

Jeremy Clayton, M.A. of Lancashire and Kent County, England

These notes reflect efforts to identify the roots of Jeremiah Clayton, who emigrated from England to York County, Virginia by 1668. There are not enough surviving records to say firmly that Jeremy – less often called Jeremiah – was the father of the emigrant, as hypothesized below. I am sharing my findings because I have found the story at a human and historical level quite interesting, and through a genealogical lens it is at least of reasonable credibility..

On the one hand, sometimes happenings reflect circumstances and practices from feudal times, such as advowson, entail and escheatment. The holders of traditional secular and religious prerogatives did not let go of them readily. On the other hand, there are early harbingers of liberal movement toward universal and equal opportunity. Education at the grammar school and university level was being opened to those who could not pay for it on their own. This process in turn opened new social and economic possibilities, especially in law and the church, to people who could never aspire to join the landed gentry. Some of the new possibilities were across the sea, in America.

I have divided this narrative into two parts: first a factual account of Jeremy's life, as far as we know it; and second notes about how he might fit into a genealogy of others before and after him.

Biography and history

Early days and education, c. 1600 - 1633

Jeremy Clayton was born perhaps in the early 1600s.

He enrolled at Clare College of Cambridge University in the Easter term of 1617.¹ He was admitted as a *sizar*, that is a student receiving financial assistance of some kind. He obtained a B.A. in 1620/1. He was ordained a deacon at Peterborough, Cambridgeshire on December 5, 1622, a priest there on March 9, 1622/3. That May, he was involved in administration of a probate case in the Consistory Court of the Diocese of Ely, a few miles away.² He obtained an M.A. at Clare in 1633.

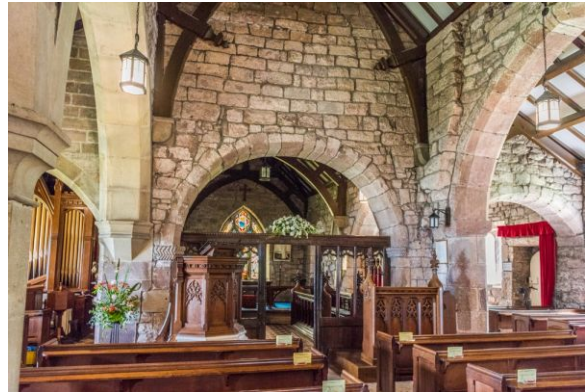
First stay in Dartford, Kent County, 1634 - 1637

Jeremey Clayton was in Dartford, Kent County the year after receiving his Master of Arts degree. Dartford is on the outskirts of London, downstream along the Thames. He would later become Vicar of St. Michael and All Angels Church, Wilmington there, but I have not found record of Jeremy in a priestly role at this earlier phase of his clerical life. His name arises in christening records as the father of John Claton in 1634.³ It is not evident what drew Jeremy to Dartford. There were no closely related Claytons nearby to draw him there, as far as I can tell. The Vicar of Wilmington then, Robert Warburton, was also Vicar of Darenth, some two miles away, and perhaps in need of help.⁴ I will note in passing that both Robert Warburton and John Bowle, who was the regional Bishop of Rochester at the time, are reported to have had Lancashire roots and education at Cambridge University.^{5, 6}

Information is scant for this decade. There are clearly missing vital records, at a minimum including those of his marriage, and possibly births as well. There are no relevant christenings reported for the years between 1634 and 1641, which would be a longer interval than usual between births. The events might have been in Dartford or elsewhere.

Interlude in Heysham, Lonsdale Hundred, Lancashire, 1638 - 1640

The small seaside village of Heysham is ancient. So is St. Peter's Church there. In 1604, it was noted to be without its own vicar, having "but a reading minister,"⁷ who could administer the sacraments but not preach.



Feudal privileges associated with the manor of St. Peter's church of Heysham included *advowson*, that is the right to name its vicar, subject to confirmation by the Church of England.⁸ On November 4, 1569, Robert Parkinson of Hisham [sic] and Margaret his wife obtained a lease of the parsonage and church there for 71 years. In 1582, Robert Parkinson assigned the lease to William Foxcroft. There was controversy afterwards about whether the lease itself, and then its assignment, included the right of *advowson*, and after that whether the right was heritable. Ownership of the estate and this right was *entailed* – restricted – to the oldest male heir; in the failure of a suitable heir male, it *escheated* – reverted in ownership – to the Crown.⁹

