

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 1528 and proved 7 December 1529, of Roger Appleyard (d. 8 July 1528), first husband of Elizabeth Scott. By her second husband, Sir John Robsart, Elizabeth Scott was the mother of Amy Robsart, first wife of Queen Elizabeth's favourite, Robert Dudley, Earl of Leicester. For Amy Robsart, see the will of her grandmother, Elizabeth Kerdeston (d. 20 November 1535) Robsart, TNA PROB 11/26/48.

Amy Robsart's death was remarked upon by the anonymous author of *Leicester's Commonwealth* (1584):

For first his Lordship hath a special fortune that when he desireth any woman's favour, then what person soever standeth in his way hath the luck to die quickly for the finishing of his desire. As for example, when his Lordship was in full hope to marry her Majesty, and his own wife stood in his light, as he supposed, he did but send her aside to the house of his servant Forster of Cumnor by Oxford, where shortly after she had the chance to fall from a pair of stairs, and so to break her neck, but yet without hurting of her hood that stood upon her head. But Sir Richard Verney, who by commandment remained with her that day alone, with one man only, and had sent away perforce all her servants from her to a market two miles off, he (I say) with his man can tell how she died, which man, being taken afterward for a felony in the marches of Wales, & offering to publish the manner of the said murder, was made away privily in the prison. And Sir Richard himself, dying about the same time in London, cried piteously & blasphemed God, & said to a gentleman of worship of mine acquaintance not long before his death that all the devils in hell did tear him in pieces. The wife also of Bald Butler, kinsman to my Lord, gave out the whole fact a little before her death. But to return unto my purpose, this was my Lord's good fortune to have his wife die at that time when it was like to turn most to his profit.

See also the lengthy comments in *Leicester's Commonwealth* (1585) concerning the testator's son, John Appleyard:

There was a certain man named Appleyard, a gentleman of good calling and brother of this man's first wife (but that notwithstanding, one of the instruments employed to work her death, as in the precedent conference is more plainly declared), which Appleyard by the just judgment of God ran so far into debt that not any way knowing how to escape the hands of his creditors and the law was constrained for remedy to have recourse to the aid and favour of this Earl his brother-in-law, who being content to relieve his necessity herein (but so as it might be without any cost of his own) solicited another of his favourites named George Darcy (a gentleman of an honourable house) to do so much at his request in favour of his companion Appleyard to be his surety and give his band for him, promising Darcy of his honour to save him harmless and indemnified for all forfeitures that by law he should incur in this dealing.

Darcy, trusting in the word and honour of so great a monarch as this great Lord his good master, made no great scruple to perform it and indeed became bound to the creditors of

Appleyard, who not being satisfied nor discharged of the part of the said Appleyard according to his promise, commenced their suit against Darcy, constraining him for the payment thereof to sell all his patrimony that his father had left him, and all of it not being sufficient for the entire payment they caused him to [be] kept in prison for the rest, in manner that the poor gentleman was driven to stay a good while in prison, spoiled of his goods and liberty, calling continually on this good Lord his master by the solicitation of his friends and beseeching his Lordship with all humility to have consideration of his poor estate, and if the commiseration of his present calamity or respect of his past service were not sufficient to move him to compassion of his distressed state, yet at the least it might please his Lordship to do somewhat for him for his own honour's sake, which he had engaged to him so deeply for his indemnity.

But this good Earl, that had brought him to this so pitiful estate as you have heard, made so little reckoning whether he sank or swam that he was content to hear all these complaints without any compassion and to behold his ruin without any remorse, leaving him at the mercy of his creditors and so quite forsaking him at so great an extremity and final ruin. As the poor gentleman feels too well at this day (if he yet live), leaving an insupportable grief in the minds of his friends, a scorn of his family, and an example in himself to all the world and most evident witness of the ungratitude, falsehood, and most barbarous usage of this monster.

