

SUMMARY: The document below is the last will and testament and codicil, dated 16 October 1582 and 27 March 1585 and proved 10 May 1585, of Humphrey Peyto, nephew of Francis Peyto, who wished to meet with Oxford when he passed through Milan in 1576 and was the source of genealogical information used in *A Conference About the Next Succession to the Crown of England* (1594).

### ***FAMILY BACKGROUND***

For the Peyto family, see the descent of the manor of Chesterton:

'Parishes: Chesterton', *A History of the County of Warwick: Volume 5: Kington hundred* (1949), pp. 42-46. URL: <http://www.british-history.ac.uk/report.aspx?compid=57036>

*John de Warrewyk, who took the name de Loges, died in 1349 and, as his son John, who was living in 1343, had evidently predeceased him without issue, his heir was his daughter Eleanor, who had married John son of William de Peyto; the manor accordingly passed to her on the death of John de Saunderstede in 1353. In 1350 a grant of free warren at Chesterton had been made to John de Saunderstede and his (second) wife Margaret for life, with remainder to the future holders of the manor. Sir John Peyto outlived his wife and died in 1396, when the manor, then valued at £5, passed to their son William. He settled it in 1406 on himself and his wife Joan, who after his death married Sir Robert Corbet and died in 1418, when their son Sir William Peyto inherited it. Sir William played a prominent part in the war with France and was captain of the bastille before Dieppe, where he was taken prisoner in 1443. In 1449 his wife Katherine had licence to mortgage his manor of Chesterton towards his ransom; and in 1451 he mortgaged it to Drew Barentyn and others for £300. He died in 1464, leaving a son John, who rebuilt the manor-house and adorned it with a quantity of heraldic glass, figured by Dugdale. John Peyto died on 14 August 1487, and his son Edward died just a month later, leaving a son John, aged 9. The manor was then held of the king as 1/20 knight's fee; 42 virgates, worth 20 marks, had been settled on Godith (Throckmorton) wife of Edward Peyto, who survived him, and the remainder consisted of 5 messuages and 6 virgates, also worth 20 marks. This John died in 1542, leaving a son John, who went mad in 1553 and died in 1558, having settled the manor on his son Humphrey at his marriage with Anne daughter of Basil Fielding.*

In the will below the testator's directions for his tomb refer to his descent from the Langley family, for which see the biography of Sir John Peyto (d.1396) at:

<http://www.historyofparliamentonline.org/volume/1386-1421/member/peyto-sir-john-1396>

For the testator's family background, see also:

<https://www.flickr.com/photos/52219527@N00/47837028852/>

***Testator's grandparents***

The testator was the grandson of John Peyto (c.1478-1542?) by his first wife, Anne Cooke, daughter of Richard Cooke of Coventry. For the will of John Peyto, see TNA PROB 11/29/209.

***Testator's parents***

The testator was the son of John Peyto (d.1558) and Anne Ferrers, the daughter of John Ferrers of Tamworth by Dorothy Harper, the daughter of William Harper of Rushall.

***MARRIAGE AND ISSUE***

The testator married Anne Fielding, the daughter of Basil Fielding, by whom he had three sons and three daughters living at the time he made his will:

\* **William Peyto**, eldest son and heir.

\* **John Peyto alias Fielding**. It appears that by the time the testator made his will, he had taken the surname of his mother's family.

\* **Humphrey Peyto**.

\* **Godith Peyto**, who married John Wyrley, son of Thomas Wyrley of Hampstead, esquire, by whom she had six sons and two daughters mentioned in the will below (Humphrey, Thomas, William, John, Richard, Edmund, Dorothy and Anne).

\* **Anne Peyto**.

\* **Margery Peyto**.

In the will below the testator refers to the provisions of an indenture dated 24 April 1557 to which his uncle, Francis Peyto, was a party. This Francis Peyto wrote to Lord Burghley on 31 March 1576 mentioning that he had hoped to show Oxford the genealogical chart he was preparing for the Queen when Oxford passed through Milan on his way back to England. For the letter, see TNA SP 70/137, ff. 319-21.

