods of determining historic values of worth
Indicators

Subjects	Price Index	Value of Household Bundle	Income	GDP
Commodity	(1) Real price	(2) Real value	(3) Labour or income value	(4) Share
Income/Wealth	(5) Historic standard of living	(6) Contemporary standard of living	(7) Economic status	(8) Economic power
Project	(9) Historic opportunity cost	(10) Contemporary opportunity cost	(3) Labour or income value	(4) Share

Source: Officer & Williamson 2006

The cited work contains a discussion of the interpretation of the content of each cell of this matrix. Rather than repeat this at length, two of the rows, the first and second, will

be discarded as inappropriate for purpose. If the ongoing charitable donations of an individual were to be considered, there would be a case for retaining the first row (Commodity), but this is not the case here where a single, major benefaction is being considered. The second row (Income/Wealth) can also be discarded since the benefaction arose from an accumulation of wealth over a lifetime, rather than earnings or profits in a year, or even a period of a few years. This leaves the third row (Project), which, in fact, is that suggested by Officer & Williamson for the creation of a charitable foundation. The Officer & Williamson interpretation of each of the four cells in this row is as follows (it will be observed that the final two cells of the matrix have the same interpretation as the third and fourth).

- Historic opportunity cost: for a project, this measures a bundle of goods and services using the GDP deflator.
- Contemporary opportunity cost: as for historic opportunity cost, but using the VHB.
- Labour or income value: for a project, this measures relative to GDP *per capita*.
- Share: for a project, this measures the production against GDP (that is, the monetary amount computed as a percentage of GDP).

Before commenting further on the four different answers, the Officer & Williamson computation engine will be used to generate the results for the change in value of the project between 1879 and 2009.

Table 5.2: Change in worth of Gardner’s Trust

Subject	Indicators			
	Price Index (GDP)	Value of Household Bundle	Income	GDP (share)
Gardner's Trust	£30,629,248	£161,159,174	£211,919,582	£378,944,982
Period: 1879 to 2009; Initial Value: £300,000				

The lowest value (£30.6 million) is essentially the amount that would be required today to purchase a bundle of goods and services across the economy as a whole adjusting values with the GDP deflator. In fact a slightly lower value (£22.7 million) would have been obtained had RPI been used, but this is less appropriate.

The value of the equivalent household bundle (£161 million) is significantly higher, since it takes into account not only price inflation, but also an increase in the standard of living of households.

The income value equivalent (£212 million) is slightly higher again (+32%), representing a higher propensity to save over the period. (If measured in average wage terms, the number would have been somewhat lower.)

The GDP share measure at £379 million is more than twelve times the simple price index figure, reflecting the much lower proportion of domestic consumption as a proportion of GDP at the commencement of the period.

There is, of course, no ‘right’ answer to the question, ‘What is £300,000 in 1879 equivalent to in 2009 in economic terms?’ The best that can be said is that it is probably at least £30.6 million and that higher figures can easily be justified. This compares with an actual value of £1.9 million, which it would therefore be hard to describe as ‘reasonable’.

One thing that can be done to help understand how the economic influence of the trust declined over time is to create an index by deflating the actual values of investments controlled by the trust and comparing them with the value at its outset (in 1879). This produces the following series:

Table 5.3: Decline in the Economic Influence of Gardner's Trust for the Blind

	1879	1889	1899	1909	1919	1929	1939	1949	1959	1969	1979	1989	1999	2009
<i>Index</i>														
- Gardner	100%	105%	102%	99%	32%	44%	50%	30%	15%	9%	3%	3%	4%	3%
- Total	100%	105%	103%	100%	35%	47%	55%	37%	19%	11%	6%	6%	8%	6%
<i>Value (£k)</i>														
- Gardner	300	310	313	311	240	267	316	350	273	215	241	541	954	914
- Lord					14	17	22	33	22	16	17	38	64	73
- Taylor								41	31	22	24	54	94	110
- Others				1	3	4	8	13	11	11	195	439	848	803
- Total	300	310	314	315	256	288	345	437	338	264	477	1,072	1,960	1,899
Deflator	300	295	305	316	742	612	631	1,173	1,763	2,502	8,368	17,368	24,655	30,629

Note : Capital account data for 1989 pro-rated based on 1979 figures.

Source : Gardner's Trust annual audited accounts, etc., with balances adjusted using Officer & Williamson GDP deflator.

The periods of greatest decline match, of course, the decades of inflation: the 1910s, 1940s and 1970s. By the time the Beaumont bequest was received in 1977, the original Gardner bequest accounted for only around half of the funds under management.

5.5 The investment strategy of Gardner's Trust

5.5.1 Pre-1961

Another question posed at the beginning of this chapter can now be addressed, should the value of the trust prior to its merger with the Cecilia Charity in 2009 be expected to have been more or less than £1.9 million given its objectives and the investment strategies available to it?

In order to answer this question, it is also necessary to consider the major benefactions to the trust made after the initial legacy of Henry Gardner in 1879. The approximate dates and amounts of these will be summarised here for convenience. In order to provide a meaningful comparison between the benefactions, the third numeric column utilises the Officer & Williamson calculator to generate a GDP deflator figure for today's value. The fourth column then expresses this as a percentage of the total. The fifth and sixth columns show the actual relative values from the audited accounts for 30 September 2009.

Table 5.4: Initial and 2009 Values of Gardner's Trust

Benefactor	Year	Initial Value	2009 Value			
			Theoretical (see note 2)	%	Actual (see note 3)	%
Major bequests						
Henry Gardner	1879	£300,000	£30,629,248	83%	£914,234	48%
E & N Lord	1909	£40,000	£3,882,425	11%	£72,539	4%
ABC Taylor	1947	£42,000	£1,217,884	3%	£109,650	6%
Minor and later bequests						
- JHG Smith	1955	£4,500	£90,966	0%		
- EI Marshall	1971	£4,400	£45,840	0%		
- NCM MacMahon	1972	£4,850	£46,742	0%		
- A Foley	1974	£6,000	£46,774	0%		
- APS Beaumont	1978	£150,000	£629,046	2%		
- Others (see note 1)		£10,000	£372,128	1%		
- Sub-total		£179,750	£1,231,496	3%	£803,070	42%
Total		£561,750	£36,961,053	100% [†]	£1,899,493	100%

Notes: (1) Including: Rashdale (£1,000 in 1892); AS Warner (£2,340 in 1920); Lucy Block (£3,300 in 1920 via the Public Trustee for Worcester College scholarships); Annie Goff (£1,000 in 1922); AB Harper (£1,500 in 1928); and Jennie Jones (£1,000 in 1971)
 (2) Theoretical values are estimated using the Officer & Williamson methodology described in the text taking the final year as 2009.
 (3) Actual values are taken from the audited accounts for 30 September 2009.

Source: Gardner's Trust Accounts and Annual Reports

It can be seen that looking at the Gardner bequest alone, the sum invested grew from £300,000 in 1879 to £914,234 in 2009, representing a compound growth rate of 0.87% per annum. Intuitively this does not sound like a great deal, but are there objective benchmark portfolios with which it may be compared?⁴³⁵

The analysis of investment performance is a sub-branch of financial economics with a vast literature of its own. Even a cursory examination reveals the complexity of the subject and the difficulty in establishing realistic benchmark portfolios over quite short time periods of a decade or so. Over longer periods at least two major problems occur (in addition to those of detail): (i) what constitute feasible portfolios; and (ii) is sufficient historic data available to establish an appropriate index for each of the asset classes involved?

Considering first feasible portfolios, in the context of Gardner's Trust, it needs to be asked in what asset classes it could theoretically have invested and how these would

have been constrained in practice by: (i) the law in general; (ii) the restrictions imposed by the Trust Deed; and (iii) the custom and practice of those investing trust funds over the period of the trust's existence.

5.5.5.1 Classes of investment

A bewildering array of investment alternatives faces an investor today, whether an individual or a charity trustee. It is, however, possible to consider these as naturally falling within three categories, only two of which were available for the first century or so of the trust's existence. They are as follows:

- *Nominal investments.* In such investments the nominal value of the investment is returned to the investor at the end of the agreed investment period (unless the security is 'irredeemable' or 'perpetual'). Examples include cash deposits, mortgages (and other types of loans) and so-called 'fixed income' or 'fixed interest' investments, the last often being in the form of bonds issued by governments, local authorities or companies. As implied the interest rate on such investments is agreed at the time of issue of the security and the market price of the security will change over time (prior to its redemption) according to changes in interest rates. Such interest rate changes may be as a result of general economic conditions, or of factors specific to the security concerned, such as the perceived creditworthiness of the issuer. The total return on fixed interest securities will be the annual interest payment incremented (or reduced) to the extent that the amount paid for the security was less (or more) than its nominal (or par) value. The normal method of measuring the returns on fixed interest securities is the gross redemption yield, which assumes that all payments received during the life of the security can be reinvested at this rate (in other words it is an iterative computation). The gross redemption yield is a good measure of return during periods of interest rate stability, but tends to overestimate returns during periods of high interest rates and underestimate them during periods of low interest rates. Although the nominal value of an investment of this type will be preserved on redemption, its purchasing power will not be. In other words its purchasing power will have been diminished assuming that inflation was positive during the period during which the investment was made.

- *Real investments.* If one wishes to preserve the purchasing power of an investment, a different type of investment must be sought. The principal example today is an index linked security, such as those issued by the UK and other governments. In these, payments of both interest and principal are linked to a stated measure of inflation, such as CPI. These are, however, a relatively recent innovation (of the 1980s) and prior to their introduction the two main classes of real assets were equities (the ordinary shares of companies) and real property (land and buildings). In the short term it is not unusual for the returns on equities and property to fail to provide protection against inflation, but there are economic arguments and empirical evidence to provide support for this contention in the longer term.
- *Absolute return investments.* These seek to provide a positive investment returns regardless of movements in interest rates, inflation or underlying financial markets, generally using financial engineering techniques. They provided the original strategies for ‘hedge funds’, but are a very recent innovation and will not be further considered here.

5.5.1.2 Acts of Parliament

The relevant Acts of Parliament governing the investments of trusts over the period of interest are as shown in the following table, which also provides for each Act the key changes in provisions relating to permissible investments.

Table 5.5: Acts of Parliament relevant to trustee investments, 1859-2000

<i>Act</i>	<i>Summary of Key Investment Provisions</i>
Law of Property and Trustees Relief Amendment Act 1859	A trustee may invest in 'real' securities (that is mortgages) in any part of the UK, or in the stocks of the Bank of England and the Bank of Ireland, or in East India stock unless expressly forbidden by the terms of the trust deed ('provided that such investment shall in other respects be reasonable and proper').
Law of Property Act 1860	Made the investment provisions of the 1859 Act retrospective.
The Trustees, Mortgagees, etc. Act 1860	Permitted trustees to invest in any of the Parliamentary stocks or public funds, or in government securities.
Improvement of Land Act 1864	Permitted trustees investing in real securities to invest in the charges authorised under this Act.
Investment of Trust Funds Act 1867	(i) Confirmation that in this context East India stock includes that existing prior to the passing of the 1859 Act. (ii) Trustees may also invest in any security on which interest is guaranteed by Parliament.
Debenture Stock Act 1871	Confirmation of trustees' powers to invest in debenture stock of a company where they already had the power to invest in the mortgages and bonds of a company.
Metropolitan Board of Works (Loans) Act 1871	Permitted the investment by trustees of stocks issued by the Metropolitan Board of Works.
Local Loans Act 1875	Extended the powers of trustees to invest in public funds.
Settled Land Act 1882	Permitted trustees to invest in railway shares.
National Debt (Conversion) Act 1888	Reduced the interest rate on consols from 3% to 2½% and thus encouraged trustees to seek alternative investments.
Trustee Act 1888	Imposed 'loan to value' limits on mortgage investments.
Trusts Investments Act 1889	(a) Government securities. (b) Real securities in England, Wales and Ireland. (c) Stock of the Bank of England and Bank of Ireland. (d) Specified India securities. (e) Securities with interest guaranteed by Parliament. (f) Stocks of the Metropolitan Board of Works and Police District. (g) Specified classes of debentures and preference shares of dividend paying railway companies in Great Britain and Ireland. (h) The common stock of such railway companies where the undertaking has been leased in perpetuity at a fixed rental. (i) India railway company debentures with interest guaranteed by the State. (j) Certain other specified Indian railway investments. (k) The common stock of certain India railway companies where a minimum dividend is guaranteed by the State. (l) Specified classes of debentures and preference shares of dividend paying water supply companies in Great Britain and Ireland. (m) Securities issued by municipal boroughs and county councils, subject to certain restrictions. (n) Freehold ground rents and similar. (o) Any stocks, funds or securities authorised for the investment of cash under the control or subject to the order of the Court.
Local Government (Stock Transfer) Act 1895	Relaxed the restrictions with respect to securities issued by municipal corporations.
Colonial Stock Acts 1877, 1890, 1892, 1900, 1934 & 1948	Progressively permitted investments in Colonial Stocks (as defined) in addition to those of India (generally where subject to an interest guarantee).

Trustee Act 1925	Generally as for the Trustee Investments Act of 1889, but with the following major modifications/additions: (b) and (g) Ireland is no longer included. (h) Includes canal as well as railway companies. (o) This becomes (r) in the revised list. (p) Stocks authorised under the Colonial Stocks Act 1900. (p) Bonds issued under the Housing (additional Powers) Act 1919. (q) Securities issued by the Government of Northern Ireland.
Trustee Investments Act 1961	This Act introduced a number of new concepts, including those of: (i) 'narrower range' (less risky) and 'wider range' (more risky) investments; and (ii) the necessity to take professional investment advice on all but a limited number of very low risk investments (Defence Bonds, National Savings Certificates and deposits with certain authorised banks). <i>Narrower range</i> : (1) Government securities. (2) Securities with interest guaranteed by the Government. (3) Fixed income securities issued by UK public authorities and similar. (4) Fixed income securities issued in the UK by Commonwealth governments and local authorities. (5) Fixed income securities issued by the IBRD. (6) Debentures issued in the UK by UK companies. (7) Stock of the Bank of Ireland. (8) Securities issued by the AMC or the SASC. (9) Certain classes of securities issued by UK local authorities. (10) Debentures and preference shares issued by UK statutory water authorities. (11) Deposits in trustee savings and certain other banks. (12) Deposits in building societies designated under the House Purchase and Housing Act 1959. (13) Mortgages on freehold and similar property in England, Wales and Scotland. (14) Freehold ground rents and similar. <i>Wider range</i> : (1) Any securities issued in the UK by a company incorporated in the UK. (2) Shares in any designated building society under the 1959 Act. (3) Certain authorised unit trusts.
Charities Act 1961	Ability of charity trustees to invest in 'common investment funds' subject to specific approvals in each instance.
Charities Act 1993	Relaxation of certain restrictions in relation to wider range investments where specifically authorised by the Secretary of State.
Trustee Act 2000	(i) A trustee may make any kind of investment that he could make if he were absolutely entitled to the assets of the trust. (ii) Regarding property investment, a trustee may acquire freehold or leasehold land in the United Kingdom: (a) as an investment; (b) for occupation by a beneficiary; or (c) for any other reason.

Parliament recognised its responsibility to respond to the needs of trustees to invest in an increasingly wide range of securities, but the courts would also issue Rules from time to time extending the list of approved investments. One such case was in 1888, when, following the reduction of the interest rate on consols from 3% to 2½%, the Supreme Court permitted investment in securities issued by colonial governments as long as they were guaranteed by the Imperial Government. Separate lists of securities approved by Statute and the Courts continued to exist alongside one another until the twentieth century, causing some confusion.

Equity investments were not permitted until the Act of 1961. It will also be noted that the investment criteria were largely silent on two points:

- *Overseas investments.* With the exception of fixed income securities of India and British colonies and securities issued by companies incorporated under the laws of certain Commonwealth countries (until 1961), the Acts did not permit investment in overseas securities. This did not mean that no trust could invest in overseas equities (subject to any relevant exchange controls), but this had to be explicitly permitted under the terms of the trust deed concerned. (An interesting point arises here in connection with the Edith Lord bequest to Gardner's Trust. The securities passed to the trustees by the executors of her will included several US securities that continued to be held for some time with the knowledge and consent of the UK Treasury.) In practice by the 1980s it was increasingly common for charity funds to be invested to some extent in overseas securities. Where necessary this might involve having an amendment to the trust deed approved by the Charity Commissioners.
- *Real property.* With the exception of ground rents and mortgages, investment in property was not permitted until 2000. Again this did not mean that trustees could not own property, but it had to be for a specific purpose rather than for investment purposes (in other words the generation of income). Contemporary examples would have been the trust deeds governing the Royal National College and Academy of Music for the Blind at Norwood and the College for the Blind Sons of Gentlemen at Worcester, both of which owned the buildings in which the students lived and were taught.

Another concept absent from the investment criteria (although arguably it may have been implied by a requirement for trustees to act prudently) was that of the advantages of diversification. This concept has been understood intuitively for centuries ('don't put all your eggs in one basket'), but may also be understood (and proved) mathematically quite simply. By investing in a range of different investments it is possible to either: (a) reduce the risk (in this sense the dispersion of expected returns) while maintaining expected return; or (b) increase the expected return while holding risk constant.

5.5.1.3 Henry Gardner's will

The relevant portion of the Scheme and Declaration of Trust issued by the Court of Chancery based on Henry Gardner's will was as follows:

The Trustees shall from time to time as the Committee shall think fit vary the investments of the trust fund for the time being or any part or parts thereof for or into any investment or investments for the time being authorised by the Chancery Division of the High Court of Justice for the investment of trust funds and shall hold all such investments as part of the trust fund.

Moneys were long paid into the Court of Chancery for a variety of reasons, usually as a result of suits brought to it, and thereafter managed by officials of the Court (the 'Court Funds Office') until release. Historically such funds had not been immune to losses caused by the various bubbles of the eighteenth century and, by the early nineteenth century, government securities had been adopted as the only investments in which such funds could be invested. Commencing in 1859, this position began to be relaxed again, as it was appreciated that the judiciary was not necessarily best placed to determine what constituted prudent investments.⁴³⁶

Although 'express investment clauses' in trusts were common throughout the nineteenth century, no special investment powers were here granted to the trustees or committee members. Such a step would not have been considered unusual and the existence of such a clause did not absolve trustees from their responsibility to invest trust funds as would a prudent business man in the conduct of his own affairs. When Guy's Hospital was endowed in 1721, one of the conditions was that a substantial fraction of the capital was invested in agricultural land and by 1786/8 it was likely that three quarters of Britain's charitable income was provided from urban and arable land.⁴³⁷

The large holdings of land being accumulated by charities had been of concern to the government and the landed gentry for many years and from time to time members of a family would find themselves disadvantaged by death-bed gifts to charities. A strengthened Mortmain Act 1736 restricted the freedom of donors to settle land and, indeed, cash on 'corporations' (including trusts).⁴³⁸ This legislation was progressively relaxed during the nineteenth century, but it was not until 1888 that the law was

changed to permit donors to gift land by way of deed to charities unconditionally at least twelve months before they died.⁴³⁹ Thus at the time of his death Henry would have found himself somewhat constrained in passing on his property interests to a trust, but he could certainly have done so prior to his death had he wished to. This was the method adopted by a number of his near contemporaries, such as Thomas Holloway (1800-1883), who during his life provided very large sums for the endowment of the Holloway Sanatorium at Virginia Water and the Holloway College at Englefield Green (the latter still flourishing as the Royal Holloway and Bedford New College, University of London).

Although much later foundations, in 1936 the Wellcome Trust's original endowment in large part comprised the shares of Burroughs Wellcome and Company and, in 1955, the Wolfson Foundation was largely endowed with shares in Great Universal Stores.

Given Henry Gardner's large estate of residential property in Kensington at the time of his death, the question does arise as to why he did not consider permitting his trustees to make at least some continued investment in this asset class, even if he did not wish to pass on the properties concerned before his death. It may simply have been that Henry did not consider his trustees to have had the necessary expertise – real estate did not always rise in value, particularly agricultural land. In examining the reasons for trusts being set up in Victorian times one commentator has noted that 'the danger in the nineteenth century was not that of taxation ... but rather the natural decline in the value of property if it were not carefully attended to and placed'.⁴⁴⁰ Similarly one can question Henry's decision not to allow the trust to invest in railway company shares, given that he himself had done so.

The consequence of the Scheme and Declaration of Trust and the law applying to the investment of trust funds together was that from the main fund's inception until 1955 it was invested entirely in fixed income securities. Moreover, the general requirement of the Scheme was for the trustees to distribute the entire income (according to set proportions), with no obligation on them to preserve the real value of the trust's capital or to build up any sort of reserve. Given the ravages of inflation in the UK over the last century or so this may seem like a dereliction of responsibility, but of course general inflation in Victorian times was simply not a matter of concern. This was not to say that

there were not periodic bouts of inflation, often associated with war or famine, but they were generally at least off-set by compensating periods of deflation. The annual rate of inflation experienced in each of the decades of the nineteenth century is shown in the table below.

Table 5.6: Annual rates of inflation for each decade of the nineteenth century

		Decade Commencing										
		1800	1810	1820	1830	1840	1850	1860	1870	1880	1890	1900
Decade Ending	1800											
	1810	1.0%										
	1820	-0.8%	-2.1%									
	1830	-1.0%	-1.2%	-1.6%								
	1840	-0.5%	-0.6%	-0.2%	1.0%							
	1850	-0.9%	-1.0%	-1.0%	-0.3%	-2.7%						
	1860	-0.6%	-0.7%	-0.6%	-0.1%	-0.9%	1.0%					
	1870	-0.5%	-0.6%	-0.4%	-0.1%	-0.6%	0.5%	0.0%				
	1880	-0.5%	-0.5%	-0.4%	-0.1%	-0.4%	0.3%	0.0%	-0.1%			
	1890	-0.5%	-0.5%	-0.4%	-0.1%	-0.5%	0.0%	-0.2%	-0.3%	-0.5%		
	1900	-0.4%	-0.4%	-0.3%	-0.1%	-0.3%	0.2%	0.0%	-0.1%	-0.1%	0.0%	

Source : O'Donoghue et al 2004 (*Consumer Price Inflation Since 1750*)

During Henry Gardner's lifetime he would have experienced only three decades with positive inflation (the 1800s, 1830s and 1850s) and his more likely concern would have been deflation, so that preservation of the nominal value of the trust's capital (implying a positive real return) would have been his priority. It must, however, be recognised that his own wealth had not been invested entirely in this manner prior to his death. His personal estate included not only investments in government securities and railway securities, but also a significant amount of residential property, mainly in north Kensington, comprising both freeholds and leaseholds. To this extent his decision to endow the trust with cash and securities rather than property may be more questionable, but investment in property would then have been seen as a legitimate means of creating higher returns through taking higher risk, rather than as a means of preserving real value, so it is most likely that he considered such additional risk and return as unnecessary and inappropriate for his trust. The contrast with the twentieth century could not, however, be starker.

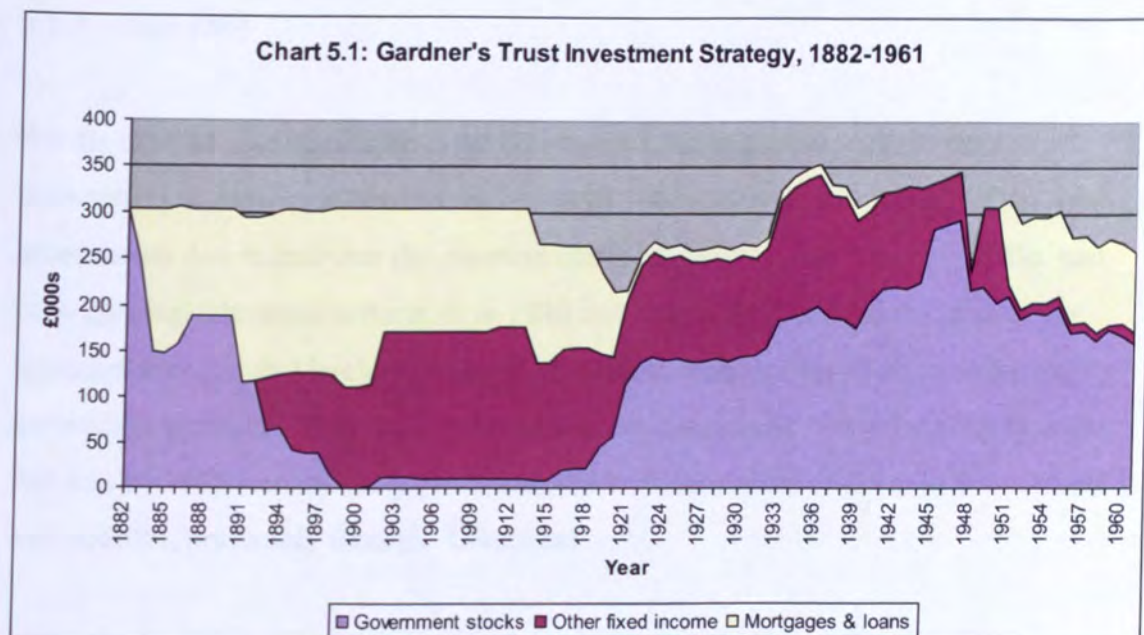
Table 5.7: Annual rates of inflation for each decade of the twentieth century

		Decade Commencing										
		1900	1910	1920	1930	1940	1950	1960	1970	1980	1990	2000
Decade Ending	1900											
	1910	0.0%										
	1920	5.3%	10.4%									
	1930	2.2%	3.0%	-3.9%								
	1940	2.0%	2.5%	-1.2%	1.8%							
	1950	2.5%	3.1%	0.9%	3.3%	4.8%						
	1960	2.9%	3.4%	1.6%	3.6%	4.7%	4.1%					
	1970	3.0%	3.4%	2.1%	3.6%	4.3%	4.0%	3.4%				
	1980	4.3%	4.9%	3.9%	5.6%	6.6%	7.2%	8.7%	14.3%			
	1990	4.5%	5.1%	4.3%	5.8%	6.6%	7.0%	8.0%	10.3%	6.6%		
2000	4.4%	4.8%	4.1%	5.3%	5.9%	6.2%	6.6%	7.7%	4.7%	2.7%		

Source : O'Donoghue *et al* 2004 (*Consumer Price Inflation Since 1750*)

The annualised average rate of inflation for the twentieth century as a whole (+4.4%) was almost 5 percentage points higher than that for the nineteenth century (-0.4%). However, as late as the outbreak of the Second World War the economic situation could have been analysed as capable of reverting to the mean of the previous century. There had been no inflation during the 1900s and that of the 1910s had been caused by the financial consequences of the First World War. During the 1920s there had been deflation (accompanying the Great Depression) and this had persisted into the 1930s. By 1934 the general level of prices had returned to much as it had been in 1914.⁴⁴¹ During the second post-war period it became increasingly clear that inflation was a fact of life and the ‘cult of the equity’ began to develop, especially in occupational pension trust funds. Investment in commercial and retail property soon followed. Charities as a whole were slower to follow, but found it increasingly difficult to ignore the problem, especially after the passing of the Trustee Investment Act 1961.

The investment strategy actually adopted by the trustees in the period from 1882 to 1961 is summarised in Chart 5.1 below.



In order to increase distributable income, soon after the Scheme was approved the committee immediately invested a significant proportion of the funds into mortgages and loans (mainly the former), much to the consternation of Maria Louisa Richardson-Gardner. Soon after Maria Louisa's death in 1889 the bulk of the remainder of the gilts were sold and reinvested in other types of fixed income security, mainly local authority, commonwealth and railway stocks. This position remained the same until after the end of the First World War, when the majority of the mortgages were redeemed and the proceeds reinvested in gilts. Value diminution at this time was offset by additional bequests received in the period between the wars, but commenced again after the end of the Second World War. After the end of the Second World War the majority of the local authority and other bonds were sold and reinvested in mortgages, although now these related to commercial rather than agricultural property. A further enforced change occurred in 1947, when the impending nationalisation of the railways caused the committee to sell its substantial holdings of railway company debentures, bearing interest rates of 4% to 5%, and reinvest or convert them into government securities yielding only 3%, with a significant consequent reduction in income.

5.5.2 *Post-1961*

For the reasons discussed above, the Gardner's Trust committee was severely constrained in its investment alternatives until 1961, but with the passing of the Trustee Investments Act in that year the situation changed. Messrs. Pim Vaughan & Co. had been appointed brokers to the trust in 1940 and once a year, around the time of the financial year end in March, had provided recommendations on changes to the trust's investment portfolio. They were quick to react to the possibilities offered by the new Act and by 1962 were actively promoting the switch of some of the trust's investments into equities, preferably through 'Charifund'.

'Charifund', set up in 1960 in anticipation of the Trustee Investment Act 1961, was (and remains) the equities investment fund for charities. The fund itself is a charity and its managers are treated by HMRC as a charity. For the committee members it would have represented a simple and diversified investment in equities and one that was already being utilised by other charities, but despite initially viewing the proposal favourably they decided not to proceed.

No minute of a meeting of the Finance sub-committee during this period is contained in the main minute book (it may not have convened formally), so the detailed arguments against the proposal are not known.⁴⁴² The reason seems to have been that the trust would have incurred losses on the sale of most of their fixed income investments, which the committee were reluctant to accept. However, in principle they were prepared to look at equity investments when their fixed income investments, most of which had fixed redemption dates, matured.

Pim Vaughan tried again the following year, this time suggesting that the trust sold its irredeemable fixed income investments with a value of some £50,000, reinvesting in Charifund equity units. This would have resulted in a temporary loss of income of around £900 p.a., which the committee was not prepared to face. The secretary was instructed to write to Pim Vaughan thanking them 'for the interest they had taken in advising on the trust's investment policy', but it is unclear whether this was somewhat tongue-in-cheek. Pim Vaughan's motivation in promoting equity investments would not

have been entirely altruistic, not least as a result of the higher commission rates involved thereon.

The matter does not seem to have been raised during 1965, but in July 1966 the secretary was instructed to meet with the trust's brokers to discuss investment policy. As a result of this there was a flurry of activity in the last few months of the year. In October Pim Vaughan specifically recommended investment in equities as a hedge against inflation, although they conceded that the timing might not be optimal in view of the 'Government Freeze'. The committee did concede that their meetings with their investment advisers had previously been too infrequent and that this ought to be remedied in the future. Notwithstanding this, in December 1966 the committee again decided not to switch from fixed interest stocks into equities, although they did switch some gilts into corporate and local authority bonds, incurring a capital loss in the process, to which at least one of the committee objected and asked to have his dissent recorded in the minutes.

In March 1968 Pim Vaughan once again tried to persuade the committee to switch some of their holdings into equity to protect the value of their capital. At least one member, Malcolm Coit Dunlop, was by this time concerned that the fund had no hedge against inflation and recognised the diminution in the real value of their pensions, but once again the loss of income argument was dusted off and a decision reached to make no changes. This resolution of the committee can only lead one to the conclusion that the Chairman, Robert Lindsay Loyd, MC, exercised some sort of veto, notwithstanding the concern of his son-in-law, Malcolm Dunlop, about the lack of any inflation hedge. Pim Vaughan still did not give up, possibly encouraged by the secretary with the tacit support of other members of the committee. They wrote again in December 1968 making another strong recommendation for a switch of some funds to equities and elicited a detailed and rather tetchy written response from the Chairman.

Loyd's position, which now seems indefensible, is that the duty of the trustees was to preserve the nominal value of the original £300,000 Gardner bequest 'on the safest and soundest basis possible', preferably by investing it entirely in Government securities. He fully understood the implications of this in terms of the reduced purchasing power of

the trust's income, but considered this to be unavoidable. Moreover, he felt that the trustees should not be 'led astray by the golden bait of increased income'.

Inflation was a known hazard and the naïve argument that the original capital should be protected at all costs made no sense – if it continued (and even then there was then every sign that it would) the point would come when all the income from £300,000 would be insufficient to pay a single worthwhile pension. Also, Gardner's Trust had already received several additional bequests, some of them quite material, and the committee were already aware that at some stage they stood to receive a significant residuary sum under the term of Captain Beaumont's will. Loyd's argument could not be applied rationally to these subsequent bequests, even if by some perverse logic it might have been to the original. Further, they had already taken some investment risks, for example by investing in railway stocks and mortgages rather than only government and government backed securities. These arguments must have been equally apparent to the other committee members, but they were not raised at the next meeting and the *status quo* was again maintained.

By the time the final archived minute book closes in July 1977, there had still been no switch into equities, despite the resignation of Loyd as Chairman in 1974 and the appointment of his more pro-equity son-in-law in his place. The decade of the 1970s had seen high inflation and significant equity volatility, so the difficulty experienced by the committee in general and its Chairmen in particular can be understood, but their real failure lay in the preceding decade, when they failed to take advantage of the increased investment freedom offered to them by the passage of the Trustee Investment Act 1961. The nettle was finally grasped after the receipt of the Beaumont bequest, but by then the damage had already been done. By 1979 the real value of the fund in its entirety was only 6% of what it had been in 1881 and half of this could be attributed to subsequent benefactions.

It is rare to find an institution in the public, private, or charitable sectors that maintains its size relative to the economy as a whole over a period of even a few decades, much less a century or more. Some grow, some are taken over and some shrink, or fail. In the charity sector those that grow can only do so by increasing their original endowment, or their income through donations, subscriptions and further endowments. Circumstances

conspired to prevent the management committee of Gardner's Trust from increasing its original endowment by investment means. It is also understandable that the committee did not feel that its remit included attracting donations and subscriptions on a large scale. Its real failure was in not seeking additional bequests, thereby giving it at least a fighting chance of meaningful survival in the long term.

