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Tipping Thomas Rigby the son of Tipping Rigby

Tipping Thomas Rigby was admitted to the Inner Temple 11 June 1806 and from his biography was born in 1774, solicitor London 1796-1810, barrister Inner Temple 20 Nov 1812. recorder of Wallingford Berkshire 1822 to his death. Resided at Yately Lodge, Winchfield Hampshire. GM Obituary 24 January 1862 aged 87 Tipping Thomas Rigby of Yately Lodge Hants and Inner Temple, Recorder of Wallingford.

He married Ann Eliza Cousins daughter of John Cousins of South Lambeth London and of their four children.

Edwin Budd Rigby

Attended university listed in Alumni Oxonienses 1s. Tipping Thomas of St Annes London arm. Lincoln College matric 20 October 1827 aged 17. Student Inner Temple 1827 (admitted 14 Dec 1827)

Tipping Champion Rigby GM Obituary 21 July 1850

At Peshawer Tipping Champion Rigby esq the son of T.T Rigby of Yately Lodge Hants

Caroline Rigby baptized 28 May 1814 at Hawley Hamps

She married William John Murton the son of Colonel Henry John Murton R.M.

GM Marriages 29 May 1843 At St Marylebone William John Murton second son of Col Murton late Royal Marines to Caroline eldest daughter of Tipping T Rigby of Yately Lodge, Recorder of Wallingford.

Obituary 17 October 1869 At Great Yarmouth William John Murton late of the Admiralty, the son of the late Col Murton R.M. Admiralty Navy List Lt Colonels Henry John Murton 10 July 1837 retired 12 Feb 1842

Christopher Palmer Rigby

He was the youngest son and sixth child of a family of eight. His father Tipping Thomas Rigby was a barrister and recorder of Wallingford, the eldest son of Tipping Rigby Alderman of the City of London and the grandson of the Rector of Ickford, Buckinghamshire and great grandson of Christopher Rigby of Cosgrave Hall, Northamptonshire. General Rigby, Zanzibar and the Slave Trade

From his biography he was a diplomatist and army officer born 18 January 1820 at Yately Lodge, Yately Hamps youngest son of Tipping Thomas Rigby barrister and recorder of Wallingford and his wife Ann Eliza Cousins. Educated at Abingdon School and Addiscombe College he began his military career in 1836 and was appointed in 1858 the East India Company's agent in Zanzibar and British Consul. During service overseas he acquired fluency in eight Oriental and African languages and wrote many articles. In 1867 he married Matilda Prater and had two sons and his daughter Lillian became Albert Schweitzer's first British assistant at Lambarene. In August 1867 he resigned from the army with the rank of Major General and died in London 14 April 1885 at his home 14 Portland Place. His philosophical lectures were translated by his daughter Lillian who as C.E.B Russell edited General Rigby, Zanzibar, and the Slave Trade.

GM Marriages 27 June 1857 At All Souls Church Langham Place, Colonel Christopher Palmer Rigby to Matilda daughter of Charles Prater of Stanley Terrace Kensington and of their three children

Gerard C Rigby 2yrs 1871 Census

Lilian M Rigby 5yrs 1881 Census

Percy George Rigby attended Marlborough College and the Royal Military College Sandhurst and in 1890 received a commission in the Sherwood Foresters. In 1911 he retired from service but later rejoined the Army serving with the 7th Battalion Canadian Infantry (British Columbia Regiment) and was killed in action 10 March 1915.

Census 2 April 1871 Bevois Hill House, Portswood Road, South Stoneham Hampshire

Christopher G.R Collins head 68 late Captain in the Army b.Yarmouth Isle of Wight

Annette Rigbye Collins wife 48 b.North Wales

Elizabeth Hanchett visitor widow 66 b.Modbury, Devon

Martha Portman servant unkm 54 b.Southampton

Emily Bolwell servant unkm 22 b.Salisbury

Christopher Palmer Rigby visitor m 51 retired Major General b.Yately Hampshire

Matilda Rigby visitor m 36 b.London

Gerard C Rigby visitor 2 b.Torquay Devon

Francis G Temeba visitor servant unkm 21 b.East Africa

Catherine Webb 38 visitor nurse unkm 38 b.London

Census 3 April 1881 14 Mansfield Street, Portland Place, St Marylebone Middx parish of All Souls

Christopher Palmer Rigby head 61 Major General Indian Staff Corps retired List b.Yateley Hampshire

Matilda Rigby wife 46 b.Middx London

Lillian M Rigby dau scholar 5 b.Middx London

Elizabeth Conning housemaid unkm 56 b.West Love, Cornwall

Harriet Leaman nurse unkm 27 b.Torquay, Devon

Alice Leaman parlourmaid unkm 21 b.Plymouth Devon

Emma Toovey cook unkm 42 b.Bristol Somerset

Plaintiff Tipping Thomas Rigby

Defendants

Thomas Cotton and wife, Thomas Andrews and wife, Fanny Rigby, James Maxwell and wife (abroad),
George Andrews Rigby (abroad), John George Rigby, George Arrowsmith

George Andrews Rigby

New Monthly Magazine. Bankrupts

1 July 1826. T. Andrews, Soho Square, linen draper

United Services Mag

17 April 1830 Major G.A. Rigby of the H.E.I. Company's Service to Emily Ann daughter of Mr T. Andrews of Soho Square London.