But in this we may very well consider the past judgment of God. This Darcy, having been at some other time an instrument of the wickedness of this monster, found him in the end the only motive and author of his ruin. For you must understand that about the beginning of the reign of her Majesty that now reigneth in England, the Duke of Swethland (and after king of the same country) came into England in person to demand her Highness in marriage. But our Earl that shot at the same mark, thinking the presence of so great a competitor to be too great a disadvantage to himself, could by no means endure it, and for that cause thought it expedient to procure him an answer not only very short but very sharp, namely as should prick him to the very heart, and should send him back again in far greater haste than he came.

For he appointed with himself to cause him to be massacred, and giving the matter in charge to Darcy he associated to him in this enterprise the forenamed Appleyard, who taking upon them to have done it had also surely effected it (as Darcy afterward confessed to divers) if the Duke had not surceased his suit and hasted from England with great diligence.

FAMILY BACKGROUND

Testator's parents

The testator was the son of Sir Nicholas Appleyard (d.1513?) of Bracon Ash, Norfolk, knighted at Flodden Field in 1513, and Agnes Rookwood, the daughter of William

Rookwood (d.1474). See Shaw, William A., *The Knights of England*, Vol. II, (London: Sherratt and Hughes, 1906), p. 37 at:

<https://archive.org/details/knightsofengland02shawuoft/page/n45>

According to the will below, Sir Nicholas Appleyard left a will, naming as executors Thomas Howard (1443-1524), Earl of Surrey (later 2nd Duke of Norfolk), and Sir John Sheldon. See TNA C 1/524/50.

Testator's siblings

The testator had two sisters:

-**Alice Appleyard**, who married Robert Kett (c.1492-1549), the leader of Kett's Rebellion. See:

http://www.tudorwomen.com/?page_id=642

The *ODNB* however, is cautious about the identification of Robert Kett's wife, Alice, as the testator's sister:

[Kett] married, probably before 1515. His wife, Alice, with whom he had up to five sons and who survived him, has been tentatively identified as the daughter of Sir Nicholas Appleyard of Bracon Ash. If this identification is correct, it would confirm that Kett was a man of rising prosperity.

-**Mary Appleyard**, mentioned in the will below. She married John Dade, second son of John Dade of Witton, Norfolk, by whom she is said to have had two sons and three daughters. See Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 132 at:

<https://archive.org/details/visitationsofsuf00harvuoft/page/132>

MARRIAGE AND ISSUE

The testator married Elizabeth Scott (d.1549?), the daughter of John Scott (d. 7 September 1532), esquire, of Camberwell, Surrey, Baron of the Exchequer, and Elizabeth Skinner, daughter of Richard Skinner. See:

Francis Blomefield, 'Gallow and Brothercross Hundreds: Sedistern', in *An Essay Towards A Topographical History of the County of Norfolk: Volume 7* (London, 1807), pp. 180-184. *British History Online* <http://www.british-history.ac.uk/topographical-history-norfolk/vol7/pp180-184> [accessed 19 September 2019].

Soon after this [Sir John Robsart] died, leaving, by Elizabeth his wife, daughter of John Scott of Camberwell, Esq. in Surrey, a daughter and heir, Anne.

For the pedigree of Scott of Camberwell (Harleian MSS ff. 20b, 21, 24b), see Scott, James Renat, *Memorials of the Family of Scott of Scot's-Hall in the County of Kent*, (London: J. R. Scott, 1876), p. 186 at:

<https://archive.org/stream/memorialsoffamil00scot#page/186/mode/2up>

See also 'Extracts from the Parish Registers of Camberwell, Surrey', *Collectanea Topographica & Genealogica*, Vol. III, (London: John Bowyer Nichols and Son, 1836), pp. 142-68 at p. 144:

<https://books.google.ca/books?id=R80KAAAAYAAJ&pg=PA144>

John Scott was Sheriff of Surrey and Sussex in 1520; was constituted third Baron of the Exchequer, 15 May 20 Hen. VIII. (1529); and died 7 Sept. 1532. He married Elizabeth, dau. of Richard Skynner, and sister and coheiress to William Skynner, of Camberwell, Esq., by whom he had issue John his son and heir; and Edward, who died 29 Sept. 1538 (epitaph in Camberwell Church, with a figure in brass, engraved in Hone's Year Book. p. 914); and Elizabeth, mar. to (blank) Appleyard. The monument of the Baron of the Exchequer still remains in Camberwell Church, with representations, on brass plates, of himself, attired in armour, his wife, four sons, and seven daughters. This is engraved in Lysons's Environs.

