

SUMMARY: The document below is the last will and testament, dated 26 June 1551 and proved 17 August 1554, of Margaret (nee Baynham) Peyto, mother 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

The testatrix was the daughter of Sir Alexander Baynham (d.1524) of Westbury-on-Severn, Gloucestershire. See Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, p. 349; the wills of Sir Alexander Baynham (d.1524), TNA PROB 11/21/469 and TNA PROB 11/22/256; the will of Sir Alexander Baynham's widow, Elizabeth (nee Tracy) Langley Baynham, TNA PROB 11/22/255; and the will of Sir Alexander Baynham's son, Thomas Baynham (d.1532), TNA PROB 11/24/53.

For the Baynham family see also 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. 149-151 at:

<http://archive.org/stream/transactionsbris06bris#page/150/mode/2up>

MARRIAGE AND ISSUE

The testatrix married, as his second wife, John Peyto (c.1478-1542?), eldest son of Edward Peyto (c.1457-1487) and Goditha Throckmorton (d.1530/1), daughter of Sir Thomas Throckmorton (c.1412-1472) and Margaret Olney (d.1493?). For the will of Goditha (nee Throckmorton) Peyto, dated 28 December 1530 and proved 30 January 1531, see TNA PROB 11/24/11. For the will of the testatrix' husband, John Peyto, dated 11 January 1540 and proved 12 December 1542, see TNA PROB 11/29/209.

Through her marriage to John Peyto, the testatrix was the sister-in-law of 'Friar Peto', who came into conflict with King Henry VIII. See the entry for William Peyto in the *ODNB*:

Peto [Peyto], William (c.1485–1558), cardinal, was a younger son of Edward Peyto of Chesterton, Warwickshire, and Godith Throckmorton. . . After graduating BA at Oxford in 1502, Peto was incorporated in the following year at Cambridge, where he proceeded MA in 1505. In 1507/8 he was paid £4 to lecture on mathematics, and seems to have become briefly a fellow of Queens' College in 1511 (probably through John Fisher's patronage), immediately before his ordination to the priesthood on 15 March that year. He had been incorporated MA at Oxford on 16 June 1510 and held the office of university preacher at Cambridge in 1510–11. Peto was vice-warden of the Observant Franciscans at Richmond, Surrey. . . .

Nothing further is known of Peto until the time of the divorce crisis, when he was again provincial and apparently also acting as confessor to Katherine of Aragon and her ladies, as well as to Princess Mary. He defended the queen, preaching a sermon before Henry at Easter 1532 in which he denounced those who repudiated their wives, threatened excommunication for the king since flatterers always ruined kingdoms, and observed that princes' affections obscured the truth. Nicholas Harpsfield later claimed that Peto had warned Henry that, like Ahab, dogs would lick his blood. An angry king summoned Peto before him, and Peto flatly told Henry that he would lose his kingdom because of his subjects' opposition. According to Sir George Throckmorton's confession of 1537, Peto offered Henry a detailed refutation of his case, arguing that he could have no other wife while Katherine lived unless he could prove that Prince Arthur had intercourse with her, something the king could not do, as the only evidence was Arthur's 'light word' about having been 'in the midst of Spain'. Peto also insisted that Henry could not marry Anne Boleyn, since he had 'meddled with the mother and the sister' (LP Henry VIII, 12/2, no. 952), probably the origin of Nicholas Sander's famous canard to the same effect. Peto helped to organize parliamentary opposition to the divorce, telling Throckmorton to stay the course for his soul's sake, and in convocation attacked Richard Curwen for having preached in the convent of Greenwich without the brothers' permission—Curwen had by royal order delivered a sermon confuting Peto.

John Peyto's first wife, by whom he had two sons, John Peyto (d.1558) and William Peyto, and a daughter, Joan Peyto (a nun at Denny), was Anne Cooke, the daughter of Richard Cooke (d.1507), a mercer of Coventry. For the will of Richard Cooke, dated 31 October 1507 and proved 30 November 1507, and witnessed by John Peyto, see TNA PROB 11/15/624.

