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# ENGLAND

UNDER THE

## NORMAN OCCUPATION.

BY

**JAMES F. MORGAN. M. A.**



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**WILLIAMS AND NORGATE,**

**14 HENRIETTA STREET, COVENT GARDEN, LONDON;**

**AND**

**20 SOUTH FREDERICK STREET, EDINBURGH.**

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## PREFACE.

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This little work is an attempt to give the results of a careful perusal of the record called Domesday, which — as an early description of the very fields we cultivate — ought to be a never-failing source of interest, and subject of enquiry. A complete examination of the structure of that glorious old monument would be too great an undertaking for an individual; and yet, such an examination ought to be made, as an introduction to the study of English Rural Antiquities.

We are assured that, by the help of Fleta and various ancient land-rolls, we might construct a tolerably accurate picture of an English manor, as it existed in the twelfth or thirteenth century\*. The system of agricultural manage-

\* Si nous n'avions craint de prolonger cette excursion hors de notre province, nous eussions pu, à l'aide de la Fleta et de plusieurs anciens terriers, reconstituer un

\*

ment is described in Fleta's treatise on administration, and materials of the other kind are abundant. Boldon Book is a land-roll of the Bishopric of Durham for the year 1183. About a hundred years afterwards the Bishop of Ely caused some minute surveys to be taken: a portion of them will be found in the Appendix to Clutterbuck's Hertfordshire. There are numerous interesting details of church lands in the Monasticon. Then we have unpublished Extents, or surveys, Deeds and Charters, Inquisitions after death &c. There are vast stores of more recent documents of the same class in private hands, and among the public records. They will complete a series which begins with Domesday, or with an Anglo-Saxon boundary certificate, and ends with the census of '51 — the tithe accounts — and the forthcoming collections of Agricultural Statistics.

tableau assez complet du manoir anglais au XII<sup>e</sup> et au XIII<sup>e</sup> siècle. Le lecteur eût été surpris de la perfection qu'avait dès lors atteinte en Angleterre l'exploitation des champs. Il y eût admiré la régularité qui présidait à toutes les opérations. . . .

Etudes sur la Condition de la Classe Agricole . . . en Normandie au moyen age; par M. Léopold Delisle. (256.)

In comparing an existing township with the account of it in Domesday, we must, in the first place, endeavour to ascertain the area of the manorial district which King William's commissioners undertook to survey. It must not be confounded with the limits of the modern parish. The bounds of a manor and of a parish do not always exactly coincide. The manor is more extensive than the parish; or the parish contains more than one manor. If an Anglo-Saxon description of the ancient boundaries should exist, it will be a document of the highest value. We may presume that the portion of our township which is now covert was covert eight hundred years ago. The acres of woodland are often set down in Domesday; or the extent of woodland is given in leagues and furlongs, which can be reduced to acres easily. The quantity of meadow is likewise entered in Domesday; or we are told that there is "Meadow enough for the ploughs", meaning — as explained in our third chapter — that there are about eight acres of meadow for every plough, or one acre for every working ox. (See pp. 52. 53). Now and then, there is a separate

account of pasture; but, commonly, all that is neither wood nor meadow is called arable land, divided into yardlands and ploughlands. Allowance should be made for the space occupied by the manor-house and other buildings and homesteads. If the manor-house has been destroyed the site of it will be remembered: and, in a few cases, we might recognize the old line of boundary between the lord's demesne and the tenantry-part of the manor.

As an example, let us take the account, given in Domesday, of Cranwell, which is near Sleaford, in Lincolnshire (G. D. 355). There were at Cranwell, in the time of the Conqueror, twenty one sochemen, or superior tenants, with nine ploughlands. The lord had one plough, that is a team of eight oxen. There were seven bondsmen — two villeins and five bordars — with eight ploughs, or sixty four draught oxen. There were twenty nine acres of meadow. The arable land was twenty two furlongs long and seven and a half broad: the pasture, ten furlongs long and seven and a half broad. As every square furlong contains ten acres, an area 22 furlongs by  $7\frac{1}{2}$  must contain 1650

acres. The pasture field contained 750 acres, being about one half of the arable field in extent. It will be seen that the pasture and arable fields were of exactly the same width. If the pasture land formed an outfield, in continuation of the arable plain, according to the general arrangement, the two fields together must have been thirty two furlongs, or four miles, in length. However this may have been, their contents were 2400 acres. There were either no woods at Cranwell, or they were in defensu Regis — in the King's warren — or subject to the Bishop — to the Archbishop of York — to Walter D'Eyncourt, or some other Lincolnshire magnate. It must be considered that the description is of a manor, not of a parish. About twenty years ago the parish of Cranwell contained 26 houses and 155 inhabitants. There were 28 tenants of the manor of Cranwell in the year 1085. This sketch of ancient Cranwell may be compared with the view of the common fields belonging to Rothwell, in Northamptonshire, taken at the end of the last century. (See page 89.)

A few words are needed to explain the citations. It will be understood that G. D. stands

for Great Domesday and L. D. for Little Domesday. Supp: denotes the supplementary volume, containing Exon Domesday, Inquisitio Eliensis, Liber Winton, and Boldon Book. There seem to be no perplexing abbreviations in the passages extracted, but the letters T. R. E—T. R. W., which mean in the time of King Edward, or King William.

23. March 1858.

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It is submitted that the class now called Statesmen, Yeomen, and Gentlemen may be derived from the Saxon thanes, who became dependent in consequence of the Norman Conquest — that villenage may have been, in a great measure, extinguished by the practise of converting arable lands into pastures, which began before the beginning of the sixteenth century, and continued after the end of it.

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## CHAP. I.

### THE DOMESDAY BOOK AND THE CONQUERORS POLICY.

The proceedings of the Conqueror after the battle of Hastings were, in some degree, parallel to the course taken by Sweyn of Denmark in the year 1012. William did not attack London; he marched beyond the city to Berkhamstead, and there waited until the failure of an attempt to raise Edgar Atheling to the throne. Then the Norman was acknowledged to be "full King." The nation had become accustomed to dynastic changes and did not, perhaps, look for a complete social and territorial revolution. The strong adherents of Harold were proscribed without delay; nevertheless, even twenty years after the invasion, we find a few of his tenants in possession; one near Petworth, in Sussex, (G. D. 23 b.) another at Nytimber, in Hampshire, (G. D. 44 b.) and several in Hertfordshire, attached to the manor of Hitchin: (G. D. 132 b.

133) and in every county there were some Englishmen, like Harding, the son of Ednod Stalre, who retained fragments of the ancient possessions of their families. In Hampshire and Wiltshire — where such persons were remarkably numerous — they mostly belonged to the favoured class of rangers.

Nearly all the barons of King William, who had been chief thanes of King Edward, were either of foreign extraction, like Albert of Lorraine, or connected with opponents of Godwin's family, like Alured of Marlborough. Such were Osbern the son of Richard Scrupe; Turchil of Warwick; Edward of Salisbury, sheriff of Wiltshire; Aiulf, sheriff of Dorset; and Sweyn of Essex, the son of Robert Wimarcson or Fitzwimarc. All these persons, or their fathers, had been thanes of the Confessor. Gospatric of Northumbria is commonly placed in the same category, but it is doubtful whether he was actually possessed of all the lands entered under his name.

The battle of Hastings was looked upon as a settlement of all the estates in England<sup>1</sup>, not even excepting the estates of the church. No man could hold an acre by an ante-norman title.

1 De conquisitione apud Bellum facta feodati sumus (Hist. Mon. de Bello. 165.)



All were obliged to seek the King and to buy their lands<sup>2</sup>, and it might happen to an unfortunate thane, after his arrival at court, to find himself unable to outbid a Norman competitor, or to find that a Norman had already obtained a royal grant. In either case the Englishman's only resource, short of migration, would be to take the land as a farm of the Norman, of Osbern D'Arcy, or Ilbert de Lacy; or even to become *manent*, *adscriptus glebæ*, or a villein, where he had been tenant<sup>3</sup>. As we read in the Buckinghamshire Domesday "Ailric holds four hydes of William Fitzansculf . . . The same held it in the time of King Edward and now holds at farm of William graviter et miserabiliter" (G. D. 148 b.). Although there may be no other English groan in Domesday the case of Ailric was not peculiar: for example, "Lewin holds of the Earl Bvre in Hertfordshire. This land the same Lewin held of King Edward and he could sell it. He now holds it at farm of the Earl" (G. D.

2 (Sax. Chron.) Hanc terram habet Abbas in uadimonio pro duabus marcis auri concessu Engelrici quando redimebant Anglici terras suas. (L. D. 360.)

3 Ibi manet quidam Brictric qui tenebat eam T. R. E. (G. D. 241.) quidam liber homo de dimidia hida qui modo effectus est unus de villanis (L. D. 1).

aristocracy was accomplished. The small proprietors were, not unfrequently, expelled or reduced to villenage; but the villeins or farmers remained undisturbed, excepting in parts of the country which had been ravaged or afforested.

It is no part of our plan to review the Norman Conquest. The reader knows in what manner the Conqueror set all England under his hand —

and how he set mootings,  
and how he set hustings,  
and how he set sciren, (shires)  
and made frith of deoren.

(3. Layamon 286. 287).