5.5.3 *A legal perspective*

The distance of the beneficiaries from the trust and their diffuseness meant that there would never be a focus for criticism of its investment strategy. In fact it turns out that the fiduciary responsibility of trustees in this regard has rarely been tested by the courts, but there is one relatively recent case of relevance.⁴⁴³ New Zealand may seem a long way away geographically, but from a legal standpoint the judgements of its courts are often relevant to the UK. Following the death of her husband in 1965, a Christchurch widow received a life interest from his estate amounting to NZD 108,000, then 'a sufficient sum to buy 14 average residential properties'. She was appointed joint trustee with a professional trustee firm and, since she had a separate equity portfolio, caused the sum to be invested in fixed income securities. On her death in 1990 the value of this residue had fallen slightly to NZD 102,000, an insufficient sum to pay for even a single residential property in Christchurch. In order to have maintained its value on this basis the sum would have had to have increased to NZD 1.368 million. The residuary beneficiaries, who did not benefit from any other portion of the widow's estate (estimated at NZD 686,000), claimed that the professional trustee, who was jointly and severally liable, had not properly exercised his fiduciary duty and should have ignored the widow's preference for investment in fixed income securities, investing instead in a balanced portfolio of equities and fixed income securities. The court found in favour of the plaintiffs.

Could a similar case have been brought against the Gardner trustees? Certainly it could have done once the Trustee Investment Act 1961 had been passed, with an increasing likelihood of success as time went on. Realistically, however, the only candidate for bringing such a case would not have been one of the beneficiaries, but a trustee who disagreed with the majority opinion of his co-trustees. This was never on the cards and in any event the damage had by then been done.

5.6 Comparative values of Gardner's Trust and the Cecilia Charity

In order to understand better the importance of the investment strategy adopted by Gardner's Trust and the Cecilia Charity, it is constructive to consider the growth in the value of each from their respective inceptions until their merger in 2009.

5.6.1 Cecilia Charity

The first surviving balance sheet for Cecilia identified is for the year ending 31 December 1928, when the assets of the charity are shown as a little over £11,000, comprising a property lease on 111 Abbey Road (with a written down value of £1,100) and the balance in cash and investments. However, it is known that the charity received its first **major** legacy (of £5,500) in 1902 and a further £3,000 in 1908 and it is likely that it had some reserves (perhaps £1,000) prior to this. Taking into account accumulated interest this is reasonably consistent with the Abbey Road lease purchase cost of around £1,500 and total assets of £11,000 for 1928, in which year it received a bequest of £5,000.

The growth of the value in reserves of Cecilia between 1900 and 2009, which includes the further legacies already mentioned, would then be as shown in the Chart 5.2. In and of itself this reveals the benefit the charity received from its investment in freehold property in 1945 (admittedly by default as a result of its 'amalgamation') and the adoption of an equity biased investment strategy following the sale of the Hanger Lane property no later than 1982 (and probably somewhat earlier). The relatively slow increase in the value of the Hanger Lane property in the years immediately after the Second World War is a result of its inclusion in the accounts at historic cost rather than market value. The end of the war also saw the write-down of the fixed income investments that Cecilia had by then held for some time.

5.6.2 Gardner's Trust

Detailed financial accounts for Gardner's Trust, including balance sheets, are available for almost every year since its inception to the present, so tracking the changes in the value of its assets under management is straightforward. It needs to be recognised that

from an early stage these assets comprised not only those relating to the original bequest, but also subsequent bequests, although in aggregate these did not become material until the Beaumont bequest was received in 1977, following which the trustees finally decided to invest part of the assets in equities. The growth in the nominal value of the funds under management is shown in Chart 5.3.

5.6.3 Comparative position

The material contribution of the funds previously held by the Cecilia Charity at the time of the merger in 2009 can clearly be seen in the Chart 5.4. It may be considered ironic that the importance of the Cecilia contribution arose not from a proactive decision to invest in real estate at the end of World War Two, but because of the inability of its committee to sustain an independent existence – buying the Hanger Lane property was effectively an admission of defeat when most of the rest of the country was experiencing a victory.

Chart 5.4 has been prepared on the basis of nominal values. Had real (inflation adjusted) values been used the result would, of course, have shown diminishing values over time, even taking into account the Cecilia contribution. This is demonstrated in the Chart 5.5.

Chart 5.2: Cecilia Charity for the Blind: growth in nominal value, 1900-2010

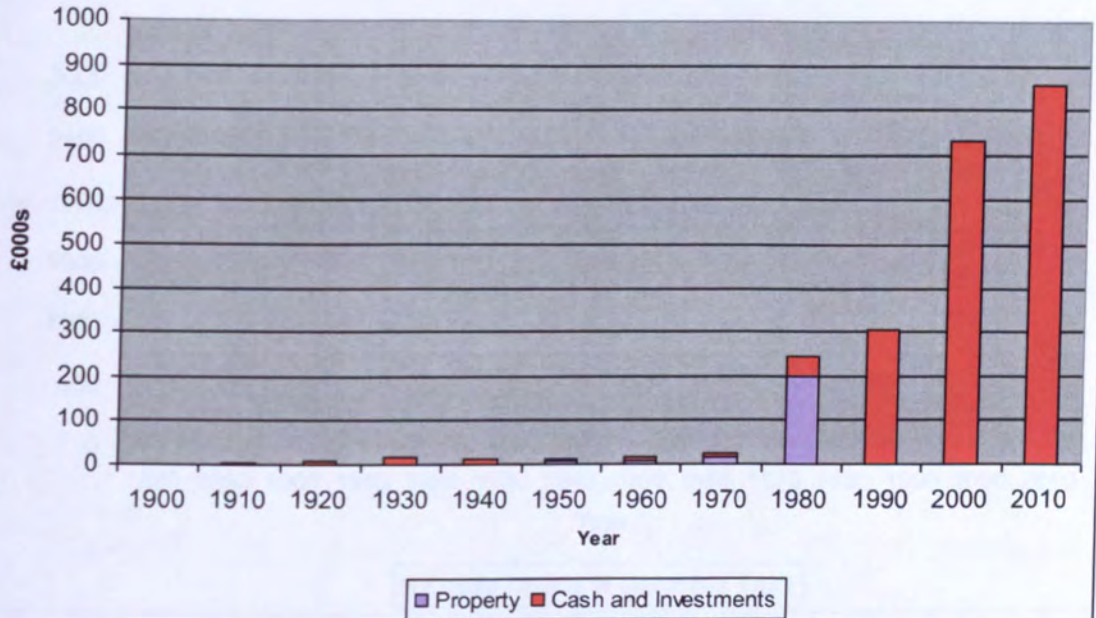


Chart 5.3: Gardner's Trust for the Blind: growth in nominal value, 1880-2010

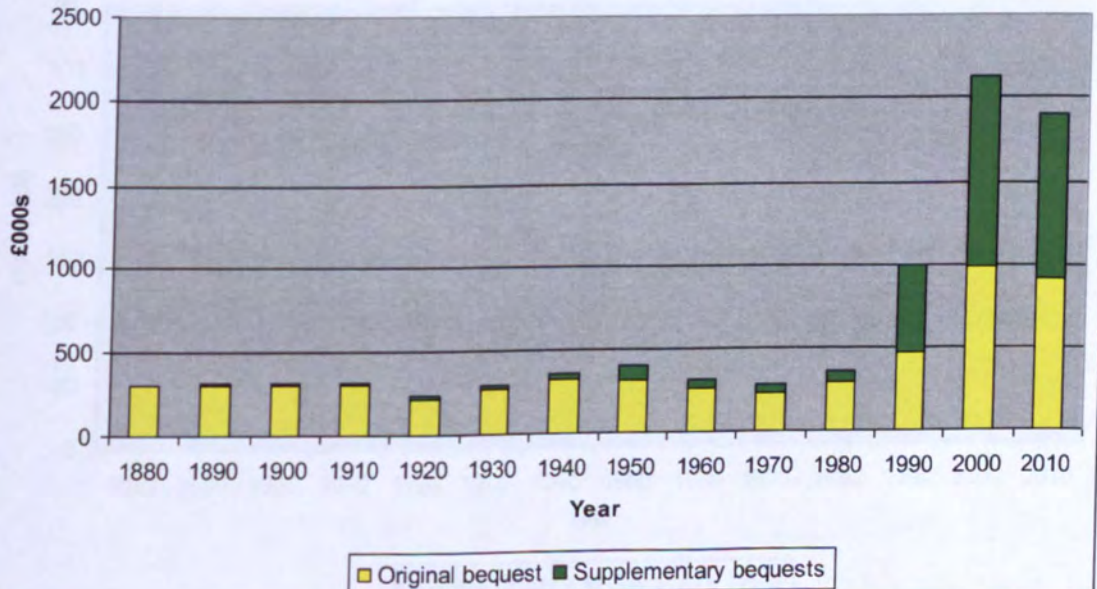


Chart 5.4: Cecilia Charity and Gardner's Trust: relative growth in nominal value

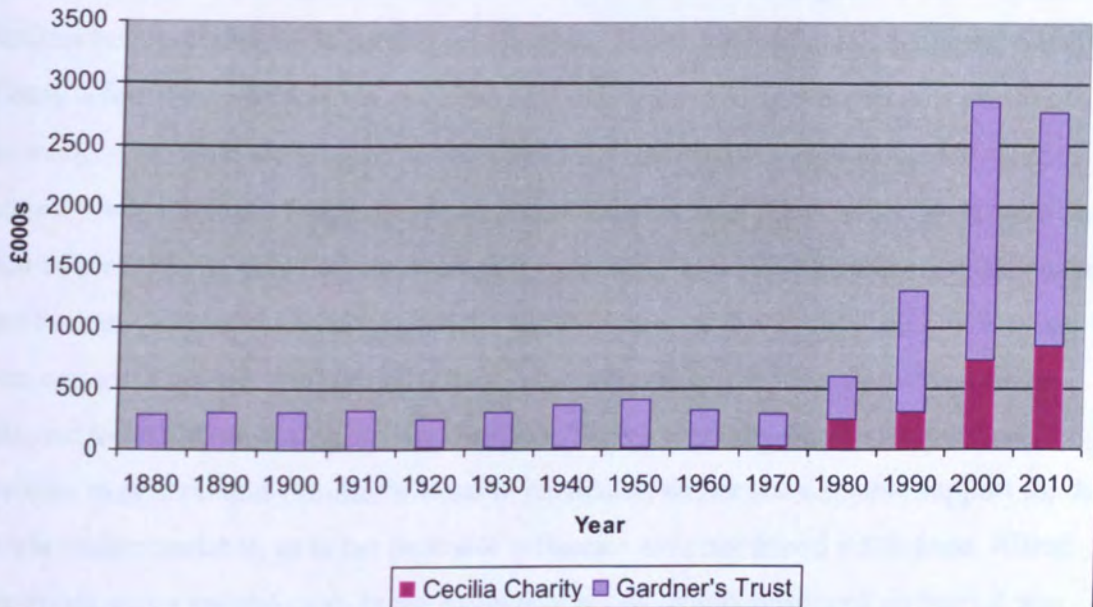
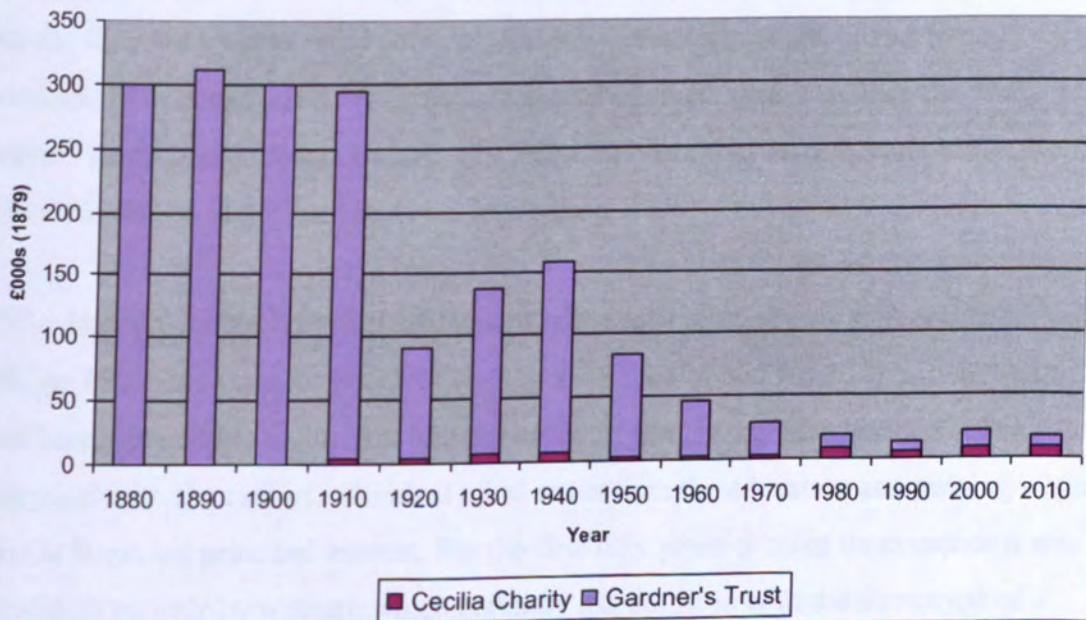


Chart 5.5: Cecilia Charity and Gardner's Trust: decline in aggregate real value



5.7 *Summary of chapter research answers*

A consideration of the legacies left to the Gardner trustees subsequent to the original Gardner bequest leads us to certain conclusions. The number of small bequests, usually of only a few thousand pounds, may indicate that many people who became aware of the work of the trust were happy to remember it in their wills, often alongside other better known charities. These people included employees of the trust and those who had been educated by it, or who had received its pensions, as well as third parties. However, the Gardner trustees never advertised for such bequests and why they did not do so on even a modest scale is hard to understand, notwithstanding the fact that it was never intended to be a fund raising charity. Beatrice Taylor was very familiar with blind charities in general and Gardner's Trust in particular, so her considerable support for the trust is understandable, as is her probable influence over her friend Edith Lord. Alfred Beaumont was a special case. In the event that his daughters produced no heirs it was natural, when he drew up his will, that he should have considered Gardner's Trust as the sensible beneficiary of his residual estate. As Beaumont's death approached, he would have been aware that what he must then have considered an unlikely event was increasingly certain. The Charity Commissioners and the Public Trustee clearly thought that the Gardner trustees were doing a good job in the early years, but with the precedent of Joanna Rashdale's Charity established, there is no evidence that they directed further funds towards Gardner's Trust and they may have become disillusioned with the inability of the trust to move forwards.

Whilst Henry Gardner was well acquainted with many charities for the blind, what was then the Phoenix Home for Blind Women in St. John's Wood would almost certainly have been beneath his notice, not only by virtue of its size, but also because it was concerned with the care of individual blind rather than the education and training of the blind at large, his principal interest. For the first fifty years or so of its existence it was run almost entirely by women, which certainly did not fit in with the stereotype of a committee for a blind charity in Victorian times. Of course it was a charity for women founded by a woman, Maria Jamson, who had clearly been strong-willed, but the fact that it continued after her death demonstrates that women were perfectly capable of running charities when given the opportunity. It was also a middle class charity, despite a few names on the notepaper from the aristocracy and occasional benefactions from

them. While the First World War caused problems for Cecilia as it did for Gardner's, the Blind Persons Act 1920 had a more significant impact. Thereafter local authorities had a clear responsibility for providing residential homes for the blind and although they were often happy to work through independent charities that retained considerable autonomy, Cecilia simply did not have the critical mass. The Second World War may have been the proximate cause for the closure of the old Cecilia Home, but in fact this was inevitable. The agreement to invest the charity's money largely in real estate for the benefit of the Middlesex Association for the Blind was entirely fortuitous, although it is less clear why the Hanger Lane property was never properly maintained. It is just possible that its owners may have been concerned it would eventually be demolished and any expenditure incurred for this purpose would not be recovered. Notwithstanding this and the planning blight that surrounded the Hanger Lane area for many years, the charity was invested mainly in property at a time when inflation was again eating into the value of fixed interest investments, just as it had during the First and Second World Wars. Just as importantly, the committee of Cecilia adopted an investment strategy including equities after (or perhaps a little before) the sale of Hanger Lane. Although Cecilia reconstituted itself as a grant giving charity, the committee had no previous experience of this and their hearts never seem to have been in the new task they set themselves. The adoption of Cecilia by the Gardner's trustees was completely fortuitous and the effective merger of the two charities thereafter inevitable.

The impact on Gardner's Trust of the inflation that occurred in the 1910s and 1940s is readily observable in at least two respects. First, since the investments of the trust were held entirely in fixed income securities, the market value of these fell during the associated periods of high interest rates and the purchasing power of the trust's income from investments declined. The purchasing power of the pensions payable by the trust also declined, by two-thirds between 1890 and 1958, despite increases in the nominal value of those pensions (funded in part by a decrease in the number of pensions provided). There was a concomitant decline in the value of grants. As has been seen, it would be unfair to have expected the trustees to have invested in real estate or equities during this period, but those charities that were invested in real estate by virtue of their objects (such as Cecilia later) or their original endowments (such as the Peabody Trust) enjoyed not only rising asset values, but also increasing rents. For the Gardner trustees to have contemplated a complete change to their objects and invested their remaining

funds in property for the benefit of the blind would have been heroic, but was never on the cards. None of them probably knew of Robert and Maria Louisa Richardson-Gardner's attempts to invest Henry Gardner's bequest in property in Windsor, but had they done so the irony of what would have been a superior investment strategy would not have been lost on them.

It should not be imagined that Gardner's Trust was the only charity to suffer poor investment performance from the onset of World War One. Under the terms of the Chancery approved settlement of 1904 applicable to the trust set up by Robert Arthington on his death in 1900 that only came into effect in 1910, two missionary charities were to expend an initial total of £840,000 within a period of 25 years, which at first seemed a tall order. In fact, the investment performance was so poor that they achieved their goals two years early.⁴⁴⁴

From 1881 to 1961 the investment strategy adopted by the Gardner trustees and committee was understandable. Things would have been very different had Henry Gardner been more imaginative in setting up the way his trust was able to invest and why he did not follow his own instincts in specifically permitting property and other investments cannot be known. It is just possible that his legal advisers, Western & Sons, may have taken a more strict view of the limitations of the Mortmain Acts than some of their contemporaries. Had Robert and Maria Louisa Richardson-Gardner succeeded in their proposal for building a Gardner Institute in Windsor the outcome would also have been very different, even if only part of the bequest had been used for this purpose. As it was the constraints imposed by the relevant legislation meant that a loss in the economic influence of the trust was inevitable should there be significant bouts of monetary inflation, as was indeed the case in the 1910s and 1940s. After 1961, with the passage of the Trustee Investment Act of that year, the pain was entirely self-inflicted. Robert Lindsay Loyd was undoubtedly a brave soldier and of strong character, but his perverse view of the duties of the Gardner trustees as having no responsibility for maintaining the real value of the trust was at best misguided and at worse foolish. The further serious bout of inflation that occurred in the 1970s and persisted at a lower level thereafter completed the value destruction that had been started during two World Wars and their aftermaths.

There can be no question that the committee members of Gardner's Trust were of at least average intelligence and exercised their duties diligently, but they were unable to confront inflation during the first half of the twentieth century and unwilling to do so during the crucial early decades of the second half. Arguably by this stage it did not really matter, it was only a question of the relative level of obscurity to which the trust would sink. The committee of the Cecilia Charity were faced with a different sort of problem, although the twin issues of legislative change and monetary inflation between the charity's formation and the end of World War Two were also largely responsible – it simply did not have critical mass to survive as an independent entity. Unlike Gardner's, which still controlled meaningful funds, it had only a tiny endowment and it was pure luck that this became invested in the fasted growing asset class of the second half of the twentieth century, real property.

In estimating what the value of Gardner's Trust would have to be today for it to have an economic influence similar to that at the time of its foundation, figures have been arrived at between approximately £30 million and £380 million. At the higher end of this range this would still represent a charity with a sizeable endowment by today's standards, but the world has changed dramatically and a general charity for the blind would be hard pressed to utilise all its income even along the liberal lines adopted by the present committee (in comparison the RNIB's working funds today amount to some £20 million). To make a real impact on any area where the scale of the problem is comparable to that of the blind in 1879, for example the elimination of malaria, far larger sums in the billions of pounds are required, as in the charitable foundation endowed by Bill Gates and Warren Buffet. In 1879 the grounds for Henry Gardner's decision to set up a new charity rather than use existing ones were debateable, but defensible – they would not be today.

Capt. A. P. S. Beaumont, J.P.

Illustration 6.1: Henry Josiah Wilson
(source: *Manchester Conference Proceedings*)

Illustration 6.2: Alfred Philip Slade Beaumont
(source: *Hampshire in the Twentieth Century*)

Illustration 6.3: Bishop John Jackson
(source: Gardner's Trust Archive, LMA)

Illustration 6.4: 10th Lord Kinnaird
(source: Gardner's Trust Archive, LMA)

CHAPTER 6

Conclusions and lessons from a micro-history

In the preceding chapters numerous questions have been posed and answered, most quite specific to Henry Gardner's Trust for the Blind and the Cecilia Charity for the Blind. In some cases the answers have led to more general conclusions with respect to Victorian philanthropy at large and charities for the benefit of the blind in particular. For example, it has been concluded that the principal external factors influencing the performance and influence of Gardner's Trust were the successive waves of legislative change between 1893 and 1944 and the prevalence of monetary inflation throughout the twentieth century (compared to net deflation in the nineteenth). These would have had a similar impact on many other charities. The main internal constraints on the trust's performance were the way in which its objects were originally framed and the succession of establishment figures comprising its management committee – as has been seen radical figures did sometimes achieve positions of influence in even well established charities for the blind, but not in Gardner's Trust. In this concluding chapter the more general lessons learned will be drawn together and an attempt made to place them in a broader philanthropic and social context, addressing some of the behavioural stereotypes that have been described by previous writers on the subject. Before proceeding to a final judgement on Gardner's Trust we will address five additional questions that bear on these broader issues.

- In an increasingly secular society, what was the level of the traditional Christian influence on Gardner's Trust, both initially and as it developed?
- Henry Gardner was clearly a philanthropist, was he also a reformer?
- Stereotypes can be easy to describe, but hard to use as templates in the real world. How did Henry Gardner match up to one stereotype in particular?
- The management committee of the trust imposed its principles on many of the institutions with which it came into contact, but did it educate the public at large about the problem of the blind?
- The trust would never have come into existence without Henry Gardner's munificent bequest, but was it possible for such bequests also ultimately to prove to be liabilities?

- The several areas of legislation affecting charities in general and charities for the blind in particular have been analysed in detail, but were there one or more that had an especially important impact on the trust?

6.1 Secular and Christian charity

The gradual secularisation of charitable activity from the Middle Ages onwards has been commented upon by previous researchers.⁴⁴⁵ Revolution did not fill the air in nineteenth century Britain to the same extent it had in the eighteenth, but the memory of the Chartists was strong and Victoria, Queen and Empress, was not loved universally throughout her long reign, particularly after the death of the Prince Consort in 1861 and her increasing isolation thereafter. It is hard to believe that the better educated classes did not understand at least intuitively that there might be a positive correlation between philanthropy and a reduced risk of popular unrest – to an extent the motivation of philanthropists had mutated from ‘save our souls’ to ‘save our society’. Yet there was no great demand from the public for philanthropy. As a leader writer for the *Spectator* put it in 1883: ‘... opinion hardly presses on the rich; there is no “feeling”, as in America, that a millionaire should do something for the public, and we very much doubt if legacies to charities excite any great respect.’⁴⁴⁶ The writer had a short memory. Henry Gardner’s bequest of only four years earlier had generated a great deal of interest, at least initially.

At no stage in England during the Victorian period was Christian thought entirely absent from large scale bequests to charities, but it was not unknown for religion to be marginalised. Henry Gardner fits into this pattern of secularisation in two ways. First, the preamble to his will contains no prefatory statement, as was still common at that time, of his belief in God and desire to commit his body and soul to His safe-keeping. Consistent with this is the lack of any religious constraint on his executors and trustees as to the disposition of his bequests to the blind. In addition, there is no circumstantial evidence of his involvement with any organised aspect of the church, although it would not have been uncommon for a liveryman to have been a churchwarden or sidesman of one of the many churches in the City. There is no evidence to suggest that Henry thought his bequest would be a shortcut to salvation and his lack of interest in publicity

during his life suggests that he was not even particularly concerned with being seen to comply with the social norm of the wealthy giving to charity.

There is, however, one related question that needs to be answered, which is why Henry appointed the holder of the office of Bishop of London at the time of his death as one of the initial members of the committee of management of Gardner's Trust. In seeking to answer this, it may well be relevant that Henry did not seek to impose future Bishops of London (or elsewhere) as members of the committee. Thus it is quite possible that John Jackson was appointed for his personal qualities (or, less likely, because he was President of the Charity Organisation Society) rather than because of any religious direction he might provide.

In considering the detailed proposal to the court of Maria Louisa Richardson-Gardner for the disposition of her father's bequest, it is even possible that her attempt to introduce a religious test into the Scheme ('That all pupils admitted into the "Gardner Musical Institute for the Blind" must conform to the services of the Established Church') acted against her. Maria Louisa also desired that the appointment of a Bishop should be enshrined in the Scheme, although that of the diocese in which the new institute was to be located rather than of London. It is just possible that this may have been brought about by antagonism towards Jackson, who by the time of her submission has declared his hand against the proposal for a new institute, but more likely that it was again an attempt to consolidate local interests in and around Windsor.

The declining contribution of successive clerical members of the management committee has already been described. After the resignation of the last of these in 1897, less than twenty years after the establishment of the trust, there was no attempt by successive committees to reintroduce a clerical element to the committee and the process of secularisation was complete.

6.2 Philanthropist and reformer

A distinction has been drawn between the philanthropist 'who alleviates misery by distributing his own money' and the reformer 'who pursues the same objective by campaigning to redistribute other people's money'.⁴⁴⁷ Henry Gardner was very clearly a

philanthropist rather than a reformer. Even before his death he had made substantial donations to the Royal Normal College and other institutions for the blind, as well as distributing 'doles' of coins directly to blind beggars, which would not have endeared him to the civil authorities or to the Charity Organisation Society.

Notwithstanding the implied criticism of some of his actions, by no later than 1872 Henry Gardner had come into contact with Thomas Rhodes Armitage and Francis Joseph Campbell, both of whom were very much in the reformer category. No description of the first meeting between Henry and Campbell has been discovered, but it was considered to be of sufficient importance that, many years later, when Campbell's son, Charles Francis Faulkner Campbell, was urging that a biography of his father should be written, he specifically suggested that it should include a description of this meeting.⁴⁴⁸

It would be hard to identify any two people in England during the 1870s who had more knowledge of the blind than Armitage and Campbell, especially in the training and education of the blind. Also, they were both blind themselves and thus had a certain amount of empathy from the public and the court when they later came up against Robert and Maria Louisa Richardson-Gardner. Whilst Henry undoubtedly seems to have been influenced by Armitage and Campbell, the extent is open to question. Armitage is on record as having said that he did not approve of substantial endowments for schools of any type, thus ensuring that their managements continually strove for relevance and excellence to justify the continued support of patrons. Counter-intuitively, it is just possible that he *dissuaded* Henry from leaving a large capital sum to the RNC (and Worcester College). This hypothesis would be easier to substantiate if Henry had specifically suggested that the educational grants established under his will should be payable to colleges such as the RNC. The absence of such a clause is much harder to understand and may go back to the 'outs & ins' of his relationship with the RNC alluded to by Lady Isabelle Lowther.

Henry's failure to appoint Campbell as a member of his proposed management committee is also just about understandable, given his close identification with the RNC. Why he also ignored Armitage, who had much broader interests, is more difficult to understand. Again the possibility of some difference of opinion may be hinted at,

substantiated by the fact the Armitage's British and Foreign Blind Association did not receive one of the specific bequests of £10,000 to charities for the blind directed under Henry's will. On the other hand Henry also failed to appoint any of the leading lights of the charities to whom he did leave such bequests, notably the Rev. B.G. Johns and Dr. E.C. Johnson, both of the School for the Indigent Blind at Southwark and of whom the latter was particularly known for a broad range of interests in the welfare of the blind, or Elizabeth Gilbert of the Association for Promoting the General Welfare of the Blind (who was also blind and generally in poor health).

Although the scale of Henry Gardner's philanthropy is clearly demonstrable, it did not involve him in any great self-sacrifice, unless it contributed to a possible deterioration in his relationship with his daughter and son-in-law prior to his death. His *ante mortem* donations were generous, but can scarcely have amounted to more than a few thousand pounds in aggregate, paling into insignificance against his estate of some £700,000. Again a contrast can be drawn with Armitage, who made a point of using a substantial portion of his wealth to support his charitable efforts while he was still alive. In this sense Armitage was both reformer and philanthropist.

Finally, while Henry remained active after the sale of the Cannon Brewery, he was not one of those businessmen who thereafter devoted himself to charitable activity and organisation. In fact his chief charitable activity, Mastership of the Vintners' Company, had occurred even before the brewery sale and his only formal appointment at the time of his death seems to have been his trusteeship of the County Fire Office.

6.3 'Childlessness, bachelorhood and widowhood'

The prevalence of recurring themes in the personal circumstances of philanthropists has been pointed out by both Owen and Harrison, of whom the latter summarised the chief characterisations as 'childlessness, bachelorhood and widowhood'.^{449,450}

Henry Gardner had been a widower for a decade by the time of his death in 1879, so in principle his status fits this characterisation. However, it seems likely that his mistress was present at his death and some consideration needs to be given as to whether her existence would have served as a substitute in this context. On balance the arguments

seem to be against this. Henry was perfectly free to remarry and there is no reason to suppose that he was dissatisfied with the informal arrangements into which he had entered. Even before he drew up the codicil to his will in 1877, he had transferred a house and a large amount of investments into the name of his mistress and she also received a large annuity under this codicil.⁴⁵¹ Although on a different scale, Henry's treatment of his mistress seems to have been more like that of a faithful retainer (several of whom also benefited under Henry's will) rather than a surrogate wife.

At first sight bachelorhood here seems irrelevant, but even while his wife was alive it is possible that his lifestyle was more akin to that of a bachelor than a husband or father. Henry and his wife were not together on the nights of the censuses of 1851, 1861 or 1871 and the terms of his will suggest that he may have had at least one mistress before Emily Powell. His only daughter, Maria Louisa, was married by 1854 and there is no evidence of him having a close relationship with her after (or even before) her marriage, despite the fact that she claimed to 'know his mind' regarding the use of his bequest for the blind. Psychologically, Henry Gardner was probably closer to being a bachelor than might first be apparent.

In the strict sense childlessness is also inapplicable, but here again the specific circumstances of the situation must be examined. Both of Henry's younger brothers had died without surviving issue and had entrusted him with their estates, part outright and part effectively as trustee on behalf of their only niece (who had made a good remarriage after the death of her first husband) and her heirs (of whom there was, in fact, only one by the time of Henry's death, his great nephew Alfred Philip Slade Beaumont). This left only one child to consider, Henry's daughter, Maria Louisa. The sale by the Gardner brothers of the Cannon Brewery in 1863 may have been for entirely financial reasons, but in practice must also have recognised that there was no male Gardner heir to carry on the business. Also by that time Maria Louisa's doubtlessly generous marriage settlement had long been negotiated. In fact it is known that Henry later transferred further assets into Maria Louisa's name, including the Gardner Cottages at Windsor, which were erected at Henry's expense. It is also possible that Henry contributed to the cost of Cowley Manor, bought by Robert and/or Maria Louisa in 1874 – when the inventory of Henry's estate was compiled on his death the executors (of whom Beaumont was one) were asked by him to confirm formally that Henry had

no interest in Cowley Manor or the Gardner Cottages at the time of his death. Robert Richardson-Gardner claimed that Henry thought of him as a son, but there is no evidence to support this and some to the contrary. Despite Robert having been appointed as a trustee under the will of William Gardner, Henry did not do the same and did not even nominate him as a member of the Gardner's Trust management committee. As a son-in-law Henry might have considered at least the latter step, but it was not until after Henry's death that Robert took any noticeable interest in the blind. Exactly how much Henry knew of the less salubrious aspects of his son-in-law's past by the time he drew up his will is unclear, but the highly critical summing up by Baron Bramwell to the Windsor election assize and the Junior Carlton Club expulsion would have been public knowledge and both the earlier Garibaldi and billiard room incidents had been alluded to in the press. By this stage the damage of Maria Louisa's choice of husband had been done (although she may well not have seen it that way). Leaving them entirely out of his will could have had dangerous consequences if they challenged it successfully, but the relative amounts he left to them, the other specific beneficiaries and his new trust were almost certainly carefully measured. To all practical intents and purposes he was childless and there is no evidence to support a contention that he left his money largely to the blind to spite his family.

6.4 Education of the public

It is legitimate to ask whether the trust made any contribution to the education of the general public on the problem of the blind.

The Scheme and Declaration of Trust approved by the Court provided the trustees with a clear mandate and during the two years of the Chancery case the trustees would inevitably have become very familiar with the nature and scale of the problem of the blind. The initial trustees and their successors were also, on the whole, intelligent men with wide experience of business or public service, but they had a very narrow vision beyond the strict wording of the trust declaration. Most of them also had their finger in a wide variety of pies – some commercial and some charitable – they were not committed to the trust in an evangelical sense and it was not their sole focus.

Whereas many charity reformers saw the importance of involving the public at large in their desire for change, this was not the case with either Henry Gardner or his trustees. It would be hard to argue that the trustees were complacent – they met frequently, dispersed the trust's income as required and ensured that their affairs were kept in order. At the outset they also had no reason to suppose that the initial amount of the endowment would be inadequate for the demands likely to be placed upon them, although they may have been surprised by the high number of pension applications. Yet the charge is not one of complacency, it is of their failure to reassess realistically their objectives.

In practice this can be explained in part by what must have been the traumatic aftermath of the court case, but as time went on and new blood was brought into the management committee there can be less excuse for a failure to undertake a critical reassessment of the trust's objectives and the means for achieving them. By 1900 the scale of the changes to the social, political and legislative environments were already beginning to become clear; by 1920 they were overwhelming.

It is not as though other workers on behalf of the blind had been unhappy to engage in public debate and public education for many years – one has only to recall the debates in the letters pages of *The Times* in 1865, 1868, 1870-2 and 1879. Not all of the protagonists had seen the results achieved that they had hoped for, or expected, but the importance of these debates in, for example, justifying the formation of the RNC as well as Worcester College and settling on Braille as the preferred typeface for the blind was incontrovertible. In the 1890s Gardner's Trust did submit evidence to the Royal Commission through its secretary and Bishop Temple, but this was almost entirely limited to the provision of facts and experiences, rather than the making of recommendations. In the early years of the twentieth century they were all but silent, while a new generation of activists with very different backgrounds, such as Ben Purse of the National League of the Blind, spoke and wrote on the subject with increasing influence. The successive chairmen of Gardner's Trust were all competent, but none had the energy of Sir Arthur Pearson as President of what had by then transformed from the British and Foreign Blind Association to the National Institute for the Blind.