See also Blanch, William Harnett, *A Brief Account of the Parish of Camberwell*, (London: E.W. Allen, 1875), p. 56 at:

<https://archive.org/details/yparishofcamerwe00blanuoft/page/56>

For the memorial brass to John Scott (d. 7 September 1532), esquire, of Camberwell, see also:

Daniel Lysons, 'Camberwell', in *The Environs of London: Volume 1, County of Surrey* (London, 1792), pp. 68-121. *British History Online* <http://www.british-history.ac.uk/london-environs/vol1/pp68-121> [accessed 19 September 2019].

It appears from the probatum clause that Elizabeth Scott's father, John Scott senior (d. 7 September 1532), esquire, of Camberwell, Baron of the Exchequer, renounced execution of the testator's will, and administration was granted by way of an intestacy to Elizabeth Scott and her brother, John Scott junior (d.1558), esquire, of Camberwell, for whose will see TNA PROB 11/41/129.

For a pedigree erroneously identifying Amy Robsart's mother as Elizabeth Scott, the daughter of Edward Scott (c.1478-1535?) of Mote Iden, Sussex, brother of Sir John Scott (by 1484 - 7 October 1533), and second son of Sir William Scott (d. 24 August 1524), see

the will of Sir William Scott, TNA PROB 11/21/272, and *Memorials, supra*, pp. 135-9, 173 at:

<https://archive.org/stream/memorialsoffamil00scot#page/172/mode/2up>

By Elizabeth Scott, the testator had two sons and three daughters:

* **John Appleyard** (24 January 1527 – 1574?), eldest son, who married, by 6 November 1545, Elizabeth Hogan, the daughter of Robert Hogan (d. 4 March 1547) of East Bradenham, Norfolk, by whom he is said to have had one son:

-Henry Appleyard, who may have been the Henry Appleyard whom Leicester appointed as his steward on 4 December 1579. See Longleat House, DU/BOX III/46, in the National Archives online catalogue.

See the will, proved 2 July 1547, of Robert Hogan, TNA PROB 11/31/569, in which he mentions his ‘daughter Appleyard’, and Aldred, Henry W., ‘Appleyard Family’, in Turner, J. Horsfall, ed., *Yorkshire Notes and Queries*, (Bingley: T. Harrison, 1888), pp. 118-38 at pp. 120-1:

https://books.google.ca/books?id=DFT4Ve_050QC&pg=RA2-PA120

See also the History of Parliament entry for William Hogan (1524?-1588?) at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/hogan-%28huggen-huggins%29-william-1524-88-or-later>

Several inquisitions post mortem were taken after the testator’s death. See TNA C 142/51/7 and TNA E 150/632/5 (Norfolk), TNA E 150/516/2 (London), and TNA C 142/49/37 (Hertfordshire). It appears that in TNA C 142/51/7 the testator’s eldest son and heir, John Appleyard, is erroneously stated to have been born posthumously on 26 January 1529. See the History of Parliament entry for John Appleyard at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/appleyard-john-1529-74-or-later>

However other sources, apparently relying on IPMs other than TNA C 142/51/7, state that John Appleyard was aged less than two years at the testator’s death. See Pettigrew, Thomas Joseph, *An Inquiry into the Particulars Connected with the Death of Amy Robsart*, (London: J. Russell Smith, 1859), pp. 27-8 at:

<https://books.google.ca/books?id=Kd06AQAAMAAJ&pg=PA27>

[Amy Robsart] was then twenty-three years of age, and must have been born subsequently to her uterine brother John Appleyard, who was under two years of age in 1528.

