

Sir Edward Vaudrey's and his mother Alice I's Wills and their aftermath

Without preamble, Sir Edward states that ⁱ

'I Sir Edward Vaudry doe devise as followeth A strong box with five hundred pounds or thereabouts with a diamond Ring and other knicknacks in Mrs Sarah Walgrave's hands A Hatter's in Holbourne next doore to the Globe Taverne All which I give to my Mother except one broken old Jewell which belongs to the Duke of Berwick; five or six hundred pounds worth of Plate with other things in Mr Jones' hands an Apothecary in the Poultry which I bequeath towards paying of my debts; five hundred pound bond and judgment in my Cosin John Moore's hands, which I give to my Mother; the above diamond Ring to be given to Mr John Moore's lady; five hundred pounds and upwards, adventured with Thomas Hewson towards paying my debts; two hundred pounds or thereabouts with fourscore ducatts in Gold in Mr Richard Pierson a Gouldsmith's hands over against the Crinplegate The like summe of two hundred pounds in Sir Daniel Arthur's hands which two sums of two hundred pounds each, expenses of my funerall and Soul being payed for, I give to my Executors which I appoint to bee Charles Playdell and William More. A debt due to mee from Mr George Wilson which I freely forgive him.

'Sr Edward Vaudrys marke This is Sr Edward Vaudrys last Will and Testament declared and Signed by him in the presence of us this Sixth of July one thousand six hundred and ninety

'Ste. Archbold N. Reynard'

Following this register entry is noted a deposition of April 1691 by Thomas Mannock, woollen draper of St Martin in the Fields parish, that he was well acquainted with the deceased and with Charles Pladwell [*sic*] and William More, the executors, and confirming that the William More now seeking probate is the one named executor. Probate sentences record the grant to Pleydell in October 1690 and to More in April 1691.

William More was the younger brother of John III, baptised some four years after him and so about 46 at the time; where he had spent the intervening years, and how occupied, has not come to light. Very soon after this, trouble broke out which was to dog both brothers for a decade. In 1695 Francis Hawksby, a London embroiderer, complains to the Lord Keeper that Sir Edward's executors are renegeing on a debt of £28: despite a King's Bench judgment awarding him this sum with costs, he has been unable to gain payment, though it is clear that the assets are there. He claims that the executors have conspired with William More's brother John More (III) esq. and Vaudrey's mother Alice I, who have passed assets to others to conceal; they move around, staying a step ahead of the sheriff's officers. Hawksby appears to know where bodies are buried, e.g. that John owes William an annuity.

John and Alice's answer in Chancery argues that Hawksby has been paid and is a vexatious litigant; if as claimed Sir Edward left over £2000, they are unaware of it. Details given show that John III is paying Alice and William what they are owed; Pleydell has had more than enough to settle any debts due. There being in effect no case to answer, John seeks dismissal of the complaint with costs. A writ was issued in 1696 to four gentlemen to examine the defendants: two named, John Heron and Elias Mason, correspond to known north Nottinghamshire residents, suggesting a local enquiry. No details have come to light, and as Hawksby was not himself local, the scope for progress by such means would seem limited. ⁱⁱ

Indeed, Alice (I) Vaudrey had died some months earlier. Her will ⁱⁱⁱ exactly mirrored her son Sir Edward Vaudrey's in regard to the items in Sarah Walgrave's hands. Referring to these

'and the £500 bond and judgment from John More esq.; I now devise these...and the strong box, when they are obtained, to my loving nephew John More (III)'

- indicating that even five years after his death, she had been unable to take possession of what Edward had left her. To her 'dear son John Vaudry' she left five pounds and a life annuity of £20 pa, to be paid half-yearly by her executor, John More esq. (III). John More's son, and her great-nephew, Robert Constable More was to receive fifty pounds on reaching the age of twenty-one; John's sister, and her niece, Mrs Winifred Arthur (Winifred II) was left ten pounds. In addition to a very wide range of personal bequests to individuals in the area and around Holbeck, Alice provided that every family in Kirklington be left a shilling dole, with twenty shillings to the poor of Spinkhill in Derbyshire, just a few miles from Holbeck. At Spinkhill lived two branches of the Pole family who had housed the Jesuit school relocated from West Hallam from 1636 to at least 1648; and it was at Spinkhill that the College of the Immaculate Conception would settle, and eventually refound their school, in generations to come.^{iv} Mourning rings of 15 shillings value were left to the family: Alice's son John Vaudrey, her nephew John More III, his wife Catharine and their children John IV (who seems to have had no other bequest), Robert Constable and Winifred III, her nephew Gervase More, and nieces Winifred Arthur, Elizabeth Weedon, Frances the wife of John Weedon, Margaret Massey and Mary Meynell.

