

Will of James Clarkson of Tendring, gentleman, 1723 (and other documents)

- To my grandson James Wale, my farm called Pestles & Boltens, now in occupation of John Cardinall jnr, and also my farm called Homestalls in Tendring in occupation of Stacey Stevens. If my grandson James Wale died without issue, the said farms to John Cardinall jnr. Elizabeth Wale my daughter to enjoy the new brick house at Homestalls.
- To my grandson James Wale and his heirs my manor in Tendring called Newhall, and also my farm now occupied by Timothy Kerrington, lately bought from Mr. Luffkin, also my farm called House Lands & Chasely Lands and a wood called Chasely Wood in Tendring, in occupation of Timothy Kerrington. If James Wales died without issue, the above to the five children of my cousin John Cardinall senior: Elizabeth, William, Charles, Susan and Mary.
- To my cousin John Cardinall senr and his wife Susan: The Crown in Tendring. After their deaths, to my grandson James Wale. If James has no issue, to the said Elizabeth, William, Charles, Susan and Mary.
- To John and Susan's six children (John, Elizabeth William, Charles, Susan and Mary): £10 each
- To my daughter Elizabeth Wale: £100
- To Elizabeth Sparrow, widow, my sister: £20
- To Timothy Kerrington, Anastatius Stevens, John Cardinall jnr and John Bomby (four of my tenants) £10 each, and to carry my corpse to the place of interment.
- To Robert Halls and James Halls, sons of Robert Halls gentleman: £25 each
- To Mary, wife of William Barnard of Thorpe: £10
- To six poor families in Tendring, 40 shillings each: Jacob Everett, John Keeble, Henry Blomfeild, Widow Bridges, Widow Green and Widow Shedd.
- Rest and residue to my grandson James Wale, except household goods in the brick building at Homestalls to my daughter Elizabeth, as long as Mr. Halls does an inventory so that James knows what he'll receive on his mother's death.

Executors: Robert Halls, he also to be James Wale's guardian until he is 18, when James will become executor. Robert Halls also to be guardian of my grandson Henry Wale. To be supervised by John Cardinall jnr.

Witnesses: John Bumpstead, James Allen x, James Rosrow, Mary Popewell.

Codicil: 26th May 1725

40 shillings to Widow Walter/Walker. I forgive Thomas Whipp his rent arrears. As my tenant Stevens has died – the £10 to go to James Allen instead, and he to be a coffin bearer.

Witnesses: Timothy Lewes, Sarah Walton x

ERO ref: D/DSz T2A. This (unproved?) will appears amongst a bundle of deeds etc. See below for other papers relating to this will and the Clarkson and Cardinall families.

Genealogical notes (18th century handwriting) on the Clarkson/Wale family (from D/DHt/F31)

- Mr. James Clarkson died 30th May 1725
- James Wale his grandson born 6th July 1714, died 14th September 1725
- Henry Wale born 1st July 1717
- Elizabeth daughter of James Clarkson, baptised 5th February 1695
- Elizabeth Clarkson married Mr. Henry Wale 8th September 1713
- Mr. Henry Wale died 17th August 1720. Inventory made: 29th August 1720
- Mrs. Wale married Mr. [Harris] Salter, 13th July 1727

Other document in D/DSz T2A: Mr. Baxter's letter of Attorney re The Crown in Tendring (29th January 1731).

Thomas Baxter of Weeley, blacksmith, and his wife Susan – indebted to [her brother] John Cardinal of Wivenhoe, malster for malt and money lent (total of £68). Susan is seized of a fifth of the manor of Newhall and a fifth of Old House Lands and Chasely Lands and Chasely Wood (in late occupation of Timothy Carrington) and a fifth part of the Crown now in occupation of John May and a fifth of a farm called Ilsents.

Indenture dated 9th March 1727 between Thomas Sallows and Elizabeth [Susan's sister] his wife, the said Thomas and Susan Baxter and Mary Cardinal in one part, and Thomas Knapp of Thorpe of the other part to sever the jointure and make a partition of the five parts vested in Elizabeth Sallows, Susan Baxter, [Susan's other siblings] Charles, Mary and William Cardinal. It was agreed that when Susan, William and Charles reach 21 a fine should be levied of the said premises to Thomas Knapp upon trust, The Crown to be the lot of Susan. John Cardinal to pay himself the £68 out of the rents due from The Crown. John Cardinal senior and Susan his wife deceased. They divided up the things given between all five of them.

Papers apparently regarding the Chancery suit between Elizabeth Salter (James Clarkson's daughter) and Robert Halls:

States that Old House Lands, Chasely Lands and Chasely Woods was from the marriage portion of Elizabeth Beriff, and was paid to James Clarkson about 1689, and would pass to Elizabeth (Clarkson/Wale/Salter) as only surviving heir. Elizabeth claims James Clarkson concealed this from her when she married Henry Wale.

Henry Wale died about 19th August 1720 – left issue James and Henry. James Wale died 14th September 1725, an infant, and Henry is still living about 11 years old. James Clarkson died 2nd June 1725 (made his will in 1723).

