

Will of Marchant Tubb 1792

PCC Canterbury PROB/11/1213

Marchant Tubb was baptised at Bath Abbey on 6 August 1732, the seventh of eleven children of John Tubb. As a young man he went as a surgeon to Jamaica where he married Ann the widow of Stephen Morant who was mother of a young daughter. Marchant, Ann and Mary Powell Morant returned to England and settled in Bedford Square in London, often taking holidays at Deal in Kent.

Ann who was probably ten years older than her husband died in 1777, and although Mary married Joseph Royall in 1782, the marriage rapidly failed and she returned to live with her stepfather at 13 Bedford Square. The conditions in the Will protecting her interests refer to 'coverture' the restricted legal status of a married woman in relation to her own property. Marchant, Ann and Mary were all buried at Ringwould in Kent where Marchant erected a touching monument in memory of Ann.

In the Vault beneath are deposited the Remains of Mrs Ann TUBB, wife of Marchant Tubb, Esqr. late of the Island of Jamaica. She died 26th of June 1777, Aged 55 Years. In Testimony of whose Virtues, As an affectionate Wife, A Tender Parent and a faithful Friend, This Memorial is erected By her surviving Husband Who too severely feels The Loss he records.

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This is the last Will and Testament of me Marchant Tubb of Bedford Square in the County of Middlesex Esquire First I will and direct that my Body be buried in the Chancel of Ringwould Church near Deal in Kent in the same Vault where the Remains of my late dear Wife are deposited Also I give devise and bequeath unto my Brother John Tubb one Annuity or Yearly Rent charge of Twenty five Pounds of lawful Money of Great Britain to be paid him during the term of his natural life by even and equal Quarterly payments the first payment thereof to be made at the expiration of three Calendar Months next after my decease Also I give devise and bequeath unto my Sister Elizabeth Wallace the life Annuity or Yearly Rent Charge of Twenty five Pounds of like lawful Money to be paid her during the term of her natural life by even and equal Quarterly Payments the first payment

thereof to be made at the Expiration of three Months next after my decease Also I give and bequeath unto my good Friend Robert Cooper Lee Esquire the Sum of one hundred Pounds Also I give and bequeath unto my good Friends John Whitehead and George Whitehead Merchants the Sum of Fifty Pounds to each of them Also I give and bequeath unto my Godson Scudamore Cooper Lee when and if he attains his age of Sixteen Years the Sum of one hundred Pounds to buy him Books And I hereby subject charge and make liable all my Residuary Estate Real and Personal to and with the payment of the said Annuities and Legacies Also I give & bequeath unto the said Robert Cooper Lee John Whitehead and George Whitehead their Executors Admons and Assigns all my Household Furniture Jewells Plate Pictures Books China Linen Carriages Horses Stores and Liquors belonging to me at my decease In Trust for the sole and separate use and benefit of my Daughter in Law Mary Powell Royall (the Wife of Joseph Royall) exclusive of and without being Subject to the [illegible] Disposal Debts or Engagements of the said Joseph Royall and to be from time to time disposed of as she the said Mary Powell Royall by any Writing under her hand shall direct or appoint Also I give and devise and bequeath my undivided fourth part or share of and in a certain Plantation and Sugar Work called Wheelersfield and the Lands thereunto belonging situate in the Parish of Saint Thomas in the East in the Island of Jamaica and of and in the Slaves Cattle Stock and Utensils upon and belonging to the said Plantation with their Issue & Appurte and all other my Lands Tenements Slaves and Hereditis situate and being in the said Island of Jamaica and all the Rest Residue and Remainder of my Estate Real and Personal whatsoever and wheresoever (Subject nevertheless and charged to and with the payment of the several Annuities & Legacies aforesaid) unto and to the use of the said Robert Cooper Lee John Whitehead and George Whitehead their Heirs Executors Admons and Assigns Upon the Trusts and to and for the intents and purposes hereinafter mentioned expressed and declared of and [illegible] the same (that is to say) In Trust to pay apply and dispose of all the Rents Issues Profits Interest and Produce of my Said Estates and Property during the natural life of the said Mary Powell Royall to such person or persons and for such interests and purposes as she by any Writing or Writings Signed by her shall notwithstanding