See also Blomefield, Francis, *An Essay Towards a Topographical History of the County of Norfolk*, Vol. V, (London: William Miller, 1806), p. 84 at:

<https://books.google.ca/books?id=uwUVAAAAQAAJ&pg=PP7>

[Roger Appleyard] died July 8, 1528, leaving John Appleyard, his son and heir, not then two years old

Although the testator's eldest son and heir, John Appleyard, is not specifically mentioned in the will below, his existence is implied by (1) the fact that the testator's wife is granted only a life estate in the testator's lands, the implication being that they would automatically revert after her death to the testator's heir at law, and (2) by the fact that the testator bequeaths a small annuity of £4 to the child his wife is carrying if it should happen to be a son. Had the testator not had a son and heir already living, he would have made the child his wife was carrying, should it be a son, heir to his lands, not merely bequeathed him an annuity from a single manor. In the event, the child was a son, the testator's second son, Philip Appleyard (see below).

The History of Parliament entry notes that the last mention of the testator's son, John Appleyard, occurs in 1574:

His prospects ruined, Appleyard seems to have retired to Norfolk, where in 1570 he completed his self-destruction by becoming one of the leaders of a pathetic little rising having the disparate aims of securing the expulsion of foreign immigrants and effecting the release of the Duke of Norfolk. . . . After four years he was transferred from Norwich castle to the custody of the sheriff and in May 1574 to that of the dean of Norwich, with a grant of some liberty. That is the last trace found of him.

Among the participants in the Norfolk rising of 1570 led by John Appleyard was John Jerningham of Somerleyton, husband of Catherine Brooke (1544-1617?), sister of William Brooke (1527-1597), 10th Baron Cobham. In late August 1570 Appleyard, Jerningham, and two others were condemned to death, although Appleyard and Jerningham were later pardoned. See McKeen, David, *A Memory of Honour*, (Salzburg: Universitat Salzburg, 1986), Vol. I, p. 187, Vol. II, p. 380; Peck, D.C., ed., *Leicester's Commonwealth*, (Athens, Ohio: Ohio University Press, 1985), p. 246; and Skidmore, Chris, *Death and the Virgin Queen*, (New York: St Martin's Press, 2010), pp. 299-306.

Two Chancery suits, TNA C 3/179/28 and TNA C 3/53/1, appear to confirm that John Appleyard died in 1574, since by 1579 Philip Appleyard was dealing with the testator's lands.

* **Philip Appleyard** (born 26 January 1529?), esquire, second son, who married, after 1557, Mary Shelton (d.1571), widow of Sir Anthony Heveningham (d. 22 November

1557), and daughter of Sir John Shelton (d.1539). See Aldred, *supra*, p. 120, and the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/appleyard-philip-1528>

See also:

http://www.bigenealogy.com/suffolk/heveningham_parish.htm

Sir Anthony Heveningham, his son and heir, was made a Banneret by King Henry VIII.; and married first, Katherine, eldest daughter of Sir Philip Calthorpe, Knt. In 1546, he settled, by fine on himself and Mary his second wife, daughter of Sir John Shelton, sen., of Shelton, Knt., this lordship, with those of Cookley, Sibton, Ubbeston, and Walpole, in this hundred.

Sir Anthony died in 1558: Mary his relict, re-married to Philip Appleyard, Esq.

See the will of Sir Philip Calthorpe, NRO Platfoote 197, the *ODNB* entry for Mary Shelton (d.1571), and the entry at:

http://www.tudorwomen.com/?page_id=707

* **Anne Appleyard**, unmarried when the testator made his will. She married James Bigot, esquire. See Aldred, *supra*, p. 120, and Adams, Simon, ed., *Household Accounts and Disbursement Books of Robert Dudley, Earl of Leicester*, Camden 5th Series, Vol. 6, (Cambridge: Cambridge University Press, 1995), p. 463 at:

<https://books.google.ca/books?id=Ua9m6c488kcC&pg=PA463>

* **Frances Appleyard**, unmarried when the testator made his will. About 1557 she married William Flowerdew (d. before 1564), the eldest son of John Flowerdew (d. 16 April 1564), esquire, of Hethersett, Norfolk, by whom she had a son, Anthony Flowerdew. See the will dated 1 September 1563 and proved 31 May 1565, of John Flowerdew, esquire, of Hethersett, TNA PROB 11/48/168.

