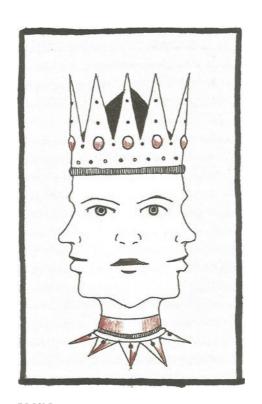
MICHAEL L. NASH

Royal

IN BRITAIN FROM 1509 TO 2008



# Royal Wills in Britain from 1509 to 2008



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ISBN 978-1-137-60144-5 ISBN 978-1-137-60145-2 (eBook) DOI 10.1057/978-1-137-60145-2

Library of Congress Control Number: 2016960180

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This Palgrave Macmillan imprint is published by Springer Nature The registered company is Macmillan Publishers Ltd. The registered company address is: The Campus, 4 Crinan Street, London, N1 9XW, United Kingdom To my wife Ann And to our children James, Joseph, Patrick, Oliver and Sophia

### FOREWORD

In the contemporary media, the British Royal Family is a reliable stand-by for a good story, and books on 'the Royals' serve a similar purpose for the publishing industry. Very often, indeed one might say usually, the material in these stories is thin and recycled, often based on gossip, speculation, rumour; whether or not history repeats itself, Royal historians certainly do repeat themselves. This is emphatically not the case with Michael L. Nash, who has found that most unlikely of things, a new approach to the history of the Royal Family. The wills of members of the Royal Family have not been studied before, and no one has undertaken a detailed examination of them across the long range of British history. There has been a tendency to assume that all that matters is primogeniture and the transmission of the Crown itself but, by examining the detail of Royal wills, Michael L. Nash has been able to put some flesh on the bones of Walter Bagehot's insight that one of the reasons for the success of the British Monarchy is that it was not simply an Institution, it is a family. By studying successive wills in their historical context, we can see something of that: family heirlooms and property willed according to the wishes of the donor can tell us much about the personal dynamics of the Royal family. These wills offer us insights into the lives of some of the lesser Royals too, men and women who, in terms of their position in society, occupied a grand position, but who were, under that glitter, living in a sort of gilded, genteel poverty, dependent on the charity of those more fortunate in their place in the pecking order. To have a family at the head of your State is to offer several sorts of hostages to fortune. Will the heir be a man (or occasionally in these pages) woman of capacity? After a long reign, how easy it is to distinguish between what belongs to the State and what belongs to the family? The monarch is, after all, also a private person of some considerable wealth, and their heir, with the Duchy of Lancaster to draw on, is also in that position. There is the natural urge of any testator to leave keepsakes to their children, but how easy is it to draw a distinction between the personal and the public for the monarch who embodies both these things? What can we tell about the relationships within the family by the distribution of personal (and sometimes, perhaps, national) property? Fortunately, we have in Michael L. Nash, an excellent guide through these intricacies. Looked at on paper, even royal wills can seem rather dry, but it is not the least of the triumphs of the author that here he makes these dry bones live. If you thought you knew all there was to know about the Royal Family, you will find here that you did not. Here we get a glimpse behind the scenes and fresh insights into the Family dynamics that lie behind the bland label of the 'royal family'.

Interdisciplinary Institute for the Humanities University of East Anglia Norwich, UK John Charmley

### ACKNOWLEDGEMENTS

First, to Her Majesty The Queen, for the permission to publish materials from the Royal Archives at Windsor;

To Pam Clark and to Laura Hobbs, of the Royal Archives, for their quiet and efficient assistance with the Letters of Prince Frank;

To the Deputy Keeper of the Records at the Public Record Office of Northern Ireland, for permission to publish the draft will of Prince Frank, D2638/D/34/20;

To Briege Hunter and Lynsey Gillespie of PRONI for their courteous and helpful correspondence;

To Dr. Patrick Polden, old friend and respected legal historian, for his invaluable advice at the beginning of my project;

To Dr. John Charmley, Head of the Institute of Humanities at the University of East Anglia, for reading my seminal chapter and for his enthusiastic encouragement;

To Ann Newell, for permission to quote from her dissertation on Ellen, Countess Kilmorey, a most enlightening document;

To Sarah Felton and Charles Whitley, for their permission to publish the portrait of Prince Frank, which appears on the dust jacket;

To Olga Tregaskis of the Research Committee, Norwich Business School, University of East Anglia (UEA);

To Suzy Menkes, a friend of thirty years, who encouraged me to write this book;

To Graham Warrin, who helped me with some IT problems;

And to all my family, friends and colleagues, who have helped me with this project over the years, my grateful thanks.

