

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the nuncupative last will and testament, dated 5 October 1552 and proved 5 November 1552, of John Ryther, controller of the household of Elizabeth (nee Scrope) Beaumont de Vere (d.1537), Countess of Oxford, and one of the executors of her will. See her will, TNA PROB 11/27/144:

Item, I give and bequeath to John Ryther, my controller of household, 2 pots of silver parcel-gilt which I lately bought of Master Lucas, weighing 64 ounces one quarter, and also 2 bowls of silver parcel-gilt of the value of £11 6s 8d, and for lack of the same bowls, he to have of my gift £11 6s 8d in ready money.

The testator and his father, Nicholas Ryther, were related to the Countess of Oxford through the Scrope family (see below).

FAMILY BACKGROUND

For the testator's family background, see the Ryther pedigree in Dugdale, William, *The Visitation of the County of York*, (London: Surtees Society, 1859?), p. 235 at:

<https://books.google.ca/books?id=ykNjAAAACAAJ&pg=PA235>

See also the Ryther pedigree in Norcliffe, Charles Best, ed., *The Visitation of Yorkshire in the Years 1563 and 1564*, (London: Harleian Society, 1881), Vol. XVI, p. 367 at:

<https://archive.org/stream/visitationofyork00flow#page/366/mode/2up>

See also the History of Parliament entry for the testator at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/ryther-%28ryder%29-john-1514-52>

According to the History of Parliament, the testator was likely the son of Nicholas Ryther, a servant of John de Vere (1442-1513), 13th Earl of Oxford, in 1490. This identification is confirmed by a Chancery suit dating from 1504-1515, which states that Nicholas Ryther had died by the time the suit was brought by his widow, Margaret:

Reference: *C 1/354/105*

Short title: Rither v Rither.

Plaintiffs: Margaret Rither, late the wife of Nicholas Rither, and John Rither, her son.

Description: *Defendants: Raffe Rither, knight, brother of the said Nicholas.*

Subject: Detention of deeds relating to lands in York, Cawode, Huby, Fenton, and Kesewyk. Yorkshire.

5 documents

Date: 1504-1515

The testator's mother, Margaret Ryther (d.1542?), was bequeathed 43s 4d in the 13th Earl's will (see TNA PROB 11/17/379), and was for many years in the service of the 13th Earl's widow, Elizabeth (nee Scrope) Beaumont de Vere (d.1537), Countess of Oxford, as evidenced by this bequest in the Countess' will:

Item, I give and bequeath to Margaret Ryther th' elder, for the true and faithful service that she of long continuance hath done to me, one hundred marks in ready money, 2 salts of silver and gilt with a cover and a Garter in the midst of them, weighing 26 ounces; item, 2 of my best featherbeds not before bequeathed; item, 4 pair of my best sheets, 2 bolsters, 2 pillows, one long, and 2 mattresses, 2 counterpoints, the one having the pictures of Saint John the Baptist, Saint Peter and Saint Giles of counterfeit arras, used to be laid upon my bed, the other like unto the same of counterfeit arras; item, 2 pair of fustians; item, all my tappets of tapestry of damask-work, the ground green, with the Garter and my Lord's arms in them, used to be hanged in my chamber; item, 2 brass pots of 3 gallons, 2 small pans of brass, and one garnish of counterfeit vessel largest of pewter.

For the will of the testator's mother, Margaret Ryther (d.1542?), see TNA PROB 11/29/155.

For the Ryther family, see also:

<http://freepages.genealogy.rootsweb.ancestry.com/~hwbradley/aqwg3252.htm#71027>

According to the History of Parliament, the testator was in the service of Oxford's father, the 16th Earl, in 1542. See also Higgs, Laquita M., *Godliness and Governance in Tudor Colchester* (Ann Arbor: University of Michigan Press, 1998), pp. 49-50:

More obviously a protégé of [the 16th Earl of] Oxford than were either [John] Lucas or [Anthony] Stapleton was John Ryther, who served with Lucas in Edward VI's first Parliament in 1547. There is no indication that Oxford dictated the selection of Lucas and Ryther, but it is quite possible that Oxford, as an active supporter of the Protestant Reformation, wanted the right people elected and used his influence to get them elected. Ryther's father had been a servant to the thirteenth earl, and Ryther began his service to the de Veres as comptroller of the household of Elizabeth, dowager countess, and after her death, comptroller of the sixteenth earl's household. Probably the Oxford connections helped bring Ryther to the office of cofferer of the household of Prince Edward and then of the royal household, but even earlier Ryther would have come to the attention of Colchester when he was appointed by Thomas Cromwell to report on the alleged embezzlement by one of the abbot's servants of the jewelry of Colchester abbey. Ryther served only in the 1547 Parliament for Colchester, as he died before another Parliament was elected.