F.S.

17 April 1830 George Andrews Rigby to Emily Ann Andrews at St Anne's, Soho Westminster.

Asiatic Journal

18 March 1834. The Rev W.G Moore, rector of West Barkwith and vicar of Stixwold in the county of Lincoln, to Emily Ann only daughter of T. Andrews Esq of Upper Homerton and widow of Major G.A Rigby late of the Hon. East India Company's Service..

Gentleman's Magazine

24 June 1775 - obit p304

Rev Mr Rigby, Rector of Ickford, Buckinghamshire

7 Feb 1803 - p197 Tipping Rigby

After a very short illness in consequence of a violent cold which he caught by officially attending the sessions at the Old Bailey, aged 56 or 57, Tipping Rigby esq alderman of Castle Baynard Ward. He was the youngest of the five sons of a respectable clergyman of Buckingham, descended from an ancient family in Northamptonshire where they were settled more than 200 years. Few men have passed through life with a fairer or more amiable character. So great was the confidence reposed in him by his fellow citizens that they chose him one of their representatives in the Common Council 26 years successively. In this situation he conducted himself with so much prudence and moderation that, notwithstanding the political turbulence of the times, he was so fortunate as to give satisfaction to all parties. On the death of the late Mitford Young esq in 1802 he was appointed Deputy of his Ward. The resignation of Sir William Herne very soon after afforded his friends another opportunity of shewing how much they were attached to him. By their active and zealous exertions he was elected alderman almost without opposition: three hands only of the numerous voters assembled on the day of election were held up in favour of his opponent, though that opponent was a man of very large fortune and of the greatest respectability. But these last civic honours so handsomely conferred upon him were but of short duration, he scarcely enjoying them six months. He married Miss Serjeant, a West India lady who brought him a handsome fortune. By her, who survives him, he has left three sons and two daughters. He had several other children who died in their infancy

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Edwin Budd Rigby

Edwin Budd Rigby the son of Tipping Thomas Rigby attended university listed in Alumni Oxonienses 1s. Tipping Thomas of St Annes London arm. Lincoln College Oxford matric 20 October 1827 aged 17. Inner Temple admitted 14 December 1827. d. 15 July 1875.

An Oppidan scholar he was noted in The Annals of Eton College of our Lady of Eton Beside Windsor. summary: Fights between Collegers usually took place in Chamber at night after permission obtained from the Captain. The Oppidans fighting ground was the corner of Lower Club under the stone in good calx and London coaches coming from Slough would stop to let the passengers watch. Notable fights were between Lord Hillsborough later Marquis of Downshire and Edwin Budd Rigby; J.C.G Savile later Lord Mexborough and Thomas Pellew Hoseason later an Indian Cavalry Officer; Thomas Saunders a Colleger and John Henry Pringle later in the Scots Fusilliers; and Lord Waterford and Barrow. Savile is said between rounds to have scorned his second's knee, rinsed his mouth with a few drops of water and strutted round the ring spouting Homer. Lord Waterford reportedly had eaten raw beefsteak on the morning of his fight having heard it was a diet adopted by prize fighters.

In 1832 Edwin Budd Rigby brought an action for libel against James Francis Hamilton for an advertisement published in the Reading Mercury. The action **Rigby v Hamilton** was heard in the Court of Common Pleas with his mother Mrs Rigby, his brother and sister Caroline Rigby called as witnesses.

He married Emma Rebecca Pinnock the eldest daughter of Thomas Pinnock and Rebecca Cartwright. In July 1842 the case **Pinnock v Rigby** was heard in the Rolls Court that the plaintiff Edwin Budd Rigby should give security for costs. In August 1842 Edwin Budd Rigby and his wife Emma Rigby were petitioners in **Rigby v Rigby** regarding Mrs Pinnock's property settlement of which his father Tipping Thomas Rigby was the trustee.

The Times Wednesday 25 July 1877. Pursuant to an Act to further amend the Law of Property &c.

Edwin Budd Rigby, deceased. (died 15 July 1875)

Notice is hereby given that all creditors and other persons having any debts claims or demands upon or against the estate of Edwin Budd Rigby late of No. 5 Combermere Road, Brixton Surrey gentleman who died 15 July 1875 and to whose estate and effects Letters of Administration with the Will annexed were granted 26 June 1877 by the Principal Registry of the Probate Division of Her Majesty's High Court of Justice to Edward Cartwright Pinnock Rigby, are hereby required to send in the particulars of their claims or demands to us the undersigned solicitors to said Administrator on or before 1 September next after which date said Administrator will proceed to distribute the assets of Edwin Budd Rigby deceased amongst the parties entitled thereto having regard only to the claims of which he shall then have had notice and he will not be liable for the assets or any part thereof so distributed to any person of whose debt or claim he shall not have had notice. And all persons indebted to said estate are requested forthwith to pay the amount of their debts to us the undersigned. dated 17 July 1877.

