

## AUBREY, WILLIAM (c. 1529 -1595), civil lawyer

**Name:** William Aubrey  
**Date of birth:** c. 1529  
**Date of death:** 1595  
**Parent:** Thomas Aubrey  
**Gender:** Male  
**Occupation:** civil lawyer  
**Area of activity:** Law; Public and Social Service, Civil Administration  
**Author:** Arthur Herbert Dodd

Son of Thomas Aubrey and scion of an old Brecknock family, was born at Cantref, Brecknock. He is said to have been educated at Christ College, Brecon, whence he proceeded to read law at Oxford, taking his B.C.L. in 1549, his doctorate in 1554, becoming Fellow of All Souls and Jesus and principal of New Inn Hall. He was appointed by queen Mary to a readership in Civil Law, but Strype's conjecture (*Cranmer*, 576) that he was deprived for 'incompliance' seems to be unfounded. Elizabeth allowed him (23 February 1559) to alienate the office to John Griffith, B.C.L. (Rymer, *Foedera*, xv, 565). Aubrey now devoted himself to his practice in the prerogative and ecclesiastical courts as Master in Chancery (c. 1555), Master of Requests (1590), advocate in the Court of Arches and Judge of Audience in the Court of Canterbury (c. 1592), including many important cases in ecclesiastical, international, constitutional, and maritime law, and a number of special commissions with a political bearing.

In the ecclesiastical field he threw the weight of his learning into the drive against Puritan and Brownist opinions in Church and university (1587-90), and took part in the condemnation of his distant kinsman **John Penry** in 1593; he was also consulted by Grindal on the reform of the Church courts in the province of Canterbury, of which he became joint administrator (1577) and then sole vicar-general (1582) during Grindal's suspension, retaining the office under Whitgift (1583), and conferring by means of it many favours on his countrymen. In that of international law he sat on the commission (1571) which pronounced the bishop of Ross - ambassador from Mary the Queen of Scots with whom he is said to have sympathized (Aubrey, *Lives*, 15; Hist. MSS. Com., *Cent.*, i, 542) - amenable to English courts in respect of his intrigues against Elizabeth, and many of his decisions in maritime law (especially on questions arising out of the naval war with Spain) had important international bearings; he was also concerned in the suppression of Welsh piracy and was privately retained as counsel (much to their advantage) by the Merchant Adventurers.

Questions of jurisdiction in Wales, Ireland, and the Channel Islands were among those he resolved in the sphere of constitutional law, and he was brought into even more direct contact with politics when his kinsman and benefactor **Henry Herbert, 2nd earl of Pembroke**, captain-general of queen Mary's expeditionary force to France, took Aubrey with him as Judge Advocate (1557), as a member of archbishop Parker's commission which declared the illegality of Lady Catherine Grey's marriage with Hertford (1552) - a case involving the succession to the throne - and in the petitions and legal questions referred to him as Master of Requests (1590-5) by Burghley and the Privy Council.

In many of his major decisions he was associated with other Welsh civil lawyers such as **T. Yale** (see **Yale family**), **David Lewis**, and Henry Johnes. In Wales itself he was M.P. for Carmarthen (1554) and Brecon (1558), J.P. and sheriff (1545) for Brecknock, and a member of the Council of Wales (1586). He acquired extensive estates in Brecknock and other parts of South Wales both by purchase and by royal grant, visiting them periodically 'to make merye with his frendes' (*Stradling Correspondence*, 26, 312). He is said to have died worth £2,500 a year, much of which was lost to his legatees through a fraudulent executor. He was a friend, neighbour, and correspondent of his kinsman **John Dee**. He was buried in old S. Paul's, where a monument in bas-relief showed him surrounded by the kneeling figures of his three sons (who erected it) and six daughters, describing him as 'a man of exquisite erudition, singular prudence, and great courtesy' (reproduced Dugdale, *St. Paul's*, 1716, 98-9).

### JOHN AUBREY (1626 - 1697), antiquary

William Aubrey's great-grandson, was brought up in Wiltshire, and inherited from him claims on land in Brecknock, which, while involving him in long, expensive, and fruitless lawsuits, brought him frequently to Wales and gave him some knowledge of the language and interest in its antiquities.

## Author

**Emeritus Professor Arthur Herbert Dodd**, (1891 - 1975)

## Sources

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*Reports of the Historical Manuscripts Commission*, Cecil, i-v

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Theophilus Jones, Edwin Davies, Joseph Russell Bailey, *History of the County of Brecknock* (1909-1930), iv, 40-3, 277, 285

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John Aubrey, *Brief Lives a selection based upon existing contemporary portraits* (1949), 25-7, 187

*Penlle'r gaer MSS. at the National Library of Wales, Aberystwyth*, B, parcel 1, 20-1

*Plymouth deeds at the National Library of Wales, Aberystwyth*, 489

## Further reading

Wikipedia Article: [William Aubrey](#)

## Images

National Portrait Gallery: [NPG D25378: William Aubrey](#)

National Portrait Gallery: [NPG D1005: Monument to William Aubrey](#)

## Works

John Aubrey, Andrew Clark (ed.), "*Brief lives, chiefly of contemporaries* (Oxford 1898), Vol. I, Vol. II

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