Between the formation of Gardner's Trust and 1920, when the Blind Persons Act was passed, a wide range of individuals and institutions campaigned loudly to make the general public more aware of the challenges of blindness and to integrate the blind more fully into society and improve their lives. Other than through Henry Wilson, their secretary, acting in a private capacity, Gardner's Trust was virtually silent throughout. The management committee of Gardner's Trust may have been correct in trying to sustain a neutral position on controversial aspects of blind charity, but they carried this to extremes.

Other than the relatively small proportion of the deserving and respectable blind who benefited directly from Gardner's Trust grants, pensions and scholarships, and who undoubtedly approved of its activities (unless their applications were declined), the trust was never widely known to the general public, not least because it never undertook public fund raising. To other institutions for the blind its control of the strings to a substantial purse meant that it was seldom criticised and there were certainly aspects of its, or more accurately of its first secretary's, work that were admired. There were certainly institutions that expressed disappointment at its narrow vision of its own responsibilities. From the outset the Charity Organisation Society felt that the trust should have taken on a central coordination role. The usually selfishly-motivated Robert Richardson-Gardner argued unsuccessfully that it should organise a Central Depot, where it is hard to see what his own gain might have been. At different times Worcester College, the Royal Normal College and Chorleywood College all asked for, and were refused, management support and on more than one occasion the trust was asked to help organise a central register of the blind, which it declined to do.

Subjects which did exercise the management committee, such as the refusal of certain bishops to ordain blind candidates for the priesthood and the inclination of blind people to intermarry (of which the trustees strongly disapproved), would now seem of lesser relative importance. In essence they never saw themselves as having a public role with respect to either education or coordination.

6.5 *The importance of the endowment*

The contrast between ‘voluntary’ (fund-raising) and endowed (non fund-raising) charities has been mentioned, as has the fact that the Cecilia Charity for the Blind and Gardner’s Trust provide almost ideal examples of each. On first analysis the existence of the Gardner endowment would seem critical to its early success and this is hard to refute, but is there scope for an alternative view?

As has already been seen, Dr. Thomas Rhodes Armitage was of the firm view that schools for the blind, in particular, should not be richly endowed, although he seems to have been more open minded on the endowment of trusts for the provision of scholarships at whatever happened to be the best such schools at any time. He also understood that there was a strong case for the building of workshops for the blind and the training of the management of such workshops. As such he was not against the court’s agreed objects for Gardner’s Trust, but had he lived beyond 1890 he might have been one of the first to spot the problems ahead.

For the purpose of this analysis it will be taken as a given that the Gardner trustees, and many others in a similar position, were unable to invest in ‘real’ assets until the 1970s. Given this, the charities that may have done best in the predominantly inflationary environment between 1914 and the close of the twentieth century were, paradoxically, those that were not significantly endowed. Over time the same amount of effort in seeking donations and subscriptions is likely to have succeeded in raising an increasing amount as inflation boosted salaries (albeit with some lag behind prices), on the basis that donors are inclined to give a proportion of their total income or savings to charity, rather than a fixed monetary amount. Thus, at the end of an inflationary period, the income of a ‘voluntary’ (unfunded) charity will be likely to have remained roughly constant in real terms, while that of a non fund-raising, endowed charity invested in nominal investments will have fallen. This will be noticeable, for example, by the increased proportion of the charity’s income that has to be spent on non-productive administration, the extent of which has already been seen in the case of Gardner’s Trust. A classic example of this effect is provided by the British and Foreign Blind Association. Following its formation by Thomas Armitage in 1868 it led a hand to mouth existence, but under Sir Arthur Pearson, who became President of what was by

then the National Institute for the Blind in 1914, it increased its annual income from £8,000 to £360,000 in only eight years. Today the investment funds of the RNIB amount to some £28 million, far in excess of the investment funds of Gardner's Trust. Ironically Henry Wilson was a willing supporter of what were then the NIB's attempts to take on the coordination role for fund raising that placed it in such a powerful position.

Strictly speaking it was not the existence of the initial endowment that led to the decline of Gardner's Trust, it was the inability of the trustees to see that it would need to be supplemented if the relative scale of the trust's activities were to be maintained. Even if ongoing fund-raising from the public, such as undertaken by the NIB, had been eschewed, the windfall bequests from Edith Lord, Beatrice Taylor and others could have been held up to the *nouveau riche* of the twentieth century as a pattern for emulation.

Notwithstanding the Mortmain Acts there were some charities that did hold property for operational reasons. Unless this property generated surplus income, the benefits that such ownership would have conferred would have been limited to controlling what would otherwise have been the rental element of costs. However, there is a final irony in Robert Richardson-Gardner's proposal for a new institute for the blind at Windsor having been turned down by the executors of Henry's will and the courts. Had the institute been built in Windsor or Eton, the trustees would almost certainly have purchased freehold land on which to build it. The value of this land may well have been greater today than the relatively small remaining size of the trust, particularly if the current value is adjusted for the other significant bequests that have been received over the years.

Was the size of the original bequest a burden? Probably it was. At least one contemporary observer felt its munificence might discourage further bequests to the blind and even if this concern did not materialise there was no doubt that the early trustees felt it would always be sufficient for their purpose. With the increasing intervention of the State they were right – at least until 1914.

6.6 State intervention and decline

‘Even when laws have been written down, they ought not always to remain unaltered.’⁴⁵² The governments of Victoria and her successors certainly took Aristotle’s maxim to heart. Here the legislative changes that influenced the ability of the trust to achieve its objects will be recapitulated and the question asked if its ultimate decline was inevitable. In earlier chapters the dramatic changes to the socio-politico-legislative framework in which Gardner’s Trust operated were examined in detail. Some of these had an almost equal impact on all types of charitable activity and its associated philanthropy, such as the Mortmain Acts, the Married Women’s Property Acts, the Succession Act and, much later, the Trustee Investment Act. The first three of these influenced the way, directly or indirectly, in which trusts might be set up and trustees operated, but had little impact on the behaviour of trustees once trusts were in existence, even when such laws were modified. The various Trustee Acts did have some influence on the way trustees behaved, but their impact on the development of Gardner’s Trust was not significant. Another category entirely was comprised by the various Education Acts passed between 1890 and 1944, some of which applied generally and some only to children who were blind or deaf. These did have an impact on how the trust could legitimately disperse its funds and, by and large, added to a problem faced by the trustees from the outset of having to avoid ‘relieving the rates’.

By far the most important legislative change, however, was the Blind Persons Act of 1920. Old Age Pensions had been introduced in 1908, but the 1920 Act reduced the age at which blind people became entitled to them and placed specific responsibilities for the welfare of the blind on Local Authorities. Whereas previous relevant legislation had tended to treat the blind and the deaf in a similar manner, this took the blind alone to a new and unique level of privilege. Charities for the blind had never been entirely typical of charities as a whole, not least because of the innate special position in which the blind were held by society, but now this ‘specialness’ was enshrined in legislation. The inevitable consequence was that most charities for the blind had to reassess either their objects, or how they achieved them. Once again voluntary charities found themselves with a certain amount of flexibility – even the tiny Cecilia Charity developed a new and reasonably successful *modus operandi*. Those endowed charities with very specific objects again found themselves in a corner, none more so than Gardner’s Trust. Of

course those who had lobbied so loudly for State intervention, such as Purse and Pearson, could only have considered the passage of the Act a great success. Yet there were also some who lobbied against increased State intervention (the COS had even railed against the introduction of Old Age Pensions), feeling that the charitable sector was better placed than the State to discriminate between the truly needy and those who could earn a living wage if pushed, but to be fair there is no evidence to suggest that the Gardner trustees formed part of this latter group. Legislation relevant to the welfare of the blind continued to be enacted in the three decades following the Blind Persons Act 1920, including the Blind Persons Act 1938, but at the end of this period the tide turned. The National Insurance Act 1946 and the National Assistance Act 1948 effectively removed the blind from the position of privilege they had enjoyed among the disabled and added to the momentum of their disappearance as a distinct social class.

Although the process was by no means over at the end of the Victorian period, the role of charitable organisations in righting social wrongs was, by then, definitely diminishing. The middle and wealthy classes could still give freely to charity and this continued to be encouraged, but in England at least that particular 'Golden Age' had now passed and the State was expected to take an increasingly role in terms of both coordination and funding. Of course the economic contribution of charities of all types continued at a high level beyond the end of the Victorian age and still does. In the case of charities for the blind, grants and pensions were now directed at improving the lot of beneficiaries beyond the basic level provided by the State, rather than bringing them up to a subsistence level. In the case of Chorleywood College, for example, one grant was made for providing for an overseas trip – a far cry from the early days of the trust, when a grant to the Royal Normal College would have been for the food and clothing of the pupils.

In retrospect 1920 could have been a tipping point for the trustees. Recognition of the rapidly changing world and the dangers of the inflation that had begun to bite by 1914 (although by then partially offset by beginnings of post World War One deflation) could have led to an appeal for a change of objects that most likely would have been heard sympathetically by the Charity Commissioners. The doctrine of *cy-près* had always been available to trustees who found themselves in a difficult position and the failure of the Gardner trustees to attempt this is now hard to understand. Would Henry Gardner

have written his will in the same way in 1920 as he had done in 1876? The answer cannot have been yes and, as such, the reluctance of the trustees to address this question is tough to fathom. A possible answer is that even by 1920 two of the members of the management committee were still among Henry's original nominees – the 11th Lord Kinnaird and Arthur Beaumont – and, even at this distance of time from the trust's formation, were anxious to avoid reopening old wounds. Also, Henry Wilson was still secretary and undoubtedly wielded significant influence. It was never likely that Gardner's Trust would reinvent itself and it should be no surprise that it did not.

6.7 Further research opportunities

In the course of this thesis certain topics have been noted as offering the potential for further fruitful research. It may be convenient to summarise and expand the list.

- **Individuals.** (1) It seems unlikely that significant amounts of additional biographical information about Henry Gardner and his blood relations will come to light, but it turns out that a large amount of material is available on his son-in-law, Colonel Robert Richardson-Gardner, DL, FSA, sometime Member of Parliament for the Royal Borough of Windsor and Eton. A biographical sketch of Richardson-Gardner would be of interest on both a local basis and to historians of the Conservative Party. (2) The other individual of whom study could prove worthwhile is William Martin Wilkinson, of the Charity Organisation Society, which might usefully be combined with an analysis of the interaction of scientific philanthropy and Swedenborgianism.
- **Gardner Pensioners.** The annual reports for Gardner's Trust published between 1891 and 1973 contain complete lists of all Gardner's Trust pensioners, together with their addresses. Analysis of the lists for 1891, 1901 and 1911 could be matched to the censuses of these years and thereby throw some light on the personal circumstances of these individuals (for example their employment, if any, and whether this changed), which might also shed light on how the Gardner management committee determined whether recipients would be elected at the rate of £10, £15, or £20 p.a.⁴⁵³
- **Institutions.** (1) It has been pointed out that inflation would have had a dramatic and adverse impact on any endowed charity from the outset of World War I onwards. Identifying one or more such charities with surviving financial records

and carrying out an analysis of such records would enable this prediction to be tested. Suitable candidates might be the blind pension funds managed by livery companies such as the Clothworkers, but it could also be constructive to look at charities working with other causes, such as the deaf and dumb. (2) Without undue difficulty it ought to be possible to determine the ultimate fate of many of the charities for the blind listed by Sampson Low in his compendium of London charities and to establish the region for their demise. This could then be compared with a timeline containing key dates of major legislative changes and up-kicks in the rate of inflation.

6.8 Gardner's Trust: a final judgement

Even if Henry Gardner's two younger brothers had not predeceased him without surviving issue, he would still have had a considerable fortune of which to dispose on his death. As it was, he is likely to have been among the four or five wealthiest people to have died in 1879 and his charitable bequest was one of the largest reported that decade. Following the sale of the Cannon Brewery there was nothing to suggest by his activities in 'retirement' that he was contemplating a bequest to the blind of such munificence, notwithstanding his reported 'doles' to blind beggars. It will probably never be known why he left the bulk of this fortune to the blind, how he selected the specific institutions that received bequests and why he omitted others. Prior to his death he had clearly fallen out to some extent with the Royal Normal College. It is surprising that the reasons for his bequests, particularly the setting up of a new trust on such a large scale, were not the subject of more debate or conjecture immediately following his death. If his daughter and son-in-law had truly 'known his mind' they would probably have made this public, especially if it had supported their case for a new school for the blind at Windsor.

In seeking to understand the structure of Henry's will (which in many ways was unremarkable) and his failure to take certain feasible actions before his death it is difficult to avoid two conclusions. First, notwithstanding the legal impediment of mortmain, he could have begun to dispose of his wealth before his death, but chose not to do so. This suggests that he was reluctant to face his own mortality, or to precipitate a clash with his daughter and son-in-law. Second, the several lacunae in the will suggest

that his legal advisers were not of the highest order, or that he chose to ignore their advice. On the other hand his selection of executors and trustees – a mixture of family and the Establishment – not only conformed to custom, but worked well in practice, at least in the short term. The proportion of his estate left to his daughter and other possible claimants seems to have been nicely judged. After the unsurprising initial reaction of his son-in-law there was no attempt to contest that aspect of the will.

The announcement of Henry Gardner's munificent bequest to the blind in early 1879 and the almost immediate referral of his will to Chancery were accompanied by considerable fanfare and many column inches of newspaper coverage. Antipathy towards the proposal for a new institute at Windsor was clear from the start, in *The Times* and elsewhere. This was not surprising, but the lack of subsequent coverage of the court case, especially given the high profile of many of the protagonists, is much harder to explain, even assuming that this silence would have suited the members of the management committee. By means of private correspondence, lobbying of the trustees and the court continued until the last minute, when the Vice-Chancellor handed down his final judgement in 1881. Ultimately the ambitious proposals of the Richardson-Gardners and their supporters, such as the Lowthers, were simply inconsistent with the will. Maria Louisa's only real advantage in presenting her case was her filial relationship to the deceased and she overestimated the influence this would have on the court. Less ambitious proposals closer to the spirit of the will may well have given Maria Louisa and Robert at least some control over the outcome. Whilst it would be easy to portray Maria Louisa as under the malign influence of her husband, in this respect at least it is more likely that they were equal partners in the proposals. It is hard to fault the strategy adopted by the majority trustees, which was simply to state that they would implement the terms of the will as actually written, taking advantage of the RNC and Worcester College as 'existing institutions'. Even if the will did not state that a majority decision of the executors and trustees would determine the Scheme to be adopted, in effect this was the position adopted by the court. The influence of the Charity Organisation Society on Gardner's Trust may previously have been overemphasised both as to its formation and its subsequent operations. Conversely, the importance of William Martin Wilkinson in shaping the position of the COS has probably never previously been appreciated. The connection between the 'scientific philanthropy' of the COS and the teachings of Emmanuel Swedenborg may well be

worthy of further research. Both the RNC and Worcester College had good reason to be satisfied with the court approved Scheme, as was Rhodes Armitage.

The actual operations of the trust commenced with a whimper in 1881 and thereafter continued with barely a murmur. This enabled the management committee to proceed quietly with what they saw as their task, but had the incidental effect of so far removing them from public view that criticism of their actions by the general public was never even considered. For reasons that have already been explained, criticism by other institutions for the blind was never likely and even the COS seemed to feel that establishing a good working relationship for the future was more important than renewing its criticism that an opportunity to improve the coordination of charities for the blind had been lost. In some, limited ways the trust did take a leading role among blind charities, but this seems to have been largely due to the energy of its first secretary rather than to its successive chairmen and the other members of the management committee. The recruitment of Henry Wilson was arguably the best decision the committee ever made. The need to separate his personal achievements on behalf of the blind from those of the trust he served has been noted by other researchers, but the relative extent of his personal and trust efforts and achievements may not have been fully recognised. Members of the management committee largely fitted the established stereotypes – male, middle class and well-off. None of them was prepared to question the fundamental purpose of the trust, even when its diminishing relevance became very clear. Radical members of the Establishment did turn up from time to time on charities, but not on the management committee of Gardner's Trust.

Dispersal of the trust's income in accordance with the court approved Scheme was never straightforward and made even less so by the self-imposed Bye-laws and Regulations. Notwithstanding the constraints under which it operated, efficient mechanisms were soon put in place to process applications from individuals for grants and pensions. The close relationships Wilson developed with other institutions for the blind facilitated their applications for building and other grants. The impact of rafts of legislation on the operations of the trust has been examined in detail earlier in this chapter. The reluctance of the management committee to return to the Chancery Division or the Charity Commissioners for amendments to the Scheme is understandable on grounds of cost and the sensitivity of the original settlement. When

amendments were approved, in 1894 and 1934, they brought the trust's income distribution practices up to date, but never looked forward. Meanwhile, the proportion of the trust's income that had to be spent on its own administration was increasing to embarrassing levels.

Possibly because the operational issues faced by the trust would not have been obvious even to those who were reasonably familiar with its work, it did receive a number of further significant benefactions. The receipt of the residue of Alfred Beaumont's will trust in the 1970s (almost a hundred years after Henry Gardner's death) is a special case, but the significant bequests from Edith Lord and Beatrice Taylor should have alerted the management committee to the possibilities for increasing the size of the endowment. Even a steady stream of smaller bequests such as those from the Rev. Smith and Major MacMahon would have been of help.

The reasons for the decline of the economic influence of the trust have been examined in detail in the previous chapters and the preliminary judgements contained in the first chapter have essentially been validated. The dramatic changes to the socio-political-economic environment were largely outside the control of the trust – to a significant extent the trust in its original form was virtually legislated out of business by the end of the Second World War. The decline in the relative and, later, absolute numbers of the blind could also only be influenced to a limited extent by the trust itself, although the actions of its management committee no doubt made a positive contribution to this decline and they could hardly have complained. It would have taken a bold man to change the direction of the trust and they never had one on the committee. With rare exceptions the management committee used the original Scheme as a rampart to hide behind rather than a platform from which to advance.

Given the manner in which the trust had been established by Henry Gardner without specific power to invest in 'real' assets, the initial portfolio of gilts, mortgages and other fixed income securities was entirely reasonable. In theory the trustees could have sought an amendment to the original Scheme widening their investment powers, but this would have been very unusual. Given this, the economic wounds inflicted on the trust, to all intents terminal, were partly an accident of fate (the periods of rampant inflation experienced between 1914 and the 1970s) and partly self-inflicted (the failure of the

trustees to adopt an appropriate investment policy when they first had the opportunity). The 'inevitable decline' of permanently endowed charities without strongly self-imposed performance measures indeed occurred. It has been observed that 'The essential nature of the trust as a private arrangement of property interests, conceived and developed to preserve, maximise and transmit wealth, inevitably required its trustees to operate in a commercial context.'⁴⁵⁴ It took the Gardner trustees nearly a century to appreciate this.

The management committee of the Phoenix Home (later the Cecilia Charity for the Blind) played on a smaller stage to a simpler text, yet in the same environs as Gardner's Trust. The home's original objects were fulfilled admirably, albeit with a few hiccoughs, from its formation in 1861 until its effective takeover by the Middlesex Association for the Blind in 1940. The reasons for the takeover are still obscure, but doubtless had their origins in the 1920 Blind Persons Act. During this period Cecilia also passed the test of attracting bequests that were, given its smaller size, material to its activities. From then on its management committee seem to have stood at arm's length from the day to day operations and took no decisive action to prevent the physical deterioration of its main asset, Cecilia House in Ealing, although by the 1960s they did recognise that this phase of the charity's existence was coming to an end. By dint of good fortune their investment in real property served them well and they were also sensible enough to invest in equities at a relatively early stage. However, none of the members of the committee had any experience of a grant-giving charity, which is what Cecilia became after the sale of Cecilia House in 1982, and it lacked critical size. It is also unclear whether the transformation to a grant giving charity was by default or design – probably the former. Given these limitations, the gradual decline of the charity from the mid-1980s on a standalone basis was almost assured.

By any reasonable measure Gardner's Trust is no longer able to exert a twentieth of the economic influence it wielded at its formation. Its influence, despite its subsequent bequests and recent incorporation of the assets of the Cecilia Charity, is now tiny. It is almost a century since the trust's last significant public acts: the second of the two Westminster conferences on the blind that it sponsored (admittedly organised largely by its first secretary); and the encouragement of the formation of the Metropolitan Association for the Blind (again pushed by Wilson). The executive managers of the most

important charities for the benefit of the blind today, such as the RNIB, would not recognise its name. Were the Clothworkers asked if their offer to manage its assets was still open, they would probably be shocked to find that it still existed (not to suggest that anyone there would remember their offer). The grants and pensions still paid today by the trust would be missed by their recipients if they ceased, but they no longer represent the difference between penury and the ability to achieve a modicum of self respect. If the trust were absorbed by a larger charity, still its most likely fate, its present administrators and advisers would soon replace the income lost and its management committee find alternative ways of occupying their time. Yet it does still exist as an independent entity, which is more than can be said for many of its contemporaries. As long as Royal National College for the Blind exists, its buildings are likely to include a Gardner Hall. The imposing red granite Gardner family memorial in Kensal Green cemetery has stood for a century and a half and seems set fair to stand for at least as long again.

In any history of the last Golden Age of philanthropy in the UK, the name of Henry Gardner will inevitably be writ large and the influence of the trust he created undoubted. Since its inception the trust has assisted thousands of blind persons directly through individual grants, scholarships and pensions and many thousands more indirectly through its grants to other institutions for the blind. Only a very harsh critic could suggest that it did anything other than serve its general purpose of aiding the poor and deserving blind to a high degree.

It may well be that a new Golden Age is underway in this country and elsewhere, but when its history comes to be written the name of Henry Gardner will be no more than a very small footnote. This does not mean that there is not a clear and important lesson to be learned from this microhistory, which is this: times change, and unless charities change with them, their descent into obscurity is inevitable.

Illustration 7.1: Douglas Close Richmond
(source: Gardner's Trust Archive, LMA)

Illustration 7.2: Sir Bruce Richmond
(source: Gardner's Trust Archive, LMA)

Illustration 7.3: Edith Rebecca Lord
(source: Gardner's Trust Archive, LMA)

Illustration 7.4: Charles Paston Crane
(source: Gardner's Trust Archive, LMA)

ENDNOTES

- ¹ The terms charity (originally limited to foundations or actions intended to benefit the public at large) and philanthropy (the voluntary promotion of human welfare, including charitable giving) now tend to be used interchangeably.
- ² Matthew Bishop and Michael Green, *Philanthrocapitalism: how giving can save the world* (London: A.C. Black Publishers Ltd., 2010), 21-5.
- ³ Susannah Morris, 'The greatest philanthropic tradition on earth? Measuring the extent of voluntary activity in London, 1874-1914', Paper used as basis for presentation at Voluntary Action History Society Seminar, London School of Economics, 9 February 2006.
- ⁴ Charles Stewart Loch, *Charity organisation* (London: Sonnenschein & Co., 1893), 1-9.
- ⁵ Overlapping with the third gold age was the fourth, but centred on the United States rather than Europe. Again industrialisation was a major supply side factor, donors including Andrew Carnegie, John D. Rockefeller and Andrew W. Mellon.
- ⁶ There is some empirical evidence to support the contention that in the UK the proportion of adult individuals giving to charity has remained remarkably constant (54% +/- 2%) between 2004/05 and 2010/11, despite the impact of the 2008 financial crisis. See *UK Giving 2011, summary of findings* (London: NCVO/CAF, 2011).
- ⁷ Thomas J. Tierny and Joel L. Fleishman, *Give smart: philanthropy that gets results* (New York, NY: PublicAffairs, 2011), 5.
- ⁸ This was the anonymous translator of Sébastien Guillié's 1819 *Essay on the instruction and amusements of the blind* (London: Richard Phillips, 1894).
- ⁹ Benjamin Kirkman Gray, *A history of English philanthropy from the dissolution of the monasteries to the taking of the first Census* (London: Frank Cass & Co., 1967), vii.
- ¹⁰ Zina Weygand, *The blind in French society from the Middle Ages to the century of Louis Braille*, translated by Emily-Jane Cohen from *Vivre sans voir* (Stanford, CA: Stanford University Press, 2009), 82.
- ¹¹ David Edward Owen, *English Philanthropy: 1660-1960* (Cambridge, MA: Harvard University Press, 1964), 2.
- ¹² Wilbur Kitchener Jordan, *Philanthropy in England 1480-1660: a study of the changing pattern of English social aspirations* (London: G. Allen & Unwin, 1959), 328-9.
- ¹³ Andrew Carnegie, 'Wealth' (aka 'The Gospel of Wealth') in *North American Review* 148.391 (June 1889), 653-65.
- ¹⁴ John MacGregor Ritchie, *Concerning the blind – being a historical sketch of the organised effort on behalf of the blind of Great Britain, and some thoughts concerning the mental life of a person born blind* (London: Oliver and Boyd, 1930).
- ¹⁵ Henry John Wagg with Mary Gladys Thomas, *A chronological survey of the work of the blind. With an appendix on the prevention of blindness, and a bibliography from the earliest records up to the Year 1930* (London: Sir Isaac Pitman for the National Institute for the Blind, 1932).
- ¹⁶ David Gwyn Pritchard: (1) *The education of the handicapped, 1760-1960* (London: Routledge & Kegan Paul, 1963); and (2) 'Some sources for the history of the education of handicapped children in England and Wales' in the *British Journal of Educational Studies* 11.2 (May 1963), 167-76.
- ¹⁷ Madeline Roof, *Voluntary societies and social policy* (London: Routledge & Kegan Paul, 1957). Gardner's Trust is mentioned briefly on pp.177 and 183-4.
- ¹⁸ Jordan, *Philanthropy in England*.
- ¹⁹ Owen, *English Philanthropy*.
- ²⁰ Olive Checkland, *Philanthropy in Victorian Scotland* (Edinburgh: John Donald, 1980).
- ²¹ Brian Harrison, 'Philanthropy and the Victorians' in *Victorian Studies* 9.4 (June 1966), 353-74.
- ²² Gordon Ashton Phillips, *The Blind in British Society: Charity, State and Community, c. 1780-1930* (Farnham: Ashgate Publishing, 2004), 420-31.

- ²³ John Oliphant, *The early education of the blind in Britain c. 1790-1900: institutional experience in England and Scotland* (Lewiston, NY: Edwin Mellen, 2007), 173-84.
- ²⁴ Weygand, *The blind in French society*.
- ²⁵ William R. Paulson, *Enlightenment, romanticism and the blind in France* (Princeton, NJ: Princeton University Press, 1987).
- ²⁶ C. Kenneth Lysons, 'The development of social legislation for blind or deaf persons in England, 1834-1939' (unpublished Ph.D. thesis, Brunel University, 1973).
- ²⁷ P.H. Butterfield, 'The evolution of special education' (unpublished Ph.D. thesis, University of London, 1970).
- ²⁸ John P. Koumantarakis, 'The education of the blind in Victorian society' (unpublished M.Phil. dissertation, South Bank University, 1985).
- ²⁹ Rhoda Ann Doreen Abel, 'Identification of the blind, 1834-1868: a study of the establishment of the blind register and the registration process' (unpublished Ph.D. thesis, London School of Economics, 1987).
- ³⁰ Kathleen Bates, 'A social history of blindness' (unpublished Ph.D. thesis, Loughborough University of Technology, 1998).
- ³¹ E.D. Taylor, 'Blindness, education and society' (unpublished Ph.D. thesis, Loughborough University of Technology, 2000).
- ³² Lyn Ann Payne, 'The education of the blind, 1870-1930s' (unpublished Ph.D. thesis, University of East Anglia, 2002).
- ³³ Amanda Nichola Bergen, 'The blind, the deaf and the halt: physical disability, the Poor Law and charity c. 1830-1890, with particular reference to the County of Yorkshire' (unpublished Ph.D. thesis, University of Leeds, 2004).
- ³⁴ Calvin Woodard 'The Charity Organisation Society and the rise of the welfare state' (unpublished Ph.D. thesis, Cambridge University, 1961).
- ³⁵ Juan-Luis Vivès, *De subventionem pauperum (On assistance to the poor)* (Bruges: 1525); translated by Alice Tobriner 1971.
- ³⁶ Weygand, *The blind in French society*, 28-9.
- ³⁷ Alice Tobriner, 'On assistance to the poor' by Juan-Louis Vivès, translated with an introduction and commentary (Chicago, IL: University of Chicago, 1971), 22-5.
- ³⁸ See, for example, Gabriel Farrell, *The story of blindness* (Cambridge, MA: Harvard University Press, 1956), 13; and Michael Anagnos *Education of the blind: historical sketch of its origin, rise and progress* (Boston, MA: Perkins Institute, 1882), 6.
- ³⁹ S.D.C. and Vincenzo Armanni, *Il cieco afflito e consolato/L'Aveugle affligé et console (Consolation to one afflicted by blindness)* (Paris: Jean Camusat et Pierre le Petit, 1646).
- ⁴⁰ William Maziere Brady, *Anglo-Roman Papers* (Paisley: Alexander Gardner, 1890), 105.
- ⁴¹ From 1632 to 1653 this was Alphonse Louis du Plessis de Richelieu (1582-1653), cardinal archbishop of Lyon.
- ⁴² Weygand, *The blind in French society*, 19-25.
- ⁴³ William Hanks Levy, *Blindness and the blind: a treatise on the science of typhology* (London: Chapman & Hall, 1872), 411.
- ⁴⁴ Jean Le Rond d'Alembert, 'Blindness' in *Select essays from the Encyclopedia* (London: printed for Samuel Leacroft, 1782), 132-47.
- ⁴⁵ Denis Diderot, *Lettre sur les aveugles à l'usage de ceux qui voient* (Paris: 1749) in David Adams *Thoughts on the interpretation of nature and other philosophical works: Denis Diderot* (Manchester: Clinamen, 1999).
- ⁴⁶ Saunderson was not only a highly gifted mathematician and philosopher, but developed a range of instruments for assisting the blind in mathematical computations. See, for example, Anagnos, *Education of the blind*, 9 (although Anagnos is clearly taken in by Diderot's 'Inchlif' hoax).
- ⁴⁷ Some sources suggest that he also met Marie Theresa von Paradis (1759-1824), an acclaimed Viennese pianist, composer and music teacher, but if so this must have been long after he wrote the letter; she had not been born when the letter was written and did not visit Paris for the first time until 1884, the year of Diderot's death.

⁴⁸ See, for example, Adams *Denis Diderot*, 9-13 and Arthur McCandless Wilson, *Diderot: the testing years, 1713-1759* (Oxford: Oxford University Press, 1972), 99. The woman was most likely his mistress, then Madam de Puisieux, although other names have been suggested.

⁴⁹ William Henry Illingworth, *History of the education of the blind* (London: Sampson Low, Marston & Co., 1910), 3.

⁵⁰ See, for example, Leon Miller 'Diderot reconsidered: visual impairment and auditory compensation' in *Journal of Visual Impairment and Blindness* 85.5, (1992), 206-10, who provides an extensive list of references for this specialist topic.

⁵¹ As pointed out by Robert Heller, 'Educating the blind in the age of enlightenment: growing pains of a social service' in *Medical History* 23, (1979), 392-403, it also meant that several years later Sébastien Guillié still found it necessary to defend the blind as not being automatically irreligious.

⁵² Denis Diderot, *Addition aux pensées philosophiques* (*Addition to philosophical thoughts*) (Paris: 1762).

⁵³ Denis Diderot, *Lettre sur les sourds et muets à l'usage de ceux qui entendent et qui parlent* (*Letter on the deaf and dumb: for the use of those who hear and speak*) (Paris: 1751); reprinted in Margaret Jourdain, *Diderot's early philosophical works* (Chicago, IL: The Open Court Publishing Company, 1916).

⁵⁴ Denis Diderot, *Addition aux lettre sur les aveugles à l'usage de ceux qui voient* (*Addition to letter on the blind for the use of those who see*) Paris (1782); reprinted in Adams *Denis Diderot*.

⁵⁵ Gray, *A history of English philanthropy*, 218.

⁵⁶ He had spent time in Russia in partnership with Robert Dingley, also later a philanthropist, and may well have been familiar with the practices of the Moscow Foundling Hospital, described by Robert Richardson-Gardner in *Windsor and Eton Herald*, 17 February 1872 and reprinted in *A trip to St. Petersburg* (London: T. Brettell and Co., 1872).

⁵⁷ Jonas Hanway, 'Observations on the Rev. Mr. Hetherington's Charity and the most probable means of relieving the Blind' Letter XXVI in *The Defects of Police, the Cause of Immorality, and the continual Robberies committed, particularly in and about the Metropolis; with Various Proposals for Preventing Hanging and Transportation, etc.* (London: J. Dodsley, 1775).

⁵⁸ The terms 'bequest' and 'legacy' are, in a legal sense, equivalent; they both refer to a sum of money, or a specified article, given to another by will or similar procedure.

⁵⁹ Annie Wagner-Lampl and George W. Oliver, 'Folklore of blindness' in *Journal of Visual Impairment & Blindness* 88.3, (May/June 1994), 267-76.

⁶⁰ H. Robert Blank, 'Psychoanalysis and Blindness' in *Psychoanalytic Quarterly* 26.1, (1957), 1-24.

⁶¹ James Wilson, *Biography of the Blind: or the lives of such as have distinguished themselves as poets, philosophers, artists, etc.*, 4th edn. (Birmingham: James Wilson, 1838).

⁶² Farrell, *The story of blindness*, 148.

⁶³ As a single example, the 'Quinze-Vingts', a home for three hundred blind former crusaders, was founded in Paris in the thirteenth century. This became a pattern for similar institutions in other cities, such as the 'Six-Vingts', founded at Chartres in 1292. See, for example, Weygand, *The blind in French society*, 21.

⁶⁴ Thomas Blacklock, ('Demodocus') 'Letter on Blindness' in *Scots Magazine* 35, (October 1773).