Hyde Tandy & Mahon, 33 Ely Place, Hoborn London E.C. solicitors to the said Administrator.

Emma Madelina Rigby spinster, deceased. (died 22 June 1865)

Notice is hereby given that all creditors and other persons having any debts claims or demands upon or against the estate of Emma Madelina Rigby late of College Street, Putney Surrey spinster who died 22 June 1865 and to whose estate and effects letters of administration were granted by the Principal Registry of the Probate Division of Her Majesty's High Court of Justice to Edward Cartwright Pinnock Rigby the 6 July 1877, are hereby required to send in the particulars of their claims to us the undersigned solicitors to said Administrator on or before the 1 September next, after which date said Administrator will proceed to distribute the assets of Emma Madelina Rigby deceased amongst the parties entitled thereto having regard only to the claims of which he shall then have had notice and he will not be liable for the assets or any part thereof so distributed to any person of whose debt or claim he shall not have had notice. And all persons indebted to said estate are requested forthwith to pay the amount of their debts to us the undersigned. dated 17 July 1877.

Hyde Tandy & Mahon, 33 Ely Place, Hoborn London E.C. solicitors to the said Administrator.

The Times - 4 December 1832

Court of Common Pleas, Monday, Dec 3
(Middlesex Sittings before Lord Chief Justice Tindal and a Special Jury)

Rigby v Hamilton

This was an action of libel to which the defendant pleaded a justification. The plaintiff's case was conducted by Mr Serjeant Bompas and Mr Talfourd, the defence by Mr Coltman and Mr Kelly.

The plaintiff, Mr Edwin Budd Rigby, is a young gentleman residing with his father, Mr Rigby, the barrister at Yatley Lodge near Blackwater, Hants and not long returned from Lincoln College, Oxford. The defendant, Mr Hamilton, is a gentleman residing at Yatley Cottage in the same neighbourhood and had been a widower for a short period before the transaction took place out of which the present proceeding arose. In the month of April 1832 a small printed placard was posted about the village of Yatley and also transmitted by post enclosed in letters to most of the young ladies resident in the neighbourhood. It was to the following effect:

Important to Parents and Guardians

Whereas I, Francis James Hamilton, of the parish of Yatley in the county of Hants (my probation as a widower having expired) am desirous of forming a suitable matrimonial connexion with any lady whose general disposition is answerable to my own viz: amiable, benevolent and assiduous in preserving foreign and domestic tranquility. Any person wishing to enter into the above-named alliance will please to announce the same to the principal at Yatley Cottage near Bagshot, Hants. April 13 1831

Mr Hamilton was very indignant at the liberty thus taken with his name and his suspicion as to the authorship falling on the plaintiff with whose family he had not been on friendly terms recently, he sent a friend to him to demand a disavowal or an apology. The plaintiff on that occasion laid his hand on his heart and solemnly denied all knowledge directly or indirectly of the publication in question. In some times afterwards however in consequence of some further communications made to him, Mr Hamilton became very strongly impressed with the belief that the plaintiff, together with his mother and sister, was the author of the anonymous publication and therefore after some fruitless endeavours to obtain an apology he caused an advertisement to be published in the Reading Mercury of June 27 1831 headed "Edwin Budd Rigby, late of Lincoln College, Oxford" in which he stated that notwithstanding the positive and solemn denial of Edwin Budd Rigby, son of TT Rigby esq of Yatley Lodge near Blackwater, Hants and Paper Buildings, Temple that he had any knowledge directly or indirectly of the anonymous handbill commencing "Important to parents and guardians - whereas I, Francis James Hamilton" and ending "Yatley Cottage near Bagshot, Hants" he was now in possession of evidence which proved indisputably that the respectable families who had been insulted by that anonymous publication were indebted for it to the said Mr Edwin Budd Rigby of whose character and disposition he would have them to judge when they found that after refusing to make any apology to the respectable ladies whom he had so insulted, or to the man whose feeling he had wounded and after laying his hand on his heart and solemnly denying all knowledge of it directly or indirectly, it turned out that he, together with two members of his family, whom in mercy to them he would not name, had been a principal agent in the said publication. The advertisement concluded in these words "The lamented Mr Canning having been once libelled by an anonymous writer said of such a person that he was a scoundrel, a liar and only wanted courage enough to be an assassin - that observation was very applicable on the present occasion" This advertisement constituted the libel complained of by the plaintiff and for which he instituted the present action. The defendant pleaded besides the general issue several special pleas justifying the publication of the libel on the ground that the plaintiff had published the placard imputed to him.