There were recurrent and notorious disputes about the parsonage for decades before and afterwards. In 1607, the estate of Robert Parkinson brought a lawsuit against others, including Edmund Parkinson, acting as commissary of Richmond of west Lancashire, and John Clayton. The subject of the suit was "Forcible entry and locking up goods in the parsonage of Heysham, held by the deceased with messuage and land in Bleasdale, damage, embezzlement, falsifying a warrant of sequestration, affray, etc."¹⁰

In 1638 the incumbent vicar Oliver Calvert died, leaving the position vacant. Christopher Philipson of Calgarth and Henry Ward of Rigmaiden, by assignment of Robert Parkinson of Fairsnape, nominated Oliver's son Thomas to succeed him.¹¹ A petition from dispensation from restrictions against such consanguineous transfers was granted.¹² Initially, the hereditary restrictions on manor ownership went unnoticed or ignored. Soon enough, however, the disputes over the *advowson* resurfaced. As an additional complication, the 1569 lease to Parkinson was about to expire. Archbishop of Canterbury William Laud, head of the Church of England and a staunch royalist, advised the bishop of Chester that "I would thinke it the safest way, for your Lordship to Institute the Kings Clerke," that is, to name a cleric of the King's choosing.⁸ The bishop accordingly replaced Thomas Calvert's name with that of Jeremy Clayton. The new appointment was instituted on November 21, 1638.

Jeremy Clayton acted as rector for a while, though records conflict about whether he actually and validly had that title. Reports show that in 1639, as R[ector] of Higham [sic], he contributed £1:10:0 for "the warres ag^t the Scots."¹³ But things were still simmering, evidently.

On December 11, 1640, Jeremy Clayton, described as “clerk” rather than “rector,” executed a three-year lease of the rectory of Heysham to William Ward, M.A. of St. John’s College, Cambridge University.¹⁴ The payment for the lease, £80 per year, was substantial. The act of the lease is confusing. If it had become accepted that Jeremy Clayton was not the rector, what right did he have to lease the rectory or receive payment for its use?

The dispute came before Sir John Bankes, Lord Chief Justice of the Common Pleas and acting Speaker of the House of Lords. On December 12, the day after the lease was made, Bankes found that Parkinson’s title to the parsonage was creditable.¹⁵

Apparently, however, things may not have not been resolved in the minds of all. Two years later, a Lonsdale *inquisition post mortem* – a routine formal proceeding to verify legal title, not a medical inquiry about cause of death – included the questions of the advowson of Heysham.⁸ In 1650, an official church survey¹⁶ found that Heysham “is a Parsonadge p^resentative [to which the patron has the right of presentation] by *Mr George Parkinson* of ffairenapp,” Robert Parkinson’s son, and that the “proffitts issueing out of ðe said Rectory are worth about a hundred pounds p[er] ann[um] to ðe Parson for ðe Tyme being, *Mr William Ward*, Maister of Artes.” The phrase “for the time being” is revealing, as is the title “parson” rather than “rector” or “vicar.”

Second stay in Dartford, Kent County, 1641 - 1661

Jeremy Clayton returned to Dartford. The pastor there, Robert Warburton, would die within two years; no one knew that, but he may have been visibly in failing health.

In 1641, records report the christening of Thomas Claton, son of Jaramy Claton, in Dartford, Kent.¹⁷

In 1642 or 1643, Jeremy Clayton was appointed Perpetual Vicar of the Church of St. Michael and All Angels in Dartford, following the death of Warburton.¹⁸ He remained there until his death in 1661.¹⁹ I have found no local traces of his two known children beyond their christenings.

Genealogy

Approach

Usually there is not enough information surviving from the 1600s and earlier to establish clear pedigrees. For lack of vital records of births and marriages and deaths, one does one’s best to reconstruct using odds and ends of legal and administrative documents – and these are at best chancy for people who did not have property. Here, the brief records of Cambridge University students and Church of England clergy provide at least a firm skeleton for the story. There are voluminous legal records about the Heysham parsonage dispute.

Possible descendants

Jeremy Clayton of Dartford may have been the father of the Jeremiah Clayton who first appeared in York County, Virginia by 1668.²⁰ A few considerations support this hypothesis. (1) The name Jeremiah was not a common one, especially among families where there was no previous Jeremiah. (2) The early Clayton inhabitants of Virginia included, besides Jeremiah, a Thomas, a John, a Margaret, and a James.²¹ The documented children of Jeremy of Dartford were Thomas and John. Margaret was the sister of Jasper Clayton, who lived about twenty-five miles from Dartford. (3) Finally, at a human level, the story works. It is quite credible that the children of a vicar, respectable but of moderate means, with no obvious life paths to follow, would strike out and explore new places and directions. That's what their father did.