⁶⁵ Thomas Blacklock, ('Demodocus') 'Letter on Blindness' in *Edinburgh Magazine and Review* 2, (November 1774), 673-86.

⁶⁶ In Homer's *Odyssey*, Demodocus was a blind minstrel at the court of Alcinous.

⁶⁷ George Bew, 'Observations on Blindness, and on the employment of the other senses to supply the loss of sight' in *Memoirs of the Literary and Philosophical Society of Manchester*, 1, (Warrington: W. Evers, 1785), 159-84. The paper was preceded by an incomplete quotation from Titus Lucretius Carus: '[Hunc igitur terrorem animi] tenebrasque necesse est non radii solis neque lucida tela diei discutiant[, sed naturae species ratioque]', which may be rendered as 'The rays of the sun, shining shafts of the day, necessarily cannot dispel the [terror and] darkness [of the mind, but only the outward appearance and inner doctrine of nature].'

⁶⁸ John Coakley Lettsom, 'Hints respecting the employment of the blind' in *Hints designed to promote beneficence, temperance, and medical science*, vol. II, 117-140 (London: Sampson Low, Marston & Co., 1894). See especially 120-2.

⁶⁹ Valentin was the brother of Abbé René Just Haüy (1743-1822), a mineralogist sometimes referred to as the founder of crystallography.

⁷⁰ An English translation by Thomas Blacklock, described by Philips, *The blind in British society*, 20 as 'clumsy', was published in *Poems by the late Reverend Dr. Thomas Blacklock* edited by Henry Mackenzie (Edinburgh: Alexander Chapman & Co., 1793) and subsequently republished on several occasions in extended form.

⁷¹ An anonymous English translation appeared by 1819 and was reprinted in 1894.

⁷² Pierre-Armand Dufau, *Des aveugles: considérations sur leur état physique, moral et intellectuel, avec un exposé complet des moyens propres à améliorer leur sort à l'aide de l'instruction et du travail* 2nd edn. (Paris: W. Remquet for J. Renouard, 1850).

⁷³ (Abbé) Charles Louis Carton, *Les établissements pour les aveugles en Angleterre: un rapport au ministère de l'Intérieur et des Affaires étrangères* (*The establishments for the blind in England: a report to the Ministry of the Interior and of Foreign Affairs*) (Bruges: Imprimerie de Vandecasteele-Werbruck 1838); translation (London: Sampson Low, Marston & Co., 1895). Phillips in *The Blind in British Society*, 64 confuses Charles-Louis Carton with Hyppolite Gilbert Carton, a mayor of Damvilliers in the Meuse Département of Lorraine in France.

⁷⁴ The history of the institution was given in Anagnos *Education of the blind*, 35-57; Anagnos was Howe's son-in-law and successor as principal.

⁷⁵ William Hickling Prescott, 'Asylum for the blind' in *North American Review* 31.68 (July 1830), 66-85.

⁷⁶ Samuel Gridley Howe, 'Education of the Blind' in *North American Review* 37.80 (July 1833), 20-59.

⁷⁷ Charles Ben Minner, *The question of higher education for the blind* (Boston, MA: Perkins Institution, 1924), 359-87 (360). Samuel's wife, Julia Ward Howe (1891-1910), wrote *The Battle Hymn of the Republic*.

⁷⁸ William Henry Milburn, *Ten years of preacher-life; chapters from an autobiography* (New York, NY: Derby & Jackson, 1860).

⁷⁹ William Henry Milburn, 'Songs in the night: or a triumph of genius over blindness' in *The pioneer preacher, or rifle, axe, and saddlebags, and other lectures ... With an introduction by the Rev. J. McIntock* (New York, NY: Derby & Jackson, 1859).

⁸⁰ John Bird, *The deaf and dumb and the blind: general observations on their education and treatment in a letter to the Rev. Robert Maguire* (London: Ward & Lock, 1863).

⁸¹ David Oakley Haswell, *The social condition of the blind*, 2nd edn. (London: privately published, 1876).

⁸² Hyppolite van Landeghem, *Charity misapplied* (London: privately published, 1864).

Hyppolite's wife, Maria van Landeghem, was the author of *Exile and Home. The advantages of social education for the blind* (London: privately published, 1865). Oliphant, in *Early education of the blind*, 71, seems to confuse Maria and her husband. Maria's book was mainly a collection of biographies of well known blind people.

⁸³ Alexander Mitchell, *The blind: their capabilities, conditions and claims – an essay* (London: privately published, 1860).

⁸⁴ Alfred Payne, *The education of the blind the deaf and the dumb (a lecture)* (London: W. Tweedie, 1863).

⁸⁵ Bennett George Johns, *The land of silence and the land of darkness* (London: Longman & Co., 1857).

⁸⁶ Edmund Charles Johnson, *Annuities to the blind: being an account of charities giving recurrent grants to the blind* (London: Henry Roberts, 1876).

⁸⁷ William Vernon Harcourt, 'A numerical statement, founded on actual investigation of the blind persons of different ages now living within a given district and compared with a given population' in *The first report of the Yorkshire School for the Blind, instituted in memory of Mr. Wilberforce* (York: 1837).

⁸⁸ Carton, *The establishments for the blind in England*.

⁸⁹ Thomas Anderson, *Observations on the employment, education and habits of the blind, with a comparative review of the benefits of the asylum and school systems* (London: Simpkin, Marshall & Co., 1837).

⁹⁰ Howe, 'Education of the Blind', 56-7.

⁹¹ Mansfield Turner and William Harris, *A guide to the institutions and charities for the blind in the United Kingdom* private edn. (London: Simpkin, Marshall & Co., 1884), xii.

⁹² In practice the trust's committee did make efforts in this direction, publishing several editions of a pamphlet on the prevention of blindness, which was very widely distributed.

⁹³ Owen, *English Philanthropy*.

⁹⁴ Jordan, *Philanthropy in England*.

⁹⁵ Phillips, *The blind in British society: charity, state and community*.

⁹⁶ Oliphant, *The early education of the blind in Britain*.

⁹⁷ Oliphant, *The early education of the blind in Britain*, 213.

⁹⁸ *The Times*, 6 February 1880.

⁹⁹ *Telegraph*, 25 February 1879.

¹⁰⁰ It could be argued that the Gardner question was ultimately resolved in almost record time. Following the death of Thomas Henshaw of Oldham in 1810, it took 25 years for his £20,000 bequest to escape the courts, by which time it had grown to £50,000.

¹⁰¹ Alfred Frank King, *The story of the Cannon Brewery 1751-1951* (London: Cannon Brewery Co. Ltd., 1951), 1.

¹⁰² There was another Cannon Brewery at the Albert Gate, Knightsbridge, demolished around 1843 to make way for mansions for the Marquis of Abercorn and the Earl of Leicester (*Illustrated London News*, 4 May 1844).

¹⁰³ A quarter of ale was a fourth part of a barrel, usually of 32 gallons for ale and 36 for beer (OED).

¹⁰⁴ King, *The Story of the Cannon Brewery*, 5.

¹⁰⁵ See register of burial plots for Kensal Green Cemetery, kept in the offices of the General Cemetery Company at Kensal Green Cemetery, Harrow Road, London W10 4RA. Henry's brothers, Philip and William, were buried in the same plot, as were several other members of the family.

¹⁰⁶ Guildhall Library: Sun Fire Office Archives MS11936/427/752206.

¹⁰⁷ Guildhall Library: Sun Fire Office Archives MS11936/427/987215.

¹⁰⁸ Guildhall Library: Sun Fire Office Archives MS11936/554/1238192.

¹⁰⁹ King, *The story of the Cannon Brewery*, 5. King Street was subsequently renamed Cyrus Street.

¹¹⁰ King, *The story of the Cannon Brewery*, 5.

¹¹¹ Guildhall Library: Vintners' Archives MS 15208. Henry's address in 1818 is given as 3 Upper Montague [sic] Street; Philip's in 1826 was St. John's Street.

¹¹² Guildhall Library: Vintners' Archives MS 15201/22.

¹¹³ Guildhall Library: Vintners' Archives MS 15201/22.

¹¹⁴ It would appear that this may not have accounted for the whole of the brewer's tied estate. Following the death of Henry Gardner, his estate was administered for some years by a court appointed receiver, Frederick Augustus Mullett, whose accounts (National Archives: C 30/3164) show that he still retained the freehold of six public houses and the leasehold of several more. This was in addition to extensive freehold and leasehold residential properties in Westbourne Terrace, Sussex Gardens, Ladroke Square and Porchester Gardens, in the development of some of which he may well have been involved.

¹¹⁵ King, *The story of the Cannon Brewery*, 6.

¹¹⁶ John Burnett, *A history of the cost of living* (Harmondsworth: Penguin Books, 1969), 211. Annual *per capita* consumption fell from 33 gallons in 1800 to 19 gallons by the 1840s, rising to 34 gallons by 1876 and then declining again to 27 gallons by 1914. This was offset by population increases.

¹¹⁷ Principal Probate Registry: wills and grants of administration for Philip, William and Henry Gardner. Other references to wills and grants of administration following were also obtained from this source, unless specifically indicated to the contrary.

¹¹⁸ Extracted from copies of parish registers for St. John, Clerkenwell kept at London Metropolitan Archives: P76.JS1/011.

¹¹⁹ General Register Office: death certificate for Ann Gardner. Other references to birth, marriage and death certificates following were also obtained from this source, unless specifically indicated to the contrary.

¹²⁰ Maria Curt, William's step daughter, married John Frederick Isaacson, a solicitor and widow with four children, in 1856, so that Sarah was connected to this family by marriage. Two of John's daughters, Marion and Alice, each received legacies of £2,000 under the Will of Maria Louisa Richardson-Gardner '... in memory of their great kindness to my Mother ...'.

¹²¹ *Caledonian Mercury*, 20 September 1860 and death certificate, obtained from the General Register Office of Scotland. The 'cause of death' was 'Disease of the brain', possibly a tumour.

¹²² The 'cause of death' is stated to be: 'Paralytic affliction with cerebral & renal disease'.

¹²³ A Henry Gardner, probably the father of Henry, William and Philip, had been appointed an Ensign in the Loyal Islington Volunteers in 1797 and promoted to Lieutenant in 1799 (*London Chronicle*, 4-6 May 1797 and *Courier and Evening Gazette*, 10 May 1799).

¹²⁴ *The Times*, 30 April 1860.

¹²⁵ City Bank was later absorbed within the London, City and Midland Bank, eventually becoming part of the HSBC Group.

¹²⁶ *The Times*, 5 November 1859 & 9 November 1859.

¹²⁷ *London Gazette*, 16 December 1859.

¹²⁸ *The Era*, 18 October 1863.

¹²⁹ King, *The story of the Cannon Brewery*, 5.

¹³⁰ The records of City Bank are now held by the archives department of its ultimate successor, HSBC Bank.

¹³¹ Essentially Henry inherited the whole of the estates of Philip and William senior *pro tem*, but was required to make a provision of £90,000 plus interest on part thereof thereon to his niece (Elizabeth Ann Beaumont, née Lightup) and any children of hers on his own death. The effect of these arrangements, when combined with one of Henry's own bequests, was that his great nephew, Alfred Philip Slade Beaumont, a Gardner Trustee, in due course became very wealthy. Many years later the residue of Alfred's estate, after the death of his two daughters, also passed to Gardner's Trust.

¹³² London Metropolitan Archive: Gardner's Trust papers ACC/3006/A/7/002.

¹³³ No births of an Emily C. Powell were registered in Hanover Square or Pimlico during 1840/41, but there was a registration for an Emily Caroline Powell in Clerkenwell in Dec Qtr 1840. There is also a marriage registration for an Emily Caroline Powell in Paddington in Dec Qtr 1885 to Matthias Thomas Hodding (a solicitor), which explains her subsequent absence from census records under her maiden name. In the 1891 census, by which time she was living in Ruislip, her birthplace was stated to be Buckingham Palace Road. She died in Mar Qtr 1909 at St. Albans and her husband died there in Jun Qtr 1932.

¹³⁴ *The Observer*, 13 June 1852.

¹³⁵ *The Era*, 25 June 1865 and *The Observer*, 18 June 1865.

¹³⁶ Colin M. Warwick, and Alistair A. Macdonald, 'Architecture associated with veterinary education in Edinburgh' in *University of Edinburgh Graduates Association Journal* 42.3, (June 2006), 149-52.

¹³⁷ Charles Barker, *The Joint Stock Companies Directory for 1867* (London: Charles Barker & Sons, 1867).

¹³⁸ This had been opened in 1876 on the site of what is now Central Hall, Westminster as a place of general entertainment and, despite its name, never featured a display of fish. It was also used for staging live pigeon shooting competitions. Other shareholders included the retailer and philanthropist William Whiteley and Arthur Seymour Sullivan (whose librettist, William

Schwenk Gilbert, was born at 17 Southampton Street close to the County Fire Office, and maintained a policy with it). It was demolished in 1903.

¹³⁹ The probate estimate and a note of an overdue subscription for 1878 are contained in the LMA Gardner's Trust papers ACC/3006/A/7/002.

¹⁴⁰ The Manager of the Provident Life Office and a Trustee of both companies in 1867 was the property developer John Augustus Beaumont, son of the first managing director, John Thomas Barber Beaumont, also well known as a miniaturist, who had been involved in forming parish savings banks before founding the County Fire and Provident Life Offices. John Thomas Barber only assumed the additional surname of Beaumont around 1811 and there is no suggestion that his family was connected with that of Alfred Philip Slade Beaumont, although when his mother, Elizabeth Ann Lyons (born Gardner, formerly Beaumont), died, she left shares in the County Fire Office (and the Linotype Company) to her son.

¹⁴¹ Aubrey Noakes, *The County Fire Office, 1807-1957: a commemorative history* (London: H.F. & G. Witherby, 1957), 3.

¹⁴² Henry's niece, by then Elizabeth Ann Lyons, was a shareholder when she died in 1904, the shares passing to her son, Captain A.P.S. Beaumont, JP.

¹⁴³ Guildhall Library: County Fire Office archives MS 31907/9.

¹⁴⁴ Guildhall Library: County Fire Office archives MS 31907/11.

¹⁴⁵ See, for example, Jordan, *Philanthropy in England*, 109-12.

¹⁴⁶ This table has largely been compiled from Chantal Stebbings, *The private trustee in Victorian England* (Cambridge: Cambridge University Press, 2002).

¹⁴⁷ Owen, *English Philanthropy*, 71-2.

¹⁴⁸ Owen, *English Philanthropy*, 70.

¹⁴⁹ A similar situation exists today where defined benefit (final salary) occupational pension schemes have to be set up as trusts (subject also to certain additional rules) in order to qualify for various tax advantages. However, as pointed out by Harrison, 'Philanthropy and the Victorians', 353-74, the tax benefits at this time were much less valuable than today and charitable gifts did not then escape legacy duty (although they could be declared on a basis net of such duty). Whether charitable trusts were also exempt from local rates at this time was a matter of some debate; see, for example, Owen, *English Philanthropy*, 330.

¹⁵⁰ In this sense a scheme is a document, normally approved by a court, which contains provisions for the management or distribution of property, or for resolving a dispute concerning allegedly conflicting rights. Martin, Elizabeth A. (ed.) *Oxford Dictionary of Law* (Oxford: Oxford University Press, 1983), 417.

¹⁵¹ Owen, *English Philanthropy*, 212.

¹⁵² Marriage trusts (or settlements) were almost invariably confidential documents of this type, with relatively few (compared to will trusts) surviving in the public domain.

¹⁵³ In theory a corporation could only be established by the Crown (by charter) or Parliament (by act), but in practice trusts soon took on all of the relevant aspects of corporations, see, for example, David Reginald Marsh, *Corporate Trustees* (London: Europa Publications Ltd., 1952), 1-3.

¹⁵⁴ In a letter from Dr. Thomas Rhodes Armitage to Lord Kinnauld following Henry's death, he made the point that unlike Henry he gave as much of his wealth as he could to the charities he supported during his life and would leave no significant bequest, although he was concerned that this might then leave those charities in a difficult position. LMA documents: ACC/3006/A/7/002.

¹⁵⁵ The elder of the two Lords Kinnauld involved had been christened Arthur Wellesley Kinnauld, in honour of his godfather, the Duke of Wellington. However, the 9th Lord Kinnauld became disenchanted with Wellington's policies and persuaded his son to drop the name Wellesley and substitute his mother's surname, Fitzgerald. The history of the bank with which the Kinnauld family was involved over several generations, Ransom, Bouverie & Co. (formerly Ransom, Morland and Hammersley), is related in P.W. Matthews (compiler) and Anthony William Tuke (editor) *History of Barclays Bank Limited, including the many private and joint stock banks amalgamated and affiliated with it* (London: Blades, East & Blades, 1926), 52-69;

although several of the bank's customers are named therein, that of Henry Gardner is not among them. The Royal Normal College was one of Ransom's clients.

¹⁵⁶ Assuming an interest rate of 3% p.a. on British government Consols (which would probably have been used to fund the annuities) and a rate of legacy tax of 10%, the equivalent capital value of all of the charity bequests and annuities would have been around £460,000. To this amount must be added the value of the personal estate bequeathed to Maria Louisa and the residue of the personal and real estate, so this is consistent with a total value of under £600,000, which is the amount that was declared for legacy duty purposes. We may also deduce that the cash residue accruing to Maria Louisa for her life can have been little more than £100,000, which would have produced an income of c. £3,000 p.a.; this would be consistent with the amount of her estate following her death in 1889, which was c. £130,000.

¹⁵⁷ In fact, Maria Louisa did make an alternative declaration, in favour of a distant relative of her husband.

¹⁵⁸ John Richardson's estate, excluding freehold, was sworn at under £35,000 by his executors.

¹⁵⁹ Burnett, *A history of the cost of living*, 221.

¹⁶⁰ People often acted as trustee for more than one marriage settlement, or will. Drummond Wolff, *Rambling Recollections* (London: Macmillan & Co. Ltd. 1908) (i) 258 wrote of Spencer Walpole: 'He was one of the most upright men I ever came across, and everybody had confidence in him. He was trustee for more people than I can recall, and his death was a great loss to many.'

¹⁶¹ This is clear from an advertisement that appeared in *Bristol Mercury* on 18 June 1898, a few months after Robert's death.

¹⁶² Stebbings, *The private trustee in Victorian England*, 24.

¹⁶³ Matthews and Tuke, *Barclays Bank*, 52.

¹⁶⁴ Beaumont clearly paid a great deal of attention to costs and expenses; he was the only member of the management committee to claim consistently for his travelling expenses, sending in a bill early each year. One of these caused Henry Wilson to write to Maria Louisa Richardson-Gardner at the Hotel de Paris, Monte Carlo on 9 January 1884, a draft of which survives: 'Dear Madam, I hope I am not wrong in informing you in confidence & quite unofficially that at the meeting held yesterday an account was presented by me to the Committee from Mr. Beaumont, £17.14s for expenses incurred in attending the meetings held in 1883. There was discussion & comment relating to the account, as Mr. Beaumont recorded charged for each meeting he attended 10/- for cabs in addition to £1.14s.3d for return ticket by train. The Committee felt that the amount seemed very high for the expense of cabs in London, if as they supposed he arrived at Waterloo Station, unless there was cab hire also at Lymington the other end. A cheque was however of course drawn for the account he recovered and is being forwarded to him today.'

¹⁶⁵ See, for example, his obituaries in the *Times* and the *Guardian*, both 7 January 1885, neither of which mentions his involvement with Gardner's Trust.

¹⁶⁶ *The World*, 7 July 1880. To some extent the proposals of the Richardson-Gardners have tainted the manner in which the other executors and trustees as a whole have been remembered. Typical is the comment of Rhoda Ann Doreen Abel in *Identification of the Blind, 1834-1868: a study of the establishment of the blind register and the registration process* Ph.D. thesis London School of Economics (1987), 150 note 77: 'An example was the influence of the COS on the Trustees of the Gardner's Trust in persuading them against establishing a large institution, and instead using the income for grants to existing institutions for the blind, for scholarships and assistance to individual blind cases and for pensions.'

¹⁶⁷ Quoted in Ronald Bramley *A history of Pocklington Trust* (London: privately printed by the Trust, 2008), 6.

¹⁶⁸ Brian Stanley, 'The legacy of Robert Arthington' in *International Bulletin of Missionary Research*, 22.4 (October 1998), 166-171.

¹⁶⁹ Harrison, 'Philanthropy and the Victorians', 357.

¹⁷⁰ Gray, *A history of English philanthropy*, 62.

¹⁷¹ Samuel Strong Forster. *The Gardner bequest*, 3.

¹⁷² Phillips, *The blind in British society*, 211.

¹⁷³ King, *The story of the Cannon Brewery*, 6.

¹⁷⁴ Unlike Southwark, the Swiss Cottage school of the London Society for Teaching the Blind to Read was not entirely residential and did not add a workshop until 1888; also, it progressed from Lucas to Braille, whereas Southwark favoured Moon for longer.

¹⁷⁵ School for the Indigent Blind *Historical Journal of the School for the Indigent Blind*, 1799-1907 (London: Buck & Wootton, 1909), 7.

¹⁷⁶ School for the Indigent Blind (SIB) general committee minutes for 17 June 1879 & 11 March 1880.

¹⁷⁷ School for the Indigent Blind *Historical Journal of the School for the Indigent Blind* (1909), 30 & 34.

¹⁷⁸ SIB general committee minutes, 13 November 1884.

¹⁷⁹ Certain charities operated a scheme whereby regular subscribers, or those who made large donations, were entitled to nominate or vote in favour of specific applicants when the number of applicants exceeded the number of places available.

¹⁸⁰ Association for Promoting the General Welfare of the Blind Annual Report for 1879 London: 1880, 15.

¹⁸¹ Association for Promoting the General Welfare of the Blind Annual Report for 1879 London: 1880, 12.

¹⁸² Frances Martin, *Elizabeth Gilbert and her work for the blind* (London: Macmillan, 1887), 234-5.

¹⁸³ Royal London Society for the Blind archive: Minute Book N^o 5 (1868-1882), 225.

¹⁸⁴ Other societies that might have been expected to benefit, *a priori*, were the British and Foreign Blind Society of Thomas Rhodes Armitage and the London Home Teaching Society, founded by William Moon and Miss Graham, but supported financially to a significant degree by Sir Charles Lowther. The workshops of the Alexandra Institution, founded in 1863 and for some time associated with the London Home Teaching Society, would also have been a candidate.

¹⁸⁵ Edmund Charles Johnson, *Annuities to the blind: being an account of charities giving recurrent grants to the blind* (London: Henry Roberts, 1876), Table 1.2.

¹⁸⁶ The Reports for 1873/74, 1874/75, 1875/76 and 1876/77 when taken together show that in those years he donated £2,325 to the Building Fund and £1,100 to the General Fund.

¹⁸⁷ *The Times*, 3 January 1879.

¹⁸⁸ London Metropolitan Archive: Gardner's Trust papers ACC/3006/A/7/002.

¹⁸⁹ Although trustees were introduced in 1879, prior to this the college was the personal responsibility of its principals and no minutes of committee or similar meetings survive earlier than 1890.

¹⁹⁰ Forster, *The Gardner bequest*.

¹⁹¹ Lambeth Palace Library: FP Jackson 59, ff.181-182.

¹⁹² Mary Gladys Thomas, *The first seventy years: Worcester college for the blind, 1866-1936* (London: the National Institute for the Blind, 1938), 22.

¹⁹³ London Metropolitan Archives Gardner's Trust papers: ACC/3006/A/7/002. Later correspondence with the County Fire Office also exists. In the remainder of this section all letters and documents referred to are contained under this LMA reference, which is not subdivided, unless stated explicitly to the contrary.

¹⁹⁴ One of Charles's brothers, Thomas Cundy (1821-1895), was a well-known architect and surveyor to the Grosvenor Estate (as his father and grandfather had been). Osbert Fishlake Cundy, FRCS (1818-1897), the other brother, associated for a time with the North London Ophthalmic Institution, was also involved with the CFO, serving on several occasions as an auditor. A manuscript account of the family, written by Osbert Cundy in 1874, is in the RIBA collection.

¹⁹⁵ Stebbings, *The private trustee in Victorian England*, 6.

¹⁹⁶ Burnett, *A history of the cost of living*, 218.

¹⁹⁷ National Archives: C 30/3164.

- ¹⁹⁸ *Morning Post*, 25 June 1898.
- ¹⁹⁹ *Spectator*, 19 May 1883.
- ²⁰⁰ Francis Thomas Freeman, who died in 1903, made bequests to ten named charities including the Phoenix Home for Blind Women, the National Life Boat Institution and the National Hospital for Epileptics.
- ²⁰¹ Phillips, *The blind in British society*, 191.
- ²⁰² The permission of the Attorney General was required for a case to be heard in Chancery. In 1879 this was Sir John Holker, QC, who may well have been known personally to Robert Richardson-Gardner.
- ²⁰³ Robert Charles Kirkwood Ensor, *England 1879-1914* (vol.14 of *The Oxford History of England*, edited by Sir George Clarke) (Oxford: Clarendon Press 1936), 17-18.
- ²⁰⁴ *The Law Times*, 20 September 1879.
- ²⁰⁵ He was sometime superintendent of Greenwich Hospital.
- ²⁰⁶ The concept of 'philanthropic tourism' and its popularity is noted in Bergen 'The blind, the deaf and the halt', 270-1. Robert and Maria Louisa had visited the Foundling Hospital at Moscow during their visit in early 1872.
- ²⁰⁷ *Telegraph*, 25 & 27 February 1879.
- ²⁰⁸ *The Times*, 24 March 1879.
- ²⁰⁹ *Freeman's Journal*, 1 May 1879.
- ²¹⁰ *Windsor Express*, 31 May 1879 and *The Times*, 6 February 1880.
- ²¹¹ *The Practical Teacher*, August 1882, 306.
- ²¹² *The Guardian*, 1 March 1899.
- ²¹³ *The Gardner Musical Institute for the Blind*, Lambeth Palace Library; FP Jackson 59, ff.190-201.
- ²¹⁴ *Telegraph*, 25 February 1879.
- ²¹⁵ *The World*, 7 July 1880. The article also mentions a plan to erect almshouses and a mausoleum for the Gardner family on the same site as the new institute. The latter, at least, may have been a figment of the newspaper's imagination since by that time there had already been eight interments in the family's vault in Kensal Green cemetery.
- ²¹⁶ Owen, *English Philanthropy*, 173.
- ²¹⁷ *The Blind* 1, 16 and *The Practical Teacher*, August 1882, 306.
- ²¹⁸ Lambeth Palace Library; FP Jackson 59, ff.185.
- ²¹⁹ Even after the matter was settled there were those who felt sufficiently strongly on the subject that they would not let sleeping dogs lie. In 1881 (March/April) Dr. Thomas Rhodes Armitage produced the first Braille periodical to be issued by the British and Foreign Blind Association. Its title was *Progress* and the immediate cause of its production was his desire that the blind might be conversant with the facts that had led to litigation over the disposal of the Gardner bequest and the outline scheme that had been sent down by the Court of Chancery. In a subsequent edition of *Progress* (May/June 1882) further comment was made on the details of the scheme, which had just then become available. The RNIB archives contain contemporary transcripts in normal script of the issues of *Progress* for 1881 and 1882 in which these articles are included.
- ²²⁰ Accompanying the Memorandum were transcripts of several letters written to Francis Campbell, Principal of the RNC (and doubtless solicited by him), condemning a possible move to Windsor.
- ²²¹ Owen, *English Philanthropy*, 281.
- ²²² *The Times*, 20 January 1880.
- ²²³ *The Times*, 22 January 1880.
- ²²⁴ He had not, but he had owned property there, including the Gardner Cottages, which he later transferred into the name of Maria Louisa.
- ²²⁵ *The Times*, 23 January 1880.
- ²²⁶ Charity Organisation Society *Statement on the general question of the blind and the best method of improving their position, prepared by a member of the Council of the Charity*

Organisation Society for the consideration of those interested in the blind (London: COS, 1879).

²²⁷ *The Times*, 24 January 1880.

²²⁸ *The Times*, 26 January 1880.

²²⁹ *The Times*, 28 January 1880.

²³⁰ *The Times*, 29 January 1880.

²³¹ *The Times*, 6 February 1880.

²³² *Telegraph*, 27 February 1879.

²³³ Three years previously he had been appointed solicitor to the creditors in the bankruptcy of a City ironmonger, Mr. William Clarke of London Wall. Roche purchased from the creditors' trustee several insurance policies on the life of Clarke, most of which had been used as collateral in certain transactions. It subsequently became clear that the amount he had paid for these had been unreasonably low, particularly as he was privy to the fact that Clarke was in delicate health, if not actually dying. Shortly afterwards Clarke did die, and Roche was left with a very large profit on the transaction, even after all collateral was cleared. These facts became clear at a creditors' meeting held on 14 February 1879 and the matter was publicised the following day. Roche felt that the reporting of the *City Press* (15 February 1879) was libellous and filed a suit against them, but worse was to follow. On 13 March Lord Kinnaird felt compelled to write to Roche asking for an explanation; Roche's reply of 17 March protested his innocence, but the Law Society insisted that the matter was taken to the Court of Common Pleas. Lord Coleridge, in passing judgement, found that although of previously unblemished character, Roche had acted unprofessionally and dishonourably, suspending him from the practice of his profession for two years (*The Times*, 19 April 1880); the libel case was dismissed. Alfred Beaumont did continue to use the services of Mills Roche's family, with his older son, Charles St. John Kellett Roche of 1 Church Court, Old Jewry, being a witness at the marriage of Beaumont and Esther Stafford Smith in 1917 and also named as an executor to his will of 1917 (although the will was drawn up by Freshfields, of New Bank Buildings, 31 Old Jewry).

²³⁴ Morse was a nephew of Sydney Gedge and the son of Canon Morse of Nottingham.

²³⁵ Freshfields was a highly respected City law firm; in addition to much 'family' business, they were also Solicitors to the Bank of England.

²³⁶ The precise relationship between Maria Louisa and Giffard has not been established beyond doubt, but it is likely they were second cousins. However, there was also an indirect relationship by marriage through her husband's family.

²³⁷ *The Times*, 28 February 1881 reprinted more or less verbatim in the *Charity Organisation Reporter*, 7 April 1881.

²³⁸ For example: Henry Gardner is referred to as 'Mr. H.T. Gardner, formerly M.P. for Windsor'; the Bishop of London is incorrectly described as a trustee and defendant; and Robert Richardson-Gardner is omitted from the list of defendants. The *Berrow's* article incorrectly states that the hearing was before the Master of the Rolls.

²³⁹ *Berrow's Worcester Journal*, 2 April 1881.

²⁴⁰ In fact, in October 1899, the Charity Commissioners sanctioned a loan of £15,000 from Gardner's Trust to the Royal Normal College, to be repaid within twenty five years. The arrangements for doing this would today appear to be rather complicated, with an annual amount of Consols paid in to an investment account, somewhat akin to a sinking fund. The loan was repaid early, in November 1919.

²⁴¹ The Gardner committee minutes (7 February 1882) record that the plaintiff in the case (Captain A.P.S. Beaumont, JP) had appealed against the treatment of costs decided upon by Mr. Justice Fry, somewhat delaying matters. His appeal was upheld on 31 March and on 4 April 1882 (Gardner committee minutes) the Committee was notified that: 'the Court of Appeal had reversed Mr. Justice Fry's decision about the costs of the scheme and directed that they (the costs) be paid out of the legacy to the Blind. The costs of the appeal, however, are to be paid out of the residue of the estate.' The Declaration of Trust was finally signed on 2 May 1882 (Gardner committee minutes), in the presence of Messrs. Western & Sons and Messrs.

Freshfields. The amount of the costs was £2,673 10s 3d, paid from an amount of Consols retained by the Court; however, this meant a substantial excess was returned to the Trustees (£30,068 1s 4d, less £2,656 18s 1d sold to cover the costs) (Gardner committee minutes 3 April 1883).

²⁴² Lambeth Palace Library: FP Jackson 59, ff.186-189.

²⁴³ Cavendish Charles Fitzroy (1833-1894) served through the Crimea and Indian Mutiny with the 68th Light Infantry and later became *aide-de-camp* to Sir Charles Trevelyan, Lord Lieutenant of Ireland. Though severely crippled, he was also an active member of the Charity Organisation Society. Major-General Sir Henry Frederick Ponsonby, GCB (1825-95) was private secretary to Queen Victoria, 1870-1895. The Duchess of Argyll was unofficial secretary to her mother, Queen Victoria, from 1866 to 1871 and continued to act as a conduit to her thereafter.

²⁴⁴ Sir Rutherford Alcock, KCB (1809-1897), surgeon and diplomat who served in China and Japan.

²⁴⁵ Mr. C.M. Roche was noted as solicitor to the executors in the *Guardian* (20 February 1879). However, the RNC Committee submitted their Memorandum and Proposal to Mr. Hare and in the RNC Minutes of 6 May 1880 it was noted, for reasons given that the solicitor to the Gardner trustees was now Mr. Gedge.

²⁴⁶ *Hampshire Telegraph*, 25 February 1880.

²⁴⁷ Private communication, 13 August 2009.

²⁴⁸ *The Times*, 20 January 1880.

²⁴⁹ Charsley subsequently offered to procure an appropriate site at Clewer, but only if the other trustees agreed, *Hampshire Telegraph*, 25 January 1880.

²⁵⁰ Hatfield House archives: Salisbury Papers/3M/Class E.

²⁵¹ SIB general committee minutes 27 May 1880.

²⁵² SIB general committee minutes 14 June 1880.

²⁵³ *The Musical World*, 3 July 1880.

²⁵⁴ Royal London Society for the Blind archive: Minute Book No. 5 (1868-1882), 257-8.

²⁵⁵ *Morning Post*, 16 June 1880; *Daily News*, 30 June 1880; and *Morning Post*, 5 July 1870. St. Mark's School was erected on land made available to its principal, the Rev. Stephen Hawtrey, by George Henry Long and the Vansittart family. It had been used by the Tories for a political meeting in 1868 due to the unavailability of the Theatre, but refused to the Liberals. ESRO:

Oscar Browning papers, R E4 27 1.