By John Peyto the testatrix had three sons and five daughters mentioned in the will below:

* **Alexander Peyto** (d. by 1551?). It appears he predeceased the testatrix. His children, Gabriel Peyto, Bartholomew Peyto and Ursula Peyto are mentioned in the will below.

* **Edmund Peyto** (living 1551).

* **Francis Peyto**, who 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>

Francis Peyto is mentioned in the will, dated 15 October 1582, of his nephew, Humphrey Peyto, TNA PROB 11/68/272.

* **Audrey Peyto**, who married, as his first wife, John Cupper (buried 11 February 1585), esquire, of Glympton and Westcott Barton, Oxfordshire, younger son of Thomas Cupper of Steventon, Shropshire, by Isabel Cooke of Bainton, Shropshire. See the will of John Cupper, TNA PROB 11/68/140; Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, pp. 349-50; and Turner, William Henry, ed., *The Visitations of the County of Oxford*, (London: Harleian Society, 1871), Vol. V, p. 204 at:

<https://books.google.ca/books?id=f6wKAAAAYAAJ&pg=PA204>

For the marriage of Audrey Peyto and John Cupper, see also:

<http://www.balcro.com/carol.html>

* **Anne Peyto**, who married, as his second wife, Edward Napper (d.1558) of Holywell. For his will, see TNA PROB 11/42A/145. Edward Napper and Anne Peyto were the parents of the Catholic martyr, George Napper (1550-1610). After Edward Napper's death, Anne Peyto married Philip Huckle. See the History of Parliament entry for Edward Napper at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/napper-edward-1512-58>

* **Elizabeth Peyto**, who married Robert Shakerley (by 1510-1569?), for whom see the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/shakerley-robert-1510-69-or-later>

Robert Shakerley (by 1510-1569?) was the brother of Rowland Shakerley (d.1565), for whom see his will, TNA PROB 11/48/92, and the will, TNA PROB 11/65/520, of his daughter, Elizabeth (nee Shakerley) Elkyn Marler Nicholas (d.1583), who married, as her third husband, Sir Ambrose Nicholas (d.1578), Lord Mayor of London, who purchased Oxford's manor at London Stone.

* **Mary Peyto**, who married a husband surnamed Withwike.

* **Ursula Peyto**, unmarried in 1551.

LM: T{estamentum} Margarete Peytoo vidue

In the name of God, Amen. The 26th day of June in the year Our Lord God a thousand five hundred fifty and one and in the fifth year of the reign of our Sovereign Lord Edward the Sixth by the grace of God of England, France and Ireland King, Defender of the Faith, and in earth of the Churches of England and Ireland the Supreme Head, I, Margaret Peyto of Chesterton in the county of Warwick, widow, late wife unto John Peyto, esquire, deceased, being of whole and perfect mind and memory (God be thanked), do make my last will and testament in manner and form following:

First, I bequeath my soul unto Almighty God the Father, trusting that he through the merits of his son Jesus Christ's passion will accept the same amongst the elect company in heaven, and my body to be buried in the parish church of Chesterton by my said husband;

Item, I will and bequeath unto John Peyto, my husband's eldest son, one featherbed with th' appurtenances belonging to the same now being in the little parlour wherein the said John Peyto now lieth, with two pair of sheets of the middle sort, with three table-boards, whereof two are in the hall and thother in the parlour at th' end of the hall, and all the hangings of the hall and the parlour;

Item, I will and bequeath to William Peyto, his brother, five marks of money;

Item, I will and bequeath to Elizabeth Shakerley, my daughter, other five marks of money;

Item, I will and bequeath unto my daughter, Audrey Cupper, ten pounds of money;

And to my daughter, Anne Napper, other ten pounds of money;

Item, I will and bequeath to Marie Wrihwake, my daughter, one featherbed marked with two letters of M and W, with a bolster, a pillow, and one pair of blankets;

Item, I will and bequeath to my daughter, Ursula, £33 6s 8d of money, and two featherbeds, whereof thone to be my best new featherbed, thother a coarser, two bolsters, two pillows, 2 pillow-beres, two pair of blankets, two pair of sheets, one coverlet of verder being occupied upon the bed in the parlour, with one mattress, and all my raiment at the time of my decease, both of silk, worsted cloth and linen;