## **CONTENTS**

1	of Royal Wills	1
2	Against Ancient Law and Custom: The Wills of Henry VII, Lady Margaret Beaufort, and James IV of Scots	9
3	Tampering with the Succession	23
4	Tampering with the Succession Part II: The Wills of George I	49
5	The Jewels of the Kingdom	61
6	Fortune and Fiasco: The Wills of Royal Women	87
7	Bogus Beneficiaries	113

#### xii CONTENTS

8	Coburg, Windsor and Spencer	127
9	"The Perfect Storm", The Will of Prince Frank of Teck	141
10	A Matter of Public Interest: Should Royal Wills Be in the Public Domain?	177
Bib	liography	189
Ind	ex	193

# The Strange and Secret History of Royal Wills

The making of one's last will and testament is an ancient incident of human mortality. It is often of interest to those left, and as royalty exercises some kind of fascination, no matter what one's affiliations, the making of royal wills is that much more interesting. After all, kings and queens and other royal personages had much more to leave: kingdoms and treasures. They could, or they tried to, exercise power even after death. The great County historian, John Nichols (1745–1826) when compiling his classic work (and indeed, the *only* work) on royal wills, in 1780, prefaced it with the words of the great king of Poland, John Sobieski, who, asked in his last extremity to make a will, said: "The misfortune of royalty is that we are not obeyed when we are alive; and can it be expected we should be obeyed after we are dead?" Sobieski died in 1696, having reigned for 22 years. His contemporary, Louis XIV, who, coming to the throne as a child, subsequently reigned for 72 years, dying in 1715, was also pragmatic about the making of royal wills, saying that "it was a kind of counterpoise that because kings had been obeyed in their lifetimes, their wishes were ignored when they were dead".

Nichols wrote his remarkable compilation and commentary in 1780, when he was 35 years old. It aimed to be a comprehensive work of all the wills not only of sovereigns, but other royal persons as well, from William the Conqueror onwards. Unfortunately, it stopped at Richard III, who died in 1485, and only the will of Henry VII, who died in 1509, was added afterwards, in a separate slim volume. This deprives the interested reader,

of the wills being treated by Nichols, of those nearer to our own time, and, in many ways, more important and more far-reaching in their effects. But Nichols's work is, nonetheless, very informative. By the Constitution (a term to be wary of) it appears that the sovereigns have always had the right to make wills, and it appears by the Rolls of Parliament, in the sixteenth year of Richard II, (1393) that "bishops, lords and commons assented in full Parliament that the King, his heirs and successors, might lawfully make their testaments". This did not, unfortunately, assist that tragic king.

The wills of his three successors, Henry IV, Henry V and Henry VI, are of particular interest, as they are the first to be written in English (the previous wills being written in Latin or Mediaeval French).<sup>3</sup>

Henry IV himself made a will, like many royal personages and subjects before and since, which gave away more than he had to give, something which resonated in the early-twentieth century, with long-term results. Many sovereigns, until the reign of Queen Victoria, died in debt, usually heavy debt. The sole exception to this is Henry VII, who left a full treasury at the time of his death in 1509, and by common acceptance, was thought to be an extortionist and a miser. Dying in debt always causes problems, and these are of course magnified in the case of royal wills. The executors, in the case of Henry IV, fearing the assets to be insufficient declined to act at all. The courts decided that, under these circumstances, the effects should be at the disposal of the Archbishop of Canterbury, as Ordinary of the Realm, that is, Chief ecclesiastic of the Realm, the church always claiming jurisdiction over wills, as part of Canon Law. The Archbishop directed them to be sold. However, the young "King Henry V., who wanted the objects mentioned in the will, agreed to pay their appraised value, in 1415, two years after his father's death, instead of allowing them to be sold."