To be sure, there is no record that the Jeremy of Dartford had a son named Jeremiah. But most relevant birth records are lost, and most fathers of that era named a son after themselves. So, I would guess that he probably did.

Possible ancestors

Perhaps the most critical question for the entire pedigree is whether Jeremy Clayton's short stay in Heysham represents a deliberate but aborted plan to return to his home. After reviewing as much evidence as I can find, I have changed my mind from "we don't know" to "very likely so."

In the absence of any evidence at all, one might guess that Jeremy came from the Lancashire/west Yorkshire area simply because the majority of the Claytons of that era did. And *all* of the candidate handful named Jeremiah I've run across did. Looking at particulars, we find a long presence of Claytons in the Heysham area, including specifically acquaintance with the disputed parsonage. In 1545, a lease²² names John Clayton and Edward Clayton along with John Fletwoode, a member of the family earlier granted the Rectory of Heysham;¹⁵ and William Farryngton, whose family before and after intermarried with Claytons of Leyland.^{23, 24} Sometime before 1600, Thomas Clayton (of the Little Harwood and Lentworth Branches) married Bridget Tunstall of Aldcliffe,^{25, 26} about three miles from the Heysham church. As noted above, in 1607 John Clayton was one of the defendants named in a lawsuit involving the parsonage of Heysham.¹⁰ In 1614, Roberte Tunstall (Bridget's uncle) conveyed land in the nearby Forest of Wyresdale to John Clayton of Little Harwood.²⁷

There was no obvious occupational reason for Jeremy to go to Heysham. In a way it would be a career step up for him to have the title of vicar, but the church was a tiny one. His move no doubt respected in some part the wishes of his superiors; but his priestly role carried some autonomy with it. He could not get a place without someone to give it to him; but neither could the Church of England dictate to him where his place was to be.

This logically raises the question, did he go to Lonsdale because he wanted to be there? What convinces me that this is so, is that the Lord Chief Justice of the Common Pleas and acting Speaker of the House of Lords found Jeremy's evidence convincing. He wrote, "Mr. Jeremy Clayton the Kings appointee... himselfe satisfied me that the said defendant Parkinson hath a good title to the said Rectory, and the said Clayton no longer hath any further possession."¹⁰ Sir

John Bankes is treating Jeremy Clayton not as an upstart junior cleric in legal waters whose depth he did not begin to grasp, but as someone whose knowledge and understanding were worthy of attention in a debate about complex issues among the most learned lawmen in England – or, more simply put, someone who was on his home ground.

And so I believe that Jeremy Clayton probably came from some unidentified but nearby branch of the family, perhaps the Lentworth Claytons. I have not been able to get closer than that from the fragmentary records that survive.

The bottom line

Available specific circumstantial and genetic evidence overwhelmingly indicates that the early colonial Virginia Claytons, or some large subset of them, came from Lancashire and the neighboring West Riding of Yorkshire.²¹ That general observation does not take us to this particular descent. The people involved might have had little connection with each other beyond being part of the same large herd.

The strongest set of evidence that indicates to me that that the overall pedigree shown here is on track, is the continuing association of the Claytons of Lonsdale and of Virginia with the Tunstalls, who were in both those areas. The series of events in the table below is of worthy of attention.

Conjunctions of Clayton & Tunstall families

< 1600	Bridget Tunstall, daughter of Francis, marries Thomas Clayton.
1614	Robert Tunstall conveys Forest of Wyresdale property to John Clayton of Little Harwood. ²⁷
1628	Robert Tunstall cited in will of Edward Clayton ²⁸
1637	Edward Tunstall pays for transport of Richard Clayton to Virginia. ²⁹
1638-40	<i>Jeremy Clayton is in Heysham, Lancashire near home of Francis and Robert Tunstall.</i>
1667-68	Richard Tunstall patents 1,368 acres on the north side of the Mattaponi River in New Kent County, Virginia; ³⁰ Jeremia Claton patents 1,300 acres on the north side of the Mattaponi there. ³¹
1704	Thomas Tunstall & Jeremy Clayton appear in Quit Rent Rolls of King & Queen County, Virginia. ³²