According to the pedigree in Dugdale, *supra*, Nicholas Ryther was a younger son of Sir William Ryther (d. 19 July 1475) by his second marriage to Eleanor Fitzwilliam. Sir William Ryther's eldest son and heir by his first marriage, Sir Robert Ryther (d.1491) died without issue, and Sir William Ryther's next surviving son and heir appears to have been his eldest son by his second marriage, Nicholas Ryther's brother, Sir Ralph Ryther (c.1451 - 2 October 1520). See Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., 2011, Vol. III, p. 111, and the will of Sir William Ryther in *Testamenta Eboracensia*, Vol. III, (London: Whittaker and Co., 1865), Surtees Society, Vol. XLV, pp. 217-18 at:

<https://archive.org/stream/testamentaebora05claygoog#page/n227/mode/2up>

Sir Ralph Ryther (c.1451 - 2 October 1520) married firstly Katherine Constable, the daughter of Sir Robert Constable of Flamborough, Yorkshire, and by her had two sons, Robert Ryther (d.1508?) and Thomas Ryther (d.1528), and a daughter Eleanor.

Sir Ralph Ryther married, secondly, Maud Percy, daughter of Henry Percy, Earl of Northumberland, by whom he had a son, Henry Ryther (d.1543?), esquire, and a daughter, Elizabeth Ryther. For an analysis indicating that Maud Percy was the daughter of Henry Percy (c.1449–1489), 4th Earl of Northumberland, by Maud Herbert, see:

<http://archiver.rootsweb.ancestry.com/th/read/GEN-MEDIEVAL/2006-08/1155280035>

His eldest son and heir, Robert Ryther (d.1508?) having died young, Sir Ralph Ryther was succeeded by his second son, Thomas Ryther (d.1528), who married, by settlement dated 2 April 1510, Agnes Scrope (d.1525), one of the daughters of Henry Scrope (b. about 1468, d. 1506), 6th Baron Scrope of Bolton. Agnes Scrope's grandfather, John Scrope (1437/8–1498), 5th Baron Scrope of Bolton, and the Countess of Oxford's father, Richard Scrope (d.1485), were brothers, and the Countess of Oxford and Agnes Scrope's father were thus first cousins. See the Scrope pedigree in Norcliffe, *supra*, pp. 280-1 at:

<https://archive.org/stream/visitationofyork00flow#page/280/mode/2up>

See also the *ODNB* entry for John Scrope, 5th Baron Scrope of Bolton, and his will, TNA PROB 11/11/490; and the entry for Henry Scrope, 6th Baron Scrope of Bolton, in Cokayne, George Edward, *The Complete Peerage*, (London: The St Catherine Press, 1949), Vol. XI, p. 546.

See also the pedigrees of Gascoigne and Ryther in Norcliffe, *supra*, pp. 134, 136, 367 at:

<https://archive.org/stream/visitationofyork00flow#page/134/mode/2up>

For the will, proved 26 April 1520, of Sir Ralph Ryther, in which he mentions his son and heir, Thomas Ryther (d.1528), his son, Henry Ryther (not yet 18 years of age), his unmarried daughter, Elizabeth Ryther, and his married daughter, Ellen Aske, see *Testamenta Eboracensia*, Vol. V, (London: Whittaker & Co., 1884), Surtees Society, Vol. LXXIX, pp. 125-7 at:

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<http://www.oxford-shakespeare.com/>

<https://books.google.ca/books?id=0IY4AQAAMAAJ&pg=PA125>

For the will of Sir Ralph Ryther's second son and eventual heir, Thomas Ryther (d.1528), dated 1 July 1527 and proved 25 September 1528, in which he mentions his unmarried sister, Elizabeth Ryther, his brother, Henry Ryther (d.1543?), his wife, Agnes Scrope (d.1525), his son, John Ryther (said to have died in 1528), see *Testamenta Eboracensia*, Vol. V, *supra*, pp. 225-30 at:

<https://books.google.ca/books?id=0IY4AQAAMAAJ&pg=PA225>

For the will, dated 23 January 1543 and proved 18 March 1544, of Sir Ralph Ryther's third son, Henry Ryther, in which he mentions his wife, his father, Ralph Ryther, and mother, Maud Percy, his wife, Agnes Hussey, and bequeaths his lands to 'John Ryther of London, squire, and cofferer to our Sovereign Lord Prince Edward', see *Testamenta Eboracensia*, Vol. VI, (London: Whittaker & Co., 1902), Surtees Society, Vol. CVI, pp. 170-1 at:

<https://archive.org/stream/testamentaebora08claygoog#page/n188/mode/2up>

After the death of Henry Ryther, his widow, Agnes Hussey Ryther, married, as her second husband, Sir Humphrey Browne (d.1562), Justice of the Common Pleas, for whose will see TNA PROB 11/46/19.