A frith is a warren or preserve, like Aldington Frith in Kent, Duffield Frith in Derbyshire. We have the same expression in the Saxon Chronicle "The King set many deer-friths." If lands were afforested the peasants were removed, or placed under forest law. Entries of waste land may be supposed to denote the extirpation of the peasantry. A marginal note in Exon Domesday informs us that Thurlstone, Portlemouth, West Allington and other manors on the south coast of Devonshire had been wasted by the Irish (per irlandinos homines Supp. 301); the damage done in Hereford-

shire by Griffin and Blein of Wales is likewise noted in its place (G. D. 181); and the whole waste of Cheshire, Staffordshire and other counties bordering on Wales, ought not to be charged against the Conqueror; but it seems impossible to make too much of his cruel devastation of Northumbria. There was much wasted land in Derbyshire, and more in Nottinghamshire than in Lincolnshire. A place in Warwickshire had been wasted by the King's army (G. D. 239); and the wasting of Ryecote and Chesterton, in Oxfordshire, may have been due to an army passing through those places towards Staffordshire. In like manner we may attempt to account for waste lands in Sussex and Somersetshire; but some lands were waste through the neglect of their owners, and in some cases *vasta* means that the land was void, (*vacua* G. D. 11 b) not that it was unproductive.

England, after the accomplishment of the Conquest, was more tranquil than England had been under the Confessor. A good peace, that is a strict search after offenders, was maintained by the Conqueror, whose son Henry carried out a further improvement, the practice of hanging thieves instead of fining them. (S. C. a<sup>o</sup>. 1125). But the Norman princes were exces-

sively rapacious. The Conqueror "was of great sternness, and he took from his subjects many marks of gold and many hundred pounds of silver, and this with or without right, and with little need" . . . . The second William was also "very stern over his lands and subjects . . . . he wished to be the heir of every body . . . (Sax. Chron.). In his time none among the people were accounted rich excepting nummularii — usurers or ready money men — who were able to conceal their treasures. Great deposits of silver, hidden in those days, have been found at York and at Beaworth<sup>4</sup> in Hampshire. If we may believe Ordericus Vitalis "one thousand and sixty pounds, thirty shillings and three half-pence were returned to the Conqueror, day by day, from the just revenues of England, without including donations and pardons and manifold other resources which every day swell the royal treasury." Now, there is a great probability that the annual income of the richest of the Norman barons did not much exceed a thousand pounds a year. Six hundred and twenty three manors in the southwestern counties returned to the Earl of Mortain a very little more

4 Durandus in Sudbertune IIII hidas et in Bieforde VI hidas et unus anglicus unam hidam et dimidiam (G. D. 40).

than four hundred a year (Supp. 492). And only compare the Conqueror's daily receipts with the rent roll of Ely Minster, seven hundred and sixty seven pounds, two shillings and six pence (Supp. 508). The lands of Glastonbury Abbey in Wilts, Dorset, Devon and Somerset were worth five hundred and six pounds, fourteen shillings a year (Supp. 490. 491). It may be true that the lay lords and churchmen had other means, such as fines and ransoms, with the pleas and perquisites of manorial courts; but all these items, added together, would surely not be equal to the rents of the farms.

It is believed that the Conqueror exacted blanch, or silver, rents from many manors which had been accustomed to return corn, cheese and other kinds of produce. Each of these Manors had supplied the Confessor with farm, i. e. board, for one day, or perhaps half a day. The court of an Anglo-Saxon King was constantly on progress, and if a crown manor could not receive all his followers they were quartered upon the neighbouring villages. King William's frequent expeditions to the Continent put an end to these regular tours "He wore his crown three times every year when he was in England. At Easter he wore it at Winchester,

at Pentecost at Westminster, and at Christmas at Gloucester. And at these times all the men of England were with him, archbishops, bishops, abbots and earls, thanes and knights (*Saxt Chron.*). And Samuel judged Israel all the days of his life. And he went from year to year in circuit to Bethel, and Gilgal, and Mizpeh, and judged Israel in all those places.

It was in Midwinter, 1085, at the court of Gloucester, that Domesday — the grand Inquest, the wonderful Extent of all England — was projected and undertaken<sup>5</sup>. “The king had a great consultation and spoke very deeply with his witan concerning this land how it was held and what were its tenantry. He then sent his men all over England, into every shire, and caused them to ascertain how many hundred hydes of land it contained, and what lands the king possessed therein, what cattle there were in the several counties, and what revenue he ought to receive yearly from each. He also caused them to write down how much land belonged to his archbishops, to his bishops, his abbots, and his earls, and, that I may be brief, what property every inhabitant of all England possessed in land or in cattle, and how much

<sup>5</sup> Palgrave's English Commonwealth, 271.

money this was worth. So very narrowly did he cause the survey to be made, that there was not a single hyde, or rood of land, nor — it is shameful to relate that which he thought no shame to do — was there an ox, or a cow, or a pig passed by, and that was not set down in the accounts, and then all these writings were brought to him” (Sax. Chron.).

This passage is a fair description of those documents, which appear to be transcripts of the original depositions, made in the hundred and county courts. They are sometimes expressed in the first person plural<sup>6</sup>. One or two returns were made by a single deponent who speaks in his own person<sup>7</sup>. It is thought that these returns were afterwards corrected and condensed by the clerks in the Exchequer, who omitted the tables of live stock, as not being of permanent importance. When the clerks had occasion to quote the returns they made use of expressions such as, Juratores dicunt — dicunt homines de hundredo. Great Domesday, which comprehends all the counties surveyed excepting Essex, Norfolk and Suffolk,

6 L. D. 2. 94. 413. Supp. 31. 324. 508.

7 de his V hidis quas superius dixi L. D. 78. præter has terras additas quas superius comemoravi. Supp. 356.

seems to be the result of this compilation. The three counties excepted are in the book called Little Domesday, in which we find the number of horses, sheep, pigs etc. and not merely the draught oxen. The record called Exon Domesday is very similar to Little Domesday. It contains nearly full returns from Cornwall, Devon, Dorset and Somerset, and notice of one or two manors in Wiltshire. Exon Domesday has the appearance of a collection of general forms, with the blanks filled up, according to the state of each manor. It has some of the virtues of an original record, and enables us to correct a few oversights in Great Domesday. There are but one or two entries of lands in Exon Domesday not to be found in the Exchequer volume. In general, the descriptions in Great Domesday of those manors which are in both records, might have been compiled from Exon Domesday; I have observed no more than one matter of descriptive detail in Great Domesday certainly taken from another source. In the account of William de Mohun's manor at Spettisbury in Dorsetshire some pastures are said to be on the water; the words "super aquam" are wanting in Exon Domesday (G. D. 82. Supp. 42).



The great Inquisition was appropriately called Domesday. An examination so general and searching and in every way so complete never had occurred before, and has been without parallel up to this time. It is very likely that statistical enquiries had been made in England, occasionally, before the Conquest, by the Crown, or by ecclesiastical authorities. In the Monasticon there are some minutes of the state of Farcett and Yaxley in Huntingdonshire, when they were purchased by Bishop Athelwold in the reign of Edgar. "There are at farres heafde sixteen skilled husbandmen and eight young men and the half part of Witlesmere . . . . This is the writ of property, or conveyance, of Geaceslea. Thirteen skilled husbandmen and five women and eight young men and sixteen draught oxen and three hundred and five sheep and thirty swine . . . . The rest of the document looks like an inventory of brewing and baking utensils.

(1. Mon. 382.)

The objects of the Domesday commission were not entirely fiscal. The defence of the country, and the taxation necessary to support the huscarles and buzearles, the army and the naval militia, were parts of the scheme. In former times the rate of the geld or land tax

had been various: we find variations even in Domesday, it had been seven pence upon the hyde in Berkshire, and, apparently, sixteen pence upon the hyde in Dorsetshire<sup>8</sup>. In the year 1083 the Conqueror caused a great and heavy tax to be raised throughout England, even seventy two pence upon every hyde of land (Sax. Chron.). It is possible that every single hyde may have been charged in that year: afterwards the demesne, or freehold, lands of lords, knights and churches were exempt, and the tax was laid only on lands occupied by yeomen and peasants<sup>9</sup>: excepting on one occasion in the reign of Rufus, when four shillings were imposed upon every hyde, without even excepting the demesnes of the church<sup>10</sup>. The exemption of dominical ploughlands was renewed by Henry I., on

8 Quando geldum dabatur T. R. E. communiter per totam Berchesciram dabat hida III denarios et obolum ante natale domini et tantundem ad Pentecost. G. D. 56 b. Do-recestre ... geldabat pro X hidis Scilicet ad opus Huscarlium unam Markam argenti. G. D. 75.

De his III hidis geldabat I hida singulis annis per X solidos ad opus regis. G. D. 168.

9 In Herstingest Hundred sunt dominicæ carrucæ quietæ de geldo regis. Villani et sochemani geldant secundum hidas in brevi scriptas. G. D. 203.

10 Leges Edovardi cap. 11.

the ground that it would be unjust that lands liable to military service should pay a tax for the support of the army<sup>11</sup>. There are extant accounts of the fee gatherers or collectors of the geld. They comprise the counties of Cornwall, Devon, Dorset, Somerset and Wilts: "throughout the geld is computed at the rate of six shillings for every hyde" (Sir H. Ellis) and at the rate of six pence, in some cases four pence, for every six acres. This leads to an inference that the number of acres in each hyde, at least the number of acres under tillage, must have been 72 or 48. The produce of the tax in Wiltshire was 675 L. 7 s. 2 d. in Dorset 415 L. 8 s. 9½ d. and forty pounds yet due to the king, in Somerset 509 L, in Devon 161 L. 9 s. 10 d. and in Cornwall no more than 28 L. 13 s. 6 d. — so many hydcs in that county were discharged. At this rate the whole amount of Danegeld must have been under twenty thou-

<sup>11</sup> Leges Hen. 1. cap. 2.

