

Will of Joseph Royall 1814

PCC Canterbury prob 11/1558

Joseph Royall appears to have been a descendant of Isaac Royall whose son-in-law was Sir William Pepperell, merchant and soldier in colonial America. Sir William had no direct heir and his grandson William Pepperell Sparhawk took the name Pepperell on inheriting. The latter then fled America and returned to England under George III to avoid the war of Independence, dying at his residence in Portman Square in 1816. Joseph Royall married twice, first to Catherine Morse sister of the wealthy Jamaica planter and merchant John Morse. She died in January 1782 and in August of the same year Royall married Jamaican heiress Mary Powell Morant. The marriage was a disaster and the couple separated almost immediately.

Having no children from either marriage, Joseph left his property to members of the Pepperell family. He also left a considerable legacy to Catherine Smyth whose father John Vanholen was a friend and had married his sister-in-law Sarah Morse.

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This is the Last Will and Testament of me **Joseph Royal of Great Cumberland Street** in the Parish of Saint Mary le Bone in the County of Middlesex Esquire I direct that my body may be interred in a vault in the Parish where I may happen to die or in any other place that my Exors may think proper and that a plain Monument maybe erected by them to my memory I will & direct that all my just debts funeral & testamentary expenses shall in the first place be only paid & satisfied and I give to Mrs **Catherine Green** Widow of my late friend **Edmund Green** Merchant in London my Silver tea urn and I give unto **Sir William Pepperell** of Dorset Street Portman Square in the Parish of Saint Mary le Bone aforesaid Baronet my to gilt [illegible] with my Arms engraved thereon and I give unto **Thomas Palmer** of Berkeley Square in the said County of Middlesex Esq my large two handled Silver Cup and I give to **Thomas Smith** of Norfolk Street Park Lane Esq the legacy of Fifty Guineas to purchase a ring

and I give all my wearing apparel unto my **servant Samuel Lomax** if he shall be in my service at the time of my decease and I give & bequeath unto **Mrs Elizabeth Royal Hutton** wife of the Rev Mr Hutton & one of the daughters the said Sir William Pepperell the Sum of four thousand & fifty four pounds one shilling three per cent consolidated Bank Annuities part of that Stock now standing in my name & direct the same to be a vested Interest in her upon my decease and to be transferred unto her name as soon after my decease as conveniently may be for her own separate use And I declare that her receipt notwithstanding her coverture shall be sufficient discharge for the same to my Exors hereinafter named and I give & bequeath unto the said Sir William Pepperell & Thomas Palmer & **John Samuel Hudson** of Harcourt buildings in the Temple London Esq's my Exors hereinafter named the Sum of four thousand & fifty four pounds one shilling and three per cent consolidated Bank Annuities other part of that Stock now standing in my name which interest may be by them transferred into their names as soon as conveniently may be after my decease And I direct that they my said Exors or the Survivors or Survivor of them or his Exors or Admons do & shall stand possessed thereof upon trust when & as the Interest dividends & annual produce shall arise & become payable to receive & pay the same into the proper hands of **Mrs Mary Hurst Congreve** wife of **William Congreve** Esquire another of the daughters of the said Sir William Pepperell or her appointee or appointees by any Note or Writing from time to time for & during the term of her natural life for her sole & separate use independently of her said present or any future husband for which dividends or annual produce her receipt or the receipt of her appointees notwithstanding her coverture shall from time to time be a good & sufficient discharge and from & after the decease of the said Mary Hurst Congreve upon trust to pay assign & transfer the said Sum of four thousand and fifty-four pounds one shilling three per cent Consolidated Bank Anns and the Interest Dividends & produce thereof when & as the same shall become due & payable unto & amongst all & every the child & children of the said Mary Hurst Congreve living at her decease in equal shares & proportions but in case the said Mary Hurst Congreve shall depart this life without leaving any issue living at the time of her decease then upon trust that they my said Exors or the Survivors or Survivor of them or