The will of Henry VI, is long and detailed, as one might expect; it provided for the setting up of Eton School, and King's College, Cambridge, his two lasting bequests and legacies. The executors and assistants of this will are like a roll call of the great and the good, (and indeed, the not so good) in 1444, when Henry first made the will. Interestingly, he had "enfeoffed" them before this date, in one case as far back as 1436, (when the king was only sixteen) when "they be discharged of their fees and annuities with which they be now charged"; which looks as if he had been remitting what they owed as a kind of payment. Henry VI was not known for his great administrative skills, and clearly the will was written by a competent and even ingenious lawyer. The first one mentioned is the Archbishop of York, John Kemp, who had been made a Cardinal,

and therefore ranked above the Archbishop of Canterbury, John Stafford, which must have irked that prelate. These were followed by the bishops of London, Lincoln, Salisbury and Bath & Wells. Three clerks followed, who became bishops of Worcester, Chichester and Norwich. John Langton, the late Bishop of St David, "and now to God passed", did not live to be an executor, but all of these names show how much significance and importance Henry VI attached to his will. William, Earl of Suffolk, had since his nomination advanced to Marquis. He was followed by Henry Earl of Northumberland, John Viscount Beaumont, Rafe, Lord of Sudeley, John Beauchamp, knight, since advanced to be Lord Beauchamp of Powis, and James Fens, now Lord of Say. A number of other knights and commoners followed.

The authority of the will, under which it is made, is also interesting. "My Letters Patent hereof made, of which Letters 'the first beareth date the last day save one of November', whimsically precise, (29th November 1444). The second bore the date of 7th July 'the same year', which is curious, being in the wrong order. The third bore the date 23rd February, 1445, ("the year of my reign 23") and the fourth, 29th June 'in the same year". It may be that all these Letters Patent were needed because the will intended to found two great institutions. The king's reign had begun on 3lst August 1422, but he could not have been conscious of the greatness thrust upon him until much later, as he was then 9 months old. The king then describes his possessions: "which castles, lordships, manors, lands, tenements, rents, services and other possessions, be of the yearly value of £3,395 lls. 7d ... which Letters Patent and all things contained in them by the authority of my parliament 'last holden at Westminster', as by an act of the same parliament plainly it appeareth, were authorized, approved, ratified and confirmed, for to perform and fulfil my will". There was no doubting that all was to be doubly insured, so that the will would be carried out.

Even after having named so many executors, the king was only too well aware that some of those named had since died, and so at the end of the will added another provision, for more "feoffees, in case the old die before the performance of the will". These new executors numbered no fewer than fourteen persons, including William Wainfleet, Bishop of Winchester, who would outlive not only Henry VI, but the next three kings as well, dving in 1486; Reginald, Bishop of St Asaph, who died in 1449; Thomas Courtenay, Earl of Devon, who died in 1461; Richard, Earl of Salisbury, better known as Richard Earl of Warwick, the famous or

infamous "Kingmaker", slain at the Battle of Barnet in 1471, and Henry Earl of Northumberland, the third Earl, who died at the battle of Towton in 1461. During a civil war which lasted on and off for 30 years, the king needed to appoint many executors. John Talbot, Earl of Shrewsbury, also named in the will, was killed in France in 1453. Thomas, Lord Clifford, was slain at the Battle of St Albans in 1455. Lionel, Lord of Welles, was an interesting appointment, as he became the third husband of Margaret Beaufort, the Duchess of Somerset, and Henry VII's grandmother. But he also was slain at the Battle of Towton in 1461. But even greater insurance policy was applied to this situation. The will later continues: "if (those feoffed) be not one alive, but passed to God all fourteen, then I will that the said three, two or one of my said feoffees, shall enfeoffe other fourteen persons, spiritual and temporal, of good fame, faith and credence". Fifteenth-century lawyers certainly had a way with words, and were determined that the will of Henry VI should be carried out, come hell or high water. The civil war certainly defined that phrase.

Fortunately enough of the many, many feoffees did survive the civil war, the War of the Roses, to ensure that Henry VI's will was carried out and it has the distinction of being one of only a few royal wills that had that honour.

The location, and indeed existence, of the wills is interesting. For scholars and historians, who wish to examine them, it proves problematic. Little respect was paid to a number of the wills. John Nicholls was able to trace a remarkable number of them, up until the end of the Plantagenets in 1485. He concedes that it is unnecessary to print the will of Henry VII, as this has already been done, in 1775, by Thomas Astle, "printed at length with a judicious preface and appendix". These wills were kept in various places, usually ecclesiastical, partly for security. A number of copies of each will was usually made. The will of King John is the oldest definitely still in existence in its original form, from the year 1216. It is kept in Worcester Cathedral, where he is buried, before the high altar of all ironies, it is signed by him, but probably not written by him.