Francis Peyto's genealogical research is mentioned on p. 10 of the second part of *A Conference About the Next Succession to the Crown of England* (1594):

*Divers other papers, notes and memories I have seen also, said he, as well touching the succession of those whom I have named as of others, for that Sir Richard Shelley, who*

*died some years ago in Venice, by the name of Lord Prior of St John's of England, had gathered divers points touching these affairs, & many more than he had Master Francis Peyto that died in Milan and was a very curious and well-readen man in genealogies, as may appear by sundry papers that I have seen of his. There want not also divers in England who have travailed much in this business, and I have had the perusing of some of their labours, though I dare not discover their names lest thereby I should hurt them, which were not convenient.*

See <http://books.google.com/books?id=kOQbU56suzcC>.

RM: T{estamentum} Humfridi Peyto Armig{eri}

In the name of God, Amen. The sixteen day of October in the year of Our Lord God a thousand five hundred fourscore and two, and in the four and twenty year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France, Defender of the Faith etc., I, Humphrey Peyto of Chesterton in the county of Warwick, esquire, being whole of [-of] mind and body and in perfect remembrance (I give praise and thanks unto God), calling in mind the frailty of this world and considering how uncertain I am of this my present life, do make, constitute and ordain this my last will and testament in manner and form following, that is to say:

First, I will and bequeath my soul unto Almighty God, my Creator and Redeemer, in whose death and shedding of his blood I trust and believe to be saved without any works, merits or deserving of myself or of any other for me;

And when it shall please God to call me out of this transitory life (so that it be within the realm of England), I will that my body shall be buried within the parish church of Chesterton on the south side of the chancel of the same church;

And I will that there be a sermon made at my funeral by a learned preacher; I give unto him for the same, to be paid the day of my funeral, ten shillings;

And at my burial I will and bequeath that Anne Peyto, my wife (if she be then living), and my daughters then living, to have every of them a black gown, and that every of my sons and my daughters' husbands (being at my burial) shall have every one of them a black gown, and my yeoman servants, as well in my house as retainers, to have every of them a black coat, and I will that twelve poor men being at my burial shall have every one of them a black frieze gown, six pence in money, and their dinner;

Also I will and bequeath that as many poor folks as shall be at my burial to have every one of them one halfpenny loaf of bread and a penny in money;

And I will that all my neighbours and such other as do come to my burying shall dine at my house in Chesterton;

And that day twelvemonth that I am buried, I will there be a sermon made by a learned preacher at the parish church of Chesterton; I will he have given him for the same and paid him that day ten shillings;

I will and ordain that my wife, children, servants, neighbours and other my friends coming thither to the church and hearing the sermon the said day twelvemonth do dine at my house in Chesterton, and I do give to every poor body that shall be at the church the said day twelvemonth one halfpenny loaf of bread and a penny in money;

Item, I will and bequeath towards the reparation of the same parish church of Chesterton ten shillings of money, to be paid within one year after my decease;

And I will and ordain that a tomb of alabaster shall be set in some convenient place in the chancel or church of Chesterton, the which shall be of that bigness as is customable used to make tombs, upon the which I will two pictures to be made of alabaster, thone for myself and thother for my wife, having our names engraven at the heads of the same pictures;

And about the sides and ends of the said tomb I will the pictures of all my children to be set in alabaster, having their names engraven over the heads of the pictures;

And above the heads of the same pictures I will that first there be set my own arms, and next unto it my said arms and the arms of the Langles [=Langleys] to be joined together both with one shield quarterly, and so in order my arms and the Langles, with arms of all those that have been married to the heirs of my name from the time that Langley and Peyto married together unto the setting up of the tomb, or so many of them as may be known to be joined together;

Item, I will and ordain that the said tomb be compassed about with a grate of iron, and that my coat armour, with such other things as belongeth to a man of my degree, to be set over the said tomb upon irons fixed in the wall, as the order thereof is;

All these monuments, according to the premises, I will and ordain to be done and finished within two years next after my decease;