(In Tewkesbury) fuerunt T. R. E. quater viginti et XV hidæ ex his sunt in dominio XLV et erant quiete ab omni servitio regali et geldo preter servitium ipsius domini cuius erat manerium G. D. 163.

Ibi V hidæ geldantes. Una ex his non geldabat quia in dominio erat. G. D. 183.

sand pounds; even after it has been allowed that several of the eastern counties may have been more populous and wealthy than Wilts or Somerset. In Norfolk, and perhaps other eastern counties, the mode of assessment was peculiar: instead of being levied in detail, so much from each hyde and so much from each acre, the tax was laid upon the hundreds, and the townships in each hundred contributed their proportions<sup>12</sup>. A similar plan was used in France in the collection of the *taille royale*; it was called the system of repartition. Norfolk and Suffolk were not divided into hydres, and hydres are not named in the northern counties. Many of the Crown manors in other parts had never been reduced to hydres; others had never paid geld; in some places the geld had been reduced through the indulgence of King Edward; as at Chippenham, near Newmarket, because the rent oppressed it (G. D. 197); at Fareham, and perhaps Alverstoke, in Hampshire, "*causa Wichingarum*" on account of the Vikings (G. D. 40 b 41 b); at Fifield, in Berkshire, without apparent reason (G. D. 60 b). Sometimes a whole hundred was discharged (G. D. 19) and there were lands

<sup>12</sup> *quando hundred et dimidium reddit XX solidos de gelto et haec villa XVI denarios L. D. 159. See 191. 230 b. etc.*

not subject to geld or to any kind of service. Such entries as "Modo non geldat", "Nichil geldaverunt" do not positively indicate that the lands contributed nothing to the defence of the country, but rather that the lord chose to render military service instead of geld. The tax was seldom exacted from the larger towns, each of them, usually, furnished its quota of soldiers or sailors. It would appear that every group of five hydes, if not liable to geld, was bound to send forth and maintain one knight<sup>13</sup>. In many counties the geldable hydes, only, are enumerated, and I am not sure that we possess the means of ascertaining the absolute number of hydes in any counties excepting the five south-western shires and Northamptonshire. The hidage of each hundred in these counties shall be given in our seventh chapter.

13 Si rex mittebat alicubi exercitum, de V hidis tantum unus miles ibat G. D. 56 b. Quando rex ibat in expeditione vel terra vel mari; habebat de hoc burgo aut XX solidos ad pascendos suos buze carles. Aut unum hominem ducebat secum pro honore V hidarum G. D. 64 b. Buze carles or Butse-carls (Sax. Chron. annis 1052. 1066) were mariners. King Harald Hardrada had a vessel built out upon the strand, and it was a *buss*. 3 Laing's Heims-kringla 55.

## CHAP. II.

### THE MEASUREMENT OF LAND.

Compositio ulnarum et perticarum. — Ordinatum est quod tria grana ordei sicca et rotunda faciunt pollicem, duodecim pollices faciunt pedem, tres pedes faciunt ulnam, quinque ulnae et dimidia faciunt perticam, et quadraginta perticae in longitudine et quatuor in latitudine faciunt unam Acram.

The standard Acre, by the ordinance of admeasurement, contains 4840 square yards. A line of  $5\frac{1}{2}$  yards is the standard perch or pole, — *Virga ferrea Dominæ Reginæ* — and forty poles make a furlong. An area forty poles long and four in breadth is an elementary or normal acre. The base of the normal acre, called a chain, has been used in long measure as well as the furlong.

The date of this ordinance is not exactly known. It may not be older than the thirteenth century, but the perch of  $16\frac{1}{2}$  feet is mentioned

in a deed executed at Nottingham as early as the year 1169. (4. Mon. 421.)

Although the imperial acre was established in this manner, it has never entirely superseded the ancient customary acres; all of them appear to contain 160 square perches when they are real and not merely computed measures; in fact, the extent of an acre depends upon the length of its perch, which varies by custom.

In many counties there are vestiges, either in use or in remembrance, of an acre smaller than the standard; it is usually called two thirds or three fourths of a statute acre.

In Sussex the forest acre is nine score rods  
                   the statute acre is eight score  
                   the short acre in some places six score  
                                   in others, five score<sup>1</sup>

These, excepting the statute acre, are only computed measures: the shortest might be supposed to be "more an antique Roman than a Dane" for it is about equal to the presumed extent of the Latin juger. Of course, the elements and proportions of a juger and an acre are entirely different.

At Rogate, in Sussex, and some adjacent pa-

<sup>1</sup> Sussex. Report to Board of Agriculture 2<sup>nd</sup> Ed. 459.

rishes in Hampshire the short acre contains 3240 square yards, being measured by a perch  $4\frac{1}{2}$  yards long<sup>2</sup>. There is a strange account in the Every Day Book of the annual apportionment of some commons, called Dole Moors, belonging to the parishes of Puxton, Wick St. Lawrence and Congresbury in Somersetshire. "The chain used for this purpose was only 18 yards in length, consequently four yards shorter than the regular land measuring chain." (2. Hone. 917.)

But as 22 yards = the base of the statute acre, so 18 yards = the base of the short acre just now described, which must have been the measure used on these Dole Moors.

In Dorset land is measured by the goad or lug of 15 feet and one inch, a customary acre is therefore equal to about 134 square poles statute measure (Report 445).

In Wilts the perch is of three lengths 15, 18 and  $16\frac{1}{2}$  feet. The first is now nearly out of use<sup>3</sup>. It was in common use throughout England in the twelfth and thirteenth centuries. The second is the ancient forest measure. An

<sup>2</sup> Report of the commission concerning charities in Hampshire.

<sup>3</sup> Cooke's Description of the county of Wilts. 46.



acre derived from it, containing 5760 square yards, is often mentioned in charters, and is the customary acre of Western Devon, and also of Cornwall, according to the Report addressed to the Board of Agriculture, but according to Sir Edward Coke —

Acra in Cornwall continet XL perticatas in longitudine et IIII in latitudine et quaelibet perticata de XVI pedibus in longitudine (Co. Litt. 5 b.). This perch is shorter by six inches than the standard. It was used on the lands of Battle Abbey a little time after the Conquest<sup>4</sup>, and at Bishops Hatfield in Hertfordshire A. D. 1277<sup>5</sup>.

Bedfordshire. The nominal acres in many open fields do not exceed three roods (Rep. 592).

Oxfordshire. In Lewknor and Aston common fields customary acre: statute:: 8: 12. (Rep. 152.)

Herefordshire. A customary acre two thirds of a statute acre; a wood acre three eighths larger than a statute acre (Rep. 159. 160).

At Irtlingborough, in Northamptonshire, there is an ancient cross, said to be about thirteen feet in height, which from time immemorial has

4 Historia Foundationis Monasterii de Bello. 11.

5 Clutterbuck's Hertfordshire, appendix.

been used as a standard for adjusting the customary pole which measures the common fields of the manor<sup>6</sup>.

Lincolnshire. In general the measure short from Saltfleet to Sutton, there statute . . . . The measure at Boston is said to be more than an acre . . . . At Manby etc. not more than three roods, and the ing or common meadow land still less (Rep. 206. 207).

In Cheshire there is indeed a long acre, 10240 square yards in extent; raised from a perch eight yards in length. The same pole is used for running measure in Leicester, Stafford and other north midland shires, in which a line of 32 yards is called an acre. It is, in fact, the chain, or base, of the Cheshire longtailed acre<sup>7</sup>.

Westmoreland. There is the statute acre of 4840 square yards, the customary acre of 6760, raised from the perch of  $6\frac{1}{2}$  yards, and a third acre on the borders of Lancashire, raised from the perch of 7 yards, containing 7840 square

6 Moule's English Counties.

7 Marshall's Rural Economy of the Midland Counties. Leicestershire Agricultural Report 361. In Tung unam dimidiam acram per perticatas viginti quatuor pedum. Madox Formulare 347 (a<sup>o</sup> IV Ed. 11).

yards; being the same as the Irish plantation acre<sup>8</sup> (Rep. 345.)

Lancashire. "The customary measure is by the rood of 7 yards,  $7\frac{1}{2}$  and 8, the most general  $7\frac{1}{2}$  and 8" (Rep. 148).

In the West Riding they use the plantation acre. Marton customary measure a chain of 28 yards instead of 22 yards. Between Ingleton and Dent land set by the customary acre; 3 acres of this measure = 5 statute acres (Rep. App. 6. 100).

The rod in Northumberland also 7 yards long: no mention of any acre derived from it.

The statute of admeasurement determined the standard inch, foot and yard. M<sup>r</sup>. Kemble has suggested that the Anglo Saxon foot may have been equal to  $1\frac{1}{10}$  English. A very ingenious theory. It will make the statute perch, or  $5\frac{1}{2}$  yards English, equal to 5 yards old measure; and will reduce the contents of a statute acre from 4840 to 4000 square yards. It has

8 Ulster (as the ancient records of that realme doe testifie) doth contain 900 plowlands, every of which plowlands containeth 120 acres after the rate of 21 foot to every perch of the acre. Spenser's View of the State of Ireland.

remarked, already, that the pole of 15 feet was, at one time, commonly used.

May we not, in like manner, assume that the short provincial pole, which is now 13 or  $13\frac{1}{2}$  feet long, was originally 12 Anglo Saxon feet. An acre raised from the perch of 12 feet will be the rood, or fourth part, of the Cheshire acre. It must not be concealed, however, that I have no evidence of the existence of a perch under fifteen feet in early times.