John Nicholl mentions the recent will of George I, which had been printed in the *Gentleman's Magazine of 1774*, but of the wills of all the sovereigns and their consorts between Henry VIII and George II, there is nothing written. This may simply be a reflection on the difficulty of tracing them. When a testamentary paper of George III was tested for authenticity in the Prerogative Court of Canterbury in 1822, the presiding judge, Sir John Nicholl, said: "no instance is to be found of a probate issuing

from this Court, (concerning the will of a sovereign) nor any will since the copy of that of Henry VIII being even deposited here; it does furnish pretty decisive evidence, to my judgment, that this Court in such a case as no jurisdiction whatever. What might be the case, if the will of a deceased sovereign raised a question, merely and exclusively, between subject and subject, the Court is not, at present, required to decide ... that this Court should therefore, for the first time presume to entertain a suit for so delicate and high a purpose as that of deciding on the validity of the will of the late Sovereign (in this case George III) under any circumstances, and in any form, would require much consideration in point of law."

Later he added "The king became the supreme ordinary of the country" (at the time of the Reformation) and thus assumed jurisdiction over the Archbishop of Canterbury, who had hitherto been the Ordinary. Using this soi-disant testamentary paper, which had been kept, with several other papers and documents at Warwick Castle, the hope was that sight could be had of the last will and testament, or testamentary schedule, of George III.

When again this point was tested in 1862, the old Prerogative courts had lost their jurisdiction over wills, which was passed to the newly reformed divisions of the High Court. This time the judge, Sir Cresswell Cresswell, was terse and dismissive. Sir Cresswell was the first judge of the new Court of Probate, Matrimony and Divorce, in 1858. He simply stated: "This question was decided by Sir John Nicholl in 1822, and I am in no way inclined to disturb his decision. I consider I have no jurisdiction in the matter. I reject the motion." One can almost feel the frustration of the applicant.4

The wills of Henry VIII and their copies suffered a humiliating fate. "If the old king really had believed that his will would be law, and his dead hand could control the government of his son, he must have been bitterly disappointed, for the document itself fared no better than its provisions. One copy ended up in a basket of dirty linen, and another, discovered years later among the effects of Bishop Tunstall, was dismissed as of no interest or importance.<sup>5</sup>

When Sir Frederick Madden, Assistant Keeper of the Manuscripts at the British Museum, wrote his (then) ground-breaking monograph on Mary Tudor, lifting the reputation of the Queen from the obloquy into which it had fallen, in 1831, he sought for her will. This was just 5 years after the death of John Nichols, who had died in 1826. What had become of the wills, one of which was signed in March 1558, and the other, with codicil, in October? Sir Frederick Madden, in his recounting of the Queen's will, says that it came from Harleian ms 6949 F.29. A note appended states that the Copy from which the Harleian transcript is taken was made from the Original Will, at the beginning of the last century (i.e. c. 1700-1710) by the Rev. George Harbin, Chaplain to Lord Weymouth, a very zealous and diligent searcher into historical records, whose Papers are now, (1831) with the above Copy, in the hands of Sir Alexander Malet, Bart. Great pains have been taken to trace what has become of the Will itself, but without success. It is to be regretted that the Copy is not quite complete, and that Harbin has modernised the orthography in many instances. Such as it is, it is printed verbatim from his autograph.<sup>6</sup> At the end of the will, signed by Edmond Peckham, Thomas Wendye, John Willis, and Barnard Hampton, as witnesses to the Queen's signature, are further notes by the Rev. Harbin: "She wrote her name here in smaller letters, and not so well as to the bottom of the will" and again, inside a circle, "Here the Seale was fix'd, being the same as to the end of her will". At the very bottom is written: "On the outside cover of this will, was written with the Queen's own hand, these words, with a Crosse at the top: 'This is the laste wyll and testament of me Marye the Quene'".

