

SUMMARY: The document below is the last will and testament, dated 1 August 1490, of Thomas Peyton (d. 1 August 1490), a descendant of Robert de Vere (d.1221), 3rd Earl of Oxford, whose niece, Elizabeth Peyton Wigston (d.1578), was the mother of Roger Wigston (c.1537 - 1608), at whose home, Wolston Priory, the last two Marprelate tracts, the *Theses Martinianae* and the *Just Censure and Reproof of Martin Junior*, were printed on a secret press in July 1589.

FAMILY BACKGROUND

For earlier generations of the Peyton family, see Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, pp. 350-4 (hereafter *MCA*), and the Peyton pedigree in Howard, Joseph Jackson, ed., *The Visitation of Suffolke, Vol. II*, (Lowestoft: Samuel Tymms, 1871), pp. 116-18 at:

<https://books.google.ca/books?id=LCgAAAAAQAAJ&pg=PA118>

See also Waters, Robert Edmond Chester, *Genealogical Memoirs of the Extinct Family of Chester of Chicheley*, Vol. I, (London: Robson and Sons, 1878), pp. 183-6 at:

<https://archive.org/stream/genealogicalmem01wategoog#page/n220/mode/2up>

Testator's grandparents

The testator was heir to his grandfather, Thomas Peyton (d. 30 July 1484), esquire, who married firstly Margaret Barnard, eldest of the three daughters and co-heiresses of Sir John Barnard (d. 24 March 1451) of Isleham, Cambridgeshire, by Ellen Malory (d.1440), daughter and heir of (Sir?) John Malory and his wife, Joan. See TNA E 40/4776; and *MCA, supra*, Vol. III, p. 353.

By Margaret Barnard, Thomas Peyton (d. 30 July 1484) had a son and two daughters:

-**Thomas Peyton** (d. before 30 July 1484), the testator's father (see below).

-**Margaret Peyton**, about whom nothing further appears to be known.

-**Grace Peyton**, about whom noting further appears to be known.

See Field, P.J.C., *The Life and Times of Sir Thomas Malory*, (Cambridge: D.S. Brewer, 1993), p. 186 at:

<https://books.google.ca/books?id=92zxNMHuUKcC&pg=PA186>

See also Peyton, John Louis, *Memoir of William Madison Peyton of Roanoke*, (London: John Wilson, 1873), p. 344 at:

<https://books.google.ca/books?id=KCISAAAAYAAJ&pg=PA343>

See also Higgins, Mrs. Napier, *The Bernards of Abington and Nether Winchendon*, Vol. I, (London: Longmans, Green, and Co., 1903), pp. 9-10 at:

<https://archive.org/stream/cu31924088003185#page/n27/mode/2up>

There are stained glass portraits of Thomas Peyton and his first wife, Margaret Barnard, in Long Melford church. See Waters, *supra*, pp. 202-4 at:

<https://archive.org/stream/genealogicalmem01wategoog#page/n240/mode/2up>

See also:

<http://www.therosewindow.com/pilot/LongMelford/table.htm>

See also 'Heraldic Notes Taken at Clare, Co. Suffolk, in the Reign of Queen Elizabeth', in Nichols, John Gough, ed., *The Topographer and Genealogist*, Vol. II, (London: John Bowyer Nichols and Sons, 1853), pp. 398-402 at p. 400:

<https://books.google.ca/books?id=0xc5AQAAMAAJ&pg=PA400>

The testator's grandfather, Thomas Peyton (d. 30 July 1484), married secondly Margaret Francis, widow of Thomas Garneys (d. 12 December 1458), esquire, and daughter and co-heiress of Sir Hugh Francis of Giffords Hall in Wickhambrook, Suffolk. Margaret's sister, Isabel Francis (d. 26 March 1452), married Thomas Heigham (d. 21 March 1480). See the Heigham pedigree in Howard, *supra*, p. 272 at:

<https://archive.org/stream/visitationsuffo00hervgoog#page/n313/mode/2up>

For the marriage of Thomas Heigham, second son of Clement Heigham (d. 26 September 1500) of Lavenham, and Elizabeth Calthorpe (d. 9 March 1542), daughter of Sir William Calthorpe (30 Jan 1410 - 15 Nov 1494), see the will of Sir William Calthorpe, TNA PROB 11/10/408, and Howard, *supra*, pp. 230, 290 at:

<https://archive.org/stream/visitationsuffo00hervgoog#page/n265/mode/2up>

For Giffords Hall, see:

<https://www.britishlistedbuildings.co.uk/101235864-giffords-hall-wickhambrook>

Thomas Heigham (d.1492?) and Richard Heigham (d.1500) were feoffees of Thomas Peyton (d. 30 July 1484) in a deed dated 20 May 1484. See the inquisition post mortem taken after the death of the testator, TNA C 142/7/62, and:

Maskelyne and H. C. Maxwell Lyte, 'Inquisitions Post Mortem, Henry VII, Entries 701-750', in *Calendar of Inquisitions Post Mortem: Series 2, Volume 1, Henry VII* (London, 1898), pp. 295-312. *British History Online* <http://www.british-history.ac.uk/inquis-post-mortem/series2-vol1/pp295-312> [accessed 20 December 2017].

According to Ross, Clement Heigham was receiver general to John de Vere, 13th Earl of Oxford, while his brother, Richard Heigham (d.1500), was a member of the 13th Earl's council learned in the law. Another brother, Thomas Heigham (d.1492?), was likely the Thomas Heigham who was steward of all the 13th Earl's lordships in Suffolk. See Ross, James, *John de Vere, Thirteenth Earl of Oxford (1442-1513)*, (Woodbridge, Suffolk: The Boydell Press, 2011), pp. 232-3, and the pedigree of Heigham of Barrow in Howard, *supra*, p. 290 at:

<https://archive.org/stream/visitationsuffo00hervgoog#page/n333/mode/2up>

Although Ross states that the 13th Earl's receiver general, Clement Heigham, died in 1520 based on his IPM, TNA C 142/35/123, according to the Harleian manuscript of Reyce's *Breviary of Suffolk*, the inscription formerly to be seen on his grave in Lavenham church gave his date of death as 26 September 1500. See Howard, *supra*, p. 228 at:

<https://books.google.ca/books?id=LCgAAAAAQAAJ&pg=PA228>

By Margaret Francis, Thomas Peyton (d. 30 July 1484) had two sons:

-Christopher Peyton (d. 27 June 1507), esquire, who married Elizabeth Hyde (d. 15 November 1516), the daughter of Leonard Hyde, esquire, of Hyde Hall, Hertfordshire, but died without surviving issue.

-Francis Peyton (d.1529), esquire, who married Elizabeth Brooke, the daughter of Reginald Brooke, esquire, of Aspall, Suffolk, a younger son of Sir Thomas Brooke (c.1391-1439) by Joan Braybrooke (d.1442), Baroness Cobham. See McKeen, David, *A Memory of Honour: The Life of William Brooke, Lord Cobham*, Vol. II, (University of Salzburg, 1986), p. 701, and French, George William, comp., *The Royal Descent of Nelson and Wellington*, (London: William Pickering, 1853), pp. 103-5 at:

<https://books.google.ca/books?id=O5YBAAAAAQAAJ&pg=PA103>

Testator's parents

The testator was the eldest son and heir of Thomas Peyton (d. before 30 July 1484), esquire.