Should these reductions be allowed, the perches chiefly used in England may be brought into regular scales in this manner. 12. 15. 18 feet  
The acres may be represented 18. 21. 24. „  
by the squares of the same num- 12. 16. 24. „  
bers, since every acre ought 12. 18. 24. „  
to contain 160 square perches.

We find three distinct acres in the charters of Bishop Oswald, noticed by Mr. Kemble “the second acre of feld land . . . the third hind at Didcot, that is, the third acre” (1 Saxons in England 113. 115). Hind means ten, or the tenth<sup>9</sup>, and may denote the base, or chain, of a

<sup>9</sup> According to Dr. Lepsius it means our ten fingers. He notes “the surprising resemblance between ‘hunda’ ten and ‘handus’ the hand in Gothic”.

Donaldson’s New Cratylus. 268. 269.

normal acre, which is always one tenth of the furlong, or longer side, whatever the length of the perch may be. The hind, if it may be so called, will divide the acre into ten squares.

The base of the normal acre appears under the custom of dividing ploughed field into beds and open furrows. "These beds vary very much in width from 5 to 18 or 36 feet . . . In some cases . . . four beds are formed into one bed of, perhaps, 60 feet in breadth [= the base of an acre raised from the perch of 15 feet, as 66 feet = the base of the standard acre] These ridges, in English cultivation, are seldom altered . . . indeed they are, in many cases, regarded with a kind of superstition . . . if made equal, and with care, the ridges and furrows furnish a convenient measurement of land". (1 Colman's European Agriculture 434). Some similar arrangement was usual in the Anglo-Saxon age. In the laws of King Ina we read of "gedal", or lotted out, land and of "deals"<sup>10</sup>, or planks,

10 The arable and meadow land of the vales is possessed in common field; the several portions being marked by stones, bushes or trees; which portions, where the custom has survived, to this day are called dales. Wordsworth.

unam daylam in marisco de Dunston. 6. Mon. 342. dimidietatem dolae. Madox Form. 159.

of land: elsewhere we meet with phrases such as, "acra sub acra posita"—the land "lieth hyde-meal and acre-meal" (Hist. Elien. l. 11. c. 27 c. 9.). That is, divided into hydes and acres, as it were, piece-meal.

The preceding considerations may be applied to long measure; for the mile is derived from the normal acre, and consists of eight furlongs, or 320 long poles  $\times 5\frac{1}{2} = 1760$  the length, in yards, of an English mile. A pole 5 yards long will reduce the mile to 1600 yards. The pole of 18 feet was used, anciently, in the measurement of roads. Its furlong is 240 and its mile 1920 yards in length. A mile founded upon the Cheshire, or eight yards acre, will be 2560 yards long.

In Domesday we find the Leuga or ancient English league of twelve furlongs in common use, and the mile is rarely mentioned<sup>11</sup>.

"Leuga autem Anglica duodecim quarenteinis conficitur. Quarenteina vero quadraginta per-

Land marked out by stones etc. is called landshire or landscore, a term used in M<sup>r</sup>. Kemble's charters. Vol. 3. p. XII.

<sup>11</sup> habet I mille in longo et VIII quarentenae in lato. L. D. 144. See 109. 167 bis. 235 bis. 237.

ticis<sup>12</sup>. *Pertica habet longitudinis sedecim pedes* (Hist. Mon. de Bello 11). If we take the perch of 16 feet we shall find the league to be 2560 yards long; exactly the length of a Cheshire mile, as measured by the perch of 24 feet. When multiples of 12 and 18 feet are compared, the result will, of course, correspond: so that, the same space might be called either a mile or a league according to the length of the perch and furlong.

These measures are founded upon two or three leading numbers. Eight was a favourite number among the Jutes of Kent (1 Lappenberg 77). Twelve has been chosen by many nations. Twenty thousand Saxons who had accompanied the Lombards into Italy, returned home because they were not satisfied with the political notation of the Lombards (Michelet's France, Book. 2. c. 1). The perch of 16 feet may be looked upon as a double goad<sup>13</sup>. The

12 L. D. 381. *Ratesdane .. habet XVI qr. in longo. = Rattesdene ... habet 1 leugam et IIII quadr in longo.* Supp. 522 (Inq. Elien.).

L. D. 212. *1 quarentena = XL perc.* Supp. 512 (Inq. Elien.).

13 A gad or goad is an old Lincolnshire measure of ten feet. 2 Hone 394.

base of its acre contains eight measures of eight feet, its furlong 80 of the same, its mile 640. In the perch of 24 feet the octave and duodecimal scales appear to be combined. "We find in Normandy perches of 16, of 20, of 22, of 24, of 25 feet"<sup>14</sup>.

We have observed that the furlong is the longer side of a normal acre, and it appears to be not unlikely that the mile, or the league, may stand in the same relation to the hyde. For example, when a hyde of 64 statute acres extends eight furlongs, or one mile = 1760 yards, in length, it will be eight acre-bases = 176 yards in breadth. It is obvious that the proportions of this hyde are those of the normal acre, and that its base will divide it into ten squares. A hyde of 96 acres may be a mile long and twelve chains broad, or it may be a league in length and eight chains or acre-bases in breadth. And if 120 acres in an open field are a league in length, they will be ten acre-

In the heavy land of Suffolk they have "stetches about 8 feet 2 inches in width". Cairds Eng. Agriculture 153.

14 *Études sur la condition de la Classe Agricole et l'état de l'agriculture en Normandie au moyen âge. Par Léopold Delisle. 531. 532.*



bases or one furlong in breadth, and will be composed of 12 quarentenes or square furlongs. Of course, a single hyde would not be thus arranged, but there were often more than a thousand acres in a common field, laid out, "acra sub acra posita" in long and narrow strips, which were compared, just now, to wooden deals. In Domesday a quarentene of meadow usually means a square furlong, or ten normal acres, and a league of wood, a league in length and breadth, or 1440 acres: this appears by the collation of several passages in Great and Exon Domesdays.

"From an entry in Buckinghamshire one would suppose the hyde in that county, at least, had been measured with peculiar exactness. In Latesberie, it is said, "tenet Episcopus Lisiacensis de episcopo Baiocensi 1 hidam V pedes minus" (Sir H. Ellis). And yet the number of acres in a hyde is no more certain than the length of a perch, or the extent of an acre. "Dialogus de Scaccario makes it one hundred acres. The Malmesbury manuscript cited by Spelman computes it at ninety six acres; one hyde equal to four virgates, and in every virgate 24 acres. And yet the history of the foundation of the Abbey of Battle makes eight virgates go to one

hyde" (Sir H. E.). In this case the Kentish solin may be intended. According to Thomas Rudborne, the historian of Winchester, there are in the hyde 64 statute acres, which are about equal to 96 short acres of Hampshire. *Hida anglice vocatur terra unius aratri culturae sufficiens*, and a plough signifies a team of eight oxen<sup>15</sup>.

Now and then we meet with hydres of wood or pasture, and with hydres which include woodland as well as plain (G. D. 104. 175 b. 4 Mon. 80). In the History of the restoration of Ely Minster a hyde is a long hundred<sup>16</sup> or 120 acres (H. E. lib. II. ca. 11. 17. 31). A hundred and nineteen acres in Exon Domesday, being 34. 24. 30 and 31 acres in detached parcels,

15 *habet O . . VI boves in dominio et villani aliam terram et II boves. Supp. 224. = Ibi est I carruca G. D. 124.*

*habet . . II boves . . et villani . . II boves Supp. 218 = Ibi est dimidia carruca. G. D. 122 b. A. D. 1277. At Hatfield utcunque carruca de quatuor bobus et quatuor stottis. At Totteridge utcunque carruca de sex bobus et duobus stottis. 2 and 3 Clutterbuck's Hertfordshire, Appendix.*

Les dames de Caen attelaient 8 bêtes à chacune de leurs charrues d'outre-mer: ainsi, elles avaient à Avelingues, 8 charrues chacune de 8 boeufs. M. Delisle 304. 204.

16 *Hic numerus anglice computatur i. e. Centum pro CXX. G. D. 336. See 350 b. 351.*

are called a hundred acres wanting one in Great Domesday (G. D. 90. Supp. 149. 150). In the second year of Henry 4 a message called the Hide in Abbots Langley contained one hundred acres of land, two acres of meadow and ten of wood, altogether 112 acres; (1 Clutterbuck 166) and this number, the number of pounds in a hundred weight, is often called the middle hundred. The short hundred, or five score, may have been the measure of the hyde in some parts, and it is possible that in some of the southern counties a hyde did not exceed ninety six, or even 64 acres. If there were such inequalities, before the Conquest, they may have been rectified by variations in the rate of the Danegeld.