Item, whereas I, the said Humphrey, by my deed or writing indented bearing date the four and twentieth day of April in the third and fourth years of the reigns of the late King and Queen of England, Philip and Mary [=24 April 1557], did give and grant unto one John Cupper and Francis Peyto, gentlemen, and Alexander Budde one annuity or yearly rent of twenty pounds of lawful money of England going out of certain of my lands and pastures lying and being in Chesterton aforesaid in the said county of Warwick called or known by the names of the Ewe Field, the Town Close, the Moor, the Mott Hill, the Calves' Close, the Dovehouse Close and the Lord's Meadow, to have, levy and yearly receive the said annuity or yearly rent of twenty pounds to the said John Cupper, Francis Peyto and Alexander Budde and their assigns from the day of the decease of me, the said Humphrey

Peyto, for and during the term of thirty years from thence next after following and fully to be complete and ended, to be paid yearly at the feast of th' Annunciation of the Blessed Virgin Mary and St Michael th' Archangel by even portions, the first payment thereof to begin at either of the feasts aforesaid which shall chance to come and be next after the decease of me, the said Humphrey, and to be employed by the said John Cupper, Francis Peyto and Alexander Budde or the survivor of them, his executors or assigns, to and for the considerations and purposes only expressed, limited and declared in a certain schedule indented to my said deed or writing indented annexed, with a clause of distress contained in the said deed or writing indented for the non-payment of the said annuity or yearly rent accordingly, as by the said deed or writing amongst other things therein contained more plainly and at large it doth and may appear, in which said schedule indented it is limited and declared by me, the said Humphrey, to what uses, intents and purposes the said John Cupper, Francis Peyto and Alexander Budde should content and pay or cause to be contented and paid the said sums to be levied by them of the said annuity or yearly rent of twenty pounds, as by the said schedule more plainly and at large it doth and may appear;

By which said schedule yet nevertheless it was provided, and the meaning and intent of me, the said Humphrey, was that if I, the said Humphrey Peyto, at any time during my life by writing or by my last will and testament should limit and appoint any other use, way, purpose or intent how the sums aforesaid to be levied or received by the said John Cowper, Francis and Alexander of the said annuity or yearly rent of twenty pounds mentioned in the said deed annexed to the said schedule should be employed or bestowed than in the said schedule was mentioned & declared, that then the said John Cupper, Francis Peyto and Alexander Budde or the survivor of them, his executors and administrators, should receive, employ and bestow the said annuity of twenty pounds and the sums thereof coming to such uses, intents and purposes as by me, the said Humphrey, during my life in such writing or my said last will and testament should be limited and appointed, and to none other use, intent or purpose, as by the said schedule amongst other things therein contained likewise more plainly and at large it doth or may appear;

By force whereof, where by the said schedule indented, amongst other things, it was limited and declared by me, the said Humphrey, that the said John Cupper, Francis Peyto and Alexander Budde should content and pay or cause to be contented and paid of the sums to be levied by them of the said annuity or yearly rent of twenty pounds to one John Taylor, then servant to me, the said Humphrey, twenty shillings yearly during the said term of thirty years contained in the said deed or writing indented if the said John should so long live, and to Alexander Budde twenty-six shillings and eight pence during the said thirty years if he, the said Alexander, should for time so long to live, and to either of John Peyto, son of Anne Peyto, wife of me, the said Humphrey, and of Godith Peyto, daughter of me, the same Humphrey, the sums of two hundred pounds of lawful money of England of the sums to be levied by them of the said annuities, and to the child the said Anne then and now wife of me, the said Humphrey, should then next have by me, the said Humphrey, the sum of one hundred and thirty pounds of lawful money of England;

Now I, the said Humphrey, do by this my last will and testament limit and appoint that as well the said sum of twenty shillings before limited and declared by me, the said Humphrey, by the said schedule to have been paid to the said John Taylor, and the said sum of twenty-six shillings and eight pence likeways to have been paid to the said Alexander Budde during the said term of thirty years if they should so long live, and the sums of two hundred pounds to either of John Peyto, son of Anne Peyto, wife of me, the said Humphrey, and Godith Peyto, daughter of me, the said Humphrey, as also the said sum of one hundred and thirty pounds limited and declared likewise by me, the said Humphrey, to have been paid to the child the said Anne should then next have shall not or any parcel thereof be employed and bestowed by the said John Cupper, Francis Peyto and Alexander Budde, their executors or assigns, or any of them, to the uses and purposes aforesaid, but that the said sums and every of them shall be received, employed, bestowed and paid to my executrix by the said John Cupper, Francis Peyto and Alexander Budde, their executors and administrators, of the sums to be levied by them of the said annuity or yearly rent of twenty pounds to and for the performance of this my last will and testament during the natural life of Anne Peyto, my said wife, and the rest of the twenty pounds by year during the rest of the thirty years that shall be then to come after the decease of my said wife, I will shall be paid by the said John Cupper, Francis and Alexander, their executors and assigns, unto William Peyto, my son and heir apparent, or to any other that it shall please God to appoint to be my heir, and to none other use, intent or purpose, anything declared or appointed by me, the said Humphrey, in the said schedule indented to the contrary thereof notwithstanding;