Elizabeth and her second husband claim she was “a weak and sickly woman [...] under great infirmity of mind and incapable of understanding” what she was owed from the estates of her husband and her father, and that Robert said she was left with nothing as the estate was encumbered. Robert encouraged her to sell her Tendring property, and didn't leave her with copies of the deeds. Elizabeth married Harris Salter on 13th July. She claims Robert Halls cut timber on the premises and on other parts of Elizabeth's estate.

Robert Halls answers and denies he hid anything from her and claims she wasn't sickly or incapable of understanding.

D/DSz F1, F3, F4, F5 regarding Clarkson Cardinall:

F1: 21st March 1759: Commission as Ensign in Eastern Battalion of the Essex Militia. 2nd April 1762: becomes Lieutenant of Foot in same.

F3: Tendring, Essex. Inventory of John Cardinall, gentleman. 1st July 1760.

F4: To Mr. Cardinall at Wivenhoe, from Philip Morant, dated 22nd August 1750, giving him historical info on Newhall. "You, who are Lord of the Manor of Tendring" – doesn't give Mr. Cardinall's first name, but is addressed to Mr. Cardinall of Wivenhoe.

F5: 30th September 1729. Harris Salter to sell John Cardinall all right and title of house etc. occupied by James Allen in Tendring.

D/DHt F31: two notebooks, being inventories, list of executor expenses etc. Includes genealogical notes (above). Also includes mention of Elizabeth Cardinall in 1721 and 1722 being Elizabeth Clarkson/Wale/Salter's servant. Thomas Newcomb and James Allen are amongst those buying items from Mr. Clarkson's estate. Henry Wale seems to have owned Little Bardfield Hall. Inside one of the notebooks, in twentieth century handwriting (in pencil, which implies it could be someone studying at the archive):

"Draft of indenture John Rayner of Wivenhoe, Surgeon and Sarah his wife, and Thomas Coop of Fingringhoe and Margaret? His wife of [an?] part Richard Freshfield of Colchester, property in Polstead, Suffolk, 1739." [It is likely they mean Thomas Cooper, rather than Coop, but it is not clear how this is relevant to the Clarkson and Cardinall families, although a connection between the Coopers and the Clarkson/Cardinalls is not unexpected.].

D/DHt F30: 28th & 29th February 1694: James Clarkson and Richard Beriffe – Tendring Hall and Old House Land and Chasely Fields in Tendring.

23rd March 1725 – Elizabeth Wale, widow to have Tendring Hall for her natural life, then to Henry Wale her son.

Robert Halls and Samuel Halls, gentlemen, of Colchester, said Henry Wale brought action against Elias Stow and Thomas Groome for stealing wood from his land in Tendring (Parsonage Heath). 10 oaks and 10 elms. Seems to have been declared not guilty (or they pleaded not guilty). They seem to be trying to establish if it was customary for people to take wood from that land. Henry Wale son of Henry Wale brought action against William Cardinal of Alresford, gentleman – claiming William broke into Parsonage Heath and cut down several trees [did William Cardinal hire Elias Stow and Thomas Groome?].

Rent collection by Robert Halls, gent, steward of the Manor of New Hall:

- John Cardinall: Pestles (4 shillings 4 pence) & Boltons (1 shilling 6 pence)
- Thomas Sallows jnr, The Crown, now the estate of Mr. James Wale Lord of the Manor of Newhall, 4 pence.

Costnails & Mitchells (land) – Mrs. Stevens, widow, Mr. Henry Wale landlord.

Flanders – John Cardinall, in his own occupation

Glenvils Land, now Robert Tomsons.

9th January 1725. Robert Halls – defendant. Harris Salter and Elizabeth his wife, complainants.

Elizabeth – executrix of James Wale her son, deceased. John Bumpstead was her former servant. Elizabeth Wale, widow, formerly of Tendring, now of Berners? Green, Greenstead, Colchester, guardian of Henry Wale, her infant son, and adm of James Wale gentleman her late deceased son, who was residual legatee of her deceased father, James Clarkson. Robert Halls has received her rents for Little Bardfield and Tendring. Robert Halls is sole executor of James Clarkson, and guardian of her son James Wale. Elizabeth said £542 remained in Robert's hands, he then paid her half of it. She then quits claim, except for the other half to be paid to Henry Wale, and her and her father's plate. Old House Lands and Chasely were settled on Elizabeth when she married Henry Wale – but he didn't have power to do this as it was part of the jointure of the estate of her mother, Elizabeth Beriffe.

D/DSz T2A: Lords of the Manor of Newhall in Tendring

- 15th September 1612: the executors of Paul Vicount Bayning
- 21st August 1615: Lady Sudbury and others (daughters and coheirs) of Paul Vicount Bayning – ladies of the manor.
- 14th March 1648: Aubrey de Vere, Earl of Oxford, marries Ann, one of Paul Vicount Bayning's daughters.
- 26th August 1650, 2nd October 1656, 25th May 1660: Aubrey de Vere is Lord of the Manor.