Although the term Hyde has gone out of use we still speak of the "lands" in a ploughed field, and of the "yardland" or virgate, which is usually the fourth part of the hyde and contains about 30 acres. Of a hyde of land at Felstead, in Essex, it is recorded that King William gave to Roger three yardlands, and to Gilbert the fourth (L. D. 21). In a subsequent passage Roger's share is called half a hyde and thirty acres, and Gilbert's share thirty acres. (96. 97). In the reign of George 3. there were

thirty acres in a yardland at Rothwell in Northamptonshire (Agricultural Report 251), as many at Stewkley and Water Eaton in Buckinghamshire: in other parts of that county the yardland varied from 28 to 40 acres. They were all nearly of the same breadth, namely five or six yards. Now five yards and a half make a rod pole or perch. A yardland will not be the same in every place because although the breadth of these portions may be the same, their length will vary according to the extent of the field (Rep. 25. 26. 27). In Wiltshire, at the same period, there were many instances where a yardland contained "about 2 acres of meadow land, 18 acres of arable and a right of pasture" (Rep. 17) perhaps equivalent to 30 acres altogether. At Wimbledon, in Surrey, a yardland is but 15 acres (Jacobs Law Dictionary). In the manor of Worfield, Salop, a yardland is now from 40 to 46 acres (Charities Report). A yardland at Brocwordyn was 42 acres in the time of King John. (4. Mon. 137.) W. Paganel gave to Oseney Abbey one yardland of his demesne, namely 20 acres (4. Mon. 254) A. D. 1277. a yardland = 30 standard acres at Totteridge and Kelshall in Hertfordshire (3 Clutterbuck's Herts, Appendix). 40 acres founded on the perch

of 16 feet were a yardland at Bishop's Hatfield (2 Clutterbuck Appendix). A document, cited by Mr. Kemble, gives 5 yardlands of 20 acres to each hyde, but I think that the virgate in Domesday is invariably a quarter section of the hyde, as the ferding is the farthing, or fourth part, of the virgate.

Una bovata terrae, an oxgange or an oxgate of land is as much as an ox can till (Co. Litt. 5 a). It is a term used only in the northerly counties, and sometimes appears to be confounded with the yardland. In Domesday from ten to fifteen acres make an oxgang: eight oxen, therefore, could till from 80 to 120 acres. The ploughland, or carucate, in Domesday is called 40, 60, 80 or 95 acres, and so in other documents we meet with ploughlands of 60, 72 or 80 acres<sup>17</sup>; and these may be called single ploughlands. But Sir Edward Coke observes that oxgang and carucate are words compound, and may contain meadow, pasture and wood necessary for such tillage (Co. Litt. 5 a. 69 a). Accord-

17 *Suntibi quatuor carucatae terrae in dominio quarum quaelibet continet sexaginta acras terrae.* Extent of the abbey of Derly. 15. Ed. 1. 6. Mon. 360.

72 acres of arable and 8 acres of meadow made a ploughland at Barton upon Humber. Linc. Rep. 101.

ingly, we meet with compound ploughlands, double or threefold. "Fleta temp: Edward I. says if land lay in three common fields, then nine score acres to a carucate, sixty for winter tillage, sixty for spring tillage and sixty for fallows. But if land lay in two fields, then eight score acres to a carucate, one half for tillage and the other fallow" (Sir H. Ellis). In modern times Trinity fields, as they were called, have been more frequent, I believe, than the twofold arrangement.

Compound ploughlands appear in Domesday. Eddisbury, in Cheshire contained six ploughlands, and was a league in length and breadth = 1440 acres<sup>18</sup>: here we have 240 acres in a ploughland. The same description is applied to Dictune and Winetun (G. D. 304 b) manors in Yorkshire belonging to the Bishop of Durham and to Grif (G. D. 305) and Bernodebi (305 b) in the same county held under the Earl of Mortain: each of them contained a square league of land and was rated at six ploughlands. But these were ploughlands inter silvam et planum (G. D. 175 b); the ploughland, strictly speaking,

<sup>18</sup> Edesberie .. Terra est VI car" ... Haec terra I leuua longa est et tantundem lata. (G. D. 263 b.)

was that which might be ploughed "terra arabilis": it comprehended fallows and pastures, but not woods. Martun in Yorkshire (G. D. 306) contained six ploughlands, and 1440 acres, but the wood covered a fourth part of this area, or 360 acres; the plain, or arable land, must have contained 1080 acres, and a sixth part of this will be 180 acres; one of the measures given by Fleta. In Domesday the extent of the arable land is sometimes given. At Longtoft<sup>19</sup>, in Lincolnshire, St. Guthlac of Croyland had six carucates, and the arable land consisted of 1350 acres; it would seem that there were 225 acres in each carucate; this looks like a Trinity field arrangement with 75 acres in each field. Large ploughlands indicate a scarcity of oxen, and it may be remembered that some of the estates of Croyland Abbey were under-valued. At Baston, an adjoining township, a carucate contained 160 acres as in Fleta's account of the double field

19 In Langetof. . . Terra ad VI car . . . Terra arab. XV quar. long. et IX lat. G. D. 346 b.

In Bastone . . . Terra ad IIII car . . . Terra arab. VIII quar. long. et VIII lat. G. D. 346 b.

These lands are in the fens, north of Deeping. They are described in the same terms in the pretended charters of the old Kings of Mercia.

system. There were four carucates at Baston, and a square mile, or 640 acres, of arable land. We find the same number of acres in a ploughland at Rolleston<sup>20</sup> in Staffordshire: there were 18 ploughs, and two square leagues, or 2880 acres, of arable land, which divided by 18 makes 160 acres in each ploughland. In the year 1169 there were 160 acres in a ploughland at Branston in Lincolnshire<sup>21</sup>; and this we may look upon as a double ploughland. In Lincolnshire there were 80 acres in a single ploughland no more than sixty years ago (Rep. 102 quoted above). In some documents 160 acres are called a hyde<sup>22</sup>. It is one of our special numbers, being the number of square perches in an acre, the number of pence in a mark of silver.

These large double or threefold ploughlands

20 Rolvestune .. Terra est VIII car ... In dominio sunt IIII carrucae ... et XVIII villani et XVI bordarii cum presbitero habentes XIII carrucas .. Terra arabilis II leuu. long' et una lat'. G. D. 248 b.

21 duas carucatas terrae in campis de Brantun ... Utraque carucata est de octies viginti acris per perticam XVI pedum et dimidii .. Hoc factum fuit apud Nottingham anno ab incarnatione Domini MCLXIX. 4. Mon. 421.

22 una hida ex quatuor virgatis, et una virgata ex quatuor ferlingis, et una ferlinga ex decem acris.



appear to be Norman measures. M. Delisle informs us that "in Normandy, during the eleventh and twelfth centuries, by the land of one plough was commonly understood a domain of 60 acres .... We know but a single exception to this principle: it is the charter of foundation of the Priory of Beaumont-le-Roger, which raises the valuation of the ploughland to 90 acres. But we can easily explain this difference of an additional third part. It would result from a variation in the course of cultivation. We can readily believe that in ploughlands of 60 acres the course would be biennial, and that in those of 90 acres it would be triennial". M. Delisle considers the ancient Norman acre to have been thrice as large as the English acre: "so that the 160 or 180 acres of which the author of *Fleta* has made a ploughland are reduced to 53 or 60 acres of Normandy" (Delisle. 299. 300. 301).

At Hartshorn, in Derbyshire, there were four ploughlands, and a quarter of a square league, or 360 acres, of arable = 90 acres in each ploughland. In "other" Hartshorn there were two carucates, and the same amount of arable — 180 acres in each ploughland. We may presume that single ploughlands are spoken

of in one return and compound ploughlands in the other. (G. D. 274.) In the Archbishop of York's great manor of Otley there were four square leagues = 5760 acre of arable land: the manor was, for the most part, waste; there were no more than seven ploughs but might have been 35 — not quite 165 acres in each ploughland (G. D. 303 b). The contents of Oleslec were 60 acres of meadow, 640 acres of pasturable wood, 10 acres of brush, 1000 acres of arable land. It was rated at thirteen ploughlands, minus one oxgang, and eight ploughs could till it, there were, in fact, eight ploughs and a half (G. D. 303 b). In some parts of Yorkshire we find a plough in every thirty or forty acres, as at Barton (G. D. 306), Tatewic (308), Torp (309 b). Andrebi (310). Are we to suppose that there were less than eight oxen in a plough, or that a long-tailed acre was employed, such as the ancient Norman acre, the Cheshire acre, or the Irish plantation acre which has been traced into Yorkshire?<sup>23</sup>

23 Whitby was waste G. D. 305, The descriptions of Sherburn G. D. 302 b and Southwell G. D. 283. are, perhaps, too complicated for examination. Horbelinge and Lavintone G. D. 340. Osgotebi 345 b. and Cranewelle 355 should be looked at. In some cases dimensions are very

Jugum terrae, a yoke of land, in Domesday containeth half a ploughland (Co. Litt. 5 a). It may be the measure called a wist in the Battle Abbey Book, containing 48 acres set by the perch of 16 feet (B. A. B. 19). The solin, or Kentish ploughland, is mentioned in this chronicle, and as there were, apparently, four yokes in each solin (G. D. 8 b. 11 b), we might estimate the solin at 192 acres; and this type has been in actual use; "in Cranfield 48 acres make a yardland and four yardlands a hyde" (Co. Litt. 69 a). Again Coke says that seven solins are equal to 17 ploughlands<sup>24</sup>, and assuming single ploughlands of 80 acres to be intended, we find that 17 ploughlands contain 1360 acres, and that 7 solins of 192 acres are equal to 1344 acres. If we add eight acres of meadow, the usual proportion, to 192 acres, the result will be 200 acres complete: "secundum interpretationem an-

minutely given. hoc totum habet II leug' in longo et VIII perc' et V pedes et in lato I leug' et XII perc' et III pedes.

L. D. 171.

24 Unum solinum or solinus terrae, in Domesday booke, containeth two plowlands and somewhat less than an halfe; for there it is said, septem solini or solina terræ sunt 17 carucat'. Co. Litt. 5 a. I have not observed this passage in Domesday.

tiqorum terminorum unum Solin continet CC. acras" (Sir H. Ellis). A solin is but a ploughland, deriving its name from the Saxon word for a plough.

