



# *Inquisition*

## *Westbury*

### **James, Earl of Marlborough**

Delivered into Court 12<sup>th</sup> May, 13 Charles I.

***Inquisition*** taken at the City of New Sarum, 2<sup>nd</sup> May, 9 Charles I [1633], before William Herbert, esq., escheator, after the death of the Most Noble James, Earl of Marlborough, by the oath of Barnabas Cole, gent., Francis Topp, gent., William Walker, gent., Andrew Pende, gent., Edward Hayward, gent., John Reeve, Maurice Aylrugge, John Thorpe, Robert Jole, Thomas Wilson, George Acrigge, Richard Easton, William strayne, Thomas Tutt, William Woodford, Edmund Snowe, John Butcher, Edward Fawconer, and Robert Wansboroughe, who say that

James, Earl of Marlborough was seised of the manors of Westbury, Westbury under le Playne, Westbury Sturton, Westbury Arundell, Westbury Heyard, Westbury St. Maure, Westbury Leversegge, Bratton, Westbury Brooke with Mandittes, Hawkeridge, Heywood, Ligh, Ligh Beckettes, Ligh Pryors, Shewells, and Sewells ; the hundred of Westbury with view of frank-pledge, chattels of felons and fugitives and felons de se, deodands, tec., within the said hundred ; 4 messuages, 4 acres of meadow, 2 acres of pasture, and common of pasture in Ligh le Marsh, Dilton, and Westbury, lately purchased of Edward Whateley, sen., and Edward Whateley, jun., one cottage, one toft, 20 acres of land, 10 acres of meadow, 100 acres of pasture, and common of pasture, for all beasts in Heywood, Haukeridge, and Westbury, called Barwicke, Alwicke, and Temes leazes, lately purchased of Edward Longe, gent. ; one capital messuage newly built by the said Earl upon part of the premises called Temes leaze ; 7 messuages, 30 acres of land, 10 acres of meadow, 10 acres of pasture, and 10s. rent in Heywood, Hawkeridge, Bratton, and Westbury, purchased of Nicholas Gawen ; 5 messuages, 40 acres of land, 10 acres of meadow, 10 acres of pasture, and common of pasture in Ligh, Dylton, and Westbury, purchased of John Reynoldes alias Westbury ; one close of meadow called Pluckettes in Palmers Marsh in the parish of Westbury, purchased of John Adlams ; 2 messuages, 30 acres of land, 6 acres of meadow, and 10 acres of pasture, in Heywood and Westbury, purchased of John Dautesey and John Dautesey [sic] ; 2 messuages in Westbury, 2 acres of meadow in the Common Mead, one acre of meadow in Bulbridge in Westbury, and 2 acres of arable land in Tholston, purchased of Stephen Moggeridge ; one close of pasture called Sanctuary Close in Dilton and Westbury, purchased of Matthew Arundell, knt. ; 5 messuages, 8 acres of land, and common of pasture in Westbury, purchased of Robert French ; one messuage, 2 cottages, 3 gardens, one orchard, 3 acres of land, and common of pasture in Westbury, purchased of Thomas Withers ; 5 messuages, 8 acres of land, and common of pasture in Westbury, purchased of Richard Lyde; one messuage, 2 tofts, one barn, 30 acres of land, 5 acres of meadow, 10 acres of pasture, and 10s. rent in Bradford, Bratton, Westbury, and Steeple Ashton, purchased of Henry Clifton ; one toft, barn stable, garden, and curtilage in Westbury ; 2 messuages and 2 acres of land in Westbury and Penly, purchased of Jeronimus Pashion and Nicholas Pashion ; one messuage, garden, and orchard adjoining, containing ½ acre of land in Studley in the parish of Trowbridge, purchased of John Hickman ; one messuage, 4 acres of land, 1 acre of meadow, and common pasture for all beasts in Westbury, purchased of George Lovell and Thomas Lovell ; one capital messuage and certain lands in Studley called Rudlers, purchased of George Roberts alias Mathews ; one messuage in Penly, 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 Pondclose, one close of pasture called the Ley, containing 4 acres, one close of meadow called Hoopers, one close of land called Homemead, 2 acres of arable land, and common of pasture in the fields and wastes of Penly, late parcel of the manor of Brembridge and sometime parcel of the lands of James Lord Mountjoy, purchaes 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 coomon of pasture for 500 sheep and other sheep and beasts in Westbury, Heywood, Hawkeridge, Bratton, Milborne, Stoake Cowlston, Ligh, Dilton le Marsh, Shortstreet, Skidmores, Upton, Penly, Brooke, Doddesmead, Steeple Ashton, Imber, Bremebridge, Brembridge, Chepmanlade, Tholston, North Bradley, Southwick, Warmister, North Tydworth, and North Tudworth, purchased of John Batte, John Amylles, sen., John Amylles, jun., Anthony Burges, Robert Gibbs, Richard Gibbes, Edward Midlecott, John Dautesey, knt., John Doddenead, Thomas Saunders alias Lawrence, Henry Phipp, Nicholas Phipp and Susan his wife, Henry Phipp, Francis Wallis and Margery his wife, Henry Frestone and Joan his wife, Aldam Stanshall and Eleanor his wife, William Whittacre, esq., John Lambe, esq., William Beckett, Alexander Staples, William Staples, Thomas Staples, George Staples, Richard Staples, John Smyth, Christopher Smyth, Gabriel Dowse, esq., William Bisse, John Usher, Edward Longe, esq., Gifford Longe, gent., Geroge White, Roger Martyne, William Masters, knt., and Edward Wardour, knt. ; the manors of South Tydworth, South Tudworth, North Tydworth, North Tudworth, Middle Tydworth, and Middle Tudworth, in co. Southampton ; the manor of Ley in Beare Ferris in co. Devon ; one coppice and certain woods called Harry leys wood in Marlestreet and Beerferris, parcel of said manor of Ley ; one messuage and two small closes reputed to be 2 burgages in Tamerton Foliet in co. Devon, lately purchased of David Pierce ; the manor of Lullington, and divers lands and tenements in Lullington, Laverton, Beckington Ridge, Standerwick, and Berkley, in co. Somerset, purchased of Alexander Stauntour, gent. ; one messuage and certain lands in Lullington and in Netherton in co. Somerset, purchased of Tobias Horton, gent. ; 2 messages, 4 fulling mills, 12 acres of land, 6 acres of meadow, 6 acres of pasture, and common of pasture in Netherton, Lullington, and Beckington, purchased of William Longe, gent. ; and 7 messuages and certain lands and tenements in Beckington in co. Somerset.