the trustees or trustee for the time being of the said trust fund do & shall immediately after the
decease of the said Mary Hurst Congreve & such failure of Issue as aforesaid pay assign & transfer
the said Sum of four thousand one hundred and fifty four pounds one shilling three per cent
Consolidated Bank Anns unto and between the said Elizabeth Royal Hutton and **Harriett the wife of
Sir Charles Thomas Palmer Bart** of Wanless in the County of Leicester in equal shares & proportions
for their respective sole & separate use independent of their present or any future Husbands and for
which there receipts respectively notwithstanding their respective executors shall be sufficient
discharge to the Exors Admons & assigns respectively and I give & bequeath unto my Exors
hereinafter named the Sum of one thousand pounds of lawful money of Great Britain In trust to
place out the same at Interest upon Government or real Securities in their names And to alter & vary
such Securities as at often as they shall think proper and to stand possessed of the said Sum of one
thousand pounds to be placed out at Interest & the Securities for the same in trust to pay the
Interest Dividends & yearly proceeds thereof unto the proper hands of **Elizabeth Dugan**¹ wife of
Charles Dugan of the City of Leghorn Merchant or to the hands of such person or persons as she by
any Note or writing under her hand shall from time to time appoint to receive the same for & during
the joint natural lives of the said Elizabeth Dugan & Charles Dugan to the intent that the same may
be for the sole & separate use of the said Elizabeth Dugan & and may not be subject to the debts or
control of the said Charles Dugan And I direct that the receipts of the said Elizabeth Dugan or of such
person or persons as she shall appoint to receive same and her or their receipts only shall be good
discharges for such Interest dividends & yearly proceeds to the person or persons paying the same
for so much as in such receipts shall be expressed to be received and in case the said Charles Dugan
shall depart this life in the life time of the said Elizabeth Dugan then the said Sum of one thousand
pounds & the Securities for the same shall be In trust for the said Elizabeth Dugan her Exors Admons
& assigns for her & their own absolute use & benefit but if the said Elizabeth Dugan shall die in the
lifetime of the said Charles Dugan then the said sum of one thousand pounds & the Securities for the

¹ This name is difficult to read and may be Dogon

same shall be Interest for such person or persons & for such intents & purposes as she the said Elizabeth Dugan notwithstanding her coverture shall by her last Will & Testament in writing to be signed & published by her in the presence of & to be attested by two or more credible witnesses or any codicil or codicils thereto direct or appoint and in default of such direction or appointment In trust for her next of kin living at her decease according to the Statute of distributions & to go in the same manner as if she had died a Widow & Intestate I give & bequeath unto [illegible] **Wade** of New Bond Street in the County of Middlesex Spinster the sum of three hundred pounds sterling I give & bequeath unto **Catherine Gillis** wife of Dr **John Gillis of Seymour Street** in the County of Middlesex the Sum of two hundred pounds Sterling I given bequeath unto the said Samuel Lomax in case he shall be living with me & in my service at the time of my decease Sum of two hundred and fifty pounds Sterling I given bequeath unto my **servant James Osborne** if he shall be in my Service at the time of my decease the sum of fifty pounds sterling I give & bequeath unto **Sarah Gazard** the wife of **William Gazard** of the town of Lincoln my late Servant the Sum of one hundred pounds sterling I give & bequeath unto **Martha Grayson** the daughter of **Thomas Grayson** late of the Parish of St Mary le Bone my late servant the sum of fifty pounds sterling I give & bequeath unto **Isabella Jackson my Housekeeper & Hannah Holt my house maid** the sum of fifty pounds Sterling apiece provided they are respectively in my Service at the time of my decease And I give & bequeath unto Ann Prosser my late Housekeeper the Sum of fifty pounds Sterling I give & bequeath all my wines & other liquors & the vessels that contain same to the said Sir William Pepperell Thomas Palmer & John Samuel Hudson [illegible] I give devise & bequeath all & every my Messuages Plantations lands tenements & hereditis Negroes & other Slaves And all other my Estate real & personal in Jamaica of what nature [illegible] unto & to the use of my friends the said Thomas Palmer & Thomas Smith their heirs Exors Admons & assigns according to the nature of the same Estates respectively upon the trusts nevertheless & to & for the said intents & purposes hereinafter expressed & declared of & concerning the same that is to say upon trust during the lives of **Mrs Catherine Smyth** the wife of **Francis George Smyth** late of Temple [illegible] in the County of Pembroke & now of Upper Brook