There was a mile peculiar to Kent, as well as a customary field admeasurement<sup>25</sup>. These long tales are possibly the long tails of which the county used to be so proud<sup>26</sup>. The north country mile still current in Yorkshire, if raised from the customary perch and acre, must be 2240 yards in length. In the Yorkshire Domesday the complete area of a manor is not unfrequently recorded: the liberty of Craike is called two leagues in length and breadth equal to 5760 acres: if these are to be taken for provincial acres they correspond to 9600 standard acres (G. D. 304 b).

A large hyde or ploughland was used in Cornwall in the early part of the seventeenth century: thirty acres made a farthing land, and nine farthings, on the average, made one Corn-

25 Essex stiles, Kentish miles, Norfolk wiles many men beguiles. Camden's Remains.

26 Kent first in our account, doth to itself apply,  
Quoth he, this blazon first, Long tails and liberty,  
Sussex with Surrey say, Then let us lead home logs.  
Drayton. Polyolbion Song. XXIII.

ish acre, or entire field, of 270 common acres<sup>27</sup>. If the farthing, in this case, means the twelfth part of a hyde, then a whole Cornish hyde is in theory 360 acres, or a quarter of a square league of land: if it means the virgate or fourth part of the hyde, then the measure appears to be a double hyde of eight virgates and one virgate over, as nine bushels sometimes make a quarter of corn, instead of the general allowance of eight bushels. In the Cornish Domesdays *acra* and *ager* mean a large field<sup>28</sup>, and the farthings and ploughlands often appear to coincide.

27 Carew's Cornwall quoted in Southey's Common place Book.

28 The ancient acre of the Britons of the West was one and the same measure with the ancient hyde of the Anglo-Saxons, or one hundred modern acres. Sir F. Palgrave.

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## CHAP. III.

### MONEY, RENT AND AGRICULTURAL AFFAIRS.

Hydes of land, even if unequal in extent, were not generally unequal in point of value. In almost all the settled parts of England a hyde at farm returned to the lord about twenty shillings a year: this amount must include the returns from mills, meadows, woods and pastures, as well as arable, for "Landgable" the rent of arable land was, generally, less than two pence an acre. Some tenants at Edmundsbury paid rent at the rate of two pence an acre in the time of Jocelin de Brakelond (3 Mon. 164). We find three shillings to be the amount of Landgavel upon 24 acres of land in Stamford field: this annual rent was released by Robert Abbot of Peterborough (Madox. Form. 371) and he speaks of it as the rate exten in the time of his predecessor, Abbot Martin, who died 1154. Odo, Abbot of Battle, temp: Hen. 11. granted half a hyde to a man, and his heirs,

at an annual rent of ten shillings (Madox 43). In the middle of the thirteenth century, the average rent of the yardlands belonging to Eynsham Abbey was five shillings, with moderate services (3 Mon. 18). In the year 1277 the free tenants of a yardland at Bishop's Hatfield paid five shillings, and the customary tenants 32 pence only; but then the services of the customary tenants were constant, and the services of the free men were limited to three days ploughing, and the work of four men for two days in harvest. (2 Clutterbuck app.) The same proportion appears in Domesday; the villeins, in the eastern counties, generally, paying one penny an acre, and the free men two pence an acre.

The rent, by general custom, was partly paid in labour; when the labour was partially, or entirely, dispensed with, the rent would be raised in proportion, or the value of the services charged against the tenant. The rent of one acre at Battle, without services, was four pence. (B. A. B. 20).

I fear that an attempt to compare such unsatisfactory details with modern instances would be quite illusory. In order to institute a comparison, Mr. H. P. Wyndham proposed to multiply the values in Domesday by  $67\frac{1}{2}$ . The

Domesday shillings and pounds are first multiplied by three, which will reduce the ancient money to the present weight. The sum is then multiplied by seven and a half, to make it accord with the modern value of gold and silver. And to this he adds another multiplication by three, supposing the real and intrinsic value of the lands to have increased threefold. His method is then applied to the manor of Odstock, near Salisbury, in the time of the Conqueror worth ten pounds a year, which, under W. Wyndham's process, become 675 L. supposed to be the annual return of the manor in 1788. Some parts of this theory are reasonable, but no account is taken of the value of the services of the tenantry.

In Domesday rents are nominally reserved either in weighed and assayed silver bullion, or in pennies, and if in pennies either in ordinary coin, without any specification of the weight and purity, or in *candidis denariis* — in new and bright pennies — *de viginti in ora* — weighing, each of them, the twentieth part of an ounce<sup>1</sup>. It does not appear probable that silver was always,

1 qui tenet reddit CXL libras ad ignem et ad pensam et insuper XV libras et VI sol' II denar' minus ad numerum. G. D. 2 b.



actually, raised. The lord might receive corn, malt, and honey, valued at so many pounds of silver, according to the tariff of conversion prices<sup>2</sup>. A nameless manor, in Somersetshire, belonging to Robert Fitzgerald had been worth eighteen pounds when it came into his hands; at the time of the survey it returned one hundred cheeses and ten bacons (G. D. 97). Robert's other estate in the county was worth six pounds a year; both together were worth twenty and three pounds (Supp. 492). So we gain the information that one hundred cheeses and ten bacons were equivalent to seventeen pounds of silver. Even the rent of the Crown manors was not generally paid in coin until the time Henry I.<sup>3</sup> which may account for the com-

valebat ... CXXV lib et X sol de XXti in ora. Modo C lib ad numerum G. D. 11 b. (Hereford) reddit regi LX lib' ad numerum, de candidis denariis G. D. 179. reddebat T. R. E. XXXII lib' et VI sextaria mellis et dimid' modo XL lib' puri argenti G. D. 272 b.

2 T. R. E. reddebat hoc Manerium III modios frumenti et dimid' et braisi III modios et mellis VI sextar' et dimid' et IX lib' et V sol' et ter mille panes canibus G. D. 162 b. See 162 b. passim. 189. 189 b.

Preter hoc totum reddit hoc manerium VI vaccas et XX porcos et XX arietes L. D. 249.

3 1 Madox Exch. 272. Dialogus de Scaccario 2 Madox 380.

plaints made at that period of the scarcity of silver and the frauds of moneyers. We meet with occasional complaints in Domesday that "the men were confounded"<sup>4</sup>, or that the rent could only be raised "with great pain." (L. D. 237) and sometimes a reduction was ordered in consequence.

It appears from the Boldon Book, and various extents and inquisitions, that the dues of the poorer tenants partly consisted of eggs and poultry. Eggs were presented at Easter and fowls at Christmas. In Normandy such offerings were called respects and regards; and the tenants paid their respects to the lord by giving him a goose on Michaelmas day<sup>5</sup>. Now and then, in Domesday, we find a present attached to the rent or offered instead of it. Kingston in Herefordshire, returned 50 splendid shillings

4 ab hominibus non appreciantur plus quam XLV lib propter confusionem terrae et propter firmam que nimis est alta G. D. 66 b.

hoc fuit ad firmam pro III lib' et XV sol' sed homines inde fuerunt confusi et modo appretiatum est XLV sol. L. D. 440. 441. or 353.

5 En 1227: Regarda videlicet duos panes et duas galinas. Delisle 56. note. En 1259: Unam aucam ad festum Sancti Michaelis 58. note.

and one hawk. (G. D. 179 b.) an estate in Shropshire, worth sixty shillings, returned a hawk. (G. D. 256 b.) In other cases the return was fifty pounds and sixty thousand eels. (L. D. 311. 312) a hawk and two dogs. (G. D. 187.) two shillings and a sparrow hawk (spreuarium. G. D. 264.) forty shillings and a soar hawk (sor accipitrem. G. D. 310 b.) a pair of spurs (duo calcaria. G. D. 276 b.) The welsh tenants often rendered so many measures of honey instead of money. Lord Bacon tells us that there were landlords in his time, chiefly in the west of England, who depended on taxes and incomes rather than on improved rents.

Whenever the donation was in gold or silver it was called a gersum. The manors of Harting and Trotton, in Sussex, returned to Earl Roger a hundred and twenty pounds of silver with a mark of gold. (G. D. 23.) Otherwise, the gersum was in ready money, and the bulk of the rent in uncoined silver. (G. D. 180 b. L. D. 121.) Some of the crown manors paid a gersum to the Queen or to the Sheriff. (G. D. 2 b. 30. 209. 209 b<sup>6</sup>.)

6 hoc manerium ad firmam per tres annos uno quoque XII lib et in tribus annis simul I uncia auri de gersuma

It is well known that the ancient pound of silver was something under troy weight; since the old penny weighs no more than 22 grains and a half, instead of 24 grains; and as there were then as now 20 pennies in an ounce, 12 ounces in a pound; an ounce of silver would weigh 450 grains, and a pound 5400 grains troy.

Under the Plantagenets the pound of gold was otherwise divided: it contained no more than 96 grains<sup>7</sup>, if then there were 12 ounces in a pound, there must have been 8 grains in an ounce. What were the subdivisions of the Saxon pound of gold? The pound of gold "juxta magnum pondus Normannorum" is mentioned in a charter of Ethelred Unrathe. (Hist. Elien. II. 77.)

The mark, whether of gold or of silver, was usually two thirds of a pound.

The penny is almost the only Saxon coin certainly known: it is still doubtful whether there was any regular Saxon coinage of gold.

sed homines qui sic ad firmam receperunt omnes fuerunt confusi. L. D. 353.

uicecomes habet IIII lib ... de gersuma has IIII lib dant burgenses gratis et amicitia L. D. 118.

7 a pound weight Troy of Gold was divided into twenty four carats, and every carat into four grains of Gold. Lowndes on Silver Coins. 17.