See also:

Francis Blomefield, 'Hundred of Humble-Yard: Hethersete', in *An Essay Towards A Topographical History of the County of Norfolk: Volume 5* (London, 1806), pp. 23-33. *British History Online* <http://www.british-history.ac.uk/topographical-hist-norfolk/vol5/pp23-33> [accessed 24 September 2019].

See also Skidmore, Chris, *supra*, pp. 15-16, 39, 145. For the Flowerdew family, see also TNA PROB 11/34/421.

For the descendants of Anthony Flowerdew, see:

https://en.wikipedia.org/wiki/Temperance_Flowerdew

According to Aldred, Frances Appleyard married William Drury, eldest son of Robert Drury, esquire. He may perhaps have been her second husband. See Aldred, *supra*, p. 120.

* **Bridget Appleyard**, unmarried when the testator made his will.

OTHER PERSONS MENTIONED IN THE WILL

For the testator's overseer, Thomas Howard (1473-1554), 3rd Duke of Norfolk, see the *ODNB* entry.

For the testator's executor, Edward White, esquire, of Shotesham, see:

Francis Blomefield, 'Hundred of Henstede: Shotesham', in *An Essay Towards A Topographical History of the County of Norfolk: Volume 5* (London, 1806), pp. 503-519. *British History Online* <http://www.british-history.ac.uk/topographical-hist-norfolk/vol5/pp503-519> [accessed 29 September 2019].

TESTATOR'S LANDS

For the testator's manors of Warham Hales, Holt Hales and Testerton Hales, see *History and Antiquities of the County of Norfolk*, Vol. VII, (Norwich: J. Crouse, 1781), p. 6 at:

<https://books.google.ca/books?id=22dBAQAAMAAJ&pg=RA3-PA6&dq>

For the testator's manor of Warham Hales, see also Parkin, Charles, *An Essay Towards a Topographical History of the County of Norfolk*, Vol. V, (Lynn: W. Whittingham and R. Baldwin, 1775), p. 827 at:

<https://books.google.ca/books?id=1lsMAQAAMAAJ&pg=PA827>

For the testator's manors, see also:

Francis Blomefield, 'Gallow and Brothercross Hundreds: Testerton', in *An Essay Towards A Topographical History of the County of Norfolk: Volume 7* (London, 1807), pp. 197-200. *British History Online* <http://www.british-history.ac.uk/topographical-hist-norfolk/vol7/pp197-200> [accessed 27 September 2019].

RM: Test{amentum} Rogeri Appylyarde

In Dei nomine Amen. The year of Our Lord God a thousand five hundred twenty and eight, I, Roger Appleyard, being in good and whole mind, make my testament and last will:

I bequeath my soul to Almighty God, to Our Lady Saint Mary, and to all the holy company of heaven;

My body to be buried in the Greyfriars at Norwich, and for my body to be buried there I give and bequeath to the said friars four pounds, and they for to sing Masses and pray for my soul and all my friends' souls;

Item, I give to every order of friars within Norwich beside-forth 20s;

Item, I give to the high altar of Bracon for my tithes negligently forgotten 20s;

Item, I give to the church[es] of Bracon, East Carleton, Newton Flotman and Hethel, to the reparation of the churches 3s 4d to pray for my soul;

Item, I will that an honest secular priest to sing for my soul and my friends' souls in the church of Bracon by the space of four years, taking for his wages 9 marks by year;

Item, I give to the cathedral Church of Norwich to pray for my soul 20s;

Item, I will that the church of Bracon shall have my vestment of blue sarsenet and my gilt images that belongeth to my chapel;

Item, I give to the church of Bracon, for to make a vestment with, my gown of black damask and my jacket of black velvet;

Item, I will that my bay trotting gelding be sold, and give[n] to Bracon church for the reparation of a new porch;

Item, I will that my wife, Elizabeth, shall have and enjoy my manor of Newton Flotman with th' appurtenance term of her life;