So seised, the said James, before he was created an Earl, by the name of James Ley, knt., Attorney of the King's Court of Wards and Liveries, by indenture dated 3<sup>rd</sup> November, 14 James 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 Mathew Ley, of the other part, in consideration of a marriage to be had between Henry Ley, now Earl of Marlborough, then son and heir-apparent of the said James, and Mary Capell, one of the daughters of the said Arthur Capell, for a jointure to be made for the said Mary, agreed that before the feast of Easter then next following he would levy one or more fines of all the said premises\* to the use of himself for his natural life ; after his decease and the said marriage, then to the use of the said Henry Ley for his natural life ; after his decease, then as to the manor of Sewalls and other the premises called Sewalls in Heywood, Bratton, and Westbury, the premises called Temes leaze, the closes in Hawkeridge and Brooke called Rushlaynes, the farm called Arundells Farm in Haywood and Bratton, the farm called Sturtons Farm in Heywood, Bratton, and Westbury, the pasture in Heywood called Banwells Grove, the arable land in the fields of Heywood, Bratton, Hawkeridge, Ligh, Brooke, and Westbury, the capital messuage, lands, etc., in Beckington, to the use of the said Mary Capell for her life, for her jointure ; after he decease, then as to all the last recited premises, and also all others in the said fines comprehended, to the idvers uses in the said indenture specified, the reversion therof being to the right heirs of the said James Ley for ever. Several fine of the said premises were levied by the said James according to the limitations mentioned in the said indenture.

