



# *Inquisition*

## *Dilton Marsh*

**Henry, Earl of Marlborough.**

***Inquisition*** taken at New Sarum, 27<sup>th</sup> September, 14 Charles I [1638], before William Morse, esq., escheator, after the death of the Most Noble Henry, late Earl of Marlborough, by the oath of Andrew Pewde, William Feltham, William Cooke, Arthur Poore, Christopher Gray, Walter Gray, James Parker, George Sadler, Elisha (Elizei) Gleede, Robert Lucas, Anthony Haiter, Edmund Andrese, Robert Rowden, Stephen Warren, Francis Mathew, and Richard Potticarie, who say that

Before the death of the said Earl, James, late Earl of Marlborough, his father, was seised of the manors of Westbury, Westbury Arrundell, Westbury Leversegge, Westbury Brooke with Mawdittes, Hawkridge, Heywood, Ligh, Ligh Beckettes, Ligh Pryors, Shewells and Sewells ; the hundred of Westbury, view of frank pledge, chattels of felons and fugitives, felos de se, etc., fairs, markets, etc., within the said hundred ; the manor of Brembridge ; 4 messuages, 4 acres of meadow, 2 acres of pasture and common of pasture in Ligh, le Marsh, Dylton, and Westbury, late in the tenure of Edward Whatlie, senior, and Edward Whatlie, junior, one cottage, one toft, 20 acres of land, 10 acres of meadow, 100 acres of pasture and common pasture for all beasts in Heywood, Hawkridge and Westbury, called Barweikes, Alwikes, and Temes Leazes, lately purchased of Edward Longe, gent., one capital messuage, newly built upon part of the premises called Temes Leazes ; 7 messuages, 30 acres of land, 10 acres of meadow, 10 acres of pasture, and 10s. rent in Heywood, Hawkridge, Bratton, and Westbury, late in the tenure of Nicholas Gawen, esq. ; 5 messuages, 40 acres of land, 10 acres of meadow, 10 acres of pasture and common of pasture in Ligh, Dylton, and Westbury, last the lands of John Raynoldes alias Westbury ; one several close of meadow called Plucknets, in Palmers Marsh, in the parish of Westbury, late the lands of John Adlam ; 2 messuages, 30 acres of land, 6 acres of meadow, and 10 acres of pasture in Heywood and Westbury, late the lands of John Dautesey ; 2 messuages in Westbury, 2 acres of meadow in the Common Meade, 1 acre of meadow in Bulbridge Meadow in Westbury, and 2 acres of arable land in Tholston, late the lands of Stephen Moggeridge ; one close of pasture called Sanctuarie Close in Dylton and Westbury, late the lands of Matthew Arrundell, knight ; 5 messuages, 8 acres of land and common pasture in Westbury, late the lands of Robert French ; one messuage, 2 cottages, 3 gardens, 1 orchard, 3 acres of land and common pasture in Westbury, late the land of Thomas Withers ; 5 messuages, 8 acres of land and common of pasture there, late the land of Richard Lyde ; one messuage, 30 acres of land, 5 acres of meadow, 10 acres of pasture, and 10s. rent in Bradford, Bratton, Westbury, and Steeple Ashton, lat the lands of Henry Clifton ; the toft, barn, stable, garden, and curtilage in Westbury, and 2 messuages and 2 acres of land in Westbury and Penley, late the lands of Jeronimus Pashion and Nicholas Pashion ; one messuage, garden and orchard in Studley, in the parish of Trowbridge, late the lands of John Hickman ; one messuage, 4 acres of land, 1 acre of meadow, and common of pasture for all beasts in Westbury, late the land of George Lovell and Thomas Lovell ; one capital messuage and certain lands and tenements in Studley called Pudlers, late the lands of George Roberts alias Mathewes ; one messuage, in Penley, and one water-grain and fulling mill, with a garden and orchard adjoining, one rood of land, 3 acres of pasture called Rackclose, one close of pasture called Pond Close, one close of pasture called the Ley, containing 4 acres, one close called Hoopers Close, the land called Home Meade, 2 acres of arable land, and common of field and wastes of Penley, late parcel of the manor of Brembridge, late the land of Edward Ferrers and Francis Phillips ; 70 messuages, 20 cottages, 8 water-grain and fulling mills,