I will that my said wife shall have and enjoy my manor of Hethel and my manor of Stanfield in Wyndham [=Wymondham] and Ketteringham with the appurtenance term of her life;

Item, I will that my wife shall have, wheresoever it do lie according to the state, in my kine and neat in Stanfield that Welles hath of me in farm, and all the neat that William Smyth hath with his farm with Whitinges and Byrchecklose;

Item, I will that she shall have five hundred sheep as it doth appear by indenture betwixt William Smyth and Thomas Bensley and me, with the farm of them the year following;

Item, I will that my wife shall have half my plate at her choice, and the other half egally to be divided amongst my daughters;

Item, I will that my wife shall have all my stuff of household wheresoever it be;

Item, I bequeath to Anne, Frances and Bridget, my daughters, each of them to her marriage two hundred pounds to be levied and paid of my manor of Warham Hales and of my manor of Holt Hales and of my manor of Testerton Hales and of my lands and rents of Arlom, Higham and Norwich, and to be levied of the rest of my goods and chattels unbequeathed;

Item, I will that the profit of my manor of Bygrave shall go to the performance of my father's will as touching the marriage of my sister, Mary, and my father's debts, and that done, to help to perform my will;

Item, I will that my wife shall have the keeping of all my children till they come to the age of marriage, and she for to have of certainty for the finding of them to be paid by my executors out of my lands aforesaid;

The residue of my goods and chattels not bequeathed I commit & bequeath into [sic?] the disposition of mine executors to pay my debts and to perform this my testament and last will;

And of the same will I constitute and make mine executors John Scott, Baron of the King's Exchequer, Edward White of Shotesham, esquire, and Francis Mountford, esquire;

And I give to each of them for their labours and pain four marks;

And I beseech my Lord of Norfolk['s] good Grace to be supervisor of this my testament and last will, rewarding to his Grace four pounds;

Item, and if it so happen that my wife be delivered of a son that she is now withal, then I will that it shall have an annuity of four pounds by year term of his life out of my manor of East Carleton with a clause of distress for non-payment;

And if it happen to be a daughter, then I will that she shall have as is aforesaid to my other daughters.

RM: vide (illegible)

Septimo die mensis Decembris Anno d{omi}ni Mill{esi}mo quingentesimo vicesimo nono Coram d{omi}no apud Lameth Ioannes Scott senior & franciscus Mounford executores no{m}i{n}at{i} in test{ament}o prescript{i} Rogeri Mounford [sic] defuncti In p{er}sona Ric{hard}i ffelde procur{atoris} sui in hac p{ar}te Renu{n}c{i}au{er}int(?) oneri execucionis testamenti ip{s}ius defuncti &c Et com{m}issa fuit admi{ni}stracio o{mn}i{u}m & singulorum bonorum et debitoru{m} d{i}c{t}i defuncti p{er} viam intestati Ioanni Scott Iun{iori} & Elizabeth{e} Relicte In p{er}sona Ric{hard}i ffelde procur{atoris} sui in hac p{ar}te De bene & fidel{ite}r admi{ni}strand{o} Ac de pleno & fideli In{uenta}rio secundo Die post festum s{an}c{t}e Lucie virginis prox{imum} futur{um} exhibend{o} Necnon de plano et vero compoto reddend{o} Ad sancta dei Eu{a}ngelia in debita iuris forma Iurat{is}

[=On the seventh day of the month of December in the year of the Lord the thousand five hundred twenty-ninth before the Lord at Lambeth John Scott senior & Francis Mountford, executors named in the testament of the fore-written Roger Mountford [sic], deceased, in the person of Richard Field, their proctor in that behalf, renounced the burden of the execution of the testament of the same deceased etc., and administration was granted of all & singular the goods and debts of the said deceased by way of intestacy to John Scott, junior, & Elizabeth, relict, in the person of Richard Field, their proctor in that behalf, sworn on the Holy Gospels in due form of law to well & faithfully administer, and to exhibit a full & faithful inventory on the second day after the feast of Saint Lucy the Virgin next to come, and also to render a plain and true account.]