Mr Serjeant Bompas having opened the plaintiff's case to the jury and the publication of the libel by the defendant in the Reading Mercury having been proved, Mr Coltman for the defendant stated the different facts which he proposed to offer in proof of the pleas of justification and then proceeded to call the following witnesses in support of his statement:

Miss Eleanor Prescott lived about three miles from Hartley Row. In the month of May 1831 she was staying in Lincoln's Inn Fields when a letter was forwarded to her containing one of the anonymous

placards which is the same now produced, it being marked with her initials. Mr Prescott, the father of the last witness, had been from home for two or three weeks in April 1831 and on his return on the 30th of that month he found a letter directed to his daughter which he opened and read and then forwarded it to her in town. Mr Rush, living at Eversleigh, received a similar placard addressed to his niece on the 15th or 16th of April on a Sunday. Miss Giblett received a similar one also on a Sunday morning. Robert Taylor pulled down one of the placards posted up at Yately and gave it to Edward Crooke. Edward Crooke gave it to Mr Hamilton

Sarah Milam had lived in the service of Mr Rigby and left it on the 1st of May 1831. She remembered the plaintiff and his mother going out in the chaise on the 15th of April. They returned in the evening. Went into the dining room that night and saw her mistress stirring something in a silver saucepan on the fire. The next morning saw spots of paste on the table. Was desired that night to leave the door leading to the back part of the house open. Had always locked that door at night before. Saw the plaintiff pass through the kitchen that night and saw the man Tyce go out with him. The next day she heard of the placards being stuck up. They were the subject of general conversation in the family on the next day. The plaintiff and his sister went out in the chaise towards Wokingham next day. Miss Rigby had on a black veil which witness had never seen her wear before. In the afternoon Mrs Rigby, Mrs Bruere and the two other Misses Rigby went out to take a walk. Between 3 and 4 o'clock the chaise returned and was upset just near the house. The plaintiff, Mrs Bruere and Mrs Rigby were in it on its return and were thrown out and slightly hurt. Witness went out to where the gig lay and saw the seat-box, a veil and three letters picked up. Anne Willis picked up two of the letters and witness the other. Saw all the letters. They were addressed to young ladies - one to Miss Groves, one to Miss Cayly and the third to Miss Wagstaff. Witness opened one and found one of the anonymous placards in it. Held up the other two to the light and could tell that they contained something printed of a similar description. It was the one addressed to Miss Groves that witness opened. She did that one up again and kept the one addressed to Miss Cayly. Gave the other two to the plaintiff. He came into the pantry to witness and seemed very much confused. He said the secret was out. He asked her if she knew anything of the placard. Witness said it had been talked about. He then broke open one of the letters and desired witness to read it observing that it was he and his mother had got that done yesterday for what Mr Hamilton had said to his father at the dinner. He asked witness if she had found any more as he thought he had had another. He seemed much agitated and said it would be a bad job if anybody else had seen them. Captain Micklethwaite called next day and after he was gone the plaintiff called witness and asked her if she had told anyone. On the Monday he again asked her and she told him she had not. He inquired if the other servants knew about them, witness said they had seen the placards. He said he did not think the cook would say anything about them as she had been so long in the family. He requested witness to go and tell the other servants not to say anything as although they could not hurt him, he would have to make an apology. On the same day witness gave warning that she would leave the service. The plaintiff wished her very much to stay. On the following day he told her not to say anything about the placards and she should have her new gown just the same as if she remained in the service. She left on the 1st of May. In a day or two afterwards she made a communication to Mr Hamilton in the presence of her father and mother.

Cross-examined - on the 22nd of June she entered the service of Mr Mascall, the defendant's father-in-law and since then she has lived with the defendant's brother. She went before a magistrate and made a statement similar to the one she made today in court. She told him of the marks of paste on the table but she did not tell him that she had kept back the letter. Knew that she was sworn to her statement. Did not apply for a character, Mr Mascall hired her without any character. Had never heard of a reward of five guineas having been offered by Mr Hamilton. The witness was further cross-examined at some length as to the particular situation of the gig, the manner in which she peeped into the letters and some of the other points of her evidence in chief.

Ann Willis lives with her father, a labouring man, at Derby Green. Saw the chaise upset and Sarah Milam pick up a letter and some other things. Witness picked up two letters and gave them to Sarah Milam. Cross-examined - is a friend of Sarah Milam. Is not married but has a baby. Sarah Ratcliff, a labouring girl, daughter of a tailor, also saw the gig overturned and Milam and Willis pick up the letters. Saw the addresses on them, one was to Miss Groves, one to Miss Cayly and one to Miss Wagstaff. The next witness stated that he had been coachman and general servant in Mr Rigby's service at the time the placards were stuck up. On the Friday night he was in the kitchen when the plaintiff passed through it and said to Tyce "Come this way." Tyce followed the plaintiff and they both went up to the loft in the

stable. When Tyce went out he had on a smockfrock but on his return from the stable he had none. Mr Rigby seemed to have it under his arm. Cross-examined - was discharged from Mr Rigby's service.

