

JENKINS, Sir LEOLINE (1625 - 1685), civil lawyer, diplomat, benefactor of Jesus College, Oxford

Name: Leoline Jenkins

Date of birth: 1625

Date of death: 1685

Gender: Male

Occupation: civil lawyer, diplomat, benefactor of Jesus College, Oxford

Area of activity: Education; Law; Philanthropy; Politics, Government and Political Movements; Public and Social Service, Civil Administration

Author: David James Llewelfryn Davies

Son of a father of the same name of Llanblethian, Glamorganshire (described as 'a man of about £40 a year'); born at Llantrisant, apparently in 1625, but the date is sometimes given as 1623. After attending Cowbridge School, he entered Jesus College in 1641. There his studies were soon interrupted by the Civil War, and after having taken up arms for the king he was forced to retire to Glamorgan. It was then that he met his friend and patron, Gilbert Sheldon (later archbishop), who, along with Francis Mansell, principal of Jesus College, had taken refuge in Sir John Aubrey's house at Llantrithyd. Here Jenkins acted as tutor to Aubrey's son and others until he was forcibly removed and indicted with keeping a seminary of rebellion and sedition. He then moved with his pupils to Oxford and settled in a house which received the name of the 'Little Welsh Hall.' Being suspected on account of his Royalist connections, he fled to the Continent, taking his pupils with him. While abroad he laid the foundation of his knowledge of the Civil Law which was to qualify him for his public career.

With the Restoration Jenkins returned to Jesus College and was made a Fellow. Upon Mansell's retirement in 1661 he was elected principal and he held the office until 1673. In 1662 he was made deputy professor of Civil Law; he was also made assessor to the Chancellor's Court, and he was entrusted with the foreign correspondence of the University. Persuaded by Sheldon, Jenkins decided to take up the practice of the Civil Law. Preferments followed rapidly. In 1663 he was made deputy to the dean of the Court of Arches, and soon afterwards he succeeded to that office. After the outbreak of war with the Dutch in 1665 he was appointed to preside over the High Court of Admiralty. Later he was also made judge of the Prerogative Court of Canterbury.

Jenkins's work as judge of the Admiralty is of great importance in the history of Prize Law, and, along with lord Stowell and Sir Samuel T. Evans, he is entitled to rank as one of the three principal builders of that important branch of International Law. In particular, his decisions foreshadow the development of the 'doctrine of continuous voyage.'

The Government made constant use of Jenkins's services. He was a delegate to the Congress of Cologne in 1673, and he was the principal mediator at the Congress of Nymegen, 1675-9. From 1680 to 1684 he was secretary of State. In 1671 he was M.P. for Hythe, and in subsequent Parliaments he represented the University of Oxford. He secured the passage of the Statute of Distribution, 1670, by which succession to the personal estates of persons dying intestate was regulated until 1926. It was at his suggestion that the wills of soldiers and sailors were exempted from the formalities prescribed by the Statute of Frauds, 1677. His proposal for the establishment of a permanent commission to determine appeals to the Privy Council was not realized until the Judicial Committee was set up in 1833, and his attempt to forbid clandestine marriages had to wait until the passing of lord Hardwicke's Act in 1753.

As a servant of the Crown, Jenkins was conscientious and incorruptible. Although exceedingly deferential in manner, he was firm in matters of principle, and so rather than submit to dictation as a judge he offered to resign. Gilbert Burnet says that he was dull and slow; but that it was unsafe to take advantage of his modesty was shown at the French court when a curious courtier, not knowing what country he came from, asked him for a specimen of his native language. The reply he received was the Welsh proverb ' Nid wrth ei big y mae adnabod cyfflyg ' (You can't tell a woodcock by its beak).

Jenkins died 1 September 1685, and was buried in the chapel of Jesus College, of which he has justly been described as the second founder. It was he who placed the college on its feet after the Restoration, and the present library was built by him at his own expense. By his will he left to the college his real and personal estate, and under the scheme which was drawn up for the administration of this very substantial endowment the Welsh character of the college was still further accentuated. He also made provision for Cowbridge grammar school.

Author

Professor David James Llewelfryn Davies

Sources

Oxford Dictionary of National Biography

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NLW Archives: NLW MS 772B, NLW MS 5389C

Further Reading

Wikipedia Article: [Leoline Jenkins](#)

Images

Herbert Tuer, Sir Leoline Jenkins

B. Reading, Sir Leoline Jenkins Knt Secretary of State 1680

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