

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 22 October 1532 and proved 4 November 1532, of Thomas Baynham, whose aunt, Elizabeth Baynham Russell Throckmorton, was the great-grandmother of Thomas Russell (1570-1634), overseer of the will of William Shakespeare (1564-1616) of Stratford-upon-Avon.

For the Baynham family see the pedigree in Maclean, John, ed., 'The History of the Manors of Dene Magna and Abenhall' in *Transactions of the Bristol and Gloucestershire Archaeological Society for 1881-82*, Vol. VI, (Bristol, C.T. Jefferies), pp. 123-209 at pp. 184-5:

<http://archive.org/stream/transactionsbriso6bris#page/184/mode/2up>.

See also the Baynham pedigree in Maclean, John and W.C. Heane, eds., *The Visitation of the County of Gloucester Taken in the Year 1623*, Vol. XXI, (London: Harleian Society, 1885), p. 14 at:

<https://archive.org/stream/visitationofcoun00inchit#page/14/mode/2up>.

For the testator, see the will of his father Sir Alexander Baynham (d. 25 September 1524), TNA PROB 11/21/469 and TNA PROB 11/22/256.

For the testator's manor of Steeple Lavington, see:

A P Baggs, D A Crowley, Ralph B Pugh, Janet H Stevenson and Margaret Tomlinson, 'Parishes: Market Lavington', in *A History of the County of Wiltshire: Volume 10*, ed. Elizabeth Crittall (London, 1975), pp. 82-106. *British History Online* <http://www.british-history.ac.uk/vch/wilts/vol10/pp82-106> [accessed 27 May 2017].

In 1494, still called Steeple Lavington or Lavington Gernon, it was settled upon Sir Alexander Baynham and his wife. (fn. 210) In 1537 half the manor, then called East Lavington or Lavington Gernon, was sold by John Peyte [sic for 'Peyto'] and Margaret his wife to William Willington. (fn. 211)

The testator leaves a life estate in his lands 'to the use of my cousin, Sir Thomas Baynham, parson of the church of Mitcheldean' according to a feoffment made 11 October 1532, and after the death of Sir Thomas Baynham, parson of Mitcheldean, to 'Richard Baynham, second son of my cousin, George Baynham'. For the will of the testator's cousin, Sir George Baynham, see TNA PROB 11/32/282.

The testator also leaves bequests to 'my cousin Margaret Stratforthe' and 'my cousin, John Stratforthe'. According to the Walwyn pedigree, Edward Walwyn of Southam, Gloucestershire, married Christian Stretford, daughter of John Stretford of Farcot [=Farmcote?], Gloucestershire. The testator's descent from Alice Walwyn suggests 'John Stretford of Farcot' may be the same person as the testator's legatee, 'John

Stratforthe'. See the pedigree of Walwyn in Maclean, John and W.C. Heane, eds., *The Visitation of the County of Gloucester Taken in the Year 1623*, Vol. XXI, (London: Harleian Society, 1885), p. 265 at:

<https://archive.org/stream/visitationofcoun00inchit#page/264/mode/2up>.

See also the Stratford pedigree in the *Visitation, supra*, pp. 156-7 at:

<https://archive.org/stream/visitationofcoun00inchit#page/156/mode/2up>.

John Stratford is said to have married Mary Throckmorton, the daughter of Anthony Throckmorton (d.1587), a younger son of Sir George Throckmorton (d.1552). See the will of Sir George Throckmorton, TNA PROB 11/36/298, and the pedigree of Anthony Throckmorton in Chauncy, Henry, *The Historical Antiquities of Hertfordshire*, Vol. II, (London: Ben. Griffin, 1826), p. 123 at:

https://books.google.ca/books?id=99MqAQAIAAJ&pg=PA123&lpg=PA123&dq=%22Anthony+Throckmorton%22+%22Willington%22&source=bl&ots=RDA5R3jCPr&sig=6WP2ywGVIQ5cLvyM_7qh68b_7JE&hl=en&sa=X&ved=0ahUKEwiMwbCzlZbUAhUEllQKHTAIAOsQ6AEINDAE#v=onepage&q=%22Anthony%20Throckmorton%22%20%22Willington%22&f=false.