I give also to the same Ursula 12 platters of pewter of the largest sort, 12 platters of the lesser sort, six pottage dishes of pewter, 12 saucers, two pots, two pans in the dey-house, one little chafer being occupied in my chamber, two of my best table-cloths, two dozen of plain napkins, two plain towels, one diaper towel, six napkins of diaper, a piece of new linen cloth being in my chest to make her a pair of sheets withal, one coffer with feet standing in my chamber, with six of my kine and one hundred of my sheep;

Item, I will and bequeath to Gabriel Peyto, Alexander Peyto's son, twenty marks of money;

To Ursula Peyto, his sister, £6 13s 4d, to be delivered to her at the day of her marriage, and in case the same Ursula do decease before she be married, then I will the same £6 13s 4d be delivered to Bartholomew Peyto, her brother;

Item, I will and bequeath to Margaret Napper, my god-daughter, two kine, to Margaret Locke, Margaret Symons and Ursula Budde, my god-daughters, to every of them one calf of a year of age, to Margaret Webbe, my god-daughter, a cow;

Also I give and bequeath to Nicholas Wynnespere and William Budde, my servants, in case they be with me at the time of my decease, either of them ten shillings;

And to every of my women servants at the time of my decease their whole year's wages being &(?) unpaid the day of my decease;

Item, I give and bequeath to Francis Peyto, my son, my best salt of silver;

And I will and bequeath to Edmund Peyto, my son, my lease by the which I do hold and occupy the tithes of Harbury, to have to him during all the years contained in the same, he paying to Gabriel Peyto before-named forty shillings by the year for the space of ten years, which I will the same Edmund to content and pay unto him when he shall have served his prenticeship in case he be apprentice, and if not, then at the day of the marriage of the same Gabriel;

The residue of all my goods, movable and unmovable, not before given or bequeathed, my debts paid and my funerals discharged, except forty of my best sheep, I will and bequeath to my said sons, Edmund Peyto and Francis Peyto, to be equally divided between them, which Edmund & Francis I do ordain and make by this my said will and testament my executors for the performance of the same;

And for the better performance thereof I appoint my sons-in-law, John Cupper and Edward Napper, to be overseers of this my said last will, to whom I do give and bequeath the said forty of my best sheep before excepted in this my said will, to be equally divided between them for their painstaking in that behalf;

In witness whereof I have to this my said will subscribed my name with mine own hand the day and year abovesaid. Margaret Peytoo.

Probatum fuit test{amentu}m apud London Coram decano et Capit{u}lo eccl{es}ie Metropo{lita}ni(?) Chr{ist}i(?) Cant{uariensis} sede Archie{pisco}pali ib{ide}m iam vacan{te}(?) xvijo die Mens{is} Augusti Anno d{omi}ni Mill{es}imo quingen{tes}imo quinquagesimo quarto Iuramento Will{el}mo Dalby cl{er}ici Procuratoris Edmu{n}di Peytoo Executor{is} in h{uius}mo{d}i testamento no{m}i{n}at{i} Cui com{m}issa fuit admi{n}istrac{i}o om{n}i{um} bonoru{m} &c d{i}c{t}i defuncti pefat{o} ex{ecutori} De bene &c Ac de pleno In{uenta}rio &c Ad s{an}c{t}a dei Eua{n}gelia Iura{ti} Res{er}uata p{otes}tate &c ffrancisco Peytoo &c

[=The testament was proved at London before the Dean and Chapter of the Metropolitan Church of Christ of Canterbury at the Archiepiscopal seat there, now vacant, on the 17th day of the month of August in the year of the Lord the thousand five hundred fifty-fourth by the oath of William Dalby, clerk, proctor of Edmund Peyto, executor named in the same testament, to whom administration was granted of all the goods etc. of the said deceased to the forenamed executor, sworn on the Holy Gospels to well etc., and [+to render] a full inventory etc., with power reserved etc. to Francis Peyto etc.]