

**THE INQUISITIONES POST
MORTEM
FOR THE COUNTY OF
WORCESTER, PART I**

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The Inquisitiones Post Mortem for the County of Worcester, Part I by J. W. Willis Bund

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J. W. WILLIS BUND

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FOR THE COUNTY OF
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Nov. 24

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Gr. Brit. Court of chancery

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THE INQUISITIONES POST MORTEM

FOR

THE COUNTY OF WORCESTER.

PART I.

FROM THEIR COMMENCEMENT IN 1242

TO

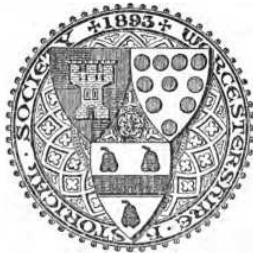
THE END OF THE 13TH CENTURY.

EDITED FOR

THE WORCESTERSHIRE HISTORICAL SOCIETY

BY

J. W. WILLIS BUND, F.S.A.



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INTRODUCTION.

THE series of documents known as the *Inquisitiones post mortem* are perhaps the most important of all records for the purposes of the local historian. They extend over some four centuries, and give with minuteness the history of the great landowners in each county, and of their estates during that period. At the death of every landowner a writ was sent sometimes to the Sheriff, sometimes to the Escheator, to inquire by means of a Jury, amongst other matters, as to the land of which the deceased died possessed, of whom it was held, what was its annual value, what services were due in respect of it, who was the heir, and what was his age?—all these inquiries being rendered necessary on account of the King's rights as feudal lord. If the land was held of the Crown the King was entitled to a payment on the new owner taking possession, based on the value of the estate. If there was no heir the land escheated to the Crown; if there was an heir and he was under age, the King was his guardian and entitled to manage his lands. The feudal system required all these matters to be dealt with and ascertained with a minuteness a modern tax collector might envy. It also provided the machinery for ascertaining these details by means of a Jury of twelve good and true men. In modern times the term "Inquest" is always associated with the Coroner, murder, suicide, or accident. But that was not the original idea. The Coroner, as his name shews, was the officer who looked after the rights of the Crown, and the Crown was only interested in a person's death in so far as it got anything by it. So the Coroner inquired first into the fact of death, and then into the rights that arose thereon. Any one who will read the Statute of Coroners, 3 Ed. 1. c. 10, will see how wide this officer's duties were. In our day the fact of death and how it was caused has become the chief instead of the secondary subject of inquiry. The *Inquisitiones post mortem* may therefore be said to be the results of the inquiries as to the rights of the Crown, that were made on the death of any individual whose position made such an inquiry worth holding. It is obvious that this series of records must contain the very best materials for both local and genealogical history. In addition

to these there are included in the series two other class of inquiries. (1) When a tenant of the Crown wanted to grant land to a religious house, or in mortmain, the Crown, before it gave its assent, caused inquiries to be made as to whether the interest of the Crown would suffer by such grant, either because the person proposing to make the grant did not retain sufficient property to answer his other liabilities to the Crown, or because of the value of the property itself. Two instances of these writs contained in this part will shew the nature of the inquiry *ad quod damnum*. A proposal was made by the Prior of Worcester to enclose the road between his house and garden at Worcester for a length of 160 feet, and a width varying from 14 to 20 feet. On this an Inquest was held as to the propriety of allowing such an enclosure, now a sub-committee of the County Council would visit the spot and report. Here the Inquest reported, That the enclosure would be to the damage of the King when he came to Worcester, and of the public in case of any disturbance or fire¹. The other case was as to whether the King would suffer any loss if the Prior of Malvern was allowed to continue to hold two and a half acres of arable land he had acquired at Powick at a chief rent of 3*s.* 6*d.* The jury found it would not hurt the Crown, as the land had never been subject to suit, view of frankpledge, aid, tallage, or watch, and that the rent was the full value².

Another class of records may be described as general inquiries into the condition of the King's rights,—for instance, as to what were the Crown's rights in a Royal Forest³, as to the state of the King's Salt Pits at Droitwich⁴, as to the King's rights on conviction for felony⁵, as to whether the death of a person was felonious or not⁶.

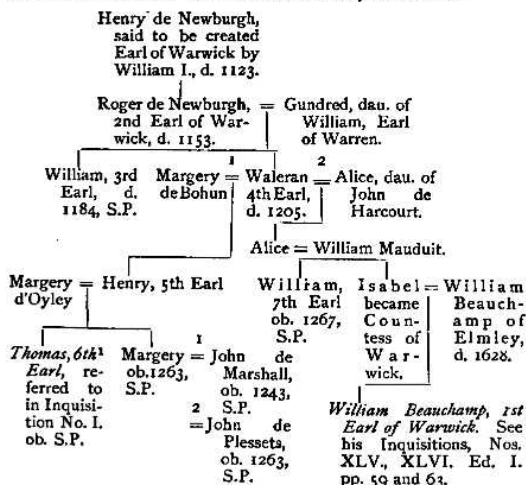
It is plain, from this statement of the nature of these records of what interest they are to all antiquarians, and this has led the Council of the Society at once to begin their publication. The present part extends from their commencement for Worcestershire in 1242, 26 Henry III., to the end of the 13th century, and contains 69 Inquisitions.

The most important are those relating to the Stutevills⁷, Clares⁸, Tatlingtons⁹, Someries¹⁰, de Spensers¹¹, Mortimers¹², Corbets¹³, Burnels¹⁴, and Beauchamps¹⁵. From them may be traced how these

¹ p. 23. ² p. 38. ³ p. 17. ⁴ p. 8. ⁵ p. 24. ⁶ p. 9. ⁷ p. 4.
⁸ pp. 7, 55. ⁹ p. 15. ¹⁰ pp. 16, 18, 34. ¹¹ pp. 19, 20. ¹² pp. 21, 27.
¹³ pp. 20, 33. ¹⁴ pp. 43, 49. ¹⁵ pp. 59, 63.

different families came to be connected with the county, how the old landowners mentioned in Domesday disappeared, and what property each family held. The services and customs the different tenants rendered for their lands are also matters of interest, as also the existence of certain trades in the county, such as the iron and coal trade at Dudley.

The Earldom of Warwick mentioned in the first Inquest was that held by the family of Newburgh, who are said to have been created Earls by the Conqueror. The extent of their Worcestershire estates is uncertain, but it was through a marriage with an heiress of the family that the Beauchamps succeeded to the Earldom of Warwick. Their descent is shortly as follows :—



This Pedigree shews the persons mentioned in three of the Inquisitions, Thomas Newburgh, 6th Earl of Warwick (No. I. Henry III., p. 1), and those as to William Beauchamp (Nos. XLV. and XLVI. Edward I., pp. 59, 63). Why there was no inquisition on the death of William in 1267, and Margery and Alice, it is not easy to say,

¹ Names printed in italics are those of the persons whose inquisitions are given.