Item, I give and bequeath unto my son and friend, John Fielding alias Peyto, begotten on the body of my wife, Anne Peyto, one annuity or yearly rent of twenty pounds, to be issuing out of certain parcels of the great field of Chesterton now newly taken in and enclosed called Barne Hill alias Barnard's Hill, Mill Hill, and the new Rams' Close against Sitche Gutter, to have to him from the feast of Saint Michael th' Archangel or th' Annunciation of Our Blessed Lady the Virgin which shall first happen to come next after the decease of me, the said Humphrey, at the said two feasts of the year equally to be paid during the natural life of the said John Fielding alias Peyto, and that it shall be lawful unto the said John and his assigns to distrain in the same closes for non-payment of the said yearly rent at the days and times of payment afore limited, as by a deed of an annuity of the said twenty pound a year which I have signed, sealed and delivered unto him for the better assurance hereof more at large may appear, and do mention and bequeath the same yearly rent unto him by this my last will also for his better assurance thereof, lest by mishap his said deed of the same annuity so by me made as aforesaid should casually be lost;

Also I give and bequeath unto my said son, John Fielding alias Peyto, one hundred pounds of current English money, to be paid unto him within one year next after my decease;

Item, I do give and bequeath unto my son, Humphrey Peyto, and well-beloved friend, one other annuity or yearly rent of twenty pounds, to be issuing out of the said parcels of the said great field of Chesterton called Barne Hill alias Barnard's Hill, Mill Hill, and the

new Rams' Close against Sitche Gutter, to have to him also from the feast of Saint Michael th' Archangel or th' Annunciation of Our Blessed Lady the Virgin which shall first happen to come next after the decease of me, the said Humphrey, at the said two feasts of the year equally to be paid during the natural life of the said Humphrey, my son, and that it shall be lawful to the said Humphrey, my son, and his assigns to distrain in the same closes for non-payment of the said yearly rent at the days of payment afore limited, as by a like deed of annuity of the said twenty pounds a year which I have signed, sealed and delivered unto him for the better assurance hereof more at large also may appear, and do also mention and bequeath the same yearly rent unto him by this my said last will and testament for the like cause as is before remembered;

And further I do bequeath unto my said son, Humphrey Peyto, one other hundred pounds of like English money, to be paid unto him within one year after the day of his marriage or at his age of twenty and one years, which of them shall first happen, and if it fortune the same Humphrey, my son, to decease before the said hundred pounds shall fortune to be payable according to the limitations abovesaid, then the same to remain and be unto my executrix towards the performance of this my last will and testament;

Item, I give and bequeath unto Anne Peyto, my daughter, one thousand marks of like current English money, to be paid unto her within one year next after the day of her marriage or at her full age of one and twenty years, which shall first happen to come;

Item, I give and bequeath unto Margery Peyto, my daughter, one other thousand marks of like English money, to be paid unto her within one year next after the day of her marriage or at her full age of one and twenty years, which of them shall first happen;

And if it fortune either of my said two daughters, Anne or Margery, to decease before the times of payment unto them or either of them of their said several legacies, then my will [+is] that the survivor of them shall have five hundred marks, parcel of the said thousand marks so to her that shall fortune to decease bequeathed, in augmentation of the said survivor's portion unto the full some of one thousand pounds, to be unto her at the days and times above limited, and thother five hundred marks I will shall remain unto my said executrix towards the performance of this my said last will and testament;