According to Dugdale's pedigree of Clayton of Lentworth,²⁶ Bridget Tunstall, daughter of Robert Tunstall of Aldcliffe, married Thomas Clayton of Little Harwood. Aldcliffe is about three miles (5 km) from Heysham. (See chart and map on separate pages.) Actually, the Clayton great-grandson who submitted the pedigree has Robert Tunstall and his brother Francis mixed

up; but this is not surprising or a great matter, since both were present and involved, and the family clearly had holdings in Aldcliffe.³³

It is curious to note the survival of the family name to this day in the Clayton Trophy of the Heysham Golf Club.³⁴

In any event, the fine details of geography are immaterial, given the enormous scale of the manors owned by both families. Robert Tunstall later sold his manor in Over Wyresdale to John Clayton of Little Harwood.²⁷ Over Wyresdale has 17,318 acres (27 mi², 70 km²).³⁵ The village of Tunstall is 14 miles (23 km) northeast of Heysham, Lentworth Hall (sometimes known as Clayton Hall) 23 miles (37 km) to the southeast.³⁶

Jeremiah Clayton would be similar distances from the community and land of Tunstall in Virginia late that century. I have found no records of direct contact between the families. Still, the proximity seems worth including in a big picture.

In the end, it's a question of how convincing a particular picture is, and the answer to that is subjective. I find this picture reasonable and plausible. In particular, the recurring presence of individuals named Jeremiah Clayton next to members of the Tunstall family seems beyond coincidence. I would like to know more about the Edward Tunstall and Richard Clayton of the 1637 transport to Virginia. It is also quite possible that the real story is entirely different from the one told here, built from puzzle pieces I don't have.

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Aldcliffe

Tunstall

Heysham

Clayton Hall of
Lentworth



Clayton of Lentworth.

Arms. — Argent, on a bend, sable, cotised, gules, three roses, or.

Thomas Clayton—Bridget, dau. of of Church house, Robert Tunstall near Dunkeld, of Aldcliffe, co. Lancashire.

Thomas Clayton—Bridget, dau. of of Little Harwood, co. Lancashire.

1 John Clayton of Little Harwood. 2 Thomas Clayton—Margaret, dau. of of Lentworth, co. St John Talbot of Salesbury, co. Lancashire, ob. in 1658.

Thomas Clayton—Grace, dau. of of Lentworth, set James Moore of Harroek, co. Ebor. 33 an. 16 March 1664.

1 Thomas Clayton, set 5 an. 16 March 1664. 2 John, set 3 an. 3 James, set 2 an. 1 Katherine, set 4 an. 2 Margaret, set 3 mensium.

Lancaster, 16 March 1664.

The Clayton.

Clayton of Little Harwood.

Arms. — Argent, on a bend, sable, three roses, or — a crescent for difference.

William Clayton—... dau. of of Little Harwood, co. Lancashire. ... Livesey of Livesay.

Thomas Clayton—Bridget, dau. of of Little Harwood, co. Lancashire. ... Tunstall of Aldcliffe, co. Lancashire. She re-married to ... Carrus of ... in Ireland.

John Clayton—Alice, dau. of of Little Harwood, ob. circa 1659. 2 Thomas Clayton of Lentworth, co. Lancashire, married Margaret, dau. of S^r John Talbot of Salesbury, co. Lancashire, kn. Margaret, wife of Thomas Britwise of Huncote, co. Lancashire.

1 Thomas Clayton—Dorothy, dau. of Jane, dau. of 2 John Clayton—Susan, dau. of 1 William Clayton, wife of Robert Caudrey of Halifax, co. Ebor. 1 of Little Harwood, ob. circa 1648. ... Murrey, parson of Bury, co. Lancashire. son of Roger Whalley of Little Harwood, set 35 an. 14 Sept. 1664. 2 John, died in their childhood. 2 George, first wife. Anne. John Clayton, set 3 an. 14 Sept. 1664. Susan, Lidia.

Blackburne, 14 Sept. 1664.

John Clayton.

The pedigrees shown by Dugdale are based on self-reports, as shown in the footnote lines, without clear requirements for documentation. Because their fundamental purpose was to establish claims to nobility and the right to use coats of arms, they may include only the oldest eligible male heir, omitting younger siblings and all daughters.

For example, according to the will of Thomas Clayton, his wife Bridget was the daughter of Francis, not Robert, Tunstall. Thomas's father William was evidently married twice. Besides the children shown, he had sons William (Thomas's half-brother), John, Edward, Ralph, Ellen, Margaret, and another daughter.

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