²⁵⁶ There is no evidence to support the claim of Owen, *English Philanthropy*, 491 that it was Loch 'to whom the trustees appealed'; the reverse was clearly the case.

²⁵⁷ Charity Organisation Society cooperation sub-committee (CSC) minutes, 26 March 1879.

²⁵⁸ CSC minutes 7 May 1879.

²⁵⁹ CSC minutes 4 June 1879.

²⁶⁰ CSC minutes 14 January 1880.

²⁶¹ Charity Organisation Society administrative committee (AC) minutes 22 January 1880.

²⁶² AC minutes 29 January 1880 & 5 February 1880.

²⁶³ CSC Minutes, 11 February 1880 & 25 February 1880.

²⁶⁴ *The Charity Organisation Reporter*, 19 February 1880 & 4 March 1880.

²⁶⁵ *The Charity Organisation Reporter*, 19 February 1880; 4 March 1880; & 11 March 1880.

²⁶⁶ CSC minutes, 14 April 1880.

²⁶⁷ AC minutes, 3 June 1880 (A); 3 June 1880 (B); & 24 June 1880 (C).

²⁶⁸ Phillips, *The blind in British society*.

²⁶⁹ The COS Gardner documents are preserved as part of the substantial Gardner archive lodged at the London Metropolitan Archives.

²⁷⁰ Phillips, *The blind in British society*, 211-2.

²⁷¹ The COS Gardner documents comprised: (1) a letter from Charles Stewart Loch, Secretary of the COS, to the trustees of the Gardner Bequest, dated 29 January 1880, 1-3; (2) a general letter to the heads of the various interested institutions to whom Loch sent the three proposals, dated 18 March 1880, seeking responses within ten days, 5-6; (3) Scheme No. I, presented by Mrs. Richardson-Gardner, 6-9; (4) Scheme No. II, presented by the other trustees, 11-14; (5)

Scheme No. III, presented by the COS, 15-19; (6) an affidavit from Loch summarising the responses from nearly forty institutions and individuals that responded (we do not know to how many he sent the Schemes), 21-46; and (7) an affidavit from William Martin Wilkinson, 47-52. Pages 4, 10 & 20 of the bound volume are blank, as are those (un-numbered) after 52.

²⁷² Lambeth Palace Library; FP Jackson 59, ff.239-240.

²⁷³ AC minutes 19 May 1881.

²⁷⁴ *Charity Organisation Reporter*, 23 November 1882.

²⁷⁵ Helen (Dendy) Bosanquet, *Social Work in London, 1869-1912* (Brighton: Harvester Press 1914), 194.

²⁷⁶ Phillips, *The blind in British society*, 311.

²⁷⁷ *The Athenaeum*, 10 July 1880 and *The World*, 7 July 1880.

²⁷⁸ John Fielder Mackarness (1820-89), who was then Bishop of Oxford and had rowed in the 1845 blue boat at Oxford with Hardinge Giffard (see Alice Wilson-Fox *The Earl of Halsbury, Lord High Chancellor (1823-1921)* (London: Chapman & Hall, 1929), 16-17) might have been more sympathetic to the Richardson-Gardner cause than Jackson, who was president of the COS; it would also have been a prestigious project within his see. As the journalist of the *World* uncharitably put it (7 July 1880): 'If this mighty carcass is stranded at Windsor, the vultures will not be slow to gather themselves together.'

²⁷⁹ The RNC did eventually name one of its buildings after Gardner, which remained the case after its relocation to first Shrewsbury and then Hereford.

²⁸⁰ Oliphant, *The early education of the blind in Britain*, 77-9.

²⁸¹ See, for example, Gordon Jacobs 'Andrew Carnegie' in *Outlook* 51 (2004).

²⁸² David Wickham, 'The Clothworkers' Company and blind welfare' Chapter 18 in *All of One Company* (London: Clothworkers' Company 2004), see 259-263 and Table 2.1.

²⁸³ Phillips, *The blind in British society*, 182.

²⁸⁴ Owen, *English Philanthropy*, 285.

²⁸⁵ The original figures were contained in the report of the *Royal Commission on the Livery Companies* (C.4073), 1884, I, 26. The wealthiest Company was the Mercers, with corporate income of £47,341 and trust income of £35,417.

²⁸⁶ Wickham, 'The Clothworkers' Company and blind welfare', 262.

²⁸⁷ 'XX' (probably Mansfield Turner) *Notes on the report of the Jubilee Conference held at York, in July, 1883, to consider the condition of the blind* (London: Kegan Paul, Trench and Co., 1884).

²⁸⁸ Lambeth Palace Library; FP Jackson 59, ff.235-239.

²⁸⁹ Bennett George Johns, 'The care and education of the blind' in *Edinburgh Review* 173.353, (1891), 123-44.

²⁹⁰ Thomas Rhodes Armitage, 'The Gardner Trust' in *Progress* 8 (May/June 1882).

²⁹¹ New English Bible, Daniel, 6, 8 '... for the law of the Medes and Persians stands for ever.'

²⁹² Phillips, *The blind in British society*, 93 and *Report of Royal Commission 1889* Section 266 (9). However, this had not always been a restriction imposed by institutions for the blind. At the Paris institute during the period of Haüy's administration, fourteen of his charges married and nine of them had children of their own (see Dora B. Weiner, 'The Blind man and the French Revolution' in *Bulletin of the History of Medicine* 48.1, (1974), 60-89).

²⁹³ *The Guardian*, 1 March 1899.

²⁹⁴ *Birmingham Daily Post*, 26 June 1882.

²⁹⁵ *The Era*, 5 April 1884.

²⁹⁶ *Dod's Parliamentary Companion*. (London: Business Directories, 1889).

²⁹⁷ Although Loch was the driving force of the COS from the time of his appointment, he was not its founder, as incorrectly stated by Oliphant in *Early Education of the Blind*, 77.

²⁹⁸ Although he was on the side of Beaumont and the Kinnairds in their dispute with the Richardson-Gardners, he may well have been viewed by both sides as a 'neutral' and thus would have been a natural choice to chair the first few meetings of the committee.

²⁹⁹ He attended the committee only once, by invitation, on 4 December 1883 when he and Dr. Campbell of the RNC proposed a tour by the pupils of the College and a central depot scheme

for goods manufactured by the blind. His death in January 1898 was not noted in the minutes of the subsequent meetings.

³⁰⁰ British Library MSS Eur F486 24/A and 24/B.

³⁰¹ This was the 10th Lord Kinnauld who, in due course, became the first elected Chairman of Gardner's Trust. Sir James Weir Hogg (1790-1876) was a lawyer and MP who had been Registrar of the Supreme Court of Calcutta and a Director of the East India Company.

³⁰² Mrs. Stuart Menzies, (née Amy Charlotte Bewicker). *Further Indiscretions by a Woman of No Importance* (London: Herbert Jenkins, 1918). 272-3.

³⁰³ Among those who called at Fulham Palace to pay their respects were Lord and Lady Kinnauld (*The Times*, 7 January 1885).

³⁰⁴ See *The Times*, 30 March, 5 April & 19 May 1943 and death certificate of D.L. Capron.

³⁰⁵ Gavin Weightman, *Children of light: how electricity changed Britain forever* (London: Atlantic Books, 2010), 111-2. Parsons and Swan (posthumously in the latter case) were both made Honorary Freemen of the City of Newcastle in July 1914.

³⁰⁶ Two sons of the 11th Lord Kinnauld were killed during the First World War, including the Master of Kinnauld and his second son, whom he had hoped would succeed him on the Gardner's committee.

³⁰⁷ Illingworth, *History of the education of the blind*, 153-7.

³⁰⁸ Gardner Minutes, 2 December 1919.

³⁰⁹ Phillips, *The blind in British society*, 202 & 233.

³¹⁰ Bosanquet, *Social Work in London*.

³¹¹ Phillips, *The blind in British society*, 231.

³¹² Lambeth Palace Library/FP Jackson 59 ff. 249-250 & 253-254.

³¹³ Phillips, *The blind in British society*, 250.

³¹⁴ Gardner Minutes, 8 December 1908.

³¹⁵ Mary Gladys Thomas, *The Royal National Institute for the Blind, 1868-1956* (London: the National Institute for the Blind 1957), 28.

³¹⁶ Gardner Minutes, 4 & 25 July 1905.

³¹⁷ Phillips, *The blind in British society*, 374.

³¹⁸ Phillips, *The blind in British society*, 374.

³¹⁹ Henry Josiah Wilson, *The work of the Unions of Societies for the Blind in England and Wales; their history and possible developments*, a paper read at the international conference on the blind in June 1914, subsequently reprinted as a pamphlet, London: 1914.

³²⁰ Thomas, *The Royal National Institute for the Blind*, 28.

³²¹ Gardner Minutes, 12 November 1907.

³²² Ritchie, *Concerning the blind*, 95.

³²³ William Hayes Fisher (1853-1920), was himself appointed President of the Local Government Board in June 1917 and later became 1st Baron Downham. The Local Government Board, created in 1871, had taken over responsibility for public health and Poor Law administration.

³²⁴ Phillips, *The blind in British society*, 400.

³²⁵ Gardner Minutes, 25 July 1916.

³²⁶ Illingworth, *History of the education of the blind*.

³²⁷ Phillips, *The blind in British society*, 385.

³²⁸ Illingworth, *History of the education of the blind*.

³²⁹ Ritchie, *Concerning the blind*, 94-95.

³³⁰ Gardner Minutes 7 August 1883.

³³¹ Gedge (1829-1923) later became a Conservative MP, representing Stockport from 1886 to 1892 and Walsall from 1895 to 1900. He was solicitor to the London School Board from 1870 to 1890, a governor of Westfield College for Women (thereby providing at least two grounds for possible conflicts of interest) and he was also a prominent member of the Church of England, being a lay member of the General Synod (*The Times*, 7 April 1923). His brother, the Rev. William Wilberforce Gedge (1835-1912), was at one point proposed as a member of the

governing body of Worcester College, but declined on the grounds that he was moving away from the area.

³³² Gardner Minutes, 19 June 1883.

³³³ Gardner Minutes, 4 July 1882.

³³⁴ Gardner Minutes, 19 January 1882.

³³⁵ The row of houses on the west side of Old Palace Yard has long since been demolished, but is visible in a watercolour by Thomas Malton the younger (1748-1804) now in the collection of the Houses of Parliament. In the 1780s one of these houses had provided the London offices for William Wilberforce, the anti-slavery campaigner who also contributed to the Southwark School for the Indigent Blind.

³³⁶ Charity Organisation Society, *Statement on the general question of the blind and the best method of improving their position, prepared by a member of the Council of the Charity Organisation Society for the consideration of those interested in the blind* (London: COS, 1879).

³³⁷ London Metropolitan Archives, Gardner papers: ACC/3006/Y/4/008.

³³⁸ *Royal Commission Report* (266 (9)), xliii.

³³⁹ Martin, *Elizabeth Gilbert and her work for the blind*, 237.

³⁴⁰ Hyppolite van Landeghem, *Charity misapplied* (London: privately published, 1864), 27.

³⁴¹ Bosanquet, *Social Work in London*, 370.

³⁴² The amount of the expenses awarded was not recorded in the Gardner minutes or elsewhere, but must have been close to the sum retained by the court since, by the end of 1881, the accumulated income was only £17,884.

³⁴³ These were not described or explained further, but may have been in the nature of collateral deposits placed with a third party.

³⁴⁴ Gardner Minutes, 7 February 1882.

³⁴⁵ Gardner Minutes, 1 May 1883.

³⁴⁶ Gardner Minutes, 3 July 1883.

³⁴⁷ Gardner Minutes, 6 November 1883.

³⁴⁸ Although interim distributions to Worcester College and other beneficiaries were not mentioned in the minutes, it is apparent from Wilson's manuscript report for 1881 that these were also made.

³⁴⁹ Lambeth Palace Library/FP Jackson 59 ff. 249-250 & 253-254.

³⁵⁰ Phillips, *The blind in British society*, 184.

³⁵¹ There was an exception in 1902, when the Gardner Committee gave permission for Loch to hold meetings at 53 Victoria Street of a committee convened by him to deal with the problem of 'defective' blind children, in other words those who also suffered from problems in addition to blindness (Gardner Minutes, 3 June 1902). The Hon. (later Dame) Maude Agnes Lawrence (1864-1933), who was later to be appointed the first chief lady inspector of schools for the Ministry of Education, also consented to serve on this committee.

³⁵² Bosanquet, *Social Work in London*, 43.

³⁵³ Bosanquet, *Social Work in London*, 57.

³⁵⁴ Maria Louisa Richardson-Gardner, *The Gardner Musical Institute for the Blind* (London: privately printed, 1879).

³⁵⁵ *Royal Commission Report*, (100), 23; (17,438-17,483), 630-2.

³⁵⁶ Charities Act 1960, 1.

³⁵⁷ *Report of the Charity Commissioners for England and Wales for the Year 1985* (London: HMSO, 1986).

³⁵⁸ Charities Act 1992, 1.

³⁵⁹ Charities Act 1993, 1.

³⁶⁰ Charities Act 2006, 1.

³⁶¹ Lord Shaftsbury had suggested such an enquiry as far back as 1862 and since then the idea had seldom been far below the surface (see Phillips, *The blind in British society*, 243).

³⁶² Pritchard, *The education of the handicapped*, 99.

³⁶³ Pritchard, *The education of the handicapped*, 99.

-
- ³⁶⁴ *Royal Commission Report*, (99), xxiii.
- ³⁶⁵ *Royal Commission Report*, (49), xviii.
- ³⁶⁶ *Royal Commission Report*, (12,659), 442.
- ³⁶⁷ Phillips, *The blind in British society*, 232.
- ³⁶⁸ Progress in Scotland had been swifter, with the passage of the Education of Blind and Deaf-mute Children (Scotland) Act of 1890. The Elementary Education (Defective and Epileptic Children) Act 1899 followed on more slowly in England.
- ³⁶⁹ See for example Phillips, *The blind in British society*, 313-320.
- ³⁷⁰ Most comprehensively in Abel, *Identification of the Blind*.
- ³⁷¹ The Act applied to 'persons aged eighteen or over who are blind, deaf or dumb, or who suffer from mental disorder of any description and other persons aged eighteen or over who are substantially and permanently handicapped by illness, injury, or congenital deformity or such other disabilities as may be prescribed by the Minister'.
- ³⁷² Gardner Minutes, 5 May 1896 & 1 March 1898.
- ³⁷³ Donald Bell, (ed.), *An experiment in education: the history of Worcester College for the Blind, 1866-1966* (London: Hutchinson & Co., 1967), 28-9. The generosity of Gardner's Trust was eventually recognised by plaques recording this fact at various institutions for the blind around the country, including the swimming pool erected later at Worcester College and dog kennels at one of the Guide Dogs for the Blind training establishments.
- ³⁷⁴ The parties to the revised Deed were: Samuel Strong Forster, Principal of Worcester College; the Rt. Rev. Henry Philpott (1807-1892), Lord Bishop of Worcester; the Very Rev. Dr. John Gott (1830-1906), Dean of Worcester and later Bishop of Truro; the Rev. Edmund Hugh MacNeil, Canon of Liverpool; the Rt. Hon. Frederick Lygon (1830-1891, 6th Earl Beauchamp; the Rt. Hon. Charles George Lyttelton (1842-1922), later 8th Viscount Cobham; and Sir William Tindal Robertson (1825-1889), a Gardner's Trust committee member.
- ³⁷⁵ Bell, *An experiment in education*, 31.
- ³⁷⁶ Gardner Minutes, 15 November 1898.
- ³⁷⁷ Gardner Minutes, 2 February 1915.
- ³⁷⁸ This seems to have served somewhat akin to a board of independent directors.
- ³⁷⁹ It was later determined that the price asked for the strip of land was excessive, but the whole question of purchasing adjacent land was then examined in some detail.
- ³⁸⁰ Notwithstanding this, his name never appeared as a Vice President on the list of officials of the college between 1883 and his death in 1898; nor was his death noted in that year, although that of his wife in 1889 was.
- ³⁸¹ Henry's contribution to the college, both during his lifetime and afterwards, was finally recognised in 1896, when the room for musical recitals was named the 'Gardner Hall' in his honour. Despite the removal of the college to first Shrewsbury and then Hereford, the college (now the Royal National College for the Blind) still incorporates a Gardner Hall.
- ³⁸² Phillips, *The blind in British society*, 231.
- ³⁸³ RNC *Annual Report*, 1897/98.
- ³⁸⁴ Gardner Minutes, 10 November 1903.
- ³⁸⁵ Gardner Minutes, 7 January 1913.
- ³⁸⁶ Robert Richardson-Gardner, *Central aid for blind handicraftsmen in England and Wales* (Windsor: printed by Welham Clarke, 1884).
- ³⁸⁷ Gardner Minutes, 4 December 1883.
- ³⁸⁸ Charity Organisation Society, *Training of the Blind* (London: COS, 1876).
- ³⁸⁹ Individual charities for the blind had also considered opening premises for the sale of their produce in the neighbourhood of Oxford Street or Bond Street, such as the School for the Indigent Blind in 1816 and 1863, but the proposals had been rejected in the grounds that '... the cost of such an establishment would exceed the advantage to be gained' (SIB 1909, 7 & 26).
- ³⁹⁰ *Royal Commission Report*, (115), xxv.
- ³⁹¹ Phillips, *The blind in British society*, 100.
- ³⁹² The reluctance of bishops to ordain blind candidates had been pointed out by Dr. Thomas Rhodes Armitage in a letter to *The Times* on 7 September 1871.

³⁹³ Lambeth Palace Library/F. Temple 35 ff. 343-348.

³⁹⁴ Gardner Minutes, 12 December 1899.

³⁹⁵ Lambeth Palace Library/Davidson 159 ff. 14-16.

³⁹⁶ One of these was Canon the Rev. E.L. Gedge, rector of St. George's, Gravesend from 1899 to 1925 and son of the Rev. John Denny Gedge (1837-1920).

³⁹⁷ Lambeth Palace Library/Davidson 159 ff. 17/18.

³⁹⁸ In a previous letter of 22 January 1908 to a blind candidate for ordination (G. Frarey Whittleton) the Archbishop of Canterbury had again mentioned the criterion of 'exceptional proficiency' and had gone on to state that 'I have never yet ordained a blind man' (Lambeth Palace Library/Davidson 520 ff. 167-8).

³⁹⁹ William J. Day, *Work among the blind* (London: Wyman & Sons, 1885), 8 & 18.

⁴⁰⁰ *John Bull*, 17 August 1912.

⁴⁰¹ *John Bull*, 9 March 1912.

⁴⁰² The quotation given here is from Harrison, 'Philanthropy and the Victorians', 374; by implication it is taken from Owen, *English Philanthropy*, but it has been impossible to locate in that work.

⁴⁰³ The Cecilia Charity for the Blind also received a Leopold Salomons bequest.

⁴⁰⁴ Sir Harry Perry Robinson, *The Employers' Liability Assurance Corporation, Ltd. 1880-1930* (London: Waterlow, 1930), 14.

⁴⁰⁵ Ernle, 1851-1937, was an administrator, author and politician, serving as MP for Oxford University between 1914 and 1919, having contested Biggleswade unsuccessfully in 1910. He was appointed MVO in 1901, PC in 1916 and served as President of the Board of Agriculture between 1916 and 1919, during which period he introduced a guaranteed minimum price for wheat.

⁴⁰⁶ John Rawlins Coryton fought as a second lieutenant at Trafalgar aboard HMS *Spartiate*; Graham had a long career as an infantryman, including field command in the second Boer War, and as an administrator in the First World War. See also:

<http://www.genuki.org.uk/big/eng/Trafalgar/tr-abbotttodycr.txt> [Accessed 28 August 2011.]

⁴⁰⁷ *Crystal Palace District Advertiser*, 25 July 1914.

⁴⁰⁸ Robert was the brother of Archibald Douglas Fox (1878-1942), author of *Sir Thomas More*, an historical play in five acts (London: Constable & Co., 1905).

⁴⁰⁹ In the early years of Gardner's Trust the Committee was offered the freehold of a house for the use of the blind, although for reasons that are unclear this was never followed through.

⁴¹⁰ Phillips, *The blind in British society*, 181.

⁴¹¹ Respectively these were or had formerly been: (1) Isabella Poyntz (1803-1879), widow of the 2nd Marquess of Exeter; sister-in-law of Lady Sophia Cecil; (2) Lady Sophia Georgina Lennox (1809-1902), seventh daughter of the 4th Duke of Richmond, who married Lord Thomas Cecil, son of Henry Cecil, 1st Marquess of Exeter; (3) Lady Frances Jocelyn (1815-1885), second daughter of the 3rd Earl of Roden, who was the fourth wife of the 1st Earl of Gainsborough; her daughter, Lady Victoria Noel (1839-1916), married Sir Thomas Fowell Buxton (1837-1915); (4) sister of the Duke of Northumberland; and (5) Lady Susan Somerset (1804-1886), fourth daughter of the 6th Duke of Beaufort.

⁴¹² In 1881 the Alma Square numbering had by-passed 44, jumping from 42 to 46, so 44 may not then have been constructed.

⁴¹³ Winifred was buried in the same grave as Cecilia at All Souls Cemetery, Kensal Green (Square 139 Grave 41850), only a few hundred feet from the grave of Henry Gardner and his family.

⁴¹⁴ Gardner's Trust Letter Book 5 July 1882.

⁴¹⁵ Miss Bostock's address is given for part of the correspondence with Gardner's as c/o the Rev. Joseph Johnson Blick, of Wramplingham Rectory, Wymondham, Norfolk (her brother-in-law). She was living on her own means in the census of 1891, having been born in 1841, the daughter of a stockjobber.

⁴¹⁶ Gardner Minutes, 4 July 1882.

⁴¹⁷ Gardner Minutes, 7 August 1883.

- ⁴¹⁸ Gardner Minutes, 13 December 1887.
- ⁴¹⁹ Phoenix Home Annual Report 1907.
- ⁴²⁰ Gardner Minutes, 21 November 1899.
- ⁴²¹ Phoenix Home Annual Report, 1911.
- ⁴²² *The Blind* 2, 110.
- ⁴²³ *The Blind* 2, 396.
- ⁴²⁴ The total value of her estate was £31,000. She also left an annuity of £40 a year to one of the home's residents, Emma Cubitt.
- ⁴²⁵ Miss S.E. Bailey, the niece of a previous member, from 1945 to 1949.
- ⁴²⁶ Oliphant, *The early education of the blind in Britain*, 21.
- ⁴²⁷ One such was Lady Campbell-Orde, formerly Maie Ronald Stewart (1871-1955) and wife of Sir Arthur John Campbell-Orde, 4th baronet; she served briefly on the Committee from 1912.
- ⁴²⁸ Cecilia Home Annual Report, 1921.
- ⁴²⁹ Cecilia Home Annual Report, 1940/41.
- ⁴³⁰ Mary Gladys Thomas, *A chronological survey of the work of the blind. Supplement* (London: Sir Isaac Pitman for the National Institute for the Blind, 1953), 30.
- ⁴³¹ The law firm of which Cecilia's chairman, Norman Lancelot Hall, was a partner (then Hall Collins, today Forbes Hall) was based at 58 West Smithfield; Fordyce Curry, one of whose partners was John Alistair Fordyce, were also based in Smithfield and it is clear that Hall and Fordyce were connected socially and through business.
- ⁴³² Thomas J. Tierney, and Joel L. Fleishman, *Give Smart: philanthropy that gets results* (New York, NY: PublicAffairs, 2011), 5.
- ⁴³³ Lawrence H. Officer and Samuel H. Williamson, *Measures of Worth* (2008). Available at Measuring Worth: <http://www.measuringworth.com> [Accessed 28 December 2009.] This is an extended version of a previous publication by the same authors: 'Better Measures of Worth' in *Challenge: the magazine of economic affairs*, 49.5 (2006), 86-110.
- ⁴³⁴ Each of the terms used in this section have their standard economic definitions: RPI (Retail Price Index); CPI (Consumer Price Index); and GDP (Gross Domestic Product).
- ⁴³⁵ In this context a benchmark portfolio comprises a stated proportion of asset classes (for example 60% gilts and 40% UK equities) and the indices to be applied to those asset classes (for example the UK Government Long Gilt Index and the FTSE-All Share Index).
- ⁴³⁶ Stebbings, *The private trustee in Victorian England*, 134.
- ⁴³⁷ Owen, *English philanthropy*, 45-6 & 72-3.
- ⁴³⁸ Mortmain (literally 'dead hand') is a form of land ownership applied to property held by an ecclesiastical or other corporation. Maria Louisa Richardson Gardner cited the Mortmain Act as one of the reasons her father had not specified the founding of a new institute in his will and implied that he had received legal advice to this effect.
- ⁴³⁹ Owen, *English philanthropy*, 87 & 321-2.
- ⁴⁴⁰ Stebbings, *The private trustee in Victorian England*, 8.
- ⁴⁴¹ Burnett, *A history of the cost of living*, 308.
- ⁴⁴² The composition of the Finance Sub-Committee at this time is not entirely clear, but it may well have been Loyd, Swan and Boag (who were certainly confirmed as such in 1962).
- ⁴⁴³ Re Mulligan (Deceased) High Court Christchurch [1998] 1 NZLR 481. (*New Zealand Law Reports* 1958-2003 Volume 3 / 1998 Volume 1.)
- ⁴⁴⁴ Arthur Mitchell Chirgwin, *Arthington's Million: the romance of the Arthington Trust* (London: The Livingstone Press, 1936), 41.
- ⁴⁴⁵ See, for example, Harrison, 'Philanthropy and the Victorians', 354 & 373.
- ⁴⁴⁶ *The Spectator*, 19 May 1883.
- ⁴⁴⁷ Harrison, 'Philanthropy and the Victorians', 355.
- ⁴⁴⁸ I am indebted to Dr. Susan Thornberry, a Francis Campbell scholar, for this information. The notes to which she refers are contained in the 'Sir Francis Joseph Campbell papers, 1870-1935' held by the Library of Congress (LC control number mm 78014860).
- ⁴⁴⁹ Owen, *English Philanthropy*, 77 and elsewhere.
- ⁴⁵⁰ Harrison, 'Philanthropy and the Victorians', 359.

⁴⁵¹ By coincidence, it was very similar in amount (£800 p.a.) to the interim alimony ordered to be paid by Robert Richardson-Gardner to his second wife (£900 p.a.).

⁴⁵² Aristotle, *Politics*.

⁴⁵³ This line of research was initially suggested by Dr. Gordon Phillips. In some cases it might be possible to follow a similar line in relation to individual grants (as opposed to pensions), where both names and addresses are mentioned in the Minutes of Committee meetings.

⁴⁵⁴ Stebbings, *The private trustee in Victorian England*, 128.

CHRONOLOGY

This Chronology is intended to summarise key events in the history of care for the blind, with an emphasis on the Victorian period in general and Gardner's Trust in particular. It has been compiled from a number of sources, including: Biswas *The Social Implication of Braille System* (2008); Oliphant *The early education of the blind in Britain c. 1790-1900* (2007); Phillips *The blind in British society: charity, state and community, c. 1780-1930* (2004); Purse *The Blind in Industry, fifty years of work and wages* (1925); Spencer 'Reading by touch' (1962); Stadelman 'Education of the Blind' (1909); Thomas *A Chronological Survey of the Work of the Blind, supplement* (1953) and *The Royal National Institute for the Blind, 1868-1956* (1957); and Wagg *A Chronological Survey of the Work of the Blind* (1932). Full details of all of these are contained in the Bibliography.

- | | |
|---------|--|
| c. 370 | St. Basil founds hospice for the blind in Caesarea. |
| c. 450 | St. Lymnaeus founds hospice for the blind in Syria. |
| c. 620 | Hospice for the blind founded at Pontlieu, France by Bishop Bertrand of Le Mans. |
| 630 | Refuge for the blind founded at Jerusalem. |
| c. 1070 | William the Conqueror founded four hospices with provision for the blind at Cherbourg, Rouen, Bayeux and Caen. |
| c. 1260 | Hospice des Quinze-Vingts founded in Paris by King Louis IX for 300 blind crusaders. |
| 1329 | First asylum for the blind founded in the UK, by William Elsing, a London mercer. |
| 1350 | Hospice for the blind founded at Chartres by King John the Good for 120 blind persons. |
| 1525 | Juan-Louis Vivès, the Spanish humanist, publishes <i>De subventionem pauperum</i> (<i>On assistance to the poor</i>), which argues, <i>inter alia</i> , that the blind should not be allowed to remain idle. |
| 1543 | Pedro Mexia of Seville promulgates the idea of using raised type to teach the blind to read. |
| c. 1550 | Girolomo Cardano, Italian physician and mathematician, describes a theoretical method for teaching the blind to read and write by the sense of touch. |
| 1575 | Francesco Rampazetto, Venetian printer, produces intaglio prints from letters carved in wood. |
| 1576 | Poor Law Act of Queen Elizabeth passed, specifically mentioning that relief is to be provided to, among others, the destitute blind. |
| 1580 | Francisco Lucas of Saragossa, Spain, contrived a set of letters carved on thin tablets of wood. |
| 1640 | Pierre Moreau, a Parisian notary, had movable letters cast for the use of the blind. |
| 1615 | George Harsdörffer of Nuremberg describes how blind people can be taught to |

- recognise letters engraved in wax.
- 1664? *Il cieco afflito e consolato (A consolation to one afflicted by blindness)* is published, being correspondence between 'S.D.C.' and Vincenzo Armani.
- c. 1670 Francesco Lana-Terzi, a Jesuit priest of Brescia, suggests improvements to Cardano's system and makes other suggestions for blind alphabets.
- 1676 Jacob Bernoulli, the famous Swiss mathematician, instructs a blind girl to read using a system based on Cardano's.
- 1717 Dorothy Wilson's Charity was founded by a bequest, providing eight annuities of £8 for blind persons resident in the city or suburbs of York. (In the years that followed there were many similar bequests, of which several were administered through Livery companies, such as the Clothworkers, and similar organisations.)
- 1749 Denis Diderot publishes in Paris *Lettre sur les aveugles à l'usage de ceux qui voient (Letter on the blind for the use of those who see)*.
- 1760 Thomas Braidwood opens the Academy for the Deaf and Dumb in Edinburgh.
- 1774 The Rev. William Hetherington makes a gift of £30,000 to set up a trust for the provision of pensions to the blind. The trust is administered by Christ's Hospital, of which he was a governor.
- 1784 Valentin Haüy, pioneer of education for the blind, founded, in Paris, the first school for the blind – L'Institution Nationale des Jeunes Aveugles (National Institution for the Young Blind).
- 1791 The Rev. Henry Dannett opens the School of Instruction for the Indigent Blind, Liverpool, encouraged by the blind poet and seaman, Edward Rushton.
- 1792 Thomas Watson, nephew of Thomas Braidwood, opens London Asylum for the Deaf at Bermondsey.
- 1793 Asylums for the Blind open in Edinburgh and Bristol, with trade training.
- 1796 Birth of Henry Gardner, followed by his brothers William (1800) and Philip (1803).
- 1797 Death of Joanna Rashdale; subsequent formation of Rashdale Charity.
- 1799 London School for the Indigent Blind is opened by four businessmen to instruct the blind in a trade. It afterwards became the Royal School for the Blind, Leatherhead and eventually SeeAbility.
- 1804 J.W. Klein, founder of the first school for the blind in Vienna, developed a form of needle print.
- 1805 Asylum for the Blind opens in Norwich. Gardner family purchasing hops in London.
- 1806 The first German school for the blind opens at Steglitz.
- 1807 The first Russian school for the blind opens at St. Petersburg.
- 1808 Institutes for the blind opened in Amsterdam and Stockholm, followed by Zurich in 1809 and Copenhagen in 1811.
- 1810 Death of Thomas Henshaw of Oldham, who left a sum of £20,000 for the purpose of establishing an Asylum for the Indigent Blind. The will was contested by the relatives, but after 25 years the Court of Chancery gave a verdict in accordance with the terms of the will, by which time the accumulated principal had grown to £50,000. Richmond Asylum opens in Dublin.
- 1815 Molyneux Asylum opens in Dublin.
- 1819 Institution for the Indigent Blind of the Jewish Persuasion opens in Aldgate.
- 1821 L'Institution Nationale des Jeunes Aveugles adopts the system of 'night writing' developed by Charles Barbier de Sierr, originally for military use.
- c. 1823 Cannon Brewery in St. John Street, Clerkenwell assumes name of the Gardner

- family.
- 1826 Glasgow Asylum for the Blind opens.
- 1827 James Gall, an Edinburgh printer, publishes his first book on teaching the blind to read using raised type.
- 1829 Louis Braille invented the embossed alphabet, in France, now in general use throughout the blind world. It was adopted by L'Institution Nationale des Jeunes Aveugles in Paris in 1854, soon after his death, and by Dr. T.R. Armitage when founding the British and Foreign Blind Association, London, 1868. The Perkins Institute for the Blind was founded in Boston.
- 1830 Birth of Maria Louisa Gardner, only child of Henry Gardner.
- 1831 Thwaytes, a London merchant, leaves £20,000 for the provision of pensions for the blind. Workshops for the blind opened in Belfast.
- 1833 Dr. Edmund Fry, language scholar and type-founder, submits his entry to a competition for raised types announced by the Edinburgh Society of Arts in 1832 and is awarded the prize posthumously in 1836 (having died in 1835). His typeface is later developed by John Alston of the Glasgow Asylum for the Blind. School for the blind opens in York, commemorating William Wilberforce.
- 1834 Indigent Blind Visiting Society formed in London; later reformed by Dr. T.R. Armitage. Limerick Asylum opens.
- c. 1835 Dr. Samuel Gridley Howe of the Perkins Institute adopts a version of the Fry-Alston system that becomes known as Boston Line Letter.
- 1836 Blind Man's Friend, or Day's Charity, was founded by a sum of £100,000 left by Charles Day (of the firm of Day and Marlin, blacking makers). Income was used to provide pensions to the blind.
- 1838 London Society for Teaching the Blind to Read opens premises in Swiss Cottage (for middle and upper class children). School for blind and deaf opens in Newcastle, but is not a success; Royal Victoria Asylum for the blind also opens there and does not close until 1985. West of England Institute for the Blind opens in Exeter. Thomas Mark Lucas, a shorthand writer from Bristol, invents a stenographic system for the blind. James Hatley Frere announced his phonetic system of teaching the blind to read. (Frere was also responsible for a system of stereotyping later adopted by Lucas and Moon.) Dawson Littledale introduces another variant of raised Roman type.
- 1839 Manchester School for the Blind opens, funded by the Thomas Henshaw bequest.
- 1840 Cork Asylum opens.
- 1841 Catholic Blind Asylum is opened in Liverpool by Sisters of Charity of St. Vincent de Paul, the first UK blind school to be opened by a religious body. Institute for blind and deaf opens in Bath (closes 1896).
- 1842 Asylums for the deaf and blind open in Brighton.
- 1843 G.A. Hughes, governor of the Manchester School for the Blind, introduces a minimal stenographic system of raised type. London Society for Teaching the Blind to Read publishes memorial to Lord Wharncliffe condemning the Lucas system. Blind asylums opened in Aberdeen and Nottingham (later the Royal Midland Institution).
- 1845 The Poor Law Amendment Act of 1845 enabled Parochial Boards to contribute towards any asylum for the blind, applying to Scotland as well as England and Wales. Dr. William Moon of Brighton introduces a form of raised type based on the Roman alphabet.
- 1847 General (later Royal) Institute for the Blind opens in Birmingham, funded by

- merchant William Harold. William Moon founds his society in Brighton.
- 1851 Invention of the ophthalmoscope in Germany.
- 1853 Charity Commissioners established on the recommendation of the Brougham Commission.
- 1854 Maria Louisa Gardner marries Robert Richardson of Swansea. The couple subsequently adopt the surname Richardson-Gardner (1865).
- 1854 Elizabeth Gilbert (1826-1884), blind daughter of the Bishop of Chichester, organised a home working scheme for blind people, subsequently to become known as the (Incorporated) Association for the General Welfare of the Blind. Armagh Asylum (Macan) opens.
- 1855 London Home Teaching Society started by William Moon and Miss Graham, employing William Cooper as teacher.
- 1857 London Association for the Blind is formed.
- 1858 Philip Gardner, youngest of the three Gardner brothers, dies, apparently unmarried and childless. Leicester Institution for the Blind opens. Workshops for the blind opened in Cheltenham.
- 1860 William Gardner, junior dies (only son of William Gardner, middle brother of Henry and Philip). Sheffield Institution opens. Institution for the Instruction and Employment of the Blind founded at Plymouth.
- 1861 The Royal Institution for the Blind opens at Bradford and Liverpool Workshops for the Blind.
- 1861 Formation of home for blind women in St. John's Wood, later to become the Phoenix Blind Home and then the Cecilia Charity for the Blind.
- 1863 Sale of Cannon Brewery by Henry and William Gardner to George Hanbury and Barclay Field for £110,000. William Gardner and his wife, Maria Theresa, both die very shortly thereafter.
- 1864 Southsea School for the Blind and Hull and East Riding Institute open.
- 1865 Swansea Institution for the Blind and Cardiff Workshops for the Blind open.
- 1866 College for the Blind Sons of Gentlemen started at Worcester, later to become known as Worcester College for the Blind. Workshops for the Blind open in Leeds. Robert Richardson-Gardner declares with Henry Drummond-Wolff for Windsor by-election, but withdraws at last moment.
- 1867 Preston School for the Blind, Stockport Institution for the Blind and Bolton Workshops for the Blind open.
- 1868 British and Foreign Association for promoting the education and employment of the Blind (later the Royal National Institute for the Blind, "RNIB") founded by Dr. T.R. Armitage.
- 10 Dec 1868 General election; Robert Richardson-Gardner fails to win Windsor for Conservatives, despite lodging petition.
- 1869 Formation of Charity Organisation Society ("COS"), later the Family Welfare Association ("FWA") and later still Family Action ("FA").
- 1870 Workshops for the Blind open at Newcastle.
- 1871 Education of the Deaf, Dumb and Blind Act.
- 1872 Royal Normal College and Academy of Music for the Blind ("RNC") opens at Crystal Palace and within a year moves to larger premises in Upper Norwood; again Dr. T.R. Armitage plays a leading role. William Bell Wait of the New York Institute for the Education of the Blind develops the New York Point system of raised type and, later, a machine for embossing type (the Kleidograph). Workshops for the Blind open at Carlisle.