Street in the County of Middx Esqr the Daughter of my late valued friend **John Vanhoolen** Esqr
deced & **Harriett Smyth** Spinster the Infant daughter of the said Francis George Smyth & Catherine
Smyth & during the life of the Survivor of them to manage the same Messuages Plantations lands
tenements Slaves hereditis & my personal Estate in Jamaica to the best advantage & to receive the
Issues Profits produce & Interest thereof & to pay apply and dispose of so much & such parts of the
said Issues Profits produce & Interest as may be sufficient from time to time in keeping the houses
buildings & erections which shall be upon the said plantations at my decease in good & sufficient
condition order & repair And also in keeping up the efficient strength of the Slaves & stock equal to
that the same shall be at my decease And also in furnishing & supplying the said Messuages
Plantations lands slaves & premises from time to time with all necessary annual & other supplies
provisions clothing & other Articles & with such utensils implements & other effects as may be
necessary for conducting & carrying on the same and with power also to the said trustees or trustee
for the time being to demise & have all the said premises upon a make good lease or leases with
proper covenants to be contained therein on the part of the lessee or lessees for keeping up &
preserving the Erections & Buildings and also the Slaves Stock Utensils Implements & other Effects in
good & sufficient repair and equal in strength in value during the continuance of such demise or
lease or demises or leases and so restoring the same respectively at the end expiration or other
determination of the said lease or leases taking & obtaining good & sufficient Security for the
performance of the covenants in such lease or leases by the lessee or lessees respectively and upon
trust that the said Thomas Palmer & Thomas Smith is all the Survivor of them his heirs Exors or
Admons or the trustees or trustee for the time being do & shall from time to time pay the clear
residue & remainder of such issues profits produce & interest or of such annual rent or rents to such
person or persons & for such intents & purposes And in such manner & form as she the said
Catherine Smyth during her life notwithstanding her present or any future coverture shall from time
to time by any Note or Writing under her hand order or direct And in default of such order or
direction & when & as often as no such order or direction shall be made or given shall & do pay the

same issues & profits Interest or annual rent or rents into the proper hands of the said Catherine Smyth or otherwise permit & authorize her to receive & take the same to & for her own sole and separate use & benefit free from all debts Engagements or control of her said present or any future husband And my Will is that the receipt or receipts of her the said Catherine Smyth or of the person or persons to whom she shall so as aforesaid order or direct the same issues profits produce & Interest or annual rent or rents to be paid as aforesaid shall from time to time notwithstanding her coverture be a good & sufficient discharge or discharges for such issues profits produce & Interest or annual rent or rents or for so much thereof as in such receipt or receipts shall be acknowledged or expressed to be received And from & after the decease of the said Catherine Smyth then upon trust that they the said trustees & the Survivors & Survivor of them his heirs Exors & Admons or the trustee or trustees for the time being shall & do in case the said Harriett Smyth shall be under the age of twenty one years & unmarried at the death of the said Catherine Smyth lay out & invest the future clear rest residue and remainder of such issues profits produce & interest or of such annual rent or rents in the public Stocks or Funds there to Augment and Accumulate until she the said Harriett Smyth shall attain her age of twenty one years or be married And then to pay apply & dispose of the same in such manner & form as she the said Harriett Smyth shall by any Note or Writing under her hand order or direct notwithstanding she may be then covert and in default of such order or direction shall & do pay the same into the proper hands of the said Harriett Smyth free from the Debts Engagements or Control of any husband and upon further trust from & after the decease of the said Catherine Smyth & of her the said Harriett Smyth having attained her age of twenty one years or being married that they the said trustees or trustee for the time being do & shall from time to time pay the future residue & remainder of such Issues Profits Produce Interest or of such annual rent or rents of my said Plantations lands slaves & premises in Jamaica to such person or persons as she the said Harriett Smyth during her life whether covert or not covert shall from time to time by any Note or Writing under her hand order or direct & in default of such order or direction & when & as often as no such order or direction shall be made or given shall & do pay the same

issues profits produce & Interest or such annual rent or rents into the proper hands of the said Harriett Smyth or otherwise pursuant & authorize her to receive & take the same to & for her own sole & separate use & benefit free from all Debts Engagements or Control of any husband And my Will is that the receipt or receipts of her the said Harriett Smyth or of the person or persons to whom she shall so as aforesaid order or direct the same issues profits produce & Interest or annual rent or rents to be paid as aforesaid shall from time to time notwithstanding any coverture be a good & sufficient discharge or discharges for such issues profits produce & Interest or annual rent or rents or for so much thereof as in such receipt or receipts shall be acknowledged or pressed to be serviced and my Will & mind is that from & after the decease of the survivor of them the said Catherine Smyth & Harriett Smyth the said Thomas Palmer & Thomas Smyth or the survivor of them or the heirs Exors or Admons of such survivor or the trustees or trustee for the time being do & shall stand seized & be possessed of & interested in all my said Messuages Plantations lands tenements & hereditis Negro & other Slaves & all other my Estate & property in Jamaica both real & personal In trust for all & every such Child & Children of the body of the said Harriett Smyth lawfully issuing as being a Son or Sons shall live to attain the age of twenty one years or being a Daughter or Daughters shall live to attain that age or be married equally to be divided between them if more than one share & share alike as tenants in common & not as joint tenants & for their respective Exors Admons & assigns according to the nature of the said Estates and Premises respectively and if there shall be but one such Child then the trust for such one child his or her heirs Exors Admons or assigns according to the nature thereof respectively and upon further trust in the meantime from & after the decease of the Survivor of them the said Catherine Smyth & Harriett Smyth to pay and apply the issues profits produce Income & proceeds of every such childs separate share notwithstanding his or her minority for or towards his or her benefit And in case the said Harriett Smyth shall have no Child who being a Son shall live to attain the age of twenty one years or being a daughter shall live to attain that age or be married then & in such case my Will & mind is and I do hereby declare & direct that from & after the decease of the Survivor of them the said Catherine Smyth & Harriett Smyth & such