The identity of the testator's mother has never been definitively established. In the will of the testator's brother, Sir Robert Peyton, (c.1468 - 18 March 1518), she is referred to as 'Jane':

Thomas Peyton, esquire, and Jane, his wife, father and mother unto me

She is described by Waters as 'the only child of (blank) Calthorpe, of Barnham St. Martin in Suffolk, and heiress of Calthorpe's Manor in that parish'. Unfortunately no source for that statement is provided. It seems likely that Jane was related to Sir William Calthorpe (30 Jan 1410 - 15 Nov 1494), for whose will see TNA PROB 11/10/408. See also *MCA*, *supra*, Vol. II, p. 89 and Vol. III, pp. 353-4, and Waters, *supra*, p. 204 at:

<https://archive.org/stream/genealogicalmem01wategoog#page/n242/mode/2up>

In the inquisition post mortem taken after the testator's death, the manor of Calthorpe Hall is said to have been entailed on the testator, with remainder to his brother:

The said feoffees were also seised of the under-mentioned manor of Caltrop Hall, and of the advowson of Barnham in fee to the use of the said Thomas Peyton named in the writ in tail male, with remainder to the use of one Robert Peyton in tail male. . . .

Manor of Caltrop Hall in Barnham, worth 6l. 13s. 4d., and the advowson of the church of Barnham belonging to the said manor, held of the said Thomas Cheyny and Thomas Heygham, as of their manor of Georges, service unknown.

See TNA C 142/7/62, and Maskelyne, *supra*.

By Jane Calthorpe, Thomas Peyton (d. before 30 July 1484) had four sons and four daughters:

-Thomas Peyton (d. 1 August 1490), the testator.

-Sir Robert Peyton, (c.1468 - 18 March 1518), who succeeded the testator in 1490. For his will, see TNA PROB 11/19/81.

-John Peyton, who died without issue before 1518, and was buried at Wicken. See Waters, *supra*, Vol. I, p. 204.

-Edward Peyton (living 1543), esquire, Gentleman Usher of the Chamber to Henry VIII. He died unmarried before 1551. See Waters, *supra*, Vol. I, p. 204.

-Elizabeth Peyton, who is said to have married Edmund Langley, esquire. See *MCA*, *supra*, Vol. III, p. 354; Waters, *supra*, Vol. I, p. 204; and Howard, Joseph Jackson, ed., *Miscellanea Genealogica et Heraldica*, Vol. III, 2nd Series, (London: Mitchell and Hughes, 1890), p. 172 at:

<https://books.google.ca/books?id=sIIIAAAAYAAJ&pg=PA172>

However in the will below, the testator leaves a bequest to his sister, Isabel *Haute*.

-Jane Peyton (d. December 1551?), who married firstly John Langley (d. 3 November 1518), esquire, and secondly Sir Edward Ryungeley (by 1497-1543), but died without issue. See *MCA, supra*, Vol. III, p. 354; Waters, *supra*, Vol. I, pp. 204-5, 245-7 at:

<https://archive.org/stream/genealogicalmem01wategoog#page/n242/mode/2up>

For Sir Edward Ryungeley, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/ryungeley-sir-edward-1497-1543>

-Anne Peyton (d. 22 October 1503) who married John Ashby (d.1496), esquire, of Harefield, Middlesex. See his will, TNA PROB 11/11/666; Waters, *supra*, Vol. I, p. 205; and 'Landed Families of Britain and Ireland' at:

<http://landedfamilies.blogspot.ca/2016/01/202-ashby-of-breakspears.html>

Ashby, John (d. 1496). Son of George Ashby (d. 1474) and his wife Margaret. He appears to have been a clerk in the royal household, since there is a payment to him in the accounts of the King's privy purse in 1492 'for writing of a book'. He married Anne (d. 1503), daughter of Thomas Peyton of Isleham (Cambs), and had issue:

(1) *George Ashby (d. 1514) (q.v.);*

(2) *William Ashby (d. 1537); married Jane [surname unknown] (d. 1557) and had issue one son and seven daughters.*

He inherited the Breakspears estate from his father in 1474.

He died in 1496 and was buried at Rickmansworth (Herts); his will was proved 1 July 1496. His widow died 22 October 1503 and was buried at Rickmansworth.