Item, I give unto Humphrey Wyrley, eldest son of my daughter, Godith Wyrley, one other annuity or yearly rent of ten pounds of current English money yearly to be paid unto him during the life of Thomas Wyrley of Hampstead, esquire, grandfather of the said Humphrey Wyrley, towards his bringing up in learning, yearly to be issuing out of the said closes and payable at the like feasts, the first payment to begin at either of the said feasts which shall first happen next after my decease, and that he may distrain in the same closes for non-payment thereof at the days of payment thereof;

Item, I give and bequeath unto my said daughter, Godith Wyrley, twenty pounds in money, to be paid unto her within one year next after my decease;

Item, I give and bequeath unto Dorothy Wyrley, Anne Wyrley, daughters of the said Godith, and unto Thomas Wirley, William Wyrley, John Wyrley, Richard Wyrley and Edward Wirley, sons of the said Godith, and to every of them the several sums of ten pounds of current English money, to be paid unto them and every of them within one year also next after my decease, and if any of them chance to decease before his or their legacy fortune to be due, then his or her part to remain unto my said executrix towards the performance of this my said last will & testament;

And my will further is that John Wirley, my son-in-law and father of the said children, shall receive the said sums of money to every his said children bequeathed, so that he do put in sufficient sureties before the receipt thereof unto my said executrix to pay the said sums of money unto his said several children at their several ages of one and twenty years;

Item, I give and bequeath unto Anne Peyto, my well-beloved wife, all her chains and other jewels, and thirty pair of my sheets, such as she shall choose and best like of, to dispose at her will and pleasure;

Item, my will is that my said wife shall have the occupation, usage and wearing of all my household stuff, utensils and implements of household that shall be within my mansion house with [+the] appurtenances in Chesterton at the time of my decease without making any account, reckoning or recompense for the wearing, wasting or losing of the same or any part thereof, and after the decease of my said wife I will the same household stuff to remain and be unto William Peyto, my son and heir apparent, or if he fortune to decease, unto such other as shall be my heir;

Item, I give and bequeath unto my said [+son], William Peyto, all the sheep that I shall usually within one month next before my decease have going and depasturing within the great field of Chesterton or within any close, parcel of the said great field and now newly enclosed or severed being at any time reputed parcel of the said great field of Chesterton, except fifteen of my best rams which I do give and bequeath unto the said Anne, my wife, so that my said son, William, do pay unto my said executrix three hundred pounds in current English money within one year next after my decease, to be employed towards the performance of this my last will and testament, and so that he do not break nor disturb the performance of this my last will and testament, but as much as in him shall be shall and do perform and cause to be performed the same;

And if my said son, William, or his assigns shall not in as much as in him or them lieth perform this my last will and testament, and shall not pay the said three hundred pounds, but shall neglect the same or disturb the performance of this my last will and testament or any part thereof contrary to the true meaning of the same, then my will is that all the said sheep to him bequeathed and all other things heretofore and hereafter bequeathed unto him in this my last will and testament shall be and remain to my said executrix, by her to be sold towards the true performance of this my last will and testament;



Item, further my will is that my said wife shall take and have during her life any timber of oak that I have in Chesterton towards the repairing of my capital house of Chesterton or outhouses belonging to the same, or any new building that she will make or set up there, or for mending, making or repairing any bridges, mills, gates or floodgates in Chesterton aforesaid;

And the rest of my timber there (after the decease of my said wife), I will shall remain and be unto my said son, William, or such other as shall be my heir there upon condition aforesaid;

Item, where by an indenture tripartite made the sixth day of May in the four & twentieth year [=6 May 1582] of the Queen's Majesty's reign that now is between me, the said Humphrey, and Anne, my wife, on thone part, and Sir Walter Aston, knight, on the second part, and William Fielding, son and heir apparent of Basil Fielding, esquire, and Edward Aston, son and heir apparent of the said Sir Walter Aston on the third part, by which indenture it is amongst other things covenanted, granted, agreed and limited by and between all the said parties that certain parties named in the said indenture shall stand seised of a grove of wood called Chesterton grove after my decease unto the use of my said son, William, and his heir males begotten on the body of Eleanor Aston, with divers other uses, remainders & limitations, so long as that my said son, William Peyto, and his heirs males or such other as is limited in the same indenture to be my heir should well and truly content and pay or cause to be paid the sum of five hundred pounds of current English money by fifty pounds a year during the space of twelve years next after the decease of me, the said Humphrey, if the said five hundred pounds were not paid in less space, towards the performance of the last will and testament of me, the said Humphrey, to such person and persons and in such manner and form as the same or any part thereof should be limited and appointed by such my last will and testament, as by the same indentures tripartite amongst other things more at large may appear;

