

August 2016: the following arrived in an email from Jodi Fuller. Some minor additions to her text appear *in italics in square brackets*.

I am a volunteer at Bendigo Cemetery, Victoria, Australia. I have been researching John Marsh Minter (who appears on your site) so I can include him in a Heritage Tour which I am designing. So, I thought I would share with you what I have found out.

The marriage occurred on the 7/5/1841. Married after the Banns. No children were born in Australia.

John's articles of clerkship were from 1838 - 1846. His mother signed the documents back in 1838 so I assume Dad had passed or was somehow out of the picture. *[John's father died in 1834]*

John was in the Debtor's Prison in 1848. I assume that was Newgate, where the Old Bailey now stands. There are two documents on the London Gazette website - 1) Issue 20904 page 3689, 10/10/1848; and 2) Issue 20909 page 3871, 27/10/1848. He does appear in an 1849 issue, but he is back as a Solicitor then to someone else.

[The London Gazette entries are as follows:

Reported on 10 October 1848 – at The Court for Relief of Insolvent Debtors on Saturday 7 October 1848 – Order made, vesting in the Provisional Assignee the Estates and Effects of the following persons – On their own Petitions (list including) – John Marsh Minter, late of No. 5, Caroline-place, Stoke Newington-common, Stoke Newington, Middlesex, Attorney at law – in the Debtors' Prison for London and Middlesex.

Reported on 27 October 1848 – at The Court for Relief of Insolvent Debtors – The following PRISONERS, whose estates and Effects have been vested in the Provisional Assignee by Order of the Court, having filed their Schedules, are ordered to be brought up in Court, as hereinafter mentioned, at the Court-House, in Portugal Street, Lincoln's-Inn-Fields, as follows, to be dealt with according to the Statute: - On Monday the 13th November 1848, at Eleven o'Clock precisely, before Mr Commissioner Harris (list including) – John Marsh Minter, formerly of 7 Trafalgar-place West, Hackney-road, Middlesex, Articled Clerk to an Attorney, afterwards an Attorney at Law, afterwards of 22 Brownlow-street, Holborn, and late of 5 Caroline-place, Stoke Newington, both in Middlesex, Attorney at Law.

Reported on 6 November 1849 (issue 21035, page 3327) – John Marsh Minter, Solicitor, 9 Bell-yard, Doctors-commons was to be given notice by those indebted to a bankrupt firm of builders etc.]

In 1852, John spent a bit of time in Bethlem Asylum. The records are on Find My Past. He had an anxiety disorder (as did his father before him) with violent outbursts. Jemima eventually got him out of there in the same year. *[Admitted on 5 May, discharged on 23 July 1852]*

I think it was after this, in 1853 or very early 1854 that they came to Melbourne.

The earliest record I have been able to find is 5/6/1854, John being admitted to the Supreme Court as a practising Solicitor - conditionally for 12 months. Unfortunately the Colonial Government made all Solicitors, Attorneys and Proctors do a one year clerkship, even though they were fully qualified and already practising back in the UK. This made all the Legal men angry as the UK Government led them all to believe that they would be fully practising solicitors etc., upon arrival. After the twelve months, John and many more signed a petition to have this rule removed.

That was presented to the Supreme Court on the 4/4/1855. The earliest advertisement I have found for John practising in Bendigo was 5/9/1854.

I note you mentioned that Jemima came to Australia on the Norfolk as a widow. This is in fact incorrect. I am yet to find their shipping record, but they were both in Bendigo together. There was a dispute about John's Will & Probate, so Jemima had to return to England after he died. The trip on the Norfolk was Jemima's return voyage to Australia, and Bendigo.

As for the dispute regarding his estate - he had written a will in England around the time he married Jemima Jones, and declared he only had effects to the value of 20 pound. Jemima never knew about this will in England, so when John died, she went to court and was awarded administration and sole executrix. John made a small fortune in practice in Bendigo (originally named Back Creek and Sandhurst); and once his brother-in-law back in England found out about his death, he claimed probate in London based on the will from the 1840s, then tried to obtain his estate by the looks of things. It went to court here in Australia and Jemima had to return to London to obtain copies of documents, etc., to produce here in court. Nothing more really happened until Jemima died in 1866. She left her estate to a niece or nieces who lived in Melbourne. When John's brother-in-law found out this, he disputed Jemima's estate based on John's will, had the administration of 1861 revoked, and was awarded the estate. His name was William Glasier, and he was married to John Marsh Minter's sister Mary.

John would have been buried within a day or two of his passing. The White Hills Cemetery Register does not exist for that period anymore. Jemima had him re-interred at Back Creek Cemetery - this is what the cemetery was named at the time - on Tuesday, 19 March 1861. He is buried in Monumental Section E5, Grave number 783 and it is just inside the main gates past the Sexton's Residence. Jemima was interred with him. From what I have heard, they had a magnificent monument; unfortunately made of Sandstone. The harsh weather conditions destroyed it (before my time) and it collapsed into many pieces which could not be repaired. The unfortunate thing about Sandstone monuments it that the rain, wind and dirt in the air, erodes it. I have attached a photo of their grave and what is left of the monument.

Obituary

THE LATE MR. J. M. MINTER. – We regret to have to chronicle the death of Mr John Marsh Minter, solicitor, which will be deeply regretted by a large circle of private friends and professional acquaintances; a gentleman who

during a series of years practice in England, and the subsequent exercise of his profession in Sandhurst from its earliest period, by his natural kindliness of disposition, unassuming manners, and upright conduct, won many friends, and left behind him a name respected by all who knew him.

The deceased gentleman has for some time past been in declining health, which has been to painfully apparent to his immediate friends. The sad result was, no doubt, precipitated by the non-arrival of letter, in reference to the health of his beloved mother in England by the last mail, and he was calmly called away at an early hour yesterday morning. Requiescat in pace.

DIED

On the 9th instant, at his residence, Bridge-street, Mr. John Marsh Minter, Solicitor, aged 38 years.

(Both the obit and death notice were from the Bendigo Advertiser, Tue 10/7/1860. No funeral notices.)

Sources: Find My Past, Ancestry, Public Records Office of Victoria, Trove Digital Newspapers.