-Dorothy Peyton (living 1518). See Waters, *supra*, Vol. I, p. 205.

After the death of the testator's father, the testator's mother, Joan Calthorpe Peyton, married secondly William Mauleverer (d.1498), esquire. See his will, proved 14 May 1498, TNA PROB 11/11/381, in which he appoints his wife, Joan, as executrix; *MCA, supra*, Vol. III, p. 354; and Waters, *supra*, Vol. I, p. 205.

MARRIAGE

The testator married Joan Yerde, the daughter of Thomas Yerde, esquire, of Denton, Kent, but died without issue. See Ireland, William Henry, *A New and Complete History of the County of Kent*, Vol. II, (London: G. Virtue, 1829), p. 469 at:

<https://books.google.ca/books?id=twwHAAAAQAAJ&pg=PA469>

In the will below the testator bequeaths a life estate in his manor of Barnham to his wife, Joan Yerde. This is difficult to reconcile with Waters' statement (see above) that the testator's mother, Jane Calthorpe, was 'heiress of Calthorpe's Manor' in Barnham Saint Martin, since in the usual course of events the testator would not have inherited the manor from his mother until after her death, and according to the will of her second husband, William Mauleverer, she was still living in 1498, whereas the testator predeceased her on 1 August 1490. Moreover it seems odd that the testator mentions his stepfather, William Mauleverer, in the will below, but not his mother (unless 'my lady mistress, my mother-in-law' in the testator's will is a scribal error for 'my lady mistress, my mother').

For the inquisition post mortem taken after the testator's death, see TNA C 142/7/62, and Maskelyne, *supra*.

OTHER PERSONS MENTIONED IN THE WILL

For Walter Frost as a member of Prince Arthur's household, see Hayward, Maria, ed., *Dress at the Court of King Henry VIII*, (New York: Routledge, 2017), p. 258 at:

<https://books.google.ca/books?id=LTorDwAAQBAJ&pg=PA258>

In the name of God, Amen. I, Thomas Peyton, in whole mind and remembrance, the first day of August the year and reign of King Henry the 7th the 5th;

First I bequeath my soul to Almighty God, and my body to be buried where it shall please God and my friends;

Item, my will is that my wife have Bernham [=Barnham?] for term of thaire [=her?] life, and my stuff such as is needful to her;

Item, my will is that my brother, Robert Peyton, have my roan horse;

Item, to my brother, John, a demi-gown(?) of French tawny furred with coney;

Item, to Thomas Leyton, my servant, I bequeath a yearly rent of 40s to be received of the mill called Cadmell mill in the county of Bedford for term of his life;

Item, I bequeath the said Thomas Layton my grey gelding and a gown of French tawny furred with white budge;

Item, I will and charge that my debts be contented and paid:

First, to the steward's wife of Clerkenwell of borrowed money £5;

Item, to 2 skimmers 5 mark;

Item, to my saddler and cordwainer I cannot tell what but by their conference, but see what it is, and let it be contented;

Item, I will that Sir William Uvedall have my gown of damask furred with leopards;

Item, to my sister, Isabel Hawte, I bequeath in ready money 20s;

Item, to Walter Frost my raye(?) gown and the fur or [sic for 'on?'] the outside of my black gown;

Item, to Master Frost, chaplain to my Lord Prince, I bequeath a gown of camlet furred with funez [=foins?]

Item, to William Mauleverer, my father-in-law [=step-father], a side gown of russet furred with black budge;

Item, to my lady mistress, my mother-in-law, 26s 8d;

Item, to Thomas tparge [sic?] 3s 4d;

Item, to Elizabeth Lowkoke, my wife's servant, 6s 8d;

Item, to Robert Butteler, my servant, 6s 8d;

The residue of all my goods and chattels I give and bequeath to Walter Frost, gentlemen, he to do therewith such deeds of charity as it shall seem him best to please God and most profit to my soul;

And of this my present testament I make and ordain the said Walter Frost my executor.