Mrs Bruere, a rather well-looking lady, but whose style of dress and manner were very peculiar said that in April 1831 she resided with her husband at Yately. She remembered her servant bringing a placard to her husband on a Saturday morning in that month. Witness took it over to Mrs Rigby's. Mrs Rigby borrowed a veil of hers for her daughter to go out in the four-wheeled chaise. They said she and her brother were going to Wokingham. Mrs Rigby asked witness to take a walk in the afternoon which she did. They met the chaise returning about a mile from Mr Rigby's house. It was proposed that Mrs Rigby and witness should get into the chaise which they did. Mrs Rigby insisted on witness resuming her veil and putting it on. She also made witness turn it up off her face and look up at the window when passing Mr Hamilton's house. The horse having taken fright Mrs Rigby and witness were thrown out. As soon as witness got up she went into the house and met Sarah Milam coming out. Remembers returning from London in a chaise in company with Mrs Rigby and the plaintiff, her husband was on the dicky. The subject of the placard having been introduced, Mrs Rigby requested witness not to mention it as she and her son were the authors of it. The plaintiff denied the assertion but afterwards in the course of the same day when walking about the grounds, he said that he and his mother were the authors. On a subsequent occasion Mrs Rigby took her to a summerhouse and pointing to some fresh earth told her that as she was afraid Mr Hamilton would search the house, she had buried the remaining placards there. She then took a rake and scraping away the earth turned up a small red work basket containing the placards which witness took home and were afterwards given up by her husband to the defendant.

Cross-examined - witness left that neighbourhood rather more than a year ago. She had been residing there upwards of a twelvemonth. She knew none of the neighbours when she went there first. Her first introduction to Mrs Rigby was about Christmas time. She afterwards had a dangerous illness during her husband's absence from home and Mrs Rigby behaved with great kindness to her. She sat up five nights with her. Witness has always lived with her husband except when he was abroad and when he was at College. For the last week or two she and he have been living in Farringdon Street. For three months previously witness was living in Bond Street, her husband being abroad.

When living in Farringdon Street her husband lived at a place called "Seldom Seen" (a laugh) - she meant the Fleet prison. He had been in the Fleet about a month. He had been in the Bench and was changed to the Fleet. She could not say if her husband had been in any other "Seldom Seen" before then. She did not interfere with her husband's affairs nor he with hers. (Laughter). She could not tell where they have been living before he was taken to the Bench. In Cambridgeshire, Northamptonshire, Derbyshire and 30 other counties that she could not remember. They had been travelling about. In how many of these counties her husband had visited a "Seldom Seen" was a question she did not choose to answer. She had been married for seven years. She did not know what counsel meant by asking her how many names she had passed by whilst residing in Bond Street and Regent Street. She had only been called Mrs Bruere or Mrs Williams that was Mrs William Bruere. She had never gone by the name of Mrs Williams. Her husband had been arrested at the Blue Boar in Holborn. Cannot say when, does not take notice of those things. Witness has stayed at the Blue Boar and at every other hotel in London. Never said that the plaintiff had had nothing to do with this placard, witness would take her affidavit of it that moment. (A laugh.) Never said that Mr Rigby was an injured young man. Never said that she would be a dead woman in a month if she did not come forward and make the statement she had made to Mr Hamilton but she might have said something of being a dead woman because Mr Edwin Rigby had threatened she should not be alive in six months if she came forward against him. Never said that she was so pained at what she had been obliged to state that when she signed the statement she was obliged to drink some brandy and water to keep her from fainting. She denied it.

Mr Serjeant Bompas - Oh, you deny the brandy and water?

Witness - I do, but I don't deny sherry and water (Great laughter.)

Mr Serjeant Bompas - Do you deny that you said it affected you so much that you were obliged to have 12 leeches to your head?

Witness - I do. My head (putting her finger to her forehead) is not so easily affected by sherry and water as all that. (Renewed laughter in which the witness joined.) Never said her husband had thrown black bottles at her because she refused to come forward against the plaintiff. Never told Mrs Hyde so nor showed her the bruises on her body which she had received from her husband on that occasion. She had no quarrels with her husband on the subject. She had seen Mr Hyde within the last four months. She

might have told him that she and her husband had had a few words about something but nothing respecting this. She would not tell a lie to save his neck. (Laughter.) She knew a Mrs Cotterell. Never in Mrs Cotterell's presence claimed the placards as her property. The witness also denied having used any of a number of expressions and statements mentioned by the learned counsel as having been made by her in Mrs Cotterell's presence. At length the witness complained that she was getting unwell from being detained so long in the witness box and she was allowed to retire.

William Sadler Bruere, husband of the last witness, said that he was at present a prisoner in the Fleet prison. In the month of April 1831 he remembered Mrs Bruere being thrown out of Mr Rigby's chaise at which he felt annoyed. He saw the accident from his garden and observed papers like the placards fall out of the plaintiff's hat. He afterwards told the plaintiff that the placard was believed to have originated with his family. He laughed and said it was a good joke but denied it. Afterwards when in town he received a letter from him. (The letter was here put in and read. It expressed the writer's thanks to witness for the offer of his services and said he would commission him to act for him but he must make no apology and the defendant should have no information from him etc.) Witness continued - the plaintiff afterwards confessed to witness, in his brother's presence, and subsequently at his father's house, that he was the author of the placard. He said his father would not be annoyed at it. Witness afterwards obtained the placards from his wife and gave them up to Mr Mascal.