When David Loades, the greatest living expert on the life and reign of Mary Tudor, wrote *The Reign of Mary Tudor in 1979*, he added his own notes on the will. It is now in the British Library (unless it is another copy) and is now in the British Library Lansdowne Manuscripts number 6949. As the number is the same as the Harleian manuscript, it has obviously gone from one manuscript collection to another. "Since the will survives only in copies," says Loades, "its authenticity cannot be beyond dispute. A note on *this copy*, which is of the eighteenth century, runs "from the Original in Mr. Hales' hands at Alderley in Gloucestershire, 'and records that the Original was signed by the at the top and bottom of each page'". This is almost obsessional, in the same vein as Henry VI had provided for no less than forty-two executors, although in that case the slaughter of the civil war perhaps made it a necessity.

Not all sovereigns and their consorts were so careful about their wills. Henry VIII, Anne of Denmark and George III simply put off signing them until the last moment, or until incapability intervened. This happened to both Henry VIII and George III, with catastrophic results. When Anne of Denmark eventually signed hers, it appeared that the great treasure in her will had already been embezzled.

As for poor Queen Adelaide, the widow of William IV, she obviously knew so little as to the legal requirements of wills, that when taken for probate, it was declared to be invalid. It is no wonder that Queen Elizabeth I and Queen Alexandra, the widow of Edward VII, simply refused to make wills; the first because she would not name a successor and the second because she distrusted lawyers; they both died intestate, leaving even more problems than if they had made wills. In 1863 there also occurred something remarkable in the will of the "White Rajah of Sarawak", Sir James Brooke, who had been ceded the sovereignty of Sarawak by the local Rajah. This was in itself remarkable, but Sir James's will contained something even more extraordinary. He was of course a sovereign in his own right, but, as has been seen, like most sovereigns, in desperate need of finance. Enter Angela Burdett-Coutts, the richest woman in Great Britain, and probably in the British Empire. She was the granddaughter of Thomas Coutts, one of the co-founders of Coutts's Bank, and had inherited through her stepmother his vast fortune and possessions. There is some evidence to suggest that there was a romantic attachment between the charismatic and adventurous Brooke, and the heiress, and they remained on terms of the closest friendship. Whatever the truth of the matter, Angela Burdett-Coutts made Brooke considerable loans in the early history of Sarawak, and when Brooke made his will, she became a trustee of a section of it. At one time he appointed her his heir to Sarawak, and she would have become Ranee in her own right had Brooke died before establishing in his own family the succession to his throne in the Far East. Angela became the principal creditor of Sarawak, and the memorandum changing his will, and making her his general heir is signed 12th January 1863. As the editor Owen Rutter says, in his running commentary on their exchange of letters: "It is unlikely that any Englishwoman, before or since, has ever had the sovereignty of a territory bequeathed to her, and the clause in question is surely one of the strangest ever penned by a subject of the British Crown" (as Brooke remained).8

As Nichols himself wrote in 1780, his work encompassed "The Blood Royal Wills", which of course included many noble persons. All monarchy begins somewhere, and Brooke certainly established a dynasty in Sarawak. The second Ranee of Sarawak was herself half-Belgian, and states in the first page of her autobiography that her grandfather was Sylvain Van der Weyer, the founder of the Belgian Monarchy. Interestingly she still then described herself as HH The Hon. Sylvia Brooke, an interesting combination of the royal and the noble. Her husband's uncle had been knighted by Queen Victoria in 1847, who made him a Knight Commander of the Bath. The native Rajah had handed over sovereignty of Sarawak to Brooke in 1841, recognised by Britain in 1863, (although a British Protectorate followed in 1888) and this continued until annexed by the British government in 1946. So this book will deal, usually by association, with some overseas and European royalty as well.

So here presented is the history, or an history, of royal wills, imperfect as it is, I hope it nevertheless conveys a fascinating section of historical documents, the possession of which tells us much, as Nichols said in 1780, concerning "the manners and private life of our ancestors, some new facts in their public history, and several new descents in their pedigrees. The prospect of death sets their lives in a new point of light". Royal wills are a rich source of information for scholars and historians, and it is therefore all the more to be regretted that many, though not all of them, have been "closed" since 1861, and "sealed" since 1911.