400 acres of land, 120 acres of meadow, 450 acres of pasture, 250 acres of wood, and certain other lands and tenements and common of pasture for 500 sheep, and other sheep and beasts in Westbury, Heywood, Hawkridge, Bratton, Milborne, Stoake-Coulston, Ligh, Dilton, le Marsh, Shortstreete, Skidmores, Upton, Penley, Brooke, Doddesmeade, Steeple Ashton, Imber, Brembridge, Chapmanslade, Tholston, North Bradly, Southweeke and Warmister, late the lands of John Batt, John Amilles, senior, John Amilles, junior, Anthony Burges, Robert Gybbes, Richard Gybbes, Edward Midlecott, John Dauntsey, knight, John Doddemeade, Thomas Saunders, alias Lawrence, Henry Phipp, Nicholas Phipp and Susanna his wife, Henry Phipp, Francis Wallis and Margerie his wife, Henry Freestone and Joan his wife, Aldam Stanshall and Elionor his wife, William Whitaker, esq., William Beckett, Alexander Staples, William Staples, Thomas Staples, George Staples, Richard Staples, John Smith, Christopher Smith, Gabriel Dowse, esq., William Bisse, John Usher, Edward Long, esq., Gyfford Long, gent., George White, Roger Martine, William masters, knight, and Edward Wardour, knight ; 2 messuages and certain lands and tenements in Ridge, in the parish of Beckington, co. Somerset, late in the tenure of Thomas Dunning and William Dunning ; and one messuage and certain lands and tenements in Standerweeke and Berkley, co. Somerset, purchased of Alexander Stanton, gent.

So seised, the said James, Earl of Marlborough, before he was raised to the title, by the name of James Ley, knt., Attorney of the Court of Wards and Liveries, by indenture dated 3<sup>rd</sup> November, 14 Charles I [1616], made between himself of the one part, and Arthur Capell, knt., and Henry Capell, knt., son and heir apparent of the said Arthur, and William Ley and Matthew Ley, esqs., fo the other part, in consideration of a marriage to be held between the said Henry Ley, afterwards Earl of Marlborough, then son and heir apparent of the said James Ley, and Mary Capell, one of the daughters of the said Arthur Capell, and in full satisfaction of the jointure of the said Mary, agreed that before the feast of Easter then next following one or more fines should be raised of all the said premises, to the use of him the said James for his life ; and after the said marriage and decease of the said James, then to the use of the said Henry Ley for his life ; and after the said marriage and the decease of the said Henry, then as to the said manor of Sewells and all the lands and tenements called Sewells in Hopwood, Bratton, and Westbury, the closes called Temes Leaze and Rush Laynes, the farm called Arrundells Farm, the farm called Sturtons Farm, the pasture called Bunwells Grove, and all the arable land and parcels of meadow in the common fields of Heywood, Bratton, Hawkridge, Ligh, Brooke, and Westury, to the use of the said Mary Capell, now Countess of Marlborough, for her life, in the name of her jointure, and in satisfaction of her dower ; after her decease, then as to all the said premises, to the use in tail male of the first and second sons of the said Earl named in the writ, with divers remainders over, with remainder to the right heirs of the said James the land Earl for ever.

Several fines were afterwards levied according to the limits and agreements mentioned in the said indenture.

The said marriage between Henry Ley and Mary Capell was solemnized on the 5<sup>th</sup> November, 14 James I [1616], at Haddam Parvum, co. Hertford. The said James the late Earl died 14<sup>th</sup> March, 1629, the said Earl names in the writ being then aged 32 years and more. After his death an inquisition was taken at New Sarum, the 2<sup>nd</sup> day of May, 9 Charles I [1633], of all his manors, lands, etc., whereupon livery and first seisin thereof accrued to the King, and afterwards, on the 14<sup>th</sup> day of March, 4 Charles I [1629], Henry Earl of Marlborough prayed for special livery therof, and it was granted him.