-
- 1873 Conference on the blind held in Vienna. Workshops for the Blind open at North Shields.
- 22 Mar 1873 Henry Gardner donates £25 to RNC. This is followed by further donations of at least £3,425 over the next six years.
- 17 Feb 1874 General election: Robert Richardson-Gardner wins Windsor, surviving petition.
- 1874-76 Special Committee of Charity Organisation Society investigates and reports upon the condition of the blind.
- 1876 Conference on the blind held at Dresden.
- 24 Jul 1876 Henry Gardner draws up Will with principal terms of blind bequests. (Codicil dated 15 May 1877.)
- 1877 Workshops for the Blind open in Kent, Greenwich and Sunderland.
- 1878 Conference on the blind held at Paris.
- 1879 Conference on the blind held at Berlin. Blind employment factory opens in Waterloo Road.
- 9 Jan 1879 Henry Gardner dies.
- 17 Jan 1879 Anticipating a failure to reach agreement with the other trustees on the use of the bequest, Maria Louisa Richardson-Gardner refers the case to the Chancery Division (*Re Henry Gardner deceased Gardner v. Beaumont* 1879). Statement of claim issued in 17 Feb 1879.
- 12 Feb 1879 Probate granted on Henry Gardner's will.
- 24 Feb 1879 Robert and Maria Louisa travel to the Continent to visit blind institutions, returning during April or May.
- 25 Feb 1879 Letter in *Telegraph* concerning use of legacy to build asylum at Windsor. Maria Louisa's response is published on 27 Feb 1879.
- 2 Apr 1879 Proposal of Clothworkers' Company to administer the Gardner legacy at no cost.
- Apr 1879 The Gardner trustees begin to receive schemes for administering the trust and applications for funds from a wide range of bodies including the IBVS, the BFBS, the RNC, Thomas Rhodes Armitage, etc.
- May 1879 A report of the visits made by the Richardson-Gardners to the Continental blind institutions and their proposal for a new institute at Windsor is published as the *Gardner Musical Institute*.
- 30 May 1879 Robert Richardson-Gardner, MP, announces in speech plan to build asylum for the blind at Windsor.
- Jul 1879 Maria Louisa Richardson-Gardner submits her proposals to the Chancery Division; the other trustees do likewise in due course.
- Jul 1879 (?) Maria Louisa Richardson-Gardner writes to Queen Victoria asking if she has any objection to an institute for the blind being built at Windsor.
- 11 Jul 1879 Worcester College reconstituted under Trust Deed; School Scholarship Fund constituted separately under Trust Deed of 23 Jul 1879.
- 20 Dec 1879 Court Order for the Gardner trustees to pay into a Court account securities and cash to the value of £300,000, mainly in the form of government securities previously held at the Bank of England by the testator.
- Dec 1879 Robert Richardson-Gardner proposes removal of Royal Normal College to Windsor, to be renamed with reference to Henry Gardner and thereafter to benefit from Gardner bequest. This proposal is immediately rejected in a series of letters by supporters of the RNC.
- Dec 1879 Compromise proposal submitted to trustees by Sir Charles and Lady Isabelle Lowther with approval of Maria Louisa Richardson-Gardner.
-

1880	Workshops for the Blind open in West London.
22 Jan 1880 – 6 Feb 1880	Leading article and correspondence in <i>The Times</i> concerning the use of the Gardner legacy, involving such as William M. Wilkinson, William J. Day, Trueman R. Wood, Dr. T.R. Armitage, William R. Carter, Edmund C. Johnson and Robert Richardson-Gardner.
Feb 1880	Letter from Charity Organisation Society to trustees containing its own proposals, which are also submitted to the Chancery Division, along with at least two affidavits.
Mar 1880	S.S. Forster of Worcester College publishes pamphlet on the use of the Gardner bequest.
27 Apr 1880	General election; Liberals win, but Richardson-Gardner returned at Windsor. Seat retained at General elections of 1885 and 1886; Richardson-Gardner resigns seat on 31 Mar 1890, following the death of Maria Louisa.
Jun 1880	Students and masters from the Paris Institute Nationale des Jeunes Aveugles visit London at the invitation of the Richardson-Gardners to give three concerts.
7 Jul 1880	Article in <i>The World</i> mocking proposed institute at Windsor.
1881	Workshops for the Blind open at Manchester (Henshaw's).
Mar 1881	Principles of scheme issued by Court of Chancery. Dr. T.R. Armitage publishes first issue of <i>Progress</i> detailing the scheme. Alfred Beaumont appeals on the matter of costs and wins.
Oct 1881	Gardner trustees agree to provide 'Gardner Scholarships' of £1,000 p.a. to the Royal Normal College.
Jan 1882	Scheme and Declaration of Trust in form of deed poll approved by Court of Chancery.
1882	Henry Wilson appointed first secretary of Gardner's Trust. Workshops for the Blind open at Wolverhampton. Conference on the blind held at Frankfurt.
1883	Conference on the blind held at York (first in UK). Workshops for the Blind open at Oldham.
1884	Grosvenor House conference on the blind hosted by the Duke of Westminster.
1885	Royal Commission on the Deaf, Dumb and Blind is set up (the Egerton Commission). Conference on the blind held at Amsterdam.
1888	Worcester College reconstituted under new Trust Deed; Gardner's Trust requested to take over management of the College the following year, but declines to do so. Conference on the blind held at Cologne.
1889	Report of the Royal Commission on the Deaf, Dumb and Blind.
2 Apr 1889	Maria Louisa Richardson-Gardner dies in Cannes. (Robert re-marries in 1892.) Her Will is also referred to Chancery (<i>Re Gardner deceased Long v Gardner</i> 1889).
1890	Education of Blind and Deaf-Mute Children (Scotland) Act. Conference on the blind held at RNC, Norwood.
1891	Conference on the blind held at Brussels.
25 Jun 1892	Robert Richardson-Gardner marries Rosalie Lilian Aurora Bernard, an actress. On 12 Apr 1894 she sues for divorce on grounds of multiple adultery and physical and mental cruelty.
1893	The Elementary Education (Blind and Deaf Children) Act obliged every school authority to provide education for blind and deaf children. Gardner's Trust takes over responsibility for Joanna Rashdale's Charity at the request of the Public Trustee; additional sum under Leopold Salomon bequest in 1921 (Cecilia Charity also benefits from this bequest).

-
- 1894 Clause 7 of Gardner Scheme and Declaration of Trust modified to provide additional flexibility in awarding grants and pensions. Report of the Bryce Commission (set up in 1894) recommending the creation of a central Board of Education to absorb the functions of the Education department, the Science and Art department and the educational side of the Charity Commission. Conference on the blind held at Birmingham.
- 1895 London School Board temporarily takes over responsibility for RNC (until 1897).
- 1896 Workshops for the Blind open at Whitby.
- 1897 National League of the Blind formed as an alliance of local blind societies; Ben Purse became its first Secretary and organised publication of a monthly journal, the *Blind Advocate*, from 1898. Middlesbrough Institute for the Blind opens. Workshops for the Blind open at Tunbridge Wells.
- 1898 Workshops for the Blind open at Northampton.
- 5 Jan 1898 Robert Richardson-Gardner dies in Monte Carlo.
- 1899 Gardner's Trust establishes right of 'exceptional' blind candidates to be ordained.
- 1901 Workshops for the Blind open at Wakefield and Hanley.
- 1902 Gardner's Trust sponsors conference on the blind at Church House, Westminster. The Secondary Education Act of that year was passed. One important outcome was vocational training for the blind as a rate-aided activity.
- 1903 Gardner's Trust requested to take over management of the Royal Normal College and Academy of Music for the Blind, but declines to do so.
- 1905 Workshops for the Blind open at Walsall and London (Barclay Workshop for Blind Women). Conference on the blind held at Manchester.
- 1906 First Union of Associations for the Blind formed, covering the northern counties, subsequently followed by six others covering the whole of the UK. The Post Office (Literature for the Blind) Act was passed, by which books in raised type could be sent through the post at reduced rates. Scope later widened in Post Office Amendment Act of 1938.
- 1907 College of Teachers of the Blind ("CTB") is set up. In London a class opens for the partially sighted. The Education (Administrative Provision) Act abolished the obligation of voluntary schools to provide at least one-third cost of maintenance from voluntary sources, thus enabling a Local Education Authority to pay the whole cost of the maintenance and education of a blind child. Workshops for the Blind open at Accrington.
- 1908 Death of Edith Lord, part heiress to Lord & Taylor retailing fortune; subsequent bequest to Gardner's Trust. Workshops for the Blind open at Blackburn. Old Age Pensions Act is passed.
- 1909 Henry Wilson elected one of five Fellows of CTB.
- 1910 Newly incorporated Cecilia Charity for Blind Women takes over the property of the Phoenix Blind Home.
- 1911 Conference on the blind held at Exeter.
- 1912 Association of Teachers of the Blind founded as a professional body. School for Blind Children opens at Gorleston-on-Sea.
- 1913 Workshops for the Blind open at Chester and Newport.
- 1914 Union of Unions of the Blind founded. Conference on the blind held at Westminster. Workshops for the Blind open at Stourbridge.
- 2 Feb 1915 Gardner's Trust takes on responsibility for management of the Worcester College School Scholarship fund, retaining this until 1944; additional sum

- received from Public Trustee as part of Lucy Block bequest in 1921.
- 1915 St. Dunstan's Hospital founded as branch of the NIB. The London Home Teaching Society, the Moon Society and the National Institution for Massage become branches of the NIB.
- 1917 Workshops for the Blind open at Wigan.
- 1918 The Education Act of that year was passed, restating and enlarging the powers of Local Education Authorities in regard to every type of education, including that of the blind. Under this Act the vocational training of the blind became an obligation on the Local Education Authority. Workshops for the Blind open at Dewsbury.
- 1920 The Blind Persons Act was passed. This was a wide-ranging Act that, *inter alia*, made it the duty of the County Boroughs and County Councils to provide for the welfare of the blind and extended the Old Age Pension to blind persons at fifty years of age instead of seventy. Definition of blindness: 'too blind to perform work for which eyesight is essential'.
- 1921 National Institute for the Blind opens a Sunshine Home at Chorleywood and establishes Chorleywood Grammar School for Girls. Halifax Institute for the Blind opens. Workshops for the Blind open at Hartlepool and Darlington.
- 1922 Henry Wilson retires as Secretary of Gardner's Trust (dies in 1931). St. Dunstan's becomes independent of NIB.
- 1924 Merger of College of Teachers of the Blind and Association of Teachers of the Blind.
- 1931 NIB opens Court Grange School for mentally Retarded Blind Children at Abbotskerswell (pupils transfer to Condoover Hall in 1948).
- 1933 Blind Voters Act passed, permitting blind voters to have assistance in polling booths.
- 1934 Clause 7 of Gardner Scheme and Declaration of Trust again modified to provide additional flexibility in awarding grants and pensions.
- 1937 Death of Captain A.P.S. Beaumont, JP, with residue of his state left to Gardner's Trust on decease of his two daughters (this occurred around 1978, by which time the amount was c. £150,000).
- 1938 Blind Persons Act passed, reducing the age of eligibility for Blind Old Age Pensions from 50 to 40 and providing additional support to blind persons. Definition of blindness: 'so blind as to be unable to perform any work for which eyesight is essential'.
- 31 Mar 1938 Union of Unions of the Blind ceases its activities and regional Unions reorganised.
- 1941 Middlesex Association for the Blind takes over the management of the Cecilia Home for Blind Women.
- 1944 Education Act passed, providing for free secondary education and giving responsibility for the training of the young disabled to the Ministry of Labour. NIB School of Massage renamed School of Physiotherapy.
- 1948 National Assistance Act passed, repealing the Blind Persons Act 1938 (except blindness definition). The RNIB opens Condoover Hall, near Shrewsbury, catering for blind children who are also physically or mentally handicapped, maladjusted, epileptic or deaf.

GLOSSARY

<i>ad valorem</i>	A tax based on the value of real estate or personal property, as opposed to a specific duty.
<i>advancement</i>	A gift made by a person while alive to his child, or other legally recognized heir, the value of which the donor intends to be deducted from the child's or heir's share in the estate after the donor's death.
<i>alienation</i>	The voluntary and absolute transfer of title and possession of real property from one person to another.
<i>anticipation</i>	In law the performance of an act or obligation before it is legally due.
<i>barque</i>	A sailing vessel of three or more masts, having all masts but the stern-most square-rigged.
<i>board schools</i>	These were schools for the 5 to 10 age group under the control of locally elected school boards, made possible by the 1870 Education Act; the act stated that any area which voted for it could have a school board. These schools could charge fees, but were also eligible for government grants and could also be paid for out of local government rates.
<i>consols</i>	Consolidated annuities (or stock) issued by the British Government and redeemable at its option; the coupon rate was 3% in 1879 and reduced to 2¾% in 1888 and 2½% in 1923.
<i>conversion</i>	(a) The sale of one asset and reinvestment of the proceeds in another. Trusts set up under wills often required trustees to convert real assets into, for example, government securities or cash. (b) A voluntary act by one person inconsistent with the ownership rights of another, as may be encountered in balancing the interests of a life tenant and a remainderman in a trust.
<i>couch</i>	To remove a cataract by inserting a needle through the coats of the eye and displacing the opaque crystalline lens below the axis of vision.
<i>county unions</i>	Associations of organisations and individuals formed to co-ordinate work for the blind on a geographic basis, usually involving several counties.
<i>coverture</i>	The historic legal condition of a woman, whereby her legal existence was once largely submerged into that of her husband.
<i>create an interest</i>	A phrase used to describe the process by which prospective parliamentary candidates became involved in and known within their chosen constituencies, for example by purchasing property and sponsoring events.
<i>cy-près</i>	The principle that, where a trust has failed, a court may specify or agree a new purpose as close as possible to the testator's original intentions.
<i>dame school</i>	An early form of private elementary school found in various English speaking countries.
<i>debenture bond</i>	A debt security that is not secured by a specific asset or lien, but rather by a claim on all of the issuer's assets not otherwise secured.
<i>debenture stock</i>	Unlike a debenture bond, debenture stock is a form of equity, putting it explicitly behind all debts in the event of liquidation.
<i>declaration of trust</i>	Originally another name for a trust deed, the legal document that sets out the conditions under which a trust is established.
<i>dole</i>	The granting of alms, usually without attached conditions.
<i>dower</i>	In law an interest in a part of her dead husband's estate allotted by common law to the wife for use in her lifetime.
<i>dowry</i>	In law money or property brought by a woman to her husband at marriage.
<i>election petition</i>	A legal process by which the result of a parliamentary election can be

	challenged, originally before a parliamentary committee, but later in the courts before special judges.
<i>Enlightenment</i>	The intellectual and philosophical developments of the eighteenth century, based on self-governance, natural rights, natural law, liberty, individual rights, reason, common sense and the principles of deism.
<i>entail (or fee tail)</i>	An obsolete legal term describing an estate of inheritance in real property which cannot be sold, devised by will, or otherwise alienated by the owner, but which passes by operation of law to the owner's heirs upon his death.
<i>Equity</i>	The set of legal principles based on common law supplementing strict rules of law (statutes) where their application would operate harshly.
<i>Establishment</i>	A term used to refer to a dominant group or elite that holds power or authority in a nation.
<i>gilts</i>	Securities issued by the British Government.
<i>hotchpot</i>	In law the blending or combining of property in order to ensure equality of division.
<i>indoor relief</i>	Provision of relief to the poor by requiring them to enter a workhouse.
<i>inter vivos</i>	Literally 'among the living', a legal term applied to a transfer or gift made during one's lifetime, as opposed to a testamentary transfer made after death.
<i>jointure</i>	(1) The holding of property to the joint use of a husband and wife for life or in tail, as a provision for the latter in the event of her widowhood. (2) An estate secured to a prospective wife as a marriage settlement in lieu of a dower.
<i>life interest</i>	In law this is some form of right, usually under a trust, which lasts only for the lifetime of the person benefiting from that right. A person with a life interest is known as a life tenant and a life interest ends when the life tenant dies.
<i>mendicity</i>	The state of being a beggar or mendicant.
<i>mortgage</i>	A security interest in real property held by a lender as a security for a debt, usually a loan of money. A mortgage in itself is not a debt, it is the lender's security for a debt.
<i>mortmain</i>	A legal term that means ownership of real estate by a corporation or legal institution that can be transferred or sold in perpetuity, usually in the context of its prohibition.
<i>next friend</i>	A person who represents another person who is under disability or otherwise unable to maintain a suit on his or her own behalf and who does not have a legal guardian.
<i>out-door relief</i>	Assistance, in the form of money, food, clothing or goods, given to alleviate poverty without the requirement that the recipient enter an institution. (In contrast, recipients of indoor relief were required to enter a workhouse, or poorhouse.)
<i>pauperism</i>	Strictly, the state of being poor or destitute, but also used in Victorian times to refer to actions taken to encourage this state (such as the granting of doles).
<i>personalty</i>	A person's moveable property. Also sometimes referred to as chattels.
<i>portion</i>	In law funds or other property left to a child by his or her parents or someone standing in <i>loco parentis</i> and intended to set up in life or make permanent provision for him or her.
<i>realty</i>	A person's immoveable property.

<i>remainder</i>	In law a remainder is a future interest of property (real or otherwise) given to a person (the remainderman) that is transferable at the end of a prior estate created by the same instrument (for example a will).
<i>reversion</i>	Legally, an interest in an estate that reverts to the grantor (or his heirs) at the end of some period (such as the death of the grantee).
<i>revising barrister</i>	Legal counsel of not less than seven years' standing appointed to revise the lists of parliamentary voters.
<i>Revival</i>	One of the periods of increased interest in Christian belief, such as that occurring in the USA and Britain during the 1850s.
<i>scheme</i>	A document, normally approved by a court, which contains provisions for the management or distribution of property, or for resolving a dispute concerning allegedly conflicting rights.
<i>scientific philanthropy</i>	An approach to philanthropy based on the scientific method that involved the collection of empirical data concerning each person or family to be assisted, coupled with efforts to coordinate the help provided by different social agencies within the community.
<i>stamp duty</i>	A tax collected by requiring a stamp to be purchased and attached to a document, such as a grant of probate or a property transfer.
<i>Swedenborgianism</i>	A religious movement developed from the writings of the Swedish scientist and theologian Emanuel Swedenborg (1688–1772).
<i>ticket</i>	A coupon given to a person seeking charity enabling them to obtain, for example, food or clothing, rather than a cash sum.
<i>typhlology</i>	The scientific study of blindness (sometime limited to writing by the blind).

BIBLIOGRAPHY

This bibliography comprises not only the sources referred to in the text, but also other books, articles, general reference works and additional material consulted in the preparation of the thesis.

A. Primary sources

Unpublished and printed records of charities and institutions for the blind and other voluntary organisations

The material available varies from case to case, but generally includes minute books, accounts, annual reports, letter books and other correspondence files.

Cecilia Charity for the Blind. Formerly: Phoenix Home for Blind Women [1861]; Cecilia Home for Blind Women [1909]. It has proved difficult to locate any truly primary materials for Phoenix/Cecilia, the nearest being the partial set of printed annual reports held at the RNIB archive and copies of the annual reports filed with Companies House since the charity's incorporation in 1910.

Clarity – Employment for Blind People. Formerly: Association for the General Welfare of the Blind [1854]. The remaining archives of the charity are located at its head office/factory, now located at 276 York Way, London. These comprise minutes books from 1906 (volume 7 onwards) and a few bound annual reports from 1862 to 1901, including lists of subscribers, etc. The British Library also has some bound annual reports covering the period 1857 to 1885.

Family Action. Formerly: Society for Organising Charitable Relief and Suppressing Mendicity [1869]; Charity Organisation Society [1870]; Family Welfare Association [1946]. Certain primary records have been deposited with the LMA. The COS reference library, comprising over 5,000 volumes, was deposited with the Goldsmiths' Library in 1963 and now forms one of the special collections of the Senate House Library. Of particular interest are 300 volumes of pamphlets and over 100 volumes of government publications, many of which deal with the blind.

Gardner's Trust for the Blind. The most important single collection of Gardner material is held at the LMA, where it was deposited by the RNIB; the RNIB had received it when Gardner's Trust moved out of its Chancery Lane offices. The RNIB retained the Gardner reference library, which it merged with its own, together with an almost complete run of annual reports and over 100 volumes of (outgoing) letter books.

Metropolitan Society for the Blind. Incorporates: Indigent Blind Visiting Society [1854]. The Annual Reports for the IBVS for 1866 and 1868-1896 are held by the MSB at Lantern House in Bermondsey Street.

Middlesex Association for the Blind. The old minute books are kept at the Stirling Road, Acton offices leased by the MAB.

New College Worcester. Formerly: Worcester College for the Blind Sons of Gentlemen [1866]; Worcester School for the Higher Education of Blind Boys [1903]; Worcester College for the Blind [1920]; RNIB New College (merger with Chorleywood) [1987]. Governors' minutes exist, but only from 1890; these are held at the college. The records of the earliest headmasters have been deposited with the Worcestershire Record Office.

Royal Blind Society for the United Kingdom. Formerly: The Protestant Blind Society [1863]; Blind Pension Society of the UK [1884]; Royal Blind Pension Society of the UK [1887].

Founded by Thomas Pocock. The society is now located at Rustington, West Sussex, but its records are fragmentary.

Royal London Society for the Blind. Formerly: London Society for Teaching the Blind to Read [1838]; Royal London Society for Teaching the Blind to Read [1938]. Some of the archives are retained at Dorton House School, at Seal, near Sevenoaks in Kent.

Royal National College for the Blind. Formerly: Royal Normal College and Academy of Music for the Blind [1871]. The original executive committee minute books of the college and its annual reports are held at its current premises in Hereford.

Royal National Institute of Blind People. Formerly known as: British and Foreign for Improving Embossed Literature for the Blind [1868]; British and Foreign for Improving Embossed Literature for the Blind and Promoting their Employment [1869]; British and Foreign Blind Association; National Institute for the Blind; Royal National Institute for the Blind [1953]; Royal National Institute of the Blind [2002]. Incorporates: London Home Teaching Society [1855, absorbed 1915]; Protestant Blind Pension Society [1863, absorbed after several names changes 1989]. The main RNIB reference library (incorporating the Gardner reference library) is located at its premises at Judd Street in London. Certain relevant materials are kept at the RNIB archives located at Stockport. These include Gardner's Trust letter books and annual reports for Gardner's Trust, for the Phoenix/Cecilia Home (with significant gaps) and also for other blind charities.

SeeAbility. Formerly: (London/Southwark) School for the Indigent Blind [1799]; Royal Blind School [1911]. In the charity's Epsom head office there is almost a complete run of Annual Reports from 1800 to the 1950s; these generally contain lists of students, subscribers, donors and bequests, along with chaplain's reports, etc. The archive also contains Minute Books of the General Committee, General Court and the House Sub-committee.

Other unpublished material

Carlton Club, St James. Minute books of Junior Carlton Club relating to expulsion of Robert Richardson-Gardner.

East Sussex Records Office, Lewes. Correspondence of Oscar Browning concerning Robert Richardson-Gardner. [Collection: R/E4.]

Guildhall Library, City of London. Records of County Fire Office [MS 31907]; Sun Fire Office [MS 11936], Vintners' Company [MS 15201 & MS 15208]; etc.

Kent County Archives, Maidstone. Correspondence between Viscount Chilston and the Marquess of Salisbury concerning Robert Richardson-Gardner. [Collection: U564.]

Lambeth Palace Library, London. Correspondence of Bishops Jackson and Temple and other material concerning Gardner's Trust. [Collections: FP Jackson, F Temple; Davidson.]

Library of Congress, Washington. Personal papers of Campbell family. [Collection: mm 78014860.]

National Archives, Kew. 'Consolidated Permanent Benefit Society' [FS6/178/988MIDD]; Petition re 1868 Windsor election [J 104/3]; pleading re expulsion of Robert Richardson-Gardner from Junior Carlton Club [C 16/673/R151]; Rosalie Richardson-Gardner divorce petition [J 77/535/16324]; administrator's accounts for Henry Gardner's estate; [C 30/3164]; etc.

Parliamentary Archives, Westminster. Voting records of Robert Richardson-Gardner.

Salisbury Papers, Hatfield House. Correspondence between the Marquess of Salisbury and Robert Richardson-Gardner. [Collection: 3M/Class E.]

Swedenborg Society of London. Miscellaneous material concerning William Martin Wilkinson.

Newspapers, periodicals and journals

<i>Aberdeen Journal/Weekly Journal</i>	<i>Le Littoral</i>
<i>The Athenaeum</i>	<i>Liverpool Mercury</i>
<i>The Beacon (later The New Beacon)</i>	<i>Lloyds Weekly Newspaper</i>
<i>Belfast News-Letter</i>	<i>London Gazette</i>
<i>Berrow's Worcester Journal</i>	<i>The Manchester Guardian</i>
<i>Birmingham Daily Post</i>	<i>The Morning Post</i>
<i>Birmingham Post and Mail</i>	<i>The Musical Standard</i>
<i>The Blind</i>	<i>The Musical Times</i>
<i>The Blind Advocate</i>	<i>The Musical World</i>
<i>British Medical Journal</i>	<i>Newcastle (Weekly) Courant</i>
<i>Bristol Mercury (& Daily Post)</i>	<i>New York Times</i>
<i>Caledonian Mercury (& Daily Express)</i>	<i>Norwood News</i>
<i>Cambrian</i>	<i>The Observer</i>
<i>Charity Organisation Reporter/Review</i>	<i>Pall Mall Gazette</i>
<i>Daily News</i>	<i>The Penny Illustrated Paper</i>
<i>The Economist</i>	<i>The Practical Teacher</i>
<i>The Era</i>	<i>Progress</i>
<i>The Examiner</i>	<i>Reynold's Newspaper</i>
<i>Freemans Journal</i>	<i>The Saturday Review</i>
<i>The Guardian</i>	<i>The Standard</i>
<i>Hampshire Telegraph</i>	<i>Surrey Advertiser</i>
<i>Hull Packet</i>	<i>Telegraph</i>
<i>Illustrated London News</i>	<i>The Times</i>
<i>Illustrated Police News</i>	<i>Trewman's Exeter Flying Post</i>
<i>Ipswich Journal</i>	<i>Vanity Fair</i>
<i>Jacksons Oxford Journal</i>	<i>Western Mail</i>
<i>Journal de St Petersburg</i>	<i>Windsor and Eton Express</i>
<i>Journal of the Society of Arts</i>	<i>Windsor and Eton Herald</i>
<i>Leeds Mercury</i>	<i>The World</i>
<i>Le Courier de Cannes</i>	<i>Wrexham Chronicle</i>

Government publications and parliamentary papers

The main emphasis of the items included under this heading relates to the following areas of legislation and reporting: censuses; charitable trusts (including their incorporation and permitted investments); education and welfare of the blind; married women's property; mortmain and charitable uses; old age pensions; and succession duty. Other than where a particularly long period occurred between the first introduction of a bill and the enactment of a final version, only the last version has been included.

Bills

1850 [35] *Charitable trusts*. A bill for facilitating and better securing the due administration of charitable trusts.

1850 [491] *Trustee Act, 1850*. A bill [as amended by the committee] intituled an act to consolidate and amend the laws relating to the conveyance and transfer of real and personal property vested in mortgagees and trustees.

1852 [102] *Charitable trusts*. A bill for facilitating and better securing the due administration of charities in England and Wales.

1852 [401] *Trustees Act extension*. A bill [as amended by the committee] to extend the provisions of 'the Trustee Act, 1850'.

- 1852-53 [760] *Succession duty*. A bill [as amended in committee, on re-commitment, and on consideration of bill as amended] for granting to Her Majesty duties on succession to property, and for altering certain provisions of the acts charging duties on legacies and shares of personal estates.
- 1852-53 [869] *Charitable trusts*. A bill [as amended in committee] intituled an act for the better administration of charitable trusts.
- 1854 [54] *Mortmain*. A bill to consolidate and amend the laws of mortmain and the laws regulating gifts to charitable or religious purposes.
- 1854-55 [296] *Charitable trusts*. A bill [as amended in committee] intituled an act to amend the Charitable Trusts Act, 1853.
- 1860 [113] *Charitable uses*. A bill to amend the law relating to the conveyance of land for charitable uses.
- 1860 [331] *Endowed charities*. A bill [as amended in committee and on re-commitment] intituled an act to amend the law relating to the administration of endowed charities.
- 1863 [164] *Charitable uses*. A bill to further amend the law relating to the conveyance of land for charitable uses.
- 1866 [199] *Charitable trusts deeds enrolment*. [H.L.] A bill intituled an act to make further provision for the enrolment of certain deeds, assurances, and other instruments relating to charitable trusts.
- 1867 [259] *Investment of trust funds*. A bill [as amended in committee] to remove doubts as to the power of trustees, executors, and administrators to invest trust funds in certain securities, and to declare and amend the law relating to such investments.
- 1868-69 [239] *Charity commissioners*. [H.L.] A bill instituted an act for amending the Charitable Trusts Acts.
- 1870 [47] *Education of the blind, &c.* A bill to provide for the elementary education of blind and deaf and dumb children, and for the governmental inspection of schools for such children.
- 1870 [168] *Charitable funds investment*. A bill to amend the law as to the investment in real securities of trust funds held for public and charitable purposes.
- 1870 [238] *Married women's property*. A bill [with the amendments made by the Lords] intituled an act to amend the law relating to the property of married women.
- 1872 [120] *Charitable Trustees Incorporation*. A bill [as amended in committee] to facilitate the incorporation of the trustees of charities for religious, educational, literary, scientific, and public charitable purposes, and the enrolment of certain charitable trust deeds.
- 1874 [96] *Married Women's Property Act (1870) Amendment*. A bill [as amended by the select committee] to amend the Married Women's Property Act (1870).
- 1877 [228] *Colonial stock*. A bill to amend the law with respect to the transfer of stock forming part of the public debt of any colony, and the stamp duty on such transfer.
- 1878-79 [106] *Trustee Acts Consolidation and Amendment*. A bill to consolidate and amend the acts relating to the disposition of property held upon trust or as a security for money.
- 1881 [85] *Blind and Deaf-Mute Children*. A bill for the better education of blind and deaf-mute children.
- 1881 [106] *Married women's property*. A bill [as amended by the Select Committee] to consolidate and amend the acts relating to the property of married women.
- 1884 (155) *Married Women's Property Act (1882) amendment*. A bill to amend the sixteenth section of the Married Women's Property Act, 1882.
- 1888 [285] *Mortmain and charitable uses*. [H.L.] A bill [as amended by the Standing Committee on Law] intituled an act to consolidate and amend the law relating to mortmain and to the disposition of land for charitable uses.
- 1889 [6] *Trust funds investment*. A bill to amend the law relating to the investment of trust funds.