RM: Test{amentu}m Tho{m}e Baynam

[f. 146r] In the name of God, Amen. The 22nd day of the month of October in the year of Our Lord God a thousand five hundred and 32, I, Thomas Baynham, son unto Sir Alexander Baynham, knight, being of whole and perfect memory, loved [=laud?] be Almighty God, but sick in my body, make and ordain this my present testament containing my last will in manner and form following:

First I bequeath my soul to Almighty Jesu, my Maker, Saviour and Redeemer, to Our Blessed Lady Saint Mary and to all the holy company of heaven, and my body to be buried in the high choir on the right hand of the high altar in the parish church of Saint Michael in Mitcheldean within the county of Gloucester;

Item, I give and bequeath unto the high altar of the same church for my tithes and oblations forgotten 10s;

Item, I give and bequeath to the mother church of Hereford 12d;

Item, I will that John Brigman of Mitcheldean in the county of Gloucester, John Sergeant, John Pyngre and William Mitton of the same shall stand and be seised of my manor of Steeple Lavington otherwise called Gernon Lavington with th' appurtenances in the county of Wiltshire and of all my other lands and tenements, rents, reversions and farms

in the said county in their demesnes as of fee to the use of my cousin, Sir Thomas Baynham, parson of the church of Mitcheldean in the county of Gloucester, for term of his life according to a deed of feoffment thereof made bearing date the 11th day of October in the 24th year [=11 October 1532] of the reign of our Sovereign Lord King Henry the Eight;

And furthermore I will that the said Sir Thomas Baynham during his natural life shall pay or cause to be paid yearly out of my foresaid manor, lands and tenements £5 6s 8d of good and lawful money of England for the finding of a priest to sing for the soul of me, the foresaid Thomas Baynham, my father and mother's souls and all Christian [+souls?];

And after the decease of my foresaid cousin, Sir Thomas Baynham, I will that the said John Brigman and other my feoffees before-named shall stand and be seised of my said manor, lands and tenements above-named to the use of Richard Baynham, second son of my cousin, George Baynham of Clearwell within the said county of Gloucester, and to his heirs forever more;

And I will that the said Richard and his heirs shall yearly content and pay to the finding of a priest to sing and pray for my soul, my father and mother's souls and all Christian souls in the said church of Mitcheldean £5 6s 8d;

Provided always that if it be not leeful for me, the said Thomas Baynham, to give or grant such yearly rent of £5 6s 8d to be paid yearly of th' issues and profits of my said manor and other the premises to the finding of a priest to sing in the said church of Mitcheldean forever, that then as well the said Sir Thomas Baynham, my cousin, and also my cousin, Richard Baynham, and his heirs shall yearly pay the said sum of £5 6s 8d to the finding of a priest as is aforesaid so long as they may leefully do it, not being contrary to the law other [=or] any Act of Parliament in that behalf made or provided, and after such time as the law or acts of the said Parliament shall inhibit the payment of the said £5 6s 8d to the finding of a priest as before is said, then I will that the said annuity shall surcease and no more be paid;

Item, I bequeath to my cousin, Margaret Stratforthe, one brass pot with letters about it;

Also I bequeath to my cousin, John Stratforthe, a privy coat with such harness as is in the keeping of my cousin, George Baynham, with 4 jacks in the keeping of Robert Taylour in Westbury;

The residue of all my goods, my debts and funeral charges paid and my legacies fulfilled, I give and bequeath to my cousin, Sir Thomas Baynham, parson of Mitcheldean aforesaid, to dispose for my soul's health as he shall think most expedient, whom I make and ordain of this my present testament concerning my last will my sole executor;

Made the day and year abovesaid, these being witness: Sir William Boge, parson of Habehall [=Abenhall?], Sir Thomas Laune(?), Our Lady Priest of Mitcheldean, John Browne, weaver, of Mitcheldean, and William Poll, miner, with other mo [=more].

Probatum fuit test{amentu}m suprascripti Defuncti Coram D{omi}no apud Lamethith
quarto Die mensis Nouembris Anno D{omi}ni Mill{es}imo quingen{tesi}mo xxxijo
Iurament{o} mag{ist}ri Tho{m}e Baynam Cl{er}ici executoris in h{uius}mo{d}i
test{ament}o no{m}i{n}at{i} In p{er}sona mag{ist}ri Tho{m}e Stacy procur{atoris} sui
in hac p{ar}te Ac approbat{um} & insinuat{um} &c Et com{m}issa fuit
admi{ni}strac{i}o o{mn}i{u}m et sing{u}lor{um} bonor{um} et debitor{um} d{i}c{t}i
defuncti pefat{o} executori In p{er}sona d{i}c{t}i procu{rato}ris De bene & fidel{ite}r
admi{ni}strand{o} ac de pleno & fideli In{uenta}rio secundo die post festum s{an}c{t}i
Hillarij prox{imum} futur{um} exhi{ben}d{o} Necnon de plano & vero compoto
reddend{o} Ad sancta Dei Eu{a}ngelia in debita iuris forma Iurat{i}

[=The testament of the above-written deceased was proved before the Lord at Lambeth
on the fourth day of the month of November in the year of the Lord the thousand five
hundred 32nd by the oath of Master Thomas Baynham, clerk, executor named in the same
testament, in the person of Master Thomas Stacy, his proctor in that respect, and probated
and entered etc., and administration was granted of all and singular the goods and debts
of the said deceased to the forenamed executor in the person of the said proctor, 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 Hilary next to come, and
also to render a plain & true account.]