On cross-examination the witness said he told the plaintiff at the same interview he ought to apologize to the ladies or come forward and bring evidence to clear himself. He could not recollect whether he said this before or after his confession. Never advised him to apologize to Mr Hamilton. Witness had a quarrel with the plaintiff when he dared Mrs Bruere to come forward with her information. Then, having reason to believe that the placards were in his house, witness got the key from his wife and took possession of the placards. Never sent a challenge to the plaintiff through his coachman. Would send a challenge, if required to do so, through a gentleman and not a coachman. Did not send a direct challenge, said he would meet him and the coachman took it as a message without the witness's authority. Said he had no pistols and the plaintiff had. Has had no quarrel with Mr Hamilton. Mr Hamilton called at Mrs Rigby's while witness was there and said he had an order from Mr Rigby to search the house. Witness told him that could not be as he had had a letter from Mr Rigby the day before. Mr Hamilton told him if he said he had no order he was a liar. Mr Hamilton then walked out and offered no insult to Mrs Rigby. Had been arrested twice before the present occasion. Mr Rigby had been of some service to him on one occasion. Mr Hamilton came to witness's house in consequence of his having left word for him to do so at Mr Mascal's. Had no quarrels with Mrs Bruere about coming forward. She was reluctant to do so and witness insisted on her doing so.

Thomas Clayton, a compositor in Mr Snare's printing office in Reading knew nothing of the handbills shown to him neither did he know any of Mr Rigby's family except by name. Assisted in printing or rather composing a placard from a manuscript in April or May 1831 it was like the one produced. Received the manuscript from young Snare. A young man had hold of his frame while he was working and John Snare told him afterwards it was Edwin Rigby. Witness produced a proof of the placard - he had written E. R's proof on it. That meant Edwin Rigby's proof. It is 12 miles from Yately to Reading. This was 8 o'clock at night. He could not identify the young man he saw on that occasion.

John Snare the younger and Robert Snare were called on their subpoena but did not answer.

Captain Micklethwaite said he called on the plaintiff as a friend of Mr Hamilton and requested he would apologize and witness would act as mediator, or deny all knowledge of the placard. The plaintiff first said his sisters had received similar letters. Ultimately on the witness observing that if he had not been concerned in it he could not object to lay his hand on his heart and say so, he did place his hand on his heart and denied all knowledge of it either directly or indirectly. Some time previous to the publishing of these placards, the plaintiff on looking at a portrait of the defendant observed that there would be a bit of fun.

The defendant's case having closed, the plaintiff's counsel called Mrs Rigby, Mr Tippin Rigby, Miss Caroline Rigby (the plaintiff's mother, brother and sister), Anne Cotterell, Mr Hyde and Mr Henry Hyde all of whom contradicted the Brueres in several points. Mrs Rigby and her daughter denied most positively all knowledge of the placard, that any paste had been made as stated by Milam, that any letters had been put into the post office at Harley Row on the day in question, except two private letters put in by

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Miss Caroline. Mr Tippin Rigby contradicted so much of Mr Bruere's statement as referred to what was alleged to have taken place in his presence. Mrs Cotterell affirmed that Mrs Bruere had made the different statements which she had denied today. The Messrs Hyde swore that she represented to them that her husband had quarrelled with her and ill used her because she had declined to make the statement which he required her to make and that she was consequently covered with bruises and finally a letter was put in from Mr Bruere to the plaintiff in which he informed him that the defendant had insulted his mother on the occasion when he proposed to search the house.

The learned counsel on both sides having addressed the jury, the Lord Chief Justice was proceeding to sum up the evidence when the jury intimated that their minds were satisfied. His Lordship observed to them that although they might be disposed to disbelieve the evidence on the part of the defendant, still they ought not to visit him with intemperate damages because undoubtedly the information which he had received was quite sufficient to warrant him in fixing his suspicions on the plaintiff although it afterwards turned out that he had been deceived.

The jury turned round in the box for a few moments and then returned a verdict for the plaintiff - damages £50. The trial lasted 13 hours and excited considerable interest.

Pinnock v Rigby

Mr Cooper and Mr Hallett moved that the plaintiff, **Edwin Budd Rigby** should give security for costs. The motion was opposed by Mr Pemberton and Mr J Parker.

It appeared that there was a bill and cross bill. The description of **Edwin Budd Rigby** given in his bill was of Yately Lodge near Southampton where upon inquiry it was stated he had only once been since the filing of the bill and that was on a Sunday and that he was abroad.

In opposition to the motion it was said the suits were respecting the validity of an appointment of a sum of £46,000 Consols made by Mrs Rigby. The first suit was in this branch of the court, the second suit was before Vice Chancellor Knight Bruce and the object of the motion was to change the jurisdiction. It was not a case in which there was any danger respecting the costs which would be received out of the fund in court and the question was whether the plaintiff, of whom security for costs was sought, was to receive between £7,000 and £8,000 or upwards of £20,000 according as the appointment should be deemed valid or invalid. The costs were not in jeopardy. There was a petition not yet heard to transfer the funds from the cause of Selby v Pinnock, a very old Rolls cause.