failure of the Children of the said Harriet Smith living to become entitled as aforesaid then the said Thomas Palmer & Thomas Smith & the Survivor of them his heirs Exors & Admons or the trustee or trustees for the time being do & shall thenceforth stand seized & possessed of & interested in all my said Messuages Plantations lands tenements and heredit Negro & other Slaves & other my Estate and Property in Jamaica both real & personal In trust for such person or persons & for such intents & purposes as the said Harriett Smyth in case she shall live to attain her age of twenty one years & shall by her last Will & Testament or any codicil or codicil is thereto duly executed in the presence of three or more Witnesses notwithstanding any coverture give order direct [illegible] or appoint and in case the said Harriett Smyth shall die under the age of twenty one years And in failure of such children as aforesaid & in case she shall attain such age of twenty one years & in failure of such her children as aforesaid and in default of her making such Will as aforesaid then In trust for & for the absolute benefit of Henry Smyth brother of the said Harriett Smyth his heirs Exors Admons & assigns according to the nature of the said Estates or property absolutely for ever and I do hereby authorize the said Thomas Palmer & Thomas Smith & the Survivor of them his heirs Exors or Admons or the trustee or trustees for the time being of my said Estates & properties in Jamaica from time to time to appoint one or more attorney or attornies in Jamaica to act in the management of all my Estates Affairs & concerns there with such powers & authorities as such trustees or trustee shall think proper and such appointment or appointments from time to time to revoke & other attorney or attorneys to nominate & appoint and I give devise & bequeath all the rest residue & remainder of my Estate real & personal whatsoever & wheresoever unto & to the use of my friends the said Sir William Pepperell Thomas Palmer and John Samuel Hudson their heirs Exors Admons & assigns according to the nature & quality of the same Estates respectively upon the like trusts in all respects as to the clear rents issues profits & produce of my said residuary real & personal estate during the lives of the said Catherine Smyth & Harriett Smyth & the life of the Survivor of them as are herein before declared respecting the clear residue & remainder of the issues profits produce & Interest & annual rents of my said Estates & properties in Jamaica and from & after the decease of the Survivor

of them the said Catherine Smyth & Harriett Smyth then upon the like trusts as upon the death of such Survivor are hereinbefore declared respecting my said Estates & properties real & personal in Jamaica and I do hereby nominate constitute & appoint the said Sir William Pepperell Thomas Palmer & John Samuel Hudson to be Executors of this my will Provided always & I do hereby further declare that in case the said Thomas Palmer & Thomas Smith or either of them or any future trustees or trustees of my said Jamaica trust Estate & premises shall dye or be desirous to be discharged of & from or decline neglect or refuse or become incapable to act in the several trusts hereby in them reposed as aforesaid before the same trusts shall be fully executed & performed then & in such case & when & so often as the same shall so happen it shall & may be lawful to & for the Survivor or other of my said trustees or the time being his heirs Exors or Admons & such Survivor or other trustee his heirs Exors or Admons is & are hereby directed with all convenient speed to nominate substitute & appoint any other person or persons to be a trustee or trustees in the place or stead of such of them the said Thomas Palmer and Thos. Smith or of any succeeding or other trustee or trustees as shall so die or desire to be discharged or become incapable to act as the aforesaid trusts & that where & as often as any new trustee or trustees shall be nominated or appointed as aforesaid all the said Jamaica trust Estate & premises then vested in any of the said trustees shall be thereupon with all convenient speed conveyed assigned & transferred in such sort & manner as that the same may be legally & effectually vested in the surviving or continuing former trustee (if any) & each new trustees or trustee & if there shall be no such surviving or continuing trustee then In such new trustees only upon the trusts hereinbefore declared of & concerning the same Jamaica trust Estates & premises & that every such new trustee or trustees shall & may in all things act & assist in the management carrying on & executing of the trusts to which he or they shall be so appointed as fully & effectually in all respects & to all intents & purposes & with all the same powers as if he or they had been originally in & by this my Will nominated & appointed a trustee or trustees for the purposes for which he or they shall be so appointed trustee or trustees Provided also that in case the said Sir William Pepperell Thomas Palmer & John Samuel Hudson or any or