All the the rest of the male line of Sir William Ryther by his second wife, Eleanor Fitzwilliam, having died out, as evidenced in the pedigree in Dugdale, *supra*, it appears that the testator was the surviving male heir of Sir William Ryther by his second wife, Eleanor, and was thus the principal beneficiary of the will of his cousin, Henry Ryther.

MARRIAGES AND CHILDREN

When the Countess of Oxford made her will in 1537, the testator was married to his first wife, Margaret, and had a daughter, Elizabeth, and a son, John. From the Countess' will:

Item, I give and bequeath to Margaret, his wife, my trussing bed of blue velvet and crimson, my counterpoint of yellow Turkey satin and curtain of yellow sarsenet to the same; item, 2 featherbeds, 2 bolsters, 2 pillows, 2 pillow-beres, 2 pair of sheets and one pair of fustians.

Item, I give to my god-daughter, Elizabeth Ryther, five pounds in ready money, and to John Ryther, her brother, other five pounds in ready money.

By the time the testator made the nuncupative will below Margaret had died, and the testator had several children by a second wife, Mary. The will below mentions his five

youngest children Henry, Edmund, Mary, Anne and Margaret, as well as an unnamed eldest son and heir, presumably his son, John.

According to the pedigree in Dugdale, *supra*, the testator's eldest son and heir, John Ryther, married Frances Vavasour, the daughter of Sir William Vavasour (1514-1566) of Hazlewood, for whom see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/vavasour-sir-william-1514-66>

See also:

<http://discovery.nationalarchives.gov.uk/details/r/03c7f2c8-bb39-480e-94da-474a283f2cd0>

Sir William Vavasour to the Earl of Shrewsbury, from Berwick, 21 August 1555, asking for his intervention in a suit between John Ryther, his son-in-law, and [Ralph] Aske and [William] Acland, and mentioning a packed jury when the case was tried at York Assizes. 2½pp. Address: Lord President of the Council of the North.

COFFERER OF THE HOUSEHOLD

It appears that only the cover of the testator's account books as cofferer of the royal household from 1550-1552 survives. See TNA E 101/426/10.

LM: T {estamentum} Ioh {ann} is Ryder Armig {eri}

Memorandum: That the 5th day of October in the year of Our Lord God a thousand five hundred fifty and two John Ryther, esquire, & Cofferer of the King's Majesty's most honourable Household, declared and appointed to be contained in his will these articles following, that is to wit:

First that his five youngest children (besides his son and heir), viz., Henry, Edmund, Mary, Anne and Margaret, shall have five hundred pounds in ready money, that is to say, every of them a hundred pound apiece, and if any of them die, then the survivor to have his part or her part equally divided between them, and the menchildren's portion to be delivered to them at th' age of 18 years, and the daughters to have their part at their age of 15 years or days of marriage;

Item, that his two sons, Henry and Edmund, to be preferred to the two wards of the said John Ryther, Dorothy Pycher and Margery Pycher, if they can agree in marriage, and if they cannot, then the said two sons to have the benefit of the marriages [+of] the same wards;

Item, that his executors shall take the profits of his lordship of Baltonsborough in the county of Somerset for the space of 14 years immediately after his decease towards the preferment of his testament and last will;

Item, maketh &(?) ordaineth Mary, his wife, John Wiseman of Much Canfield th' elder, esquire, William Pomisett, esquire, Anthony Brigham, gentleman, and Edmund Felton, gentleman, his executors, & giveth to every of them for their pains £6 13s 4d apiece.

Probatum fuit test{amentu}m coram d{omi}no Cant{uariensis} Archiep{iscop}o apud London quinto die Mensis Nouembris Anno d{omi}ni Mill{es}imo quingentesimo quinquagesimo secundo Iuramento Marie Relicte et ex{ecutri}c{is} in h{uius}mo{d}i testamento no{m}i{n}at{e} Cui comissa fuit admi{n}istr{acio} om{n}i{um} bonor{um} &c de bene &c Ac de pleno In{uenta}rio &c exhibend{o} Ad sancta dei Eu{a}ngelia Iurat{e} Res{er}uata p{otes}tate alijs Ex{ecutori}b{us} cum veneri[n]t admissur{is} Ioh{ann}e Wiseman ex{ecutore} sup{er}ius no{m}i{n}ato Sexto die mens{is} pred{ic}t{i} renu{n}tiant{e}

[=The testament was proved before the Lord Archbishop of Canterbury at London on the fifth day of the month of November in the year of the Lord the thousand five hundred fifty-second by the oath of Mary, relict and executrix named in the same testament, to whom administration was granted of all the goods etc., sworn on the Holy Gospels to well etc., and to exhibit a full inventory etc., with power reserved to the other executors when they shall have come to be admitted, John Wiseman, executor named above, renouncing on the sixth day of the month aforesaid.]