#### Notes

- 1. Nichols, J., A Collection of all the wills, known to be extant, of the kings & queens of England, Princes & Princesses of Wales, and every branch of the Blood Royal, from the reign of William the Conqueror to that of Henry the Seventh, exclusive, with explanatory notes and a glossary, printed by J. Nichols, Printer of the Society of Antiquaries, 1780.
- 2. Rot. Parl. 16 Richard II, Vol. III, p. 301, quoted in Nichols, Preface, iv.
- 3. "The grandfather of Richard II & Henry IV ..." see Nash, Michael L. The Development of English Law, in *The English Legal Heritage*, 1979, Chapter 1, 17–18.
- 4. English Reports, 162 & 164: In the Goods of H.M. George III (1822) Add. 255; and In the Goods of H.M. George III (1862) 2 Sw. & Tr. 199.
- 5. Baldwin-Smith, Lacey, Henry VIII: the mask of Royalty, 1971, 269–70, no. 20, P.R.O. S.P. 11, Vol. 4, f. 93; S.R. vol. 8, fol. 71.
- 6. Madden, Sir Frederick, Privy Purse Expenses of the Princess Mary, with introductory memoir of Queen Mary, 1831, clxxxv, Appendix IV.
- 7. Loades, David, The Reign of Mary Tudor, 1979, n. 140, 391-393.
- 8. Rutter, Owen, ed. Rajah Brookes and Baroness Burdett-Coutts, Letters, 1938.
- 9. Brookes, Sylvia, HH, Queen of the Headhunters, 1970, 11.

# Against Ancient Law and Custom: The Wills of Henry VII, Lady Margaret Beaufort, and James IV of Scots

On 8th February 2008 a judgment from the Court of Appeal became the latest legal link in a chain of events that had been pursued for nearly 100 years.

These events concerned the wills of the royal family, or certain members of that family, and whether they should be sealed up, that is, kept from public knowledge. The judgment was that "the appellant was and is entitled to a substantive hearing of his claim to inspect the wills" and his appeal against a previous negative decision was allowed.<sup>1</sup>

This decision has yet to follow through, but it was a major step in a much wider consideration of transparency in the uses of royal power and prerogative, and called into focus the whole issue of royal wills and their consequences, both private and public, at least since the sixteenth century. In other words there was, to use modern parlance, a whole "back story" stretching back in history, of which this was the latest manifestation.

A decisive change had come with the Reformation, and the Reformation Parliament of 1529–36, and the decision of Henry VIII to break the link with Rome, from which Canon Law had both been derived and been ultimately controlled since the Council of Whitby in 604. This was a very long time indeed, almost 1000 years. It was a seismic change with shattering results, both personal and public. Canon Law, the province and law of the Universal Western Church, controlled many areas of life, especially family law and the law of wills and trusts. The Ordinary of the

Realm for decisions in these matters was the Archbishop of Canterbury in one province, and the Archbishop of York in the other, although these decisions could be appealed to Rome.

It was a logical consequence that when the king, Henry VIII, abolished or cut the ties with Rome, that he should style himself "Supreme Head of the Church", meaning the Church in England. The evolving Church of England was quite another matter, and one which Henry never quite reconciled himself to, as one historian has put it: "He was like a beached whale, somewhere on the sandbanks between Wittenberg and Rome." But the consequence, for present purposes, was that he himself became Ordinary of the Realm and that from then on his will and those of his successors would not be amenable to probate. It is natural therefore to find that the royal wills before the Reformation, and those after, are rather different, both in form and effect, although the vagaries and caprices of the human condition remain as constant as ever.

There could be no question of probate being granted by the courts of the king's will, as he was now the ultimate source of authority in these matters, although this question continued to vex lawyers well into the nineteenth century.<sup>2</sup>

However, although a number of the wills of the reigning sovereigns will be examined, this restriction did not, and does not, apply to the wills of lesser royal peons. These continued to be in the public domain, as indeed for the most part, did the wills of the sovereigns themselves.

Royal wills before the Reformation tended to be quite different matters. The mediaeval mind set was that life in this world was simply a preparation, an ante room, for life in the next, and thus whatever one's actions in life, when the end was nigh wills concentrated on being in many ways a spiritual testament, combined with the founding of religious institutions and especially Chantry chapels, where priests were enjoined to pray in perpetuity for the soul of the benefactor. These elements are not entirely missing from the will of Henry VIII (whose mind set was definitely confused) but whose will forms a bridgehead between modern and mediaeval worlds.

The wills of his father, Henry VII, and of his redoubtable grandmother, Lady Margaret Beaufort, are both perfect examples of royal wills before the Henrician changes.