- 1890-91 [129] *Charitable trusts*. A bill to amend the law relating to charitable trusts.
- 1890-91 [155] *Blind and Deaf-Mute Children (Education)*. A bill to amend the law in regard to the education of blind and deaf-mute children in England and Wales.
- 1890-91 [414] *Mortmain and Charitable Uses Act amendment*. [H.L.] A bill intituled an act to amend the Mortmain and Charitable Uses Act, 1888, and the law relating to mortmain and charitable uses.
- 1893-94 [276] *Trustee (colonial stock)*. A bill to amend the law with respect to the investment by trustees in colonial stock.
- 1893-94 [412] *Elementary Education (Blind and Deaf Children)*. A bill [as amended by the Select Committee] to make better provision for the elementary education of blind and deaf children in England and Wales.
- 1900 [300] *Colonial stock*. [H.L.] A bill intituled an act to amend the Colonial Stock Acts, 1877 and 1892, and the Trustee Act, 1893.
- 1901 [20] *Old age pensions*. A bill to provide pensions for the aged poor.
- 1903 [16] *Elementary Education Amendment*. A bill to amend the Elementary Education (Defective and Epileptic Children) Act, 1899.
- 1903 [208] *Trustee Act (1893) amendment (no. 2)*. A bill to amend the Trustee Act, 1893.
- 1903 [211] *Elementary Education (Blind and Deaf Children)*. A bill to amend the Elementary Education (Blind and Deaf Children) Act, 1893.
- 1906 [315] *Post Office (Literature for the Blind)*. A bill to facilitate the transmission by post of books and papers impressed for the use of the blind.
- 1908 [295] *Old age pensions*. A bill [as amended in committee and on re-committal] to provide for old age pensions.
- 1912-13 [77] *Education of the blind*. A bill to provide for the technical education, employment, and maintenance of the blind.
- 1912-13 [87] *Trust investment*. A bill to amend the law as to the investment of trust funds.
- 1912-13 [170] *Trustee*. A bill to amend the Trustee Act, 1893.
- 1920 [179] *Blind persons*. A bill [as amended by Standing Committee A] to promote the welfare of blind persons.
- 1924 [39] *Blind Persons*. A bill to amend the Blind Persons Act, 1920.
- 1924-25 [136] *Trustee (consolidation)*. [H.L.] A bill intituled an act to consolidate certain enactments relating to trustees in England and Wales.
- 1926 [27] *Blind persons*. A bill to amend the Blind Persons Act, 1920.
- 1926 [185] *Lords amendments to the Wireless Telegraphy (Blind Persons Facilities) Bill*.
- 1929-30 [40] *Blind persons*. A bill to amend the Blind Persons Act, 1920.
- 1932-33 [59] *Blind voters*. A bill to amend the Ballot Act, 1872, so as to enable any blind voter at a poll regulated by that act to avail himself of the assistance of a friend, and for purposes connected with the matter aforesaid.
- 1935-36 [146] *Widows', orphans' and old age contributory pensions*. [H.L.] A bill intituled an act to consolidate the enactments relating to widows', orphans' and old age contributory pensions.
- 1937-38 [76] *Blind persons*. A bill [as amended in committee] to lower from fifty years to forty years the age which blind persons must have attained in order to be entitled to old age pensions under the Old Age Pensions Act, 1936; and to amend the law with respect to the provision of assistance in relation to such persons by local authorities.
- 1947-48 [7] *National assistance*. A bill to terminate the existing poor law, to provide in lieu for the assistance of persons in need by the National Assistance Board and by local authorities, and to amend the law relating to non-contributory old age pensions, etc.
- 1955-56 [59] *Trustee investment*. A bill to amend the Trustee Act, 1925, and the law relating to

the range of trustee investments for charitable and non-charitable trusts; and for purposes connected therewith.

1959-60 [131] *Charities*. [H.L.] A bill [as amended by Standing Committee A] intituled an act to replace with new provisions the Charitable Trusts Acts, 1853 to 1939, and other enactments relating to charities, to repeal the mortmain acts, to make further provision as to the powers exercisable by or with respect to charities or with respect to gifts to charity, and for purposes connected therewith.

1960-61 [119] *Trustee investments*. [H.L.] A bill [as amended by Standing Committee B] intituled an act to make fresh provision with respect to investment by trustees and persons having the investment powers of trustees, and by local authorities, and for purposes connected therewith.

1984/85 [89] *Charities*. [H.L.] A bill intituled an act to make further provision with respect to charities in England and Wales.

1991/92 [95] *Charities*. [H.L.] A bill intituled an act to amend the Charities Act 1960 and make other provision with respect to charities; to regulate fund-raising activities carried on in connection with charities and other institutions; to make fresh provision with respect to public charitable collections; and for connected purposes.

1992/93 [158] *Charities*. [H.L.] A bill intituled an act to consolidate the Charitable Trustees Incorporation Act 1872 and, except for certain spent or transitional provisions, the Charities Act 1960 and part I of the Charities Act 1992.

2005 [213] *Charities*. [H.L.] A bill [as amended in Standing Committee A] to provide for the establishment and functions of the Charity Commission for England and Wales and the Charity Tribunal; to make other amendments of the law about charities, including provision about charitable incorporated organisations; to make further provision about public charitable collections and other fund-raising carried on in connection with charities and other institutions; to make other provision about the funding of such institutions; and for connected purposes.

Census

The parliamentary reports on the censuses carried out from 1851 to 1911 included statistical information on those who were recorded as being blind, or suffering from other defined infirmities. Census returns have also been used to provide information on specific institutions and individuals.

1852-53 [1691-I] *Census of Great Britain, 1851*. Population tables. II. Ages, civil condition, occupations, and birth-place of the people: with the numbers and ages of the blind, the deaf-and-dumb, and the inmates of workhouses, prisons, lunatic asylums, and hospitals. Vol. I. pp. cccix-cccx.

1852-53 [1691-II] *Census of Great Britain, 1851*. Population tables. II. Ages, civil condition, occupations, and birth-place of the people: with the numbers and ages of the blind, the deaf-and-dumb, and the inmates of workhouses, prisons, lunatic asylums, and hospitals. Vol. II.

1854 [C.1852] *Census of Great Britain, 1851*.

1862 [3056] *Census of England and Wales for the year 1861*. Population tables. Vol. I. Numbers and distribution of the people.

1863 [C.1863] *Census of England and Wales for the year 1861*.

1873 [C.872] *Census of England and Wales, 1871*. Population abstracts. Ages, civil condition, occupations, and birth-places of the people. Vol. III.

1873 [C.872-I] *Census of England and Wales, 1871*. General report. Vol. IV. pp. liv-lix.

1873 [C.1873] *Census of England and Wales for the year 1871*.

1883 [C.3722] *Census of England and Wales, 1881*. Vol. III. Ages, condition as to marriage, occupations, and birth-places of the people. pp. 47-48.

- 1883 [C.3797] *Census of England and Wales. 1881*. Vol. IV. General report. pp. 60-62.
1883 [C.1882] *Census of England and Wales for the year 1881*.
1893-94 [C.7058] *Census of England and Wales. 1891*. Ages, condition as to marriage, occupations, birth-places, and infirmities. Vol. III. pp. lviii-lx.
1893-94 [C.7222] *Census of England and Wales. 1891*. Volume IV. General report, with summary tables and appendices.
1903 [Cd.1523] *Census of England and Wales. 1901*. Summary tables. Area, houses and population; also population classified by ages, condition as to marriage, occupations, birthplaces, and infirmities.
1904 [Cd.2174] *Census of England and Wales. 1901*. General report with appendices.
1913 [Cd.7020] *Census of England and Wales, 1911*. Vol. XI. Infirmities. Persons returned as totally blind, totally deaf, deaf and dumb, lunatic, imbecile and feeble-minded.
1917-18 [Cd.8491] *Census of England and Wales. 1911*. General report, appendices.

Reports, regulations and minutes, etc.

Excluded from the following list are reports published annually, such as those of the Charity Commissioners from 1854 [52] and the Advisory Committee on the Welfare of the Blind from 1919, and periodic reports from the Committee of Council on Education on schools for the blind and deaf from 1897 [C.8608].

- 1851 [483] Report from the Select Committee on the Law of Mortmain; together with the proceedings of the committee, minutes of evidence, appendix, and index.
1852 [493] Report from the Select Committee on the Law of Mortmain; together with the proceedings of the committee, minutes of evidence, appendix and index.
1868-69 [210] Report from the Select Committee on the Married Women's Property Bill; with the proceedings of the committee.
1877 [367] Report from the Select Committee on Thames Floods Prevention; together with the proceedings of the committee, minutes of evidence, and appendix. [Coope, Octavius E.]
1881 [124] Report from the Select Committee on Married Women's Property Bill; with the proceedings of the committee.
1884 [306] Report from the Select Committee on Charitable Trusts Acts; together with the proceedings of the committee, minutes of evidence, and appendix.
1886 [C.4747] Reports on Education of the Blind. [Messrs. Oakeley, Sharpe and Fitch, Her Majesty's Inspectors of Schools.]
1889 [C.5781, C.5781-I, C.5781-II, C.5781-III] Report of the Royal Commission on the Blind, the Deaf and Dumb, &c., of the United Kingdom. [Egerton, Wilbraham, 1st Earl Egerton of Tatton.]
1893-94 [317] Report from the Select Committee on Elementary Education (Blind and Deaf Children) Bill; with the Proceedings of the Committee. [Acland, Arthur H. D.]
1894 [C.7335] Minute of the 2 April 1894, by the Committee of Council on Education, providing for grants on account of the education of Blind and Deaf Children.
1901 [Cd.600] Institutions approved under article 120 of the code for the special training as teachers of the deaf of students transferred from ordinary training colleges.
1903 [276] Report and special report from the Select Committee on the Aged Pensioners Bill; together with the proceeding of the committee, minutes of evidence, appendix and index.
1917-18 [Cd.8655] Report of the Departmental Committee on the Welfare of the Blind.
1920 [154] Report from Standing Committee A on the Blind Persons Bill with the proceedings of the committee.

Statutes

- 1601 (43 Elizabeth 1 Chapter 4) *Charitable Uses Act*
1736 (9 George 2 Chapter 36) *Mortmain Act*
1780 (20 George 3 Chapter 28) *Legacy Duty Act*
1796 (36 George 3 Chapter 52) *Legacy Duty Act*
1808 (48 George 3 Chapter 149) *Probate and Legacy Duties Act*
1828 (9 George 4 Chapter 85) *Mortmain Act*
1830 (11 George 4 & 1 William 4 Chapter 60) *Conveyance and Transfers Amendment Act*
1834 (4 & 5 William 4 Chapter 23) *Escheat and Forfeiture Amendment Act*
1834 (4 & 5 William 4 Chapter 76) *Poor Law Amendment Act*
1838 (1 & 2 Victoria Chapter 69) *Conveyances, Mortgagees Act*
1845 (8 & 9 Victoria Chapter 119) *Conveyancing Act*
1845 (8 & 9 Victoria Chapter 124) *Leases Act*
1847 (10 & 11 Victoria Chapter 96) *Trustee Relief Act*
1849 (12 & 13 Victoria Chapter 74) *Trustee Relief Act*
1850 (13 & 14 Victoria Chapter 60) *Trustee Act*
1852 (15 & 16 Victoria Chapter 55) *Trustees Act Extension Act*
1853 (16 & 17 Victoria Chapter 51) *Succession Duty Act*
1853 (16 & 17 Victoria Chapter 137) *Charitable Trusts Act*
1855 (18 & 19 Victoria Chapter 124) *Charitable Trusts Amendments Act*
1856 (19 & 20 Victoria Chapter 120) *Leases and Sales of Settled Estates Act*
1857 (20 & 21 Victoria Chapter 54) *Fraudulent Trustees Act*
1859 (22 & 23 Victoria Chapter 35) *Law of Property and Trustees Relief Amendment Act*
1860 (23 & 24 Victoria Chapter 38) *Law of Property Act*
1860 (23 & 24 Victoria Chapter 136) *Charitable Trusts Act*
1860 (23 & 24 Victoria Chapter 145) *Trustees, Mortgagees, etc. Act*
1861 (24 & 25 Victoria Chapter 96) *Larceny Act*
1862 (25 Victoria Chapter 17) *Mortmain (Charitable Uses) Act*
1862 (25 & 26 Victoria Chapter 112) *Charitable Trusts Act*
1863 (26 & 27 Victoria Chapter 106) *Mortmain Act*
1864 (27 & 28 Victoria Chapter 13) *Mortmain Act*
1864 (27 & 28 Victoria Chapter 114) *Improvement of Land Act*
1866 (29 & 30 Victoria Chapter 57) *Mortmain Act*
1867 (30 & 31 Victoria Chapter 132) *Investment of Trust Funds Act*
1868 (31 & 32 Victoria Chapter 122) *Poor Law Amendment Act*
1869 (32 & 33 Victoria Chapter 620) *Debtors Act*
1869 (32 & 33 Victoria Chapter 110) *Charitable Trusts Act*
1870 (33 & 34 Victoria Chapter 75) *Elementary Education Act*
1870 (33 & 34 Victoria Chapter 93) *Married Women's Property Act*
1871 (34 Victoria Chapter 27) *Debenture Stock Act*
1871 (34 & 35 Victoria Chapter 47) *Metropolitan Board of Works (Loans) Act*
1872 (35 & 36 Victoria Chapter 24) *Charitable Trustees Incorporation Act*
1873 (36 & 37 Victoria Chapter 66) *Supreme Court of Judicature Act*
1875 (38 & 39 Victoria Chapter 83) *Local Loans Act*

- 1876 (39 & 40 Victoria Chapter 79) *Elementary Education Act*
1877 (40 & 41 Victoria Chapter 18) *Settled Estates Act*
1877 (40 & 41 Victoria Chapter 59) *Colonial Stock Act*
1878 (41 & 42 Victoria Chapter 54) *Debtors Act*
1879 (42 & 43 Victoria Chapter 54) *Poor Law Act*
1881 (44 & 45 Victoria Chapter 41) *Conveyancing and Law of Property Act*
1882 (45 & 46 Victoria Chapter 38) *Settled Land Act*
1882 (45 & 46 Victoria Chapter 75) *Married Women's Property Act*
1888 (51 Victoria Chapter 2) *National Debt (Conversion) Act*
1888 (51 & 52 Victoria Chapter 42) *Mortmain and Charitable Uses Act*
1888 (51 & 52 Victoria Chapter 59) *Trustee Act*
1889 (52 & 53 Victoria Chapter 32) *Trusts Investment Act*
1890 (53 & 54 Victoria Chapter 62) *Colonial Stock Act*
1891 (54 & 55 Victoria Chapter 73) *Mortmain and Charitable Uses Act*
1892 (55 & 56 Victoria Chapter 35) *Colonial Stock Act*
1893 (56 & 57 Victoria Chapter 53) *Trustee Act*
1893 (56 & 57 Victoria Chapter 32) *Elementary Education (Blind and Deaf Children Act)*
1895 (58 & 59 Victoria Chapter 32) *Local Government (Stock Transfer) Act*
1896 (59 & 60 Victoria Chapter 35) *Judicial Trustees Act*
1900 (63 & 64 Victoria Chapter 62) *Colonial Stock Act*
1902 (2 Edward 7 Chapter 42) *Education Act*
1906 (6 Edward 7 Chapter 22) *Post Office (Literature for the Blind) Act*
1906 (6 Edward 7 Chapter 55) *Public Trustee Act*
1907 (7 Edward 7 Chapter 43) *Education Act*
1908 (8 Edward 7 Chapter 40) *Old Age Pensions Act*
1918 (8 & 9 George 5 Chapter 39) *Education Act*
1919 (9 & 10 George 5 Chapter 102) *Old Age Pensions Act*
1920 (10 & 11 George 5 Chapter 49) *Blind Persons Act*
1921 (11 & 12 George 5 Chapter 51) *Education Act*
1924 (15 & 16 George 5 Chapter 70) *Widows', Orphans' and Old Age Contributory Pensions Act*
1925 (15 George 5 Chapter 19) *Trustee Act*
1926 (16 & 17 George 5 Chapter 54) *Wireless Telegraphy (Blind Persons Facilities) Act*
1927 (17 & 18 George 5 Chapter 14) *Poor Law Act*
1930 (20 & 21 George 5 Chapter 17) *Poor Law Act*
1933 (23 & 24 George 5 Chapter 27) *Blind Voters Act*
1934 (24 & 25 George 5 Chapter 47) *Colonial Stocks Act*
1936 (26 George 5 and 1 Edward 8 Chapter 31) *Old Age Pensions Act*
1938 (1 & 2 George 6 Chapter 11) *Blind Persons Act*
1944 (7 & 8 George 6 Chapter 10) *Disabled Persons (Employment) Act*
1944 (7 & 8 George 6 Chapter 31) *Education Act*
1946 (9 & 10 George 6 Chapter 62) *National Insurance (Industrial Injuries) Act*
1946 (9 & 10 George 6 Chapter 67) *National Insurance Act*
1948 (11, 12 George 6 Chapter 29) *National Assistance Act*

- 1948 (12, 13 & 14 George 5 Chapter 1) *Colonial Stocks Act*
1961 (9 & 10 Elizabeth 2 Chapter 62) *Trustee Investments Act*
1985 (Elizabeth 2 Chapter 20) *Charities Act*
1992 (Elizabeth 2 Chapter 41) *Charities Act*
1993 (Elizabeth 2 Chapter 10) *Charities Act*
2000 (Elizabeth 2 Chapter 29) *Trustee Act*
2006 (Elizabeth 2 Chapter 50) *Charities Act*

Other Parliamentary papers

- 1868-69 [120-I] Election petitions. Copy of the shorthand writer's notes of the judgments delivered by the judges selected in pursuance of 'the Parliamentary Elections Act, 1868', for the trial of election petitions, etc. Part II.
1874 [373] New Windsor election. Copy of the shorthand writer's notes of the evidence given on the trial of the New Windsor election petition.

Other non-Parliamentary reports

- 1934 Report of the Committee of Inquiry into Problems Relating to Partially Sighted Children (Crowley Report). By the London Board of Education. London: His Majesty's Stationery Office.

B. Secondary sources

Published books and articles

- Anon., 'Personalities in the world of the Blind: Mr. Henry J. Wilson, F.C.T.B.' in *The Beacon* (March 1926)
Abel, Rhoda Ann Doreen, 'Visually impaired people; the identification of the need for specialist provision: a historical perspective' in *British Journal of Visual Impairment* 7.2 (July 1989), 47-51
Abel, Georgie Lee (ed.), *Concerning the education of blind children* (New York, NY: American Foundation for the Blind, 1959)
Adams, David (translator and ed.), *Thoughts on the interpretation of nature and other philosophical works: Denis Diderot* (Manchester: Clinamen, 1999)
Alston, John, *Statements of the education, employment and internal arrangements adopted at the asylum for the blind*, Glasgow (Glasgow: Asylum for the Blind, 1836)
Anagnos, Michael, *Education of the blind: historical sketch of its origin, rise and progress* (Boston, MA: Perkins Institute, 1882) [Reprint - Montana: Kessinger Publishing, 2008]
Anderson, Thomas, *Observations on the employment, education and habits of the blind, with a comparative review of the benefits of the asylum and school systems* (London: Simpkin, Marshall & Co., 1837)
Annual Register, *The annual register: a review of public events at home and abroad* (London: Rivingtons, 1868)
Armitage, Thomas Rhodes, 'On piano-tuning as an employment for the blind' in *Journal of the Society of Arts* 19 (1871), 126-8
Armitage, Thomas Rhodes, *The education and employment of the blind: what it has been, is and*

- ought to be* (London: Robert Hardwick for the British and Foreign Blind Society, 1871) [Reprint – Montana: Kessinger Publishing, 2008]
- Armitage, Thomas Rhodes, *The condition of the Blind of England and Wales and other papers*. Presented to the Paris Congress of 1878 and subsequently issued as a pamphlet (London: 1878)
- Armitage, Thomas Rhodes, 'The Gardner Bequest' in *Progress* 1 (March/April 1881)
- Armitage, Thomas Rhodes, 'The Gardner Bequest' in *The Athenaeum* (10 July 1880)
- Armitage, Thomas Rhodes, 'The Gardner Trust' in *Progress* 8 (May/June 1882)
- Armitage, Thomas Rhodes, 'Methods of rendering the blind self-supporting, especially that followed in Germany' in *Journal of the Society of Arts* 34 (1886), 543-5
- Armstrong, Felicity J., 'The Historical development of special education: humanitarian rationality of "wild profusion of entangled events"?' in *History of Education* 31.5 (2002), 437-56
- Artman, William and Hall, Lansing V., *Beauties and achievements of the blind* (New York: Dansville, 1854)
- Baker, Charles, 'Education of the Blind' in *Contributions publication of the Society for the Diffusion of Useful Knowledge and the Central Society of London* (London: 1842). [A version of this letter had appeared in the *Penny Cyclopaedia* (1835 edition), edited by Charles Tomlinson.]
- Baker, Charles, (1) Census of the Blind. (2) Education of the Blind. (3) Alphabets for the Blind. *The English Encyclopaedia*, edited by Knight, Charles (London: Sampson Low, Marston & Co., 1859), 194-217 [Reprinted – London, 1889]
- Barnhill, Alexander, *A new era in the education of blind children; or, teaching the blind in ordinary schools, etc.* (Glasgow: Charles Glass, 1875)
- Barker, Charles, *The Joint Stock Companies Directory for 1867* (London: Charles Barker & Sons, 1867)
- Bell, Donald (ed.), *An experiment in education: the history of Worcester College for the Blind, 1866-1966* (London: Hutchinson & Co., 1967).
- Berman, Melissa A., 'Think Hard' (a review of *Give Smart*) in *Stanford Social Innovation Review* 2.2 (Spring 2011)
- Best, Harry, *The Blind: their condition and the work being done for them in the United States* (New York, NY: The Macmillan Company, 1919)
- Best, Harry, 'A comparison of the educational treatment of the deaf, the blind, and the feeble-minded' in *The American Journal of Sociology* 35.4 (1930), 631-9
- Best, Harry, *Blindness and the Blind in the United States* (New York, NY: The Macmillan Company, 1934)
- Bew, George, 'Observations on Blindness, and on the employment of the other senses to supply the loss of sight' in *Memoirs of the Literary and Philosophical Society of Manchester*, 1 (1785), 159-84.
- Bird, John, *The autobiography of the blind James Wilson, with a preliminary essay, etc.* (London: Ward & Lock, 1856)
- Bird, John, *The deaf and dumb and the blind: general observations on their education and treatment in a letter to the Rev. Robert Maguire* (London: Ward & Lock, 1863)
- Bishop, Matthew and Green, Michael, *Philanthrocapitalism: how giving can save the world* (London: A.C. Black Publishers Ltd., 2010)
- Biswas, Amiyo, *The Social Implication of Braille System*. Presented at the conference 'The significance of Braille System in the present era', organised by the Blind Persons' Association at the Indian Institute of Chemical Engineering, Jadabpur University, Kolkata (9 August 2008)
- Blacklock, Thomas ('Demodocus'), 'Letter on Blindness' in *Scots Magazine* 35 (October 1773) [A version of this letter appeared as 'Blind' in the *Encyclopaedia Britannica* 2nd edition (1778)]
- Blacklock, Thomas ('Demodocus'), 'Letter on Blindness' in *Edinburgh Magazine and Review* 2 (November 1774), 673-86
- Blacklock, Thomas (edited by Mackenzie, Henry), *Poems by the late Reverend Dr. Thomas*

- Blacklock: together with an essay on the education of the blind* (translated from the French of M. Haiiy), to which is prefixed a new account of the life and writings of the author (Edinburgh: Alexander Chapman, 1793).
- Blair, Robert Hugh, *The education of the blind* (London: Simpkin, Marshall & Co., 1876) [At the Bodleian bound within 'Pamphlets on the Education of the Blind: 1867-1919']. Also in *Analysis of the Elementary Education Act 1876*, by the Rev. A.C. Ainslie (London: Rivingtons, 1877)
- Blake, Lord and Cecil, Hugh (eds.), *Salisbury: the man and his policies* (London: Macmillan, 1987)
- Bosanquet, Charles Bertie Pulleine, *London: some account of its growth, charitable agencies, and wants* (London: Hatchard, 1868)
- Bosanquet, Charles Bertie Pulleine, *The organisation of charity: the history and mode of operation of the Charity Organisation Society* (London: Longmans, Green and Co., 1874)
- Bosanquet, Helen (Dendy), *Thorough charity* (London: COS, 1893)
- Bosanquet, Helen (Dendy), *Social Work in London, 1869-1912* (Brighton: Harvester Press, 1914)
- Bramley, Ronald, *A history of Pocklington Trust* (London: privately printed by the Trust, 2008)
- Bredburg, Elizabeth, 'Writing disability history: problems, perspectives and resources' in *Disability and Society* 14.2 (1999), 189-210
- Bremner, Robert H., 'Scientific Philanthropy, 1873-1893' in *Social Service Review* 30.2 (June 1956), 168-73
- Briscoe, James R. (ed.), *New historical anthology of music by women* (Bloomington, IN: Indiana University Press, 2004)
- Browning, Oscar, *Memories of sixty years at Eton, Cambridge and elsewhere* (London: Bodley Head, 1910) [Reprint – Montana: Kessinger Publishing 2008]
- Burdett, Sir Henry Charles, *Burdett's Hospitals and Charities Annual* (London: Scientific Press, 1894)
- Burnett, John, *A history of the cost of living* (Harmondsworth: Penguin Books, 1969)
- Campbell, Francis Joseph, *The Royal Normal College and Academy of Music for the Blind: recent position of the college, with historical retrospect* (London: RNC, 1898)
- Carnegie, Andrew, 'Wealth' (aka 'The Gospel of Wealth') in *North American Review* 148.391 (1889), 653-65
- Carton, (Abbé) Charles Louis, *The establishments for the blind in England: a report to the Ministry of the Interior and of Foreign Affairs* (Bruges: Imprimerie de Vandecasteele-Werbruck 1838) [Translation – London: Sampson Low, Marston & Co., 1895]
- Casanovas, José, 'Famous blind' in *Historia Ophthalmologica Internationalis (History of Ophthalmology International)* 3.2/3 (1980), 169-80
- Charity Organisation Society, *Voting charities* (London: COS, 1872)
- Charity Organisation Society, *Training of the Blind* (London: COS, 1876)
- Charity Organisation Society, *Co-operation of district committees of the Charity Organisation Society with Boards of Guardians* (London: COS, 1879)
- Charity Organisation Society, *Statement on the general question of the blind and the best method of improving their position, prepared by a member of the Council of the Charity Organisation Society for the consideration of those interested in the blind* (London: COS, 1879). [Republished in February 1880 as Charity Reform papers No. 3]
- Checkland, Olive, *Philanthropy in Victorian Scotland* (Edinburgh: John Donald, 1980)
- Chirgwin, Arthur Mitchell, *Arthington's million: the romance of the Arthington Trust* (London: The Livingstone Press, 1936)
- Clark, George Kitson, *The making of Victorian England* (Cambridge, MA: Harvard University Press, 1962) [Reprint – Abingdon: Routledge Paperback, 1994]
- Cole, T., *Apart or A Part? Integration and the growth of British special education* (Milton Keynes: Open University Press, 1989)

- Cole, T., 'The History of Special Education: Social Control or Humanitarian Progress?' in *British Journal of Special Education* 17.3 (1990), 101-7
- Collins, M.T., 'History of Deaf-Blind Education' in *Journal of Visual Impairment & Blindness* 89.3 (May-June 1995), 210-12
- Craik, Dinah Maria (Mulock), 'Fighting in the dark' in *Good News* (December 1873), 634-9
- Craik, Dinah Maria (Mulock), 'Light in darkness: a biographical study' in *Good News* (November 1882), 48-52 and (December 1882), 138-44
- Crocker, Lester Gilbert, *Denis Diderot: a biography* (London: Neville Spearman, 1955)
- Cru, Robert Loyalty, *Diderot as a disciple of English thought* (New York, NY: Columbia University Press, 1913)
- Crutchfield, Leslie, Kania, John and Kramer, Mark, *Do more than give: the six practices of donors who change the world* (San Francisco, CA: Jossey-Bass, 2011)
- d'Alembert, Jean Le Rond, 'Blindness' in *Select Essays from the Encyclopedia* 132-47. (London: printed for Samuel Leacroft, 1782). [Translated from original c. 1650]
- Davies, Brian, 'Swansea and the Chilean copper trade' in *Planet* 56 (1986), 65-8
- Day, William J., *Work among the blind* (London: Wyman & Sons, 1885)
- de la Sizeranne, Maurice translated by Francis Park Lewis from 2nd French edition, *The Blind as Seen through Blind Eyes* (New York, NY: G.P. Putnam's Sons, 1893) [Reprint – BiblioLife 2008]
- de la Sizeranne, Maurice, translated by Lilian Marian Leggatt from 1901 French edition, *The Blind Sisters of St. Paul* (London: Kegan Paul, 1907) [Reprint – BiblioLife 2008]
- 'Demodocus'. See Blacklock, Thomas. [N.B. In Homer's *Odyssey*, Demodocus was a blind minstrel at the court of Alcinous.]
- Dewar, Henry, 'On the education of James Mitchell, the young man born blind and deaf' in *Transactions of the Royal Society of Edinburgh* 8 (1815 in 1816-1818), 137-56
- Dickens, Charles, 'At work in the dark' in *Household Words* 19 (1859), 321-5.
- Dickens, Charles, *American Notes: for general circulation*, Ch. III (Boston) 14-22. (New York, NY: D. Appleton and Company, 1868) [Earlier editions were also published in the UK and the US.]
- Diderot, Denis, *Pensées philosophiques* [Philosophical thoughts]. (Paris: 1746) (In Adams, 1999)
- Diderot, Denis, *Lettre sur les aveugles à l'usage de ceux qui voient* [Letter on the blind for the use of those who see]. (Paris: 1749) (In Adams, 1999)
- Diderot, Denis, *Lettre sur les sourds et muets à l'usage de ceux qui entendent et qui parlent* [Letter on the deaf and dumb: for the use of those who hear and speak]. (Paris: 1751) [In Jourdain, 1916.]
- Diderot, Denis, *Addition aux lettre sur les sourds et muets à l'usage de ceux qui entendent et qui parlent* [Addition to letter on the deaf and dumb: for the use of those who hear and speak]. (Paris: 1752) [In Jourdain, 1916]
- Diderot, Denis, *Addition aux pensées philosophiques* [Addition to philosophical thoughts]. (Paris: 1762)
- Diderot, Denis, *Addition aux lettre sur les aveugles à l'usage de ceux qui voient* [Addition to letter on the blind for the use of those who see]. (Paris: 1782) (In Adams, 1999)
- Dod, *Dod's Parliamentary Companion*. (London: Business Directories, 1889)
- Downing, James, *A narrative of the life of James Downing (a blind man), late a private in his Majesty's 20th Regiment of Foot, composed by himself in easy verse* (London: the author, 1815)
- Dubois-Poulsen, Andre, 'The Quinze Vingts in Paris, the oldest institute for the blind in the world' in *Historia Ophthalmologica Internationalis (History of Ophthalmology International)* 1.2 (1979), 119-27
- Dunn, Percy, 'British Masters of Ophthalmology, Series 3 – James Ware, FRS (1756-1815)' in *British Journal of Ophthalmology* 1.7 (1917), 400-10
- Edinburgh School for the Blind, *An account of the recent discoveries which have been made for*