Lord Langdale - the result of the motion must depend upon the order made upon the petition. If it should appear there had been a false description on the bill and evasive conduct by the plaintiff, who had been misdescribed, it might be a case for requiring security, but the Court was satisfied with a deposit of money and where in the suit itself there were funds of the party quite sufficient to constitute the security it would be frivolous to order it. He should know the facts upon the petition and the motion must stand over until that was decided.

Selby v Pinnock and Rigby v Rigby

This was the petition of **Edwin Budd Rigby** and **Emma Rebecca** his wife the plaintiffs in the second suit, praying that the various stocks and monies standing in the name of the Accountant General in the first cause of Selby v Pinnock and in ex parte the St Katharine Dock Company might be transferred to the cause of Rigby v Rigby and that the petitioners might be at liberty to apply to Vice Chancellor Knight Bruce for the necessary order for the last transfer. On Wednesday last Lord Langdale directed a motion of the defendants in the cause of Rigby v Rigby that **Edwin Budd Rigby**, the plaintiff therein, should give security for costs because he had not properly described himself in his bill to stand over until the present petition was heard.

By the settlement made upon the marriage of Thomas Pinnock with Miss Rebecca Cartwright in August 1799 the property of the lady under the will of her father, Charles Cartwright, consisting of freeholds, leaseholds, monies in the funds etc was settled in trust for the lady for life, after her decease to the husband and after the decease of the survivor upon all or such one or more of the children of the marriage as the husband and wife should during their joint lives appoint and if no joint appointment then as the survivor should by deed or will appoint.

After their marriage Pinnock and his wife incumbered their life interest with annuities and the suit of Selby v Pinnock was instituted by the incumbrancers in which an order of Court for the transfer of the funds to the Accountant General was made in August 1817. A sum of £1,881 7s. 6d. was under the St Katharine's Dock Act awarded to the trustees of the settlement for leasehold premises, part of the trust property taken by the company. Pinnock the husband died in 1837 leaving seven children. No joint appointment was made but the widow executed a deed dated 12th February 1841 making her irrevocable appointment of all the property under her settlement appointing all her freehold estates to her three sons equally etc.

And as to all the Consols and 3½ Reduced Stock in the Court of Chancery in Selby v Pinnock and all other property under her settlement, she appointed the same to her eldest daughter **Emma**, married to **Edwin Budd Rigby**. Mrs Pinnock afterwards made a will dated the 15th February 1841 appointing the Consols and 3½ Reduced to her eldest daughter Emma in the same terms, and died on the 14th of March last. The petitioners, **Edwin Budd Rigby** and **Emma** his wife, filed their bill on the 18th May last against **Tipping Thomas Rigby**, the trustee of the settlement, and also against the other children of Mr and Mrs Pinnock praying for the establishment of Mrs Pinnock's appointment. This suit called Rigby v Rigby was marked in the Master of the Rolls branch of the court. The defendants, the other children, filed on the 25th June last their cross bill to set aside the appointment and will of Mr Pinnock, marking their bill for the other division of the court before the Lord Chancellor and made a motion before

Vice Chancellor Knight Bruce and the contest now was in which suit the validity of the appointment was to be determined and the settled property administered.

Mr Pemberton and Mr J Parker for **Mr and Mrs Edwin Budd Rigby** said the funds were paid into court in the cause of *Selby v Pinnock* in 1817 and directions were given for payment of the income which Mrs Pinnock received during her life. The validity of her appointment was contested by the other children who contended in the Ecclesiastical Court that her will was not valid. A petition has been presented on which his Lordship had made an order that no part of the funds should be sold without notice. The bill of the present petitioners was for the distribution according to the mother's appointment and was a suit to carry in to effect the settlement.

Selby v Pinnock was an old Rolls cause respecting the same fund, the settled property, in which the decree was made by Sir William Grant in 1817 and the last order of the Rolls, upon suggestion that the surviving trustee was in the East Indies out of jurisdiction, was for payment of the residue, after the incumbrances, of the dividends to Mrs Pinnock for her life. The parents were dead and the present suit *Rigby v Rigby* in this branch of the court was properly instituted for the division under the settlement and appointment of the funds which has been the subject matter of the creditor's suit of *Selby v Pinnock*. There were now six children. Pinnock died in Germany in 1837.

Mr Cooper and Mr Hallett for the respondents, the other children of Mr and Mrs Pinnock - The last order in *Selby v Pinnock* in 1838 directed the whole of the funds to be paid to six annuitants during the life of Mrs Pinnock who died on the 14th March last. A petition was presented to the Lord Chancellor marked for the Court of Vice Chancellor Knight Bruce, for transferring into this Court the funds in the Court of Exchequer (the monies received under the St Katharine's Dock Act) which was directed to stand over. On the 10th May a cross petition was presented and the next day an application was made for a stop order and an order was made that no part of the funds should be transferred without notice and on the 13th June the petition finally came to be heard before Vice Chancellor Knight Bruce.