either of them or any future trustees or trustees of my said residuary real & Personal Estate & premises shall die or be desirous to be discharged of & from or decline neglect or refuse or become incapable to act in the several trusts hereby in them reposed as aforesaid before the same trusts shall be fully executed & performed then & in such case & when & so often as the same shall happen I give the same powers & directions for the nomination substitution or appointment of other personal persons to be a trustee or trustees & the same authority to such new trustee or trustees as are hereinbefore given & contained respecting the appointment of new trustee or trustees for my said Jamaica trust estates Provided also & I do hereby further declare that they the said Thomas Palmer Thomas Smith so William Pepperell & John Samuel Hudson or any or either of them their or any or either of their heirs Exors Admons & assigns or any other trustee or trustees to be appointed as aforesaid shall not be answerable the one for the other or others of them or for the Acts Goods Defaults Receipts Payments or Disbursements of the others or other of them nor for the acts receipts or payments of any attorney or attorneys may be appointed under the power & authorities hereinbefore for that purpose given or charged or chargeable with or accountable for any further or other Estate Sum or Sums of money rents Interest dividends & produce than what shall actually come to the hands of & be received by them respectively notwithstanding they or any or either of them shall give or sign or join or enter in the giving or signing of any receipt or receipts for conformity and that they or any or either of them shall not be answerable or accountable for the insufficiency or defects or failure of any Security or Securities whereon or wherein the said trust monies & premises or any part or parts thereof shall or may be placed out or invested or of any Bank Banker or Bankers wherein or in whose hands any part or parts thereof or of any other Monies to arrive under the trusts aforesaid shall or may at any time or times happen to be by them or any or either of them placed or lodged for safe Custody or for any other involuntary loss or damage which shall or may happen or arise of or to any of the said trust Estates & premises or the produce thereof or any part thereof and also that it shall & may be lawful to & for them & each & every of them from time to time & at all times to have receive retain deduct & reimburse in the first place to themselves

& himself respectively & to allow to his or their Co Trustee or Co Trustees by & out of the said trust Estates monies & premises in them respectively vested as aforesaid or the monies rents & proceeds to arise therefrom all such loss costs charges damages & expenses as they or any of them shall respectively bear suffer sustain expend or be put unto or which shall or may be to them or any or either of them occasioned for all by reason or [illegible] or on account of the trusts hereby in them reposed or in about touching or concerning the management or execution thereof or otherwise howsoever relating thereto

And hereby revoking all former & other Wills by me at any time heretofore made I do declare this & only this to be my last Will & Testament In Witness whereof I have to this my last Will and Testament contained in fourteen sheets of paper set my hand and seal that is to say to the thirteen preceding sheets my hand & to this fourteenth and last sheet my hand & seal this twenty fifth day of May in the year of our Lord one thousand eight hundred & fourteen. Joseph Royal signed Sealed Published & declared by the said testator as & for his last Will and Testament in the presence of us who in his presence at his request & in the presence of each other have subscribed our names as Witnesses hereto Rich Grant, Russell Place, H Eshing, John Bown Assts to Mr Grant.

Proved at London 25th June 1814 before the Worshipful Samuel [illegible] Dr of Laws & Surr by the Oaths of Thomas Palmer & John Samuel Hudson Esqrs two of the Exors to whom Admon was granted being first sworn duly to admin Power reserved to Sr William Pepperrill in the will written Pepperell Bart the other Exor.

Marginal note [which is very difficult to read] added as follows :

On the 4 September 1854 Admon (with the Will annexed) of the Goods Chattels and Credits of Joseph Royal late of Great Cumberland Street in the Parish of St Marylebone in the County of Middlesex Esquire deceased left administered by Thomas Palmer and John Samuel Hudson Esquires two of the Executors and Residuary Legatees in Trust named in the said Will (both since deceased) was granted to Dame Harriet Catherine Capel Widow (heretofore Harriet Catherine Vere? in the Will

written Harriet Smyth Spinster) the Residuary Legatee substituted in the said Will having been first sworn duly to administer Sir William Pepperell Baronet the other Executor and other Residuary Legatee in the Trust died without having proved the said Will and the said John Samuel Hudson survived both his Co Executors and died 17th May 1832 having made His Will and appointed Charles [illegible] Sole Executor who renounced? the Probate and Execution thereof unto Catherine Smyth Widow the Residuary Legatee for life [illegible] having first [illegible] the Letters of Admon with the said Will annexed of the Goods of the said deceased [illegible] aforesaid as by Acts of record appeared.

Anne Powers

August 2011.