Now my will and intent is that the said five hundred pounds so to be paid by my said son, William, and his heirs males, or such other heirs as aforesaid, shall be by my said son, William, or his heirs males, or such other heirs as aforesaid paid unto my said executrix towards the performance of this my last will and testament;

Item, I give and bequeath unto John Wilkins five pounds, to be paid unto him within six months after my decease;

Item, I will that Anne, my wife, shall keep and find George Wayle during his life sufficient meat, drink and apparel;

Item, I give and bequeath unto Edward Foxe, my milner [=miller?], five pounds, to be paid unto him within one year next after my decease;

Item, I do give and bequeath unto John Miller, my servant, one annuity or yearly rent of five marks of current English money, to be issuing and going out of the foresaid parcels of the great field of Chesterton called Barne Hill alias Barnard's Hill, Mill Hill, and the

new Rams' Close against Sitche Gutter, to have to him from the feast of Saint Michael th' Archangel or th' Annunciation of Our Blessed Lady St Mary the Virgin which shall first happen to come next after the decease of me, the said Humphrey, at the said two feasts of the year equally to be paid yearly during the natural life of him, the said John Miller, and further that it shall be lawful unto him, the said John Miller, and his assigns to distrain in the same premises for non-payment of the said yearly rent at the days above limited;

Item, I give and bequeath unto my servant, John Hewood alias Rawlins, one other annuity or yearly rent of forty shillings yearly, to be issuing out of the foresaid lands and tenements and payable at the like feasts, to have to him from the feast of Saint Michael th' Archangel or th' Annunciation [+of] Our Lady which shall first happen next after my decease during his natural life, and that also it shall be lawful unto him, the said John Heywood, and his assigns to distrain in the same premises for non-payment thereof at the days and times above limited to be paid;

Item, I do give and bequeath all my apparel unto the said John Fielding alias Peyto and Humphrey Peyto, my sons, and unto the said John Miller, my servant, except one velvet coat, equally to be divided amongst them, which velvet coat I give to my said son, William Peyto;

Item, whereas Thomas Wirley of Hampstead in the parish of Handsworth in the county of Stafford, esquire, standeth bounden unto me, the said Humphrey Peyto, in a statute merchant of one thousand pounds, the defeasance whereof is that if the said Thomas Wirley, his heirs, executors and assigns and every of them, do well and truly observe, perform, fulfil and keep all and singular the covenants, grants, articles and agreements contained and expressed in one pair of indentures bearing date the first day of June in the twelfth year [=1 June 1570] of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., and made between the said Thomas Wirley on thone party and me, the said Humphrey Peyto, of thother part, and which on the part and behalf of the said Thomas Wirley, his heirs, executors and assigns, or every of them, are to be observed, performed, fulfilled or kept, that then the foresaid statute to be void and of none effect, or else to stand, remain and abide in his full strength, virtue and power, now therefore this is my last will and testament concerning the same, that whereas it is thought that the said Thomas Wirley hath failed in the performing and keeping some part of the covenants, grants, articles and agreements aforesaid, by means whereof, if advantage thereof with extremity should be taken, it is thought that he, the said Thomas Wirley, hath incurred the forfeiture of the said sum of one thousand pounds wherein, as before is said, he standeth boundeth in the said statute, yet nevertheless this is my last will and meaning herein, wherewith I straitly charge my executrix that she see it performed, that as touching any such forfeiture so by him, the said Thomas Wirley, heretofore committed and done by his non-performance of any covenants or articles as is aforesaid, then my said executrix shall surcease & forbear to sue th' execution of the said statute merchant against the said Thomas Wirley, his heirs, executors, administrators or assigns, for because of any such forfeiture heretofore committed or done;