Although there was never any question about who was to occupy the throne, Lady Margaret in many ways shared the royal authority with her son, and had a remarkable amount of political power, almost foreshadowing, for example, the joint rule of the Empress Maria Theresa and her son Joseph II, or the rule of the Regent Sophia of Russia with her young brothers Ivan and Peter (all of these occur in the eighteenth century, or just before).

Lady Margaret survived her only child (again in the style of the Regent Margrethe I of Denmark), who died on 21st/22nd April 1509, naming his mother as chief executrix of his will. Her authority was such that she took the major part in organising his funeral; and her political status was also enhanced, and she may indeed have chosen the composition of the interim council of government, as her only surviving grandson, Henry VIII, was still only 17 years old. This council was to govern until his coronation. Margaret resented any challenge to the special relationship she had had with her son, and this is probably the reason why one of the first acts of the Interim Council was to order the arrest of the two hated councillors, Empson and Dudley, whom Margaret saw as rivals. Being politically astute, she also saw that such a move would be a popular beginning to her grandson's reign.

At her son's funeral, on 11th May 1509, Margaret was given precedence over all other royal women in attendance, a tribute to her position, and authority during the previous 25 years, and her assistance, if not control, over all aspects of Tudor government, administration and ceremony, including quite stringent sumptuary laws.

On the 11th June 1509, 1 month later, Henry VIII married Catherine of Aragon, the widow of his elder brother Arthur, and on 24th June they were crowned together in Westminster Abbey. It was at the coronation feast that Lady Margaret met her nemesis. She died, it was said, from eating a cygnet, but her already weakened constitution was overwhelmed by a continuous round of festivities and banqueting. With unimpeachable political timing, she died on 29th June 1509, 1 day after her grandson achieved his majority on his eighteenth birthday.

For some, the day of Lady Margaret's funeral was a day of jubilee, for it was accompanied by the distribution of dole and the release of some prisoners. (This custom continued at least until the jubilee of George III in 1809 when some Danish prisoners of war were released.)

Now came the reckoning. The death of the Countess (Lady Margaret had been Countess of Richmond and Derby) was followed by an appraisal of her worldly goods. It was a signal mark of her extraordinary position that there was a flock of swans bearing her mark on the River Thames; swans were a royal possession and perquisite, but Margaret had not been a Queen, or a king's daughter, but the whole world knew she was a king's mother and a king's grandmother. After her death, her squire, Nicholas Aughton, took many boats to capture the swans, their departure echoing that of their mistress. It was indeed the echo of a departing mediaeval world.

The counting of the worldly goods took a long time. (This is not necessarily an ancient task. The inventory of the personal goods of Queen Elizabeth the Queen Mother in 2002 took 6 weeks). All such tasks as the capture of the swans had to be accounted for by Lady Margaret's executors, who had now to face the legal process leading to the probate of the will. This was not completed until 1512, thus giving an idea of the extent of her possessions and benefactions. The salient point of this time is that her grandson, Henry VIII, remained sufficiently under her influence to ensure her will was carried out, which did not prove the case with that of his own father, Henry VII.

Perhaps the most interesting aspect of the will, important for future wills, is that the major intention, to convert the Hospital of St John into a College of that name at Cambridge University, was not stated specifically, and the terms of the will on the face of it were not sufficient to establish and endow such a foundation.

The will closely followed the mediaeval formula: celebration of funeral rites, anniversary of her death, maintenance of her charities at Westminster and Wimborne, and support of her University lecturers and preachers.

Henry VIII and John Fisher (Lady Margaret's chaplain), knew of her overwhelming intention, and that if this was not carried out, her estates would revert automatically to the king as her sole heir.

The will was proved in the Archbishop of Canterbury's Court on 22nd October 1512, the Archbishop acting as Ordinary of the Realm, as this incorporated all her personal bequests to her three grandchildren, viz Henry VIII, Margaret, Queen of Scotland, and Mary, who at this time was affianced to Prince Charles, the Prince of Castile (The future Emperor Charles V), as well as the agreement to found St John's, drawn up between Margaret and the Bishop of Ely in March 1509, before the death of her son. There was another codicil explaining her wishes, for the foundation of St John's, and also of Wimborne School, and for the completion of Christ's College, Cambridge.

In November 1512 the Court of Chancery decreed that the revenues from the lands placed in trust could be used for these purposes. It is significant that royal and papal approval had already been obtained, at the time of probate, for the alteration of the Hospital into St John's College, and Lady Margaret's executors had sealed the charter of foundation on