John More III was appointed her sole executor and residuary legatee, and the will was signed and sealed on 19 December 1695. Although she died soon afterwards, it was not until August 1702 that John was granted probate by the Prerogative Court of Canterbury. The reason for this lengthy delay is not apparent: what is certain is that very soon after the grant was made, war broke out between John More III and his cousin Fr John Vaudrey SJ.

Fr Vaudrey, as John Vaudrey gentleman of St Giles-in-the-Fields parish in London,^v complained in Chancery of the distribution of his mother Alice's estate by John III. She had, he argues, not only the strong box and £500 bond, but considerable assets including cash, plate, jewels, household goods, debts owed her. Despite having 'a very great overplus' after Alice's debts were paid, John III insists that only enough remains to pay him half of the £20 annuity his mother left him. Fr John is unable to obtain a remedy at common law, he says, as his witnesses are either dead or inaccessible, so he is seeking one in equity - full discovery and valuation.

Seven months later he applied to join in the action John III's brother William (said by Hawksby to be owed an annuity by John III) who alleges that he and Pleydell, as the executors, had to dispose of Sir Edward's assets to pay his debts.^{vi} This, if true, was 'a wasting and misapplication of the personall Estate of the said Alice Vaudrey', Fr John maintains.

A writ for examination of John III was issued on 13 October 1703, and John made his answer nine days later to two of the nominated examiners. John states that, far from being wealthy as Fr John maintains, Alice was for some time before her death 'poor and necessitous, and [I] kept her on charity'; so far as he knows, all she had to leave was what Sir Edward left her, including a £500 debt of his own. Of Sir Edward's executors, Pleydell is dead, and the other, his brother William More, can confirm that he used the cash to pay some of Sir Edward's considerable debts. He, John III, remains liable to pay William £500, and urges the Court to dismiss John Vaudrey's complaint with costs.^{vii} As in previous cases the outcome has not come to light, suggesting a possible out-of-court settlement to avoid further attrition.

i TNA PROB 11/401/341 dated 6 July 1690. Sir Daniel Arthur (an uncle of Mannoek Strickland) was an Irish Jacobite banker,

newly knighted by the displaced James II and henceforth to be regarded as an outlaw by the English government: Priscilla O'Connor, 'Arthur, Sir Daniel (1620s?-1705)', *Oxford Dictionary of National Biography*, 2004. No details having emerged about the Mr Arthur to whom John III's sister Winifred was married, it is not known if there was any link between him and Sir Daniel's family. Although references to Winifred so far found all place her at Kirklington, she did have a nephew Daniel Arthur: see Part 2, endnote ⁷⁴

- ii TNA C 10/350/36 - Hawksby v. More, Pleydwell, Vaudrey, Pierson and Mannock, 1695
- iii TNA PROB 11/466/103, proved at London on 5 August 1702 - the year of John's wife Catharine's death
- iv R.H. Turner, '“A more unobserved...”', cit. sup.
- v TNA C10/541/33, dated 15 April 1703. As noted above, Holt states that Fr Vaudrey was then a member of the College of St Thomas of Canterbury. The St Giles-in-the-Fields area would have been a popular visiting place for Jesuits, however, as in recent years the Jesuit martyrs of the 'Popish Plot', including St Oliver Plunket and Bl. Anthony Turner, Edward's brother, had been buried in the churchyard: see <http://stgilesonline.org/history/historic-links/> [accessed 15 March 2014]
- vi TNA C10/541/34, dated 25 January 1703/4
- vii TNA C 9/306/19 - Vaudry v. Moore, dated 22 October 1703