



A typical example of an inquisition post mortem report of the 17th century

Inquisition on Richard Franklyn 1634

Notes from Inquisition Post Mortem at Marlborough in Wiltshire in Reign of Charles I [Source: Ancestry Parish Records]

Delivered into Court on 27 April 1635 in 11th year of reign of Charles I

Inquisition taken at Marlborough, 23 Sep [1634], 10 Charles 1st, before Francis Guidott, gent., escheator, after the death of Richard Franklyn, by the oath of Thomas Weston, gent., Robert Kingsman, gent., Thomas Sloper, gent., John Savidge, Robert Croke, John Purnell, John Gittens, Thomas Nash, Richard Glasse, William Eateall, Leonard Bishop, Edward Arnold, and Richard Bayly, who say that Richard Franklyn died 22 March last past [1633/4]. William^[i][sic] Franklyn is his son and next heir and was then aged 50 years and more.

Richard Franklyn was seized^[ii] of 2 messuages and 4 virgates^[iii] of land, late parcel of the customary^[iv] lands of the manor of East Kennett, late in the several tenures of Alice Stronge and George Croke; One water mill situate in the fields of East Kennett, with free ingress and regress to and from the same by the usual ways' and free liberty of carrying, taking away, and working stones and other materials to be used about the said mill within the space of 100 feet.

The said Richard Franklyn was likewise seized of the rectory of the church at East Kennett and the avowdson^[v], free gift and right of patronage of the vicarage of East Kennett. The said Richard Franklyn was likewise seized of the manor of East Kennett.

The said Richard Franklyn was likewise seized of one messuage, one cottage, one garden, one orchard, 20 acres of land and 2 acres of meadow in East Kennett lately purchased of Richard Dismer senior and Richard Dismer junior. Of whom or by what service the said premises in East Kennett purchased of the said Richard Dismer are held the jurors know not, they are worth per annum clear 6s 8d.

The said rectory and avowson are held of the King as of his manor of East Greenwich, County Kent by fealty^[vi] only, in free and common socage^[vii] and not in chief^[viii] and are worth per annum clear 30s. The manor of East Kennett is held of the King in chief by the service of the 20th part of a knights^[ix] fee and is worth per annum clear to wit the said premises assured to the said Edward Franklyn 20s and the residue 33s 4d.

So seized the said Richard, by indenture dated 19th May 1628 made between himself on the one part and Giles Franklyn gent and Robert Kingsman senior yeoman of the other part, in consideration of the love borne by the said Richard towards Edward Franklyn his son, agreed that he Richard and his heirs should

be seized of the said premises to the use of him the said Richard for his life; and after his decease to the use of the said Edward Franklyn and his heirs for ever.

So seized he by indenture dated 13 March 1634 made between himself of the one part and Cecilia and Joyce Franklyn two of his daughters of the other part in consideration of the sum of £80 heretofore received by the said Richard, to the several uses of the said Cecilia and Joyce bequeathed to them by Alice Cole widow, deceased, their aunt for satisfaction to be made for the detention of the said sum and for 40s paid by the said Cecilia and Joyce enfeoffed^[x] them of the said rectory and avowson to hold to them and their heirs forever.

ⁱ The name William could have been a mis-transcription or a mis-type or indeed William could have been his eldest son to whom Richard chose to leave nothing. Is this why there was an inquisition even though Richard had left a will? Cicilie, Joyce and Edward are mentioned in both the will and the Inquisition Post Mortem so it is the same Richard Franklyn.

ⁱⁱ Seisin was the possession of property; strictly freehold, but often used referring to customary holdings.

ⁱⁱⁱ Virgate was a land measure which varied in different localities but was often 30 acres

^{iv} Customary tenure: Most tenure were held at the will of the lord according to the customs of the manor and referred to as customary. Most, but not all, customary tenants in the early modern period had copies of entries in the manor court rolls recording their holding; they were thus commonly called copyholders.

^v Avowson [also advowson] was the right to the patronage of an ecclesiastical office or religious house, the right or presentation to a benefice or living

^{vi} Fealty: This was the oath of allegiance to the Crown made by incoming tenant.

^{vii} Socage was a form of freehold tenure, without the obligation of military service.

^{viii} This means that he did not hold the property directly from the Crown and owe military service for it.

^{ix} Knight service was the Military service due under a freehold tenure. It was abolished in 1660, by which time it had usually been commuted to a cash payment or the Knight's Fee. This meant the King could pay someone else to do the military service.

^x To enfeoff was to invest with the fee simple or fee tail to put someone in possession of the land or property. It was an estate of inheritance where the heir was ascertained by applying the canons of descent. When there was no heir the land passed to the feudal lord by escheat [reversion of land held in fee simple to the lord].