It was not until the 18th May, after the matter had been several times discussed, that the bill in the Rolls branch of the court was filed and that bill was not so comprehensive or so well adapted to deal with the matters in dispute as the bill filed in the other branch of the court which alleged that both the appointments by the deed and by the will were parts of the same transaction and were a fraud upon the power, and also raised the question that they were procured by undue influence.

The property real and personal about £46,000 must be dealt with ultimately by a court of equity for the utmost the Ecclesiastical Court could do was to decide whether under the Will Act the instrument was testamentary. **Tipping Thomas Rigby**, the trustee, gave the preference to Vice Chancellor Knight Bruce's court, for he was the first person who presented a petition there, the respondent's being a cross petition _____ for the transfer of the fund, the respondents urged that *Selby v Pinnock* was a finished suit. The respondent's bill prayed for a receiver and for an injunction against proceeding in the Ecclesiastical Court and notice of motion for these purposes was given on the 20th July after which on the 21st July the present petition was answered and the respondent's motion was ordered to stand over to the 15th November. The present bill did not comprehend the real estate or the appointment by the will which were included in the bill of the respondents who had driven **Edwin Budd Rigby** into activity.

Lord Langdale said it was not because the parties who filed the second bill had thought it necessary to state circumstances which were not stated in the first bill that the plaintiffs in the first bill were in default; neither did it follow that the Court had a right to judge between two suits, said to be for the same matter, which was the best way of stating the question, the parties having a perfect right to judge for themselves in what way they would present their own case and he had no right to dictate the way of stating it.

No difficulty would have occurred if the plaintiffs in the second cause had marked their bill in this branch of the court. It had always been said that the two causes on the same subject should be brought together and there would be then no difficulty in transferring the funds into both. Was the suit of *Selby v Pinnock* really as an end? It was brought by annuitants upon the life interest of Mrs Pinnock and their whole interest ceased upon her death in March. Had they been paid up to her decease? The solicitor stated they had been paid up to the 15th of January last but they claimed an apportionment to the day of her death.

Lord Langdale - There was sufficient security in the funds in court for the costs of **Edwin Budd Rigby's** suit and the motion for him to give security must be refused, but without costs, because a sufficient description of his residence had not been given in the bill he had filed. The present petition must stand over the production of a transcript from the Accountant General's books.

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The Times
Wednesday July 25 1877

Edwin Budd Rigby deceased pursuant to an Act of Parliament of the 22nd and 23rd Victoria chapter 35 intituled "An Act to further amend the law of property and to relieve Trustees" Notice is hereby given that all creditors and other persons having any debts claims or demands upon or against the estate of **Edwin Budd Rigby** late of no 5 Combermere Road, Brixton in the county of Surrey gentleman (who died on the 15th day of July 1875 and to whose estate and effects Letters of Administration with the Will annexed were granted on the 26th day of June 1877 by the Principal Registry of the Probate Division of Her Majesty's High Court of Justice to **Edward Cartwright Pinnock Rigby**) are hereby required to send in the particulars of their claims or demands to us the undersigned solicitors to the said Administrator on or before the 1st day of September next after which date the said Administrator will proceed to distribute the assets of the said **Edwin Budd Rigby** deceased amongst the parties entitled thereto having regard only to the claims of which he shall then have had notice and he will not be liable for the assets or any part thereof so distributed to any person of whose debt or claim he shall not have had notice. And all persons indebted to the said estate are requested forthwith to pay the amount of their debts to us the undersigned. Dated this 17th day of July 1877

Hyde Tandy & Mahon 33 Ely Place, Holborn, London E.C. solicitors to the said Administrator

Emma Madelina Rigby spinster deceased pursuant to an Act of Parliament of the 22nd and 23rd Victoria chapter 35 intituled "An Act to further amend the law of property and to relieve Trustees" Notice is hereby given that all creditors and other persons having any debts claims or demands upon or against the estate of **Emma Madelina Rigby** late of College Street, Putney in the county of Surrey spinster (who died on the 22nd day of June 1865 and to whose estate and effects letters of administration were granted by the Principal Registry of the Probate Division of Her Majesty's High Court of Justice to **Edward Cartwright Pinnock Rigby** on the 6th day of July 1877) are hereby required to send in the particulars of their claims or demands to us the undersigned solicitors to the said Administrator on or before the 1st day of September next after which date the said Administrator will proceed to distribute the assets of the said **Emma Madelina Rigby** deceased amongst the parties entitled thereto having regard only to the claims of which he shall then have had notice and he will not be liable for the assets or any part thereof so distributed to any person of whose debt or claim he shall not then have had notice. And all persons indebted to the said estate are requested forthwith to pay the amount of their respective debts to us the undersigned. Dated this 17th day of July 1877

Hyde Tandy & Mahon 33 Ely Place, Holborn, London E.C. solicitors to the said Administrator