The said Henry was seised of 2 messuages, on cottage, one barn, 240 acres of land, 50 acres of meadow, and 400 acres of pasture in Bratton, Stoke, Lygh, and Westbury, callet St. Mawre farm, parcel of the manor of Westbury St. Mawre ; and so seised, by indenture dated 21<sup>st</sup> August, 5 Charles I [1629], made between himself and the Countess Mary his wife, William Bower, esq., George Marks, gent., Robert Tothill, gent., Robert Long, esq., and Henry Norman, gent., of the one part, and Ralph Hopton, Knight of the Bath, and William Capell, esq., of the other part, for the love he bore towards his said wife and for the increase of her jointure, enfeofed thereof the said Ralph Hopton and William Capell : to hold to them and their heirs to the sole use of the the said Henry Earl of Marlborough for his life ; after his deceased, to the use of the said Mary for her life ; and after her decease, to the use of the right heirs of the said Henry for ever.

The said Earl was likewise seised fo the manors of Westbury, Stourton, Westbury under the Playne, and Westbury St. Mawre ; the manor of Ley in Beereferris, co. Devon ; one coppice and certain woods called Harry Leyes Woods in Marlestreet in Beereferris, parcel of the manor of Ley ; one messuage and 2 small closes, reputed to be 2 burgages in Tamerton Follyet, co. Devon, late the lands of Davie Pierce ; and one acre of wood in Fovent ; the reversion of the manor of Teffond Evias, with the advowson of the church there, and 3 messuages, and 100 acres of land, meadow, pasture, and wood in Teffond Evyas, expectant after the determination of 40 years, commencing from the decease of the said Henry. Of whom or by what service the manors of Westbury and Westbury Arrundell are held the jurors know not ; they are worth per annum, clear, £10. Of whom the manor of Heywood is held is not known : it is worth per annum, clear, £5. Of whom the manor of Westbury Leversedge is held is not known : it is worth per annum, clear, £6. The manor of Westbury Brooke cum Mawdittes is held of the King in chief by the service of the fourth part of a knight's fee, and is worth per annum, clear, £8. Of whom the manors of Hawkridge, Leygh, and Leygh Beckettes are held the jurors know not ; they are worth per annum, clear, £6 10s. The manor of Leygh Pryors is held of the King in chief by knight's service, but by what part of a knight's fee is not known, and is worth per annum, clear, £8. Of whom the manor of Shewells and other the lands there are held is not known : they are worth nothing during the life of the said Mary Countess of Marlborough, but afterwards thy will be worth 40s. The hundres of Westbury, with all the liberties and franchises, is held of the King in chief by knight's service, and is worth per annum, clear, £3 6s. 8d. The manor of Bremridge is held of the King as of his manor of East Greenwich, co. Kent, by fealty only, in free and common socage, and not in chief or by knight's service, and is worth per annum, clear, 10s. Of whom the premises in Leygh, le Marsh, Dylton, Tholston, Westbury, Bradford, Bratton, Steeple Ashton, Trowbridge, and Studley, and other the premises in co. Wilts assured by the said Earl James are held, the jurors know not : they are worth per annum, clear, 20s. The manor of Westbury Stourton is held of the King as of his manor of East Greenwich, co. Kent, by fealty only, in free and common socage, and not in chief or by knight's service, and is worth per annum, clear, 40s. Of whom the manor of Westbury under the Playne is held is not known. The said manor of Westbury St. Mawre is held of the King in chief by knight's service : the said 2 manors are worth, that is to say, the premises aforesaid assured to the said Countess are worth, per annum, clear, £5, and the residue thereof 26s. 8d. Of whom the said manor of Ley and other the premises in co. Devon are held the jurors know not : they are worth per annum, clear, 40s. The manor of Teffont Evias and other the premises there are held of Edward Hungerford, Knight of the Bath, by the service of the 40<sup>th</sup> part of a knight's fee, and are worth per annum, clear, during the said term of 40 years nothing, by afterwards they will be worth £15 8s. 8d. The acre of wood in Fovent is held of the King in chief by knight's service, and worth per annum, clear, 6d.

Henry Earl of Marlborough died 1<sup>st</sup> April last past ; James, now Earl of Marlborough, is his son and next heir, and was aged 19 years on the 28<sup>th</sup> day of January last past before the death of his said father. Mary Countess of Marlborough still survives at Heywood.

**Inq. p.m. 14 Charles I, pt. 2, No. 155. "Abstracts of Wiltshire Inquisitions Post Mortem," 1901, edited by George S. Fry & Edw. Alex Fry.**