- facilitating the education of the blind* (Edinburgh: James Gall, 1837) [Reprint – Montana: Kessinger Publishing, 2008]
- Elrington, C.R. (ed.), *Victoria County History for the County of Gloucestershire*, Vol. VII (Oxford: Oxford University Press, 1981)
- Ensor, Robert Charles Kirkwood, *England 1879-1914* (Vol.14 of *The Oxford History of England*, edited by Sir George Clarke) (Oxford: Clarendon Press, 1936) [Paperback edition Oxford: Oxford University Press, 1990]
- Farrell, Gabriel, *The story of blindness* (Cambridge, MA: Harvard University Press, 1956)
- Fenn, William Wilthew, 'The welfare of the blind' in *Fortnightly Review* 39.232 (April 1886), 472-9
- Foley, Kate M., *Five lectures on blindness* (Los Angeles, CA: California State Library, 1919)
- Forster, Samuel Strong, *A review of Mr. Alexander Barnhill's 'A new era in the education of the blind, etc.'* (London: Simpkin, Marshall & Co., 1875)
- Forster, Samuel Strong, *The future of the blind* (London: Simpkin, Marshall & Co., 1875)
- Forster, Samuel Strong, *What shall we do with our blind boys?* (London: Kent & Co., 1879)
- Forster, Samuel Strong, *The Gardner bequest: a brief and plain account of the leading points of the blind question. For the information of those who are intended in the right employment of this noble legacy* 2nd edition (Worcester: printed by Alfred M. Baylis, 1880)
- Fowler, Richard, *Some observations on the mental state of the blind, and deaf, and dumb, suggested by the case of Jane Sullivan both blind, deaf, dumb, and uneducated* (Salisbury: W.B. Brodie & Co., 1843) [Later edition of 1860 published by Brown & Co.]
- Francis, George Grant, *The Smelting of Copper in the Swansea District of South Wales: From the Time of Elizabeth to the Present Day* (London: Henry Sotheran & Co., 1881) [Reprint – Montana: Kessinger Publishing, 2007]
- Fraser, C.F., 'Psychology of the blind' in *The American Journal of Psychology* 28.2 (1917), 229-37
- Freeberg, Ernest, "'More important than a rabble of kings": Dr. Howe's education of Laura Bridgman' in *History of Education Quarterly* 34.3 (1994), 305-27
- Freeberg, Ernest, 'The meaning of blindness in nineteenth-century America' in *Proceedings of the American Antiquarian Society* 110.1 (2000), 119-52
- Fuller, Hervey Austin, *Trimsharp's account of himself, a sketch of his life: together with a brief history of the education of the blind, and their achievements* (New York, NY: Edward O. Jenkins, 1873) [Reprint – Montana: Kessinger Publishing, 2008]
- Furbank, Philip Nicholas, *Diderot: a critical biography* (London: Minerva, 1992)
- Gall, James, *A historical sketch of the origin and progress of literature for the blind: and practical hints and recommendations as to their education* (Edinburgh: James Gall, 1834) [Reprint – Montana: Kessinger Publishing, 2008]
- Gall, James, *An account of the recent discoveries that have been made for facilitating the education of the blind* (Edinburgh: James Gall, 1837)
- Gay, Peter, *The Enlightenment, Vol. 1: the rise of modern paganism* (New York, NY: W.W. Norton & Company, 1966) [Norton paperback edition, reissued 1995]
- Gay, Peter, *The Enlightenment, Vol. 2: the science of freedom* (New York, NY: W.W. Norton & Company, 1969) [Norton paperback edition, reissued 1996]
- Gleeson, Brendan J., 'Disability studies: a historical materialist view' in *Disability and Society* 12.2 (1997), 179-202
- Gordon, John, 'Additional communications respecting the blind and deaf boy, James Mitchell' in *Transactions of the Royal Society of Edinburgh* 8 (1815 in 1816-1818), 129-36
- Gray, Benjamin Kirkman, *A history of English philanthropy from the dissolution of the monasteries to the taking of the first census* (London: P.S. King and Son, 1905) [New impression – London: Frank Cass & Co., 1967]
- Green, Jerry, 'The Royal Normal College' in *Crystal Palace Magazine* (February 2007)

- Greenlaw, Joanna. *The Swansea copper barques and Cape Horners* (Swansea: privately printed, 1999)
- Guillié, Sébastien. *Essai sur l'instruction et les amusements des aveugles* (Paris: 1817) Translation – *An essay on the instruction and amusements of the blind* (London: Richard Philips, 1819)
- Hanham, Harold John. *Elections and party management politics in the time of Disraeli and Gladstone* (London: Longmans & Co., 1959) [Reprint – London: Harvester Press 1978]
- Hanson, Alfred. *The Succession Duty Act 1853* (London: Stevens and Haynes, 1865)
- Hanway, Jonas. *The Defects of Police, the Cause of Immorality, and the continual Robberies committed, particularly in and about the Metropolis; with Various Proposals for Preventing Hanging and Transportation, etc.* (London: J. Dodsley, 1775)
- Harcourt, William Vernon. 'A numerical statement, founded on actual investigation of the blind persons of different ages now living within a given district and compared with a given population' in *The first report of the Yorkshire School for the Blind, instituted in memory of Mr Wilberforce* (York: Yorkshire School, 1837)
- Harrison, Brian. 'Philanthropy and the Victorians' in *Victorian Studies* 9.4 (June 1966), 353-74
- Hartington Committee. *The Hartington Committee on parliamentary and municipal elections 1868-70* H.C. 352 (London: HMSO, 1871)
- Haswell, David Oakley. *The Social Condition of the Blind*. 2nd edition (London: the author, 1876)
- Hauptvogel, Richard. 'Associations for Helping the Blind' in *The American Journal of Sociology* 8.5 (1903), 687-92
- Haüy, Valentin. *Essai sur l'éducation des aveugles* (Paris: 1876) Translation – *An essay on the education of the blind* (London: Sampson Low, Marston & Co., 1894)
- Heller, Robert. 'Educating the blind in the age of enlightenment: growing pains of a social service' in *Medical History* 23 (1979), 392-403
- Hill, Octavia. *The Charity Organisation Society* (London: COS, 1889) [Reprint, as Occasional Paper No. 15, of paper read at Fulham & Hammersmith COS on 1 February 1889]
- Hill, Octavia. *The Charity Organisation Society* (London: COS, 1891) [Reprint, as Occasional Paper No. 20, of paper read at London COS on 23 April 1891]
- Holt, Winifred. *A Beacon for the Blind* (London: Constable & Co., 1915) [Reprinted 1926]
- Home, Daniel Dunglass. *Incidents in my life* 2nd edition (London: F. Pitman, 1864)
- Home, Daniel Dunglass. *Incidents in my life: second series* (London: F. Pitman, 1874)
- Howe, Samuel Gridley. 'Education of the Blind' in *North American Review* 37.80 (July 1833), 20-59
- Hurt, J.S., *Outside the mainstream: a history of special education* (London: Batsford, 1898) [Also in *Support for Learning* 4 (1989), 249-?]]
- Illingworth, William Henry. *History of the education of the blind* (London: Sampson Low, Marston & Co. 1910) [Reprint – Montana: Kessinger Publishing 2008]
- Irwin, Robert Benjamin. *The war of the dots* (New York, NY: American Foundation for the Blind, 2009)
- Jackson, Lorna. 'Patriotism or Pleasure? The nineteenth century volunteer force as a vehicle for rural working-class male sport' in *The Sports Historian* 19.1 (May 1999), 125-39
- Jacobs, Gordon. 'Andrew Carnegie' in *Outlook* 51 (2004)
- Jaeger, W., 'Changes in the causes of blindness in childhood over the last hundred years' in *Child Care, Health and Development* 1 (1975), 299-307
- Johns, Bennett George. 'The blind and their works and ways' in *Edinburgh Review* 99.201 (1854), 61-93
- Johns, Bennett George. 'The land of silence' *Edinburgh Review* 102.207 (1855), 116-47
- Johns, Bennett George. *Blind People: their works and ways, with sketches of the lives of some famous blind men* (London: John Murray, 1867)

- Johns, Bennett George, 'The care and education of the blind' in *Edinburgh Review* 173.353 (1891), 123-44
- Johnson, Edmund Charles, *Tangible Typography, or how the blind read* (London: J. Whitaker, 1853)
- Johnson, Edmund Charles, *An inquiry into the musical instruction of the blind in France, Spain and America* (London: John Mitchell, 1855)
- Johnson, Edmund Charles, *The blind of London* (London: John Mitchell, 1860) [Reprinted, with additions, from *The Times*]
- Johnson, Edmund Charles, *Annuities to the blind: being an account of charities giving recurrent grants to the blind* (London: Henry Roberts, 1876)
- Joint Committee of the College of Teachers of the Blind & the National Institute for the Blind, *The education of the blind: a survey* (London: Edward Arnold, 1936) [Reprinted 1938]
- Jones, Aubrey, *The new inflation* (Harmondsworth: Penguin Books, 1973)
- Jones, W.H., *The history of the port of Swansea* (Swansea: W. Spurrell & Son, 1922) [Reprinted, West Glamorgan County Archive Service, 1995]
- Jordan, Wilbur Kitchener, *Philanthropy in England 1480-1660: a study of the changing pattern of English social aspirations* (London: G. Allen & Unwin, 1959) (Reprint – Abingdon: Routledge, 2006)
- Jourdain, Margaret (translator and ed.), *Diderot's early philosophical works* (London: The Open Court Publishing Company, 1916) [Reprint – Montana: Kessinger Publishing 2007]
- King, Alfred Frank, *The Story of the Cannon Brewery 1751-1951* (London: Cannon Brewery Co. Ltd., 1951)
- Kitto, John, *The Lost Senses: Series I - Deafness; Series II - Blindness* (London: Charles Knight & Co., 1845)
- Klein, Johann Wilhelm, *The relation of the blind to the world around them* (Wien, 1837) Translated from German by William Taylor (London: W Taylor, 1859)
- Knie, Johann Georg, *A guide to the proper management and education of blind children during their earlier years* (Translated from 1845 German edition by William Taylor (London: W. Taylor, 1861) New edition (London: Sampson Low, Marston & Co., 1894) [Reprint – Montana: Kessinger Publishing 2008]
- Kudlick, Catherine J., 'Disability History: why we need another "other"' in *American Historical Review* 108.3 (June 2003), 763-93
- Lea, F.S., *The Collegiate Chapter of the Royal Hospital or Free Chapel of Saint Katherine near the Tower in its Relation to the Church in the East of London* (London: R. Clay, Son & Taylor, 1865)
- Lees, Colin and Ralph, Sue, 'Charitable provision for blind people and deaf people in late nineteenth century London' in *Journal of Research in Special Educational Needs* 4.3 (2004), 148-60
- Lettsom, John Coakley, 'Hints respecting the employment of the blind' in *Hints designed to promote beneficence, temperance, and medical science, Vol. II, pp. 117-140* (London: Sampson, Low, Marston & Co., 1894) [Originally published in 1801 by J. Mawman and reprinted in 1816 by Nichols, Son and Bentley]
- Levy, William Hanks, *Blindness and the blind: a treatise on the science of typhology* (London: Chapman & Hall, 1872)
- Loch, Charles Stewart, *A new chapter in charity organisation* (London: COS, 1885)
- Loch, Charles Stewart, *Charity organisation* (London: Sonnenschein & Co., 1893) [Reprinted from the *Weekly Dispatch*, 9 July 1893]
- Lord & Taylor, *The history of Lord & Taylor: 1826-2001* (New York, NY: Lord & Taylor, 2001)
- Low, Sampson, Jr., *The charities of London: comprehending the benevolent, educational and religious institutions* (London: Sampson Low, Son & Co., 1850)
- Low, Sampson, Jr., *The charities of London: comprising an account of the operations, resources and general condition of the charitable, educational and religious institutions of London* (London:

- Sampson Low, Son & Co., 1862)
- Lowder, Charles Fuge, *S. Katharine's Hospital: its history and revenues considered in a letter to the Lord Bishop of London* (London: Rivingtons, 1867)
- Lowenfeld, Berthold, 'Research in the Education of the Blind' in *Journal of Educational Research* 40 (1946/47), 583-91
- Lucas, Thomas Mark, *Instructions for teaching the blind to read* (Bristol: F.W.B. Reid, 1837)
- Marcus, Steven, *The Other Victorians: a study of sexuality and pornography in mid-nineteenth century England* (London: Weidenfeld and Nicolson, 1966)
- Marsh, David Reginald, *Corporate Trustees* (London: Europa Publications Ltd., 1952)
- Martin, Elizabeth A. (ed.), *Oxford Dictionary of Law* (Oxford: Oxford University Press, 1983) [Paperback edition OUP, 1997]
- Martin, Frances, 'Blind workers and blind helpers' in *The Cornhill Magazine* 9.5 (1864), 603-17
- Martin, Frances, *Elizabeth Gilbert and her work for the blind* (London: Macmillan, 1887) [Reprint – Montana: Kessinger Publishing, 2008]
- Matthews, P.W. [compiler] and Tuke, Anthony William [ed.], *History of Barclays Bank Limited, including the many private and joint stock banks amalgamated and affiliated with it* (London: Blades, East & Blades, 1926)
- Matthias, Peter, *The brewing industry in England, 1700-1830* (Cambridge: Cambridge University Press, 1959)
- Macleod, R., 'The Blind: Their Number, Social Condition, Occupations, and Other Statistics as Revealed by the 1901 Census' in *Report of the Conference on Matters Relating to the Blind, Westminster* (1902), 178-92
- Mcgarry, Sir Robert and Wade, Sir William (with Harpum, Charles, Bridge, Stuart and Dixon, Martin), *The Law of Real Property* 7th edition (London: Sweet & Maxwell, 2008)
- Meldrum, Robert, *Light on Dark Paths. A handbook for the parents of blind children* (Edinburgh: Menzies & Co., 1883) [New enlarged edition 1891]
- Mellor, C. Michael, *One Hundred Years of Education of the Blind in America and Sweeping Change* (New York, NY: New York Institute for Special Education, 2007)
- Menzies, Mrs. Stuart (née Amy Charlotte Bewicker), *Further Indiscretions by a Woman of No Importance* (London: Herbert Jenkins, 1918).
- Milburn, William Henry, 'Songs in the night: or a triumph of genius over blindness' in *The Pioneer Preacher, or Rifle, Axe, and Saddlebags, and other lectures ... With an introduction by the Rev. J. McLintock* (New York, NY: Derby & Jackson, 1859) [Also subsequent editions with a preface and a life of the author]
- Milburn, William Henry, *Ten years of preacher-life; chapters from an autobiography* (New York, NY: Derby & Jackson, 1860)
- Millar, G.T., 'James Wardrop (1782-1869): from Whitburn to Windsor Castle' in *Journal of the Royal College of Surgeon, Edinburgh* 46 (August 2001), 225-33
- Miller, Leon, 'Diderot reconsidered: visual impairment and auditory compensation' in *Journal of Visual Impairment and Blindness* 85.5 (1992), 206-10
- Mills, P.V., 'Thomas Lucas and his embossed stenographic characters' in *British Journal of Ophthalmology* 49 (1965), 485-9
- Minner, Charles Ben, 'The question of higher education for the blind' in *The Pedagogical Seminary and Journal of Genetic Psychology* 31.4 (1924), 359-387. Reprinted as pamphlet (Boston, MA: Perkins Institution, 1924)
- Mitchell, Alexander, *The blind: their capabilities, conditions and claims – an essay*. (London: privately printed, 1860)
- Moon, William, *The consequences and amelioration of blindness* (London: Longmans & Co., 1875)
- Moon, William, *Light for the blind: a history of the origin and success of Moon's system of reading*

- for the blind 2nd edition (London: Longmans & Co., 1875)
- Moon, William, 'Dr. William Moon and his work: an autobiographical sketch' in *New Beacon* 32.383 (November 1948), 216-8; 32.384 (December 1948), 247-8; and 33.385 (January 1949), 17-18
- Morino, Mario *et al* (eds. Lowell Weiss and Cheryl Collins), *Leap of reason: managing to outcomes in an era of scarcity* (Washington, DC: Venture Philanthropy Partners, 2011)
- Mowat, Charles Loch, *The Charity Organisation Society, 1869-1913: its ideas and work* (London: Methuen, 1961)
- NCVO (National Council of Voluntary Organisations)/(CAF) Charities Aid Foundation, *UK giving 2011*, summary of findings (London: NCVO/CAF, December 2011)
- Newell, Edmund, "'Copperopolis': the rise and fall of the copper industry in the Swansea district, 1826-1891" in *Business History* 32.3 (July 1990), 75-97
- Nicholas, Thomas, *Annals and antiquities of the counties and county families of Wales* (London: Longmans, Green and Reader, 1872)
- Noakes, Aubrey, *The County Fire Office, 1807-1957: a commemorative history* (London: H.F. & G. Witherby, 1957)
- O'Donoghue, Jim, Goulding, Louise and Allen, Grahame, 'Consumer price inflation since 1750' in *Economic Trends* 604 (2003), 38-46
- O'Donoghue, Jim, McDonnell, Carol and Placek, Martin, 'Consumer price inflation, 1947-2004' in *Economic Trends* 626 (2006), 38-54
- O'Leary, Cornelius, *The Elimination of Corrupt and Illegal Practices in British Elections: 1868-1911* (Oxford: Clarendon Press, 1962)
- 'Oakvie'. See Verner, Octavia Jane.
- Officer, Lawrence H. and Williamson, Samuel H., 'Better Measures of Worth' in *Challenge: the magazine of economic affairs* 49.5 (2006), 86-110
- Officer, Lawrence H. and Williamson, Samuel H., *Measures of Worth*. (2008) Available at Measuring Worth: <http://www.measuringworth.com> [Accessed 28 December 2009.]
- Oliphant, John, 'The administration of institutions for the Blind in late nineteenth-century Britain' in *Daito Bunka University Management Journal* 4 (2002), 171-80
- Oliphant, John, 'Empowerment and debilitation of the blind in nineteenth-century England and Scotland' in *History of Education* 35.1 (2006), 47-68
- Oliphant, John, *The early education of the blind in Britain c. 1790-1900: institutional experience in England and Scotland* (Lewiston, NY: Edwin Mellen, 2007)
- Oliphant, John, "'Touching the light": the invention of literacy for the blind' in *Paedagogica Historica* 44.1/2 (2008), 67-82
- Owen, David Edward, *English Philanthropy: 1660-1960* (Cambridge, MA: Harvard University Press, 1964)
- Park, Andrew, *Blindness, or the second sense restored and lost: a poem, in three parts, with descriptive and physiological notes* (London: Smith and Elder, 1839)
- Paulson, William R., *Enlightenment, Romanticism and the Blind in France* (Princeton, NJ: Princeton University Press, 1987)
- Payne, Alfred, *The education of the blind the deaf and the dumb (a lecture)* (London: W. Tweedie, 1863)
- Petrie, Sir Charles and Cooke, Alistair, *The Carlton Club, 1832-2007* (London: The Carlton Club, 2007)
- Phillips, Gordon Ashton, 'Scottish and English institutions for the blind, 1792-1860' in *Scottish Historical Review* 74 (1995), 178-209
- Phillips, Gordon Ashton, *The blind in British society: charity, state and community, c. 1780-1930*. (Farnham: Ashgate Publishing, 2004)
- Pike, William Thomas with Jacob, William Henry, *Hampshire at the opening of the twentieth century*.

- (Brighton: W.T. Pike & Co., 1905) [Pike's New Century series, No. 13]
- Pike, William Thomas with Hitchin, W.E., *Surrey at the opening of the twentieth century* (Brighton: W.T. Pike & Co., 1907) [Pike's New Century series, No. 18]
- Potts, Pauline, "'What's the use of History after History': understanding educational provision for disabled students and those who experience difficulties in learning" in *British Journal of Educational Studies* 43.4 (1995), 398-411
- Prescott, William Hickling, 'Asylum for the blind' in *North American Review* 31.68 (July 1830), 66-85 [Also contained in *Biographical and critical miscellanies* (Philadelphia, PA: J.B. Lippincott & Con. 1869)]
- Pritchard, David Gwyn, *The education of the handicapped, 1760-1960* (London: Routledge & Kegan Paul, 1963)
- Pritchard, David Gwyn, 'Some sources for the history of the education of handicapped children in England and Wales' in the *British Journal of Educational Studies* 11.2 (May 1963), 167-76
- Purse, Ben, *The Blind in Industry, fifty years of work and wages* (London: Edson, 1925)
- Purse, Ben, *The British Blind: a revolution in thought and action* (London: Edson, 1928)
- Read, Jane, 'Fit for what? Special education in London, 1890-1914' in *History of Education* 33.3 (2004), 283-98
- Richardson, Michael & Richardson, Patricia, *The Richardsons of Swansea: ship owners and copper merchants* (Sevenoaks, privately printed, 2009)
- Richardson-Gardner, Maria Louisa, *The Gardner Musical Institute for the Blind* (London: privately printed, 1879)
- Richardson-Gardner, Robert, *A trip to St. Petersburg* (London: T. Brettell and Con, 1872)
- Richardson-Gardner, Robert, *Central aid for blind handicraftsmen in England and Wales* (Windsor: Welham Clarke, 1884)
- Ritchie, John MacGregor, 'The Education and Training of the Blind' in *Royal Society Of Arts Journal* 76.3941 (1928), 739-54
- Ritchie, John MacGregor, *Concerning the blind - being a historical sketch of the organised effort on behalf of the blind of Great Britain, and some thoughts concerning the mental life of a person born blind* (London: Oliver and Boyd, 1930)
- Rooff, Madeline, *Voluntary societies and social policy* (London: Routledge & Kegan Paul, 1957)
- Rooff, Madeline, *A hundred years of family welfare: a study of the Family Welfare Association (formerly Charity Organisation Society), 1869-1969* (London: Michael Joseph, 1972)
- Roberts, Andrew, *Salisbury: Victorian Titan* (London: Weidenfield and Nicholson 1999)
- Robinson, Sir Harry Perry, *The Employers' Liability Assurance Corporation, Ltd. 1880-1930* (London: Waterlow, 1930)
- Rose, June, *Changing focus: the development of blind welfare in Britain* (London: Hutchinson & Co., 1970)
- Royal Normal College, *(Fourth, Fifth and Sixth) Report of the Royal Normal College and Academy of Music for the Blind* (London: RNC, 1876; 1877; 1878)
- Royal School for the Blind, *The Royal School for the Blind* (Leatherhead: Woodcote Publications, 1978)
- Ryan, James Emmett, 'The Blind Authoress of New York: Helen De Kroyft and the Uses of Disability in Antebellum America' in *American Quarterly* 51.2 (June 1999), 385-418
- Scott, E.R., *The history of the education of the blind prior to 1830* London: privately printed, c. 1917 (Probably published originally in *The Weekly Summary*, a Braille publication; republished 1916 by The College of Teachers of the Blind.)
- S.D.C. and Armanni, Vincenzo, *Il cieco afflitto e consolato/ L'Aveugle affligé et console (Consolation to one afflicted by blindness)* (Paris: Jean Camusat et Piere le Petit 1646) [Possibly partly written by the Jesuit Sieur René de Ceriziers, otherwise Monsù Renatus di Cerisier (1609-1662)]

- School for the Indigent Blind, *Historical Journal of the School for the Indigent Blind, 1799-1907* (London: Buck & Wootton, 1909)
- Schooling, Sir William, *Alliance Assurance, 1824-1924* (London: Alliance Assurance Company, 1924)
- Shannon, Richard, *The Age of Salisbury, 1881-1902: unionism and Empire* (London: Longman, 1996)
- Shelford, Leonard, *A practical treatise of the law of mortmain and charitable uses and trusts*. (Philadelphia, PA: J.S. Littell, 1842)
- Slinn, Judy, *A history of Freshfields* (London: Freshfields, 1984)
- Southern Regional Association for the Blind, *Chronological summary of legislation relating to the blind, 3rd edition, including additions and amendment to 31 August 1965*. SRAB.
- Spencer, Herbert, 'Reading by touch' in *Typographica New Series* 6 (December 1962)
- Stadelman, Joseph, 'Education of the Blind' in *The Catholic Encyclopedia* (New York, NY: Robert Appleton Company, 1909)
- Stanley, Brian, 'The legacy of Robert Arthington' in *International Bulletin of Missionary Research* 22.4 (October 1998) (A fuller version of the article was delivered in Cambridge on 6 February 1997 under the auspices of the North American Missiology Project.)
- Stebbing, Chantal, *The private trustee in Victorian England* (Cambridge: Cambridge University Press, 2002)
- Stebbing, Chantal, *The Victorian tax payer and the law, a study in constitutional conflict* (Cambridge: Cambridge University Press, 2009)
- Stenton, Michael and Lees, Stephen, *Who's Who of British Members of Parliament*, 4 vols. (London: The Harvester Press, 1976-1981). Vol. 2: 1886-1918
- Elliot, William Gerald (ed.) *Amateur Clubs and Actors* (London: Edward Arnold, 1898)
- Stewart, Dugald, 'Some account of a boy born blind and deaf, collected from authentic sources of information; with a few remarks and comments' in *Transactions of the Royal Society of Edinburgh* 7 (1812 in 1812-1815), 1-78
- Taylor, William, *On the Education of the Blind, especially those in the opulent classes, and on the establishment of a college for them* (London: John E. Taylor, 1859)
- Thomas, J.A., 'The system of registration and the development of party organisation, 1832-1870' in *History* 35 (1950), 81-98
- Thomas, Mary Gladys, *The first seventy years: Worcester college for the blind, 1866-1936* (London: the National Institute for the Blind, 1938)
- Thomas, Mary Gladys, *Thomas Rhodes Armitage* (London: the National Institute for the Blind, 1952)
- Thomas, Mary Gladys, *A Chronological Survey of the Work of the Blind. Supplement* (London: Sir Isaac Pitman for the National Institute for the Blind, 1953)
- Thomas, Mary Gladys, *The Royal National Institute for the Blind, 1868-1956* (London: the National Institute for the Blind, 1957)
- Thomas, Sandra, *George Grant Francis of Swansea, 1814-1882* (Swansea: West Glamorgan Archive Service, 2003)
- Thomas, S.E. (ed.), 'Robert Richardson-Gardner, MP, FSA' in *Celebrities of the day* 1.5 (August 1881), 353-63
- Tierny, Thomas J. and Fleishman, Joel L., *Give smart: philanthropy that gets results* (New York, NY: PublicAffairs, 2011)
- Tobriner, Alice, 'On assistance to the poor' by Juan-Louis Vivès, translated with an introduction and commentary (Chicago, IL: University of Chicago, 1971). (Reprinted Toronto, Ontario: University of Toronto Press, 1999)
- Tregoning, David and Cockerell, Hugh Anthony Lewis, *Friends for life: Friends' Provident Life Office, 1832-1982* (London: H. Melland, 1982)
- Trevithick, J.A., *Inflation: a guide to the crisis in economics* (Harmondsworth: Penguin Books, 1977)

- Tuke, Anthony William and Gillman, Richard John Holt, *Barclays Bank Limited, 1926-1969: some recollections* (London: Barclays, 1972)
- Turner, Mansfield ('XX'), *Notes on the report of the Jubilee Conference held at York, in July, 1883, to consider the condition of the blind* (London: Kegan Paul, Trench and Co., 1884)
- Turner, Mansfield and Harris, William, *A guide to the institutions and charities for the blind in the United Kingdom*. Private edition (London: Simpkin, Marshall & Co., 1884) [Reprint – Montana: Kessinger Publishing 2008]
- van Landeghem, Hyppolite, *Charity misapplied* (London: privately published, 1864)
- van Landeghem, Maria, *Exile and home. The advantages of social education for the blind* (London: privately published, 1865)
- Verner, Octavia Jane ('Oakvie'), *Facts relating to the blind: revised from an article in the 'Christian Observer'* (London: Emily Faithful, 1876)
- Vivès, Juan-Luis, *De subventionem pauperum (On assistance to the poor)* (Bruges: 1525)
- Wagg, Henry John with Thomas, Mary Gladys, *A Chronological Survey of the Work of the Blind. With an Appendix on the Prevention of Blindness, and a bibliography from the Earliest Records up to the Year 1930* (London: Sir Isaac Pitman for the National Institute for the Blind, 1932)
- Wagner-Lampl, Annic Oliver, George W., 'Folklore of blindness' in *Journal of Visual Impairment & Blindness* 88.3 (May/June 1994), 267-76
- Walker, David, *The Oxford Companion to Law* (Oxford: Clarendon Press, 1980)
- Wardrop, James, *History of James Mitchell, a boy born blind and deaf: with an account of the operation performed for the recovery of his sight* (London: John Murray, 1813)
- Warwick, Colin M. and Macdonald, Alistair A., 'Architecture associated with veterinary education in Edinburgh in *University of Edinburgh Graduates Association Journal* 42.3 (June 2006), 149-52
- Weightman, Gavin, *Children of light: how electricity changed Britain forever* (London: Atlantic Books, 2010)
- Weiner, Dora B., 'The Blind man and the French Revolution' in *Bulletin of the History of Medicine* 48.1 (1974), 60-89
- Weygand, Zina, *Vivre sans voir: les aveugles dans la société française, du Moyen Age au siècle de Louis Braille* (Paris: Créaphis, 2003) Translated by Emily-Jane Cohen as *The blind in French society from the Middle Ages to the century of Louis Braille* (Stanford, CA: Stanford University Press, 2009)
- Wickham, David, *All of One Company* (London: Clothworkers' Company, 2004)
- Wilkinson, Clement John, *James John Garth Wilkinson; a memoir of his life, with a selection of his letters* (London: Kegan Paul, Trench, Trübner & Co., 1911)
- Wilkinson, William Martin, *A contribution to the history of the origin of the Charity Organization Society* (London: Thomas Scott, 1875)
- Wilson, Arthur McCandless, *Diderot: the testing years, 1713-1759* (Oxford: Oxford University Press, 1972)
- Wilson, Henry Josiah (although unattributed), 'Royal Normal College and Academy of Music for the Blind, Upper Norwood, Surrey' in *St. Barnabas Parochial Magazine* (October 1892) [Subsequently republished as pamphlet (c. 1895)]
- Wilson, Henry Josiah, 'The feeble minded blind' in *Proceedings of the Conference on the Blind, Edinburgh* (1905) [Subsequently republished as pamphlet (1906)]
- Wilson, Henry Josiah, 'The education and employment of the blind' in *Journal of the Royal Society of Arts* 61 (1906), 410-18
- Wilson, Henry Josiah, *The work of the Unions of Societies for the Blind in England and Wales; their history and possible developments*. A paper read at the international conference on the blind in June 1914, subsequently reprinted as a pamphlet (c. 1915).
- Wilson, James, *Biography of the Blind: or the lives of such as have distinguished themselves as poets, philosophers, artists, etc.* 4th edition (Birmingham: James Wilson, 1838)

Wilson-Fox, Alice. *The Earl of Halsbury, Lord High Chancellor (1823-1921)* (London: Chapman & Hall, 1929)

Wolff, Sir Henry Drummond, *Some notes of the past, 1870-1891* (London: John Murray, 1893)

Wolff, Sir Henry Drummond, *Rambling recollections* (London: Macmillan & Co. Ltd., 1908)

Woodward, Llewellyn, *England 1815-1870* (Vol.13 of *The Oxford History of England*, edited by Sir George Clarke) (Oxford: Clarendon Press, 1938) [Paperback edition OUP, 1992]

'XX'. See Turner, Mansfield.

Young, Sue, *James John Garth Wilkinson 1812-1899*. (Online: 2008) [Accessed 10 August 2010]
<http://homeopathy.wildfalcon.com/archives/2008/03/20/james-john-garth-wilkinson-and-homeopathy>

Conference Reports

In addition to the following reports of conferences held in the United Kingdom listed below, summary reports prepared by British attendees would occasionally be published of overseas conferences. Many of these reports are available in the Harris Library and the Archive of the Wilberforce Memorial School of the Borthwick Institute of Historical Research, both held by the University of York.

1876 Report of conference on the instruction of blind children 21 July 1876 (London School Board Special Schools Committee)

1883 Report of the jubilee celebration of the foundation of the Yorkshire School for the Blind; and of the conference of managers, teachers and friends of the blind, held in the Manor House, York, 16-26 July 1883

1884 Report of the conference of managers and teacher of blind institutions held at Sheffield 1884

1889 Report of proceedings at a general conference of representatives of institutions for the blind held at the rooms of the Society of Arts, London, 28 November 1889

1890 Report of the conference of the blind and their friends held at the Royal Normal College for the Blind in July 1890

1894 *The education of the blind* Report of the conference held at the general Institution for the Blind, Carpenter Road, Edgbaston, Birmingham on 13-14 June 1894

1902 Report of the conference on matters relating to the blind, organised by the committee of Gardner's Trust for the Blind, held at Church House, Westminster, April 22-24 1902

1905 Report on the international conference on the blind and exhibition, held at the Central Halls, Edinburgh, June 1905

1907 North of England Union of Institutions, Societies and Agencies for the Blind, report of a conference held at York, 15 May 1907

1908 Report on the third triennial international conference on the blind, held at the Central Hall, Manchester, 24 July - 1 August 1908

1909 North of England Union of Institutions, Societies and Agencies for the Blind, report of a conference held at Preston, 1 May 1909

1911 Report on the third triennial international conference on the blind and exhibition of work, held at Exeter, July 1911

1914 Report on the international conference on the blind, and exhibition of arts and industries of the blind, held at Church House, Westminster, July 1914

General Reference

Oxford Dictionary of National Biography (Oxford: Oxford University Press, online edition 2004-

2011)

Who Was Who (Oxford: Oxford University Press, online edition 2011)

The Routledge Dictionary of Historical Slang (London: Routledge and Kegan Paul, 1971)

Unpublished dissertations, theses, etc.

Abel, Rhoda Ann Doreen, 'Identification of the Blind, 1834-1868: a study of the establishment of the blind register and the registration process' (unpublished Ph.D. thesis, London School of Economics, 1987)

Bates, Kathleen, 'A social history of blindness' (unpublished Ph.D. thesis, Loughborough University of Technology, 1998)

Bergen, Amanda Nichola, 'The blind, the deaf and the halt: physical disability, the Poor Law and charity c. 1830-1890, with particular reference to the County of Yorkshire, (unpublished Ph.D. thesis, University of Leeds, 2004)

Butterfield, Paul Henry, 'The evolution of special education' (unpublished Ph.D. thesis, University of London, 1970)

Koumantarakis, John P., 'The education of the blind in Victorian society' (unpublished M.Phil. dissertation, South Bank University, 1985)

Lorimer, Pamela, 'A critical evaluation of the historical development of the tactile modes of reading and an analysis and evaluation of researches carried out in endeavours to make the Braille code easier to read and write' (unpublished Ph.D. thesis, University of Birmingham, 1996)

Lysons, C. Kenneth, 'The development of social legislation for blind or deaf persons in England, 1834-1939' (unpublished Ph.D. thesis, Brunel University, 1973)

Payne, Lyn Ann, 'The Education of the Blind, 1870-1930s' (unpublished Ph.D. thesis, University of East Anglia, 2002)

Pope, N.F., 'Charitable activity and attitudes in early Victorian England, with special reference to Dickens and the Evangelicals' (unpublished D.Phil. thesis, Oxford University, 1975)

Salt, Francis Wilford, 'The forging of a blind radical Ben Purse and the National League of the Blind 1874-1925: recovering a lost history' (unpublished M.Phil. thesis, Manchester Metropolitan University, 2007)

Seton-Karr, Walter Scott, *Autobiography*, vols. 2 & 3 (unpublished manuscripts held in British Library Africa and Asia collection)

Taylor, E.D., 'Blindness, Education and Society' (unpublished Ph.D. thesis, Loughborough University of Technology, 2000)

Woodard, Calvin, 'The Charity Organisation Society and the rise of the welfare state' (unpublished Ph.D. thesis, Cambridge University, 1961)