The marriage between the said Henry Ley and the said Mary Capell was solemnized at Little Hadham, co. Herts, 5<sup>th</sup> November, 14 James I [1616] ; they had issue James, their eldest son, who is now called James Lord Ley, and is still living at Heywood.

Afterward the said James Earl of Marlborough conveyed the said manors and premises in co. Southampton, the namor of North Tydworth, except the farm and lands there called Matons Farm, to the use of himself for his life ; after his decease, to the use of Jane, then his wife, now Countess Dowager of Marlborough, for her life, with divers remainders over.

Of whom the manor of Westbury Arundell is held the jurors know not ; it is worth per annum, clear, £10. The manor of Westbury Brooke with Mawdites is held of the King in chief by the 4<sup>th</sup> part of a knight's fee, and is worth per annum, clear, £8. The manor of Ligh Priors is held of the King in chief by knight's service, but by what part of a knight's fee is not known ; it is worth per annum, clear, £8. The manor of Westbury St. Maure is held of the King by knight's service, and is worth per annum, clear, £6 6s. 8d. The manor of Bratton is held of the King in chief by knight's service, and is worth per annum, clear, £12. The manor of Stowrton is held of the King in socage as of his manor of East Greenwich, by fealty only and not in chief, and is worth per annum, clear, 40s. Of whom the manor of Westbury Leversugge is held the jurors know not ; it is worth per annum, clear, £6. Of whom the manor of Heywood is held the jurors know not ; it is worth per annum, clear, £5. Of whom the manor of Westbury Beckettes is held the jurors know not ; it is worth per annum, clear, 30s. Of whom the manor of Brembridge is held the jurors know not ; it is worth per annum, clear, £6 13s. 4d. Of whom the manors of Ligh and le Marsh and the premises late Longes and Bisse are held is not known ; they are worth per annum, clear, £5. Of whom the manor of Hawkbridge is held the jurors know not ; it is worth per annum, clear, £5. Of whom the manor of Sewells is held is not known ; it is worth per annum, clear, 40s. The Hundred of Westbury is held of the King in chief by knight's service, and is worth per annum, clear, £3 6s. 8d. The premises in Studley and Trowbridge are held of William Earl of Hertford as of his castle or manor of Trowbridge, by fealty and the yearly rent of 9d., and are worth per annum, clear, 12d. Of whom all the said premises in Co. Wilts, except the farm in North Tydworth called Matons Farm, are held the jurors know not : they are worth per annum, clear, £10. Of whom the said farm called Matons is held the jurors know not : it is worth per annum, clear, during the life of William Maton, now tenant there for his live, with remainder to his two sons for their lives, 10s., and afterwards it will be worth £10. Of whom the manors and lands in North Tydworth, South Tydworth, and Middle Tydworth are held the jurors know not : they are worth per annum, during the life of Jane Dowager Countess of Marlborough, nothing, but afterwards they will be worth £16 6s. 8d. Of whom the premises in co. Somerset are held the jurors know not : they are worth per annum, clear, £4. Of whom the premises in co. Devon are held the jurors know not : they are worth per annum, clear, 40s.

James Earl of Marlborough died 14<sup>th</sup> March, 1629 ; Henry Earl of Marlborough is his son and next heir, and was then aged 32 years and more.

Mary Countess of Marlborough still survives at Heywood, and Jane Dowager Countess is still alive.

\* Mention is her specially made of premises in Ligh and Penly in tenure of William Kent ; premises in Brockers Wood, Honnybridge, Lighes Marsh, Ligh, North Bradley, and Westbury, in the possession of Thomas Gray, Robert Evans, Richard Atkins, Robert Whatley, Christopher Peerse, John Whatley, and Nicholas Whatley, premises in Ligh, Penly, and Westbury, purchased of John Lambe, esq., premises in Beckington in the tenure of the said Earl, Patrick Kynnymond, John Gould, William Clowde, and Richard Morse ; and other premises there purchaed of Robert Webb and Elizabeth Webb, widow.

**Inq. p.m., 13 Charles I, pt. 2, No. 108. "Abstracts of Wiltshire Inquisitions Post Mortem," 1901, edited by George S. Fry & Edw. Alex Fry.**