her coverture and whether she shall be sole or married direct or appoint and in default of such direction or appointment and in the meantime and until such direction or appointment shall be made do and shall pay all the Rents Issues Profits Interest and Produce of my said Estate and Property so devised In Trust as aforesaid or so much thereof concerning which no such direction or appointment shall be made into the proper hands of the said Mary Powell Royall or otherwise permit and suffered her to receive the same for her sole separate and peculiar use and benefit exclusive of and without being subject to the [illegible] Intermeddling Disposal Debts or Engagements of her said Husband Joseph Royall and the Receipt or Receipts of the said Mary Powell Royall or of such Person or Persons to whom she shall direct or appoint the said Rents Issues Profits Interest and Produce and any part thereof to be paid as aforesaid shall from time to time notwithstanding her being under Coverture and whether she shall be sole or married be good and sufficient discharge and discharges for so much Money as such Receipt or Receipts shall be expressed or acknowledged to be received and from and after the decease of the said Mary Powell Royall Then In Trust to pay thereout to my Nieces Ann Wignall and Susanna Wignall and the Survivor of them one Annuity or Yearly Rent Charge of Three hundred Pounds of lawful Money of Great Britain to commence from the decease of the said Mary Powell Royall and to be paid half Yearly equally between my said Nieces share and share alike during their joint natural lives and to be paid half Yearly to the Survivor of them during her natural life and Subject to the said last mentioned Annuity In Trust for such person or persons for such Estate and Estates and in such parts shares and proportions manner and form as she the said Mary Powell Royall by her last Will and Testament in Writing or any Codicil or Codicils or any Writing or Writings purporting to be or being in the nature of her last Will and Testament or a Codicil or Codicils to be Signed and published by her in the presence of and attested by three or more Credible Witnesses shall notwithstanding her Coverture and as if she was sole and unmarried direct limit give or appoint the same And in default of such direction limitation gift or appointment and in the meantime and until such direction limitation gift or appointment shall be signed or shall take effect and also Subject to any such direction limitation gift

or appointment where the same shall happen not to be a complete or entire appointment of the whole Estate and Interest of and in the same premises In Trust for my own right Heirs for ever Lastly I constitute and appoint the said Robert Cooper Lee John Whitehead and George Whitehead Executors of this my last Will and Testament and hereby revoking all other Wills by me at any time heretofore made I declare this only to be my last Will and Testament In Witness whereof I the said Marchant Tubb have hereunto set my hand and Seal the nineteenth day of August in the Year of our Lord one thousand seven hundred and eighty nine. Marcht. Tubb. Signed Sealed Published and declared by the Testator Marchant Tubb as and for his last Will and Testament in the presence of us who in his presence at his request and in the presence of each other have Subscribed our Names as Witnesses hereto Stephen Rigaud – Stephen Rigaud Jnr. Mary Ann Rigaud. Mary Rigaud ././.

3d January 1792

On which day appeared personally Stephen Regaud the Younger of Richmond in the County of Surry Gentleman one of the Subscribing Witnesses to the last Will and Testament of Marchant Tubb late of Richmond in the County of Surrey and of Bedford Square in the parish of St Giles in the Fields in the County of Middlesex Esquire deceased hereunto annexed bearing date the nineteenth day of August in the Year of our Lord one thousand seven hundred and eighty nine and by virtue of his corporal Oath deposed that he was present on the day of the date of the said Will at the Deceased's Dwelling House at Richmond in the County of Surry when the said deceased in the presence of the Deponent and Stephen Rigaud, Mary Anne Rigaud and Mary Rigaud did duly executed his last Will and Testament contained in one Sheet of Paper by Subscribing his Name "Marcht. Tubb" at the foot or bottom of the said Will and having so signed the same he placed a Seal upon the wax now appearing near his Name at the end of the said Will and did publish and declare the same to be his last Will and Testament whereupon the Deponent and the said Stephen Rigaud and Mary Anne Rigaud and Mary Rigaud in the presence and at the request of the said deceased and in the presence of each other respectively set and subscribed their names as Witnesses thereto in manner and form as the same now appear and that the Deponent now viewing the Name and addition Stephen Rigaud

Junr appearing subscribed thereto as a Witness he saith that such Names and addition are of his own proper handwriting and Subscription and this Deponent also saith that the said deceased at and during all and singular the Circumstances before mentioned appeared to be and was as the Deponent verily believes of sound mind memory and Understanding and well knew and understood what he said and did and was capable of making and executing his last Will and Testament or of doing any other rational act of that all the like nature Stephen Rigaud Junr The same day the said Stephen Rigaud Junr was duly sworn to the truth of this Affidavit before me M.Swabey Surrate., Prest. James Townley Not:Pub://:

This Will was proved at London the twenty first day of January in the Year of our Lord one thousand seven hundred and ninety two before the Worshipful Maurice Swabey Doctor of Laws Surrogate of the Right Honourable Sir William Wynne Knight Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by Robert Cooper Lee Esq John Whitehead and George Whitehead the Executors named in the said Will to whom Administration was granted of all and singular the Goods Chattels and Credits of the deceased the said Robert Cooper Lee having been first sworn and the said John Whitehead and George Whitehead having already made a solemn and sincere Declaration or Affirmation according to Act of Parliament duly to administer.//.