Provided always that my said executrix, notwithstanding anything in this my will contained, shall be at her full liberty to sue execution or take any advantage whatsoever of the said statute merchant against the said Thomas Wirley, his heirs, executors, administrators or assigns, for any forfeiture by them or any of them hereafter to be committed or done by means of non-performance of any the covenants or articles afore specified in the indentures aforesaid, for that my true intent and meaning is by this my last will and testament only to dispense with any forfeiture of the said statute so by him, the said Thomas Wirley, heretofore committed or done, and not in anyways by this my will to release or utterly discharge the said statute merchant against him, the said Thomas Wirley, his heirs, executors, administrators or assigns, but that my said executrix may at all times hereafter take the full benefit and advantage thereof if any of the covenants or articles aforesaid which on his or their part are to be performed and kept shall at any time hereafter happen to be infringed or broken;

And further my will and meaning is that if my said executrix shall hereafter at any time happen to recover the said sum of one thousand pounds in the said statute merchant contained, that then the said sum of money so by her recovered shall be to the use and behalf of my son-in-law, John Wirley, and to the use of the heirs of the said John Wirley;

Item, I do give and bequeath unto every one of my servants that shall have remained with me the space of one whole year, other than those unto whom I have before given any legacy in this my last will & testament, one year's wages over and besides their wages due, to be paid unto them within one month next after my decease, and unto those that have remained with me but half a year or under one whole year, half a year's wages over & besides their wages that then shall be due unto them;

Item, I give and bequeath unto Thomas Ley of Raddford, taverner, twenty shillings of current English money, to be paid unto him within six months next after my decease;

Item, all the residue of my goods and chattels unbequeathed (my debts and legacies paid and my funerals discharged), I give and bequeath unto the said Anne Peyto, my well-beloved wife, whom I ordain and make my sole executrix of this my last will and testament;

Item, I do ordain and make Edward Aston and Nicholas Bucke, esquires, and John Wirley, gentleman, overseers of this my last will and testament, praying them that they will see the same performed as my only trust is in them therefore, and unto every one of them I give therefore five pounds of current English money, except unto the said Nicholas Bucke, unto whom I do give seven pounds, for a remembrance of my goodwill towards them and in consideration of such pains as they shall take therein;

In witness whereof I, the said Humphrey, hereunto have set my hand the sixteen day of October in the four and twenty year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., 1582. Humphrey Peyto.

Memorandum: That the said Humphrey Peyto hath set his hand to this his last will and testament in the presence of John Wirley, William Peyto and Humphrey Peyto, gentleman, Anne Peyto and Margery Peyto, John Myller, John Symons, John Butler, Edward Wright, tailor, and Jerome Blackman. John Wirley, William Peyto, Humphrey Peyto, John Butler.

A codicil to be annexed unto the last will and testament of Humphrey Peyto as followeth, viz.:

The said Humphrey Peyto, after the making of his said last will and testament and on the seven and twentieth day of March Anno Domini one thousand five hundred eighty-five, did further will in effect as followeth, viz.,

He gave and bequeathed unto Anne and Margery Peyto, his daughters, towards their preferment in marriage, all the wool which this year should come of such sheep as he before in his said testament had given and bequeathed unto William Peyto, his son, depasturing within the great field of Chesterton or in any part or parcel thereof, willing further that his wife should have and receive the same wool to and for the use of his said daughters, being present and hearing the premises Michael Lapworth, licentiate in physic, and Anne Budd.

Probatum fuit suprascriptum testamentum vnacum Codicillo annexo apud London coram venerabili viro mag<sup>ist</sup>ro Will<sup>el</sup>mo Drury legum Doctore curie prerogatiue cantuarien<sup>sis</sup> commissario etc Decimo die mens<sup>is</sup> Maij Anno Domini mill<sup>es</sup>imo quingentesimo octagesimo quinto Iuramento Petri Johnson notarij publici procuratoris Anne Peyto relicte et executricis etc Cui commissa fuit administracio bonorum et. De bene etc Iurat<sup>i</sup>

[=The above-written will was proved, together with the codicil annexed, at London before the worshipful Master William Drury, Doctor of the Laws, Commissary etc. of the Prerogative Court of Canterbury, on the tenth day of the month of May in the year of the Lord the thousand five hundred eighty-fifth by the oath of Peter Johnson, notary public, proctor of Anne Peyto, relict and executrix etc., to whom administration was granted of the goods etc., sworn to well etc.]