“The value of the gold mancus is stated by Elfric to have been thirty pennies .... It is observable that a gold coin, sometimes called a mancus, in other cases known by other names, circulated during the middle ages in many countries both of Europe and the East, the weight of which was 56 grains troy, which would be just about the weight of gold equivalent to thirty Saxon pennies, on the supposition, which other considerations render probable, that the relative value of gold and silver was then as twelve to one.” (Pictorial Hist.) But if the weight of a pound of gold was then 5400 grains troy, its ninetysixth part, the grain of gold would weigh but a fraction over 56 grains; so that the gold mancus would appear to be nearly if not exactly the same as the grain of gold, assuming that the subdivisions of the pound of gold under the Plantagenets were extant in earlier times.

The penny of Edward the Confessor, found, a few years ago, in the city of Worcester, is said to weigh  $54\frac{1}{4}$  grains.

The ounce and the mark are the only denominations of gold decidedly mentioned in Domesday. The mark of silver is mentioned in a passage of Exon Domesday<sup>8</sup> where the sum

8 hec terra appreciata est M. CCCC. et IX ib lVI soli-

intended would appear to be nine pounds, and it seems a plausible account of the deficiency to suppose that the clerk has written mark of silver, by mistake, instead of mark of gold. In the reign of Henry 2. the mark of gold was worth six pounds of silver, in the reign of John ten marks of silver (Sir H. Ellis); but it appears by a grant of the earl of Leicester, circa 1173, that an ounce of gold was then worth a mark of silver, eight shillings and four pence<sup>9</sup>. At this rate the mark of gold = 8 L. 13. 4, or if we take the mark of silver to be no more than twelve shillings, the mark of gold = 8 L. 2. 8. Without dwelling on the extract from Exon Domesday, which may be misapprehended, it might be suggested that the great export of treasure to the Continent, at the time of the Conquest, would have a tendency to raise the price of gold in England.

dis et X denariis minus. de his habet comes in dominio CC hidas II minus que ualent sibi per annum CCCC lib et I marcum argenti et homines sui habent de et let V hidas dimidia uirga minus que ualent illis M. lib VI sol' et X denariis minus. Supp. 492.

9 Confirmo quoque eis duas uncias auri, scilicet duas marcas argenti quas comitissa Amicia mater mea habebat in villa de Hinkeley, et XVI sol et octo denarios de unciis quas habebat in Wikeingeston 6. Mon. 1030.

Purchased lands were commonly paid for with gold<sup>10</sup>, but purchase was not as usual as exchange. The sales recorded in Domesday give us no idea of the market value of land: the price would depend upon the terms, upon the extinction, or partial preservation, of the vendor's interest.

In Domesday Pecunia means not money, but either chattels, or literally cattle. Of three exceptions to this rule which have been adduced<sup>11</sup>, one cannot stand, its real import being determined by the version of the affair in *Inquisitio Eliensis*, where in the place of the words *de ea XX sol' pecunie accepit*<sup>12</sup>, (G. D. 196 b.) we find *sumpsit ex illa viginti solidatas pecc'*. (Supp. 503) — he took out of it twenty shillings worth of cattle.

I do not know a better account of Saxon husbandry than Mr. Planché's in the *Pictorial History of England*. We have seen that the

10 *pro aliis duabus hidis dedit abbas Elwi unam markam auri W. regi ... teste Gisleberto filio Turoidi qui aurum recepit ad opus regis. G. D. 176. G. D. 50. 137 b. 142. 180 b. etc.*

11 G. D. 40 b. 196 b. 376 b.

12 *accepit = sumpsit G. D. 38 b. 78 b. 111 b. L. D. 5. bis. 54. 418.*

plough "carruca" means a team of eight oxen: two were attached to each yardland<sup>13</sup>. A plough, bearing the old Saxon name of Sull, was used in Dorsetshire, not many years ago: it was long, large and heavy and could only be drawn by four horses, or six oxen (Cooke's Description of Dorset 43). In the Pictorial History there is a representation of a very light plough with one stilt, resembling the Suffolk swing plough: in Domesday we read<sup>14</sup> unus bos ibi arat, as well as villani habent quinque boves arantes — septem boves in carruca. Horses were put to the harrow, as is shown in the Bayeux tapestry; but were not used in ploughing, on this side of the channel, until about the thirteenth century.

"Pratum sufficiens carrucis" — Meadow enough for the ploughs — a formula common in Domesday, denotes that there were about eight acres of meadow for every plough, two acres attached to each yardland, or one acre for every working ox<sup>15</sup>. Manors often wanted their due pro-

13 By the document called Rectitudines singularum personarum the gebur is entitled to two oxen with his yardland. 1 Saxons in England. 320.

14 Terra est dimidio boui et ibi est semibos G. D. 218b.

15 Barton, Lincolnshire the ploughland of 72 acres



portion of meadow, while in other places it abounded, and was of great value. The meadows at Lecklade returned 7 L. 7 s. besides hay; at another place in the same county the meadows were worth nine pounds, after feeding the draught oxen (G. D. 169.). The quantity of meadow affords a surer test of the condition of a township than the number of ploughs.

The number of acres of pasture "quantum convenit uni hidae" (G. D. 74 b.) cannot be so readily determined. In early days, bare fallows were in all likelihood scarcely known, and the land which lay fresh (*frisca, en friche*) was in general pasture. Its extent would be one third of the plain in Trinity fields, and one half of it in double fields<sup>16</sup>; and we cannot tell which

arable and eight of meadow Rep. 103. In Wiltshire a yardland of about 25 L. per annum contains two acres of meadow Rep. 17. De prato de dominio quantum pertinet ad tres hidas, scilicet duas acras ad unamquamque virgatam. 4. Mon. 252.

III virgatas terrae in dominio et quatuor acras prati cum tribus holmis in loco duarum acrarum ... virgatam .. videlicet XXVIII acras terrae et II acras prati. Hist. Crowl. 43.

Weslai ... Pratum II bobus G. D. 190 b. = Westlai ... duos agros de prato. Supp. 500. (Inq. Elien.)

16 Et sunt ibidem quinque carucatae terrae arabilis

system may have been the more general in the eleventh century. In Domesday pastures are noticed near some of the larger towns, such as the pasture without the walls of Oxford (G. D. 154.), which we now call Port Meadow. If there were downs, or moors, or pasturable woods open to the tenantry<sup>17</sup>, a charge was probably made for pasturage, as in the modern system of agistment.

The woodland in the neighbourhood of a village was not always of advantage to it. It may have "been all waste not pasturable but fit for sport" like Longdendale, in Derbyshire (G. D.

quarum duae partes cujuslibet carucatae terrae valentes per annum quando seminatur XIII s. IIII d. et tertia pars terrae praedictae nichil valet per annum quia jacet ad warect' et in communi. 5. Mon. 77.

XXV acres arable every year in Blechynden and as many to warenyd. 4. Mon. 370.

Tota hec terra medietas arabilis est et altera inpastura L. D. 118.

Pastura quae reddit IX multones (muttons) in manerio et XLI ac' de aratura L. D. 2.

In ista hida quando aratur non sunt nisi LXIIII acres terrae G. D. 165.

Terra arabilis duplex G. D. 351. bis. Terra arabilis ad duplum 351. b. Terra ad duplices boves 364. Terra dupliciter ad arandum. 365.

17 In Hund de Colenes est quedam pastura communis omnibus hominibus de hundret. L. D. 339.

273.). A forest was a district "foras" out of ordinary jurisdiction, and foresters were out of hundred law<sup>18</sup>. Hays were enclosures in the woods to secure the game<sup>19</sup>. One in Warwickshire at Donnelie was half a league in length and breadth = 360 acres (G. D. 240.). The King's Hays of Birkland and Bilhagh, anciently within Sherwood, are now an open wood, three miles in length, one mile and a half broad, without underwood and full of large old oaks mostly stag-headed (Notts Agri. Rep. 51). Rothwell Haigh and Round Hay in Yorkshire have been parks of the Lacies. Parks are men-

18 (Kingston in Herefordshire). Ibi Silva nomine Trieline nullam reddens consuetudinem nisi venationem. Villani T. R. E. ibi manentes portabant venationem (venison) ad hereford nec aliud servitium faciebant G. D. 179 b.

Silva hujus manerii foris est missa ad silvam regis ... Ibi est parcus ferarum sed missus est extra manerium cum tota silva .... Willielmus comes misit extra suos manerios duos forestarios ... propter silvas custodiendas G. D. 180 b.

Sint omnes ... liberi et quieti ad omnibus provincialibus summonitionibus et popularibus placitis que Hundred laghe Anglici dicunt. Spelman (Foresta).

19 habebant unam haiam in qua capiebantur ferae G. D. 176 b. ibi III haiae firmae G. D. 254 b, Ibi est haia capreolis capiend'. G. D. 256 b,

tioned in Domesday almost in every county. Parkhurst, in the Isle of Wight, was one of the royal parks (G. D. 52 b.). Sometimes individuals had perquisites out of the King's woods; such as the third oak (G. D. 75.), an allowance of wood (G. D. 199 b.), or of honey (G. D. 179 b.), or a grant of free pannage (G. D. 31.).

If the woods were not set apart for game, they supplied the swine of the villagers with food. The swine herds commonly returned ten pigs per cent, or their value in money, for the liberty of feeding them in the lord's wood, and this charge was called pannage<sup>20</sup>. In Warwickshire and the neighbouring counties, a league, or a league and a half, of wood was frequently worth ten or twelve shillings, a sum about equal to the conversion price of one hundred hogs<sup>21</sup> (G. D. 240. 240 b.). The salt and iron works may

20 (Custom at Leominster Herefordshire). *Quisque villanus habens X porcos dat unum porcum de pasnagio.* G. D. 180.

*habet Roger' XV sextar' mellis et XV porcos quando homines sunt ibi et placita super eos.* G. D. 184.

21 *ibi tantum silvae unde exeunt de pasnagio XL porci aut LIIII. denar' et un' obol'.* G. D. 12 b. *Sexaginta et VI porci exeunt de pasnagio et appreciantur XLIIII. sol'* G. D. 162. I cannot reconcile these passages.

have thinned the woods in that part of the country. Sir H. Ellis has remarked that in some entries of Domesday the whole herd of swine is reckoned, in others only the number returned as pannage. The season of pannage was called shacking time: in the Pictorial History there is a representation of a swine herd in the act of shaking an oak; it is likely that a store of nuts, acorns and beechmast would be collected in shacking time. The term shack, a provincial word for nuts, acorns and so forth, is used in America<sup>22</sup>. We read in Little Domesday that a swine herd in the manor of Writtle, Essex, seated upon a yardland and fifteen acres, had been expelled by Robert Grino, who had made a forest of the King's wood (L. D. 5.). It is remarkable that a tax, called stubble silver, upon pigs ranging in the woods from Michaelmas day to Martinmas, should still be claimed by the lord of this manor of Writtle<sup>23</sup>. But

22 At the time of which we write the woods in the vicinity of Sandusky, in fact, throughout the Western Reserve, were frequented by vast numbers of wild hogs, which obtained a bountiful subsistence, and grew fat upon the shack which every where abounded. Buffalo Republic newspaper.

23 Athenaeum. Feb. 26. 1848.

stubble silver does not exactly resemble pannage; it is rather like the ancient charge in Normandy, called étoublage (stipulagium) (Delisle 385. 738.) or like that called "herbage" in Domesday, but noticed in the south eastern counties only. In Sussex and Surrey herbage was usually a sum of money, or one grass hog out of seven (G. D. 16 b. 17. 17 b. 35. 36 b.) At Battersea and Streatham one hog out of ten (G. D. 32. 34 b.). Herbage and pannage were often exacted together<sup>24</sup>.

Swineherds were not servants of the lord, but villeins or farmers. A number of swineherds enumerated in the Exon account of Devon and Somerset are omitted in Great Domesday, if they are not counted among the villeins. Honey-men or beekeepers (mellitarii) were persons

24 (Saxon custom at Tidenham Glouc.) he that hath seven swine shall give three, and so forth always the tenth, and nevertheless pay for common of masting (pannage). (Rectitudines etc.) The geneat right is various ... in some places he must pay landgafol and a grass swine yearly. 1 Saxons in England 320.

(Pagham) De herbagio un' porc' de uno quoque villano qui habet VII porcos. Similiter per totum Sudsex ... (Bishopston), Silva III porc. de pasnag' et de III porcis un' porc' de herbag'. G. D. 16 b.

of the same rank<sup>25</sup>. Here and there the woods returned sheep and oats, as at Harlington, in Bedfordshire (G. D. 214.), and some places in Herefordshire (G. D. 179 b.); or poultry, as at Guiting, in Gloucestershire (G. D. 167 b.); and sometimes contained iron works, as at Bledlow (G. D. 146), Burnham (G. D. 151), Aston and Chesham (G. D. 150 b.), in Buckinghamshire.

As we are still dealing with the land without reference to the mode of occupation, it may be well to take some notice of other persons who were engaged in husbandry, but were not occupiers of land. Neatherds (Bovarii) were often free men; they are only noticed in Domesday near the Welsh border, where the cattle stood in great need of guardianship. In the same region the number of female slaves or servants is remarkable; in some counties they are altogether unnoticed. I believe the whole number entered under the counties on the south side of the Thames to be one in Devonshire (G. D. 117 b.), three in Dorsetshire (G. D. 80 b.), and eight inter servos et ancillas in Kent (G.

25 VI porcarii reddunt LX porcos et habent IIII carrucas. G. D. 180 b.

V porcarii reddunt LXI porcos et V mellitarios redd' VII sextar' mellis G. D. 111 b.

D. 6.). A Dey, or milk maid, is mentioned at two places in Worcestershire, with a dairyman (G. D. 180 b.). Chaucer's "poure widowe ... dwelling in a narwe cottage ... was as it were a maner dey" At Betford (G. D. 259) and Stoches (G. D. 260 b.), in Shropshire, Hedecote (G. D. 166), in Gloucestershire, and Watecumbe (G. D. 161), in Oxfordshire, we find lands occupied by the wives or widows of villeins and cottagers, who may have been free bench tenants. At Badesei (G. D. 175 b.), in Worcestershire, a widow is connected with four servi. Slaves, or agricultural labourers, were evenly distributed over England, excepting in the north. There were very few upon the lands of St. Paul's and Westminster Abbey in Middlesex. There was one, in general, often three or four, attached to each hall, rarely more than ten or twelve: there were thirty four at Secendene in Oxfordshire (G. D. 159). There were four Africans at Clive, in Gloucestershire, on a manor belonging to Worcester Cathedral (G. D. 165). It is more likely that they were Moors than that they were Negroes.

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## CHAP. IV.

### THE HALL, THE CHURCH AND THE PEASANTRY.

At the time of the Conquest we find the larger portion of the inhabitants of England in a state of villenage. We have no very appropriate term in English for this kind of hereditary subjection. Our villeins farmed under the lord their own part of the manor, called "terra villanorum", and were obliged to labour on the lord's part, or demesne "dominium" — scilicet arare, kariare, falcare, bladum secare, faenum facere et cetera (4. Mon. 625) — thus rendering agricultural service, as tenants in chivalry rendered military service. Villeins were tenants at will, and their services were undefined; they knew not in the evening what would be the labours of the morning (Co. Litt. 116 b.). Villenage was not a merely personal attribute; there were free lands and bond lands as well as free men and bondsmen: moreover, the limits of the condition of lands and of the condition of persons were not exactly coincident; and this want of

*isomoiria* affords us four classes of tenants instead of the simple division into free men and unfree men. Namely:

Freemen upon free land,  
 Freemen upon bond land',  
 Bondsmen upon free land,  
 Bondsmen upon bond land.

The thanes and sochemen, villeins and bordars, cottars, coliberts and all the characters in Domesday connected with the land, must belong to one or other of these classes.

The distinction between free lands and bond lands<sup>2</sup> should never be out of consideration. Almost every manor was divided into two parts, an arrangement well described in the Agricultural Report of Wiltshire.

“in general, there was in each manor one great farm, called the lords farm, which usually had its land in severalty and distinct from the tenants. The rest of the manor, called the

1 *Serva terra liberos de sanguine existentes, villanos facere non potest Co. Litt. 116 a.*

2 *Dicit uicecomitatus quod de unaquaque hida terrae libera vel villana quae ad aecclesiam de Wirecestre pertinet debet episcopus habere in die festo Sancti Martini unam summam annoae de meliori quae ibidem crescit G. D. 174.*

tenantry part, was divided into small copyhold tenements or farms, called yardlands, each of which was originally of nearly equal value, and enjoyed equal rights of commonage (Rep. 17).

We may begin with an attempt to examine the tenantry part of the Manor. An estate, or hamlet, in Impington, near Cambridge, is called *Ferme-part*: we may suppose it to be the ancient "*terra villanorum*".

The "*villeins land*" of Domesday is called "*geset land*" in Saxon remains<sup>3</sup>. The vineyard which we read of in the Gospel was set "*mid tilium*" let forth to husbandmen. The "*set and wered*" lands in the Saxon account of the hundreds in Northamptonshire were, most probably, the lands occupied by villeins; unless the term denotes the demesne and villenage together.

We read in Alfred's convention with Guthrun of "*the churl who sits on gafol land*", and in Little Domesday of a swineherd sitting upon a yard land and fifteen acres (L. D. 5). In Domesday the tenants of bond land are generally called villeins and bordars. Cottars are not as fre-

3 "In Dyddanham there are thirty hydes; nine of these are inland (demesne) twenty one are let" Geset land I have rendered by set out or let, as land is afterwards said to be set to rent, to gafole gesett. 1 Sax. in Eng. 320.

quently mentioned. The distinction between bordars and cottars is by no means clear. A bordar's usual tenement was five acres in Norfolk, Cambridgeshire, Middlesex and Somerset. In a few cases tenants of three acres, and of seven acres and a half, are called bordars. They assisted the villeins in husbandry, but were not themselves always owners of ploughs and oxen. It is possible that their yards, or gardens, may have been, not shares in the common fields, but small parcels severed from the true villeinage, and surrounded by the lords freehold land<sup>4</sup>. Out of Domesday bordars are not often mentioned in English records<sup>5</sup>: their name had been brought into England by the Normans and it disappears at the end of the twelfth century.

4 In inland Sancti Martini manent VII bordarii cum dimidia carruca G. D. 2. Inland est ad IIII carrucas. Ibi sunt II carrucae et VI bordarii habent IIII carrucas. In alia terra extra dominium sunt VI villani cum preposito habentes IIII carrucas. G. D. 219 b.

duas virgatas terrae in Lallefor cum omnibus pertinentiis suis in toftis et croftis et pratis. Et totum Dominium meum de eadem villa in terris bordariorum et bovariorum. Madox Form. 244.

5 Bordarii 3. Mon. 15. 8. Mon. 129.

bordarii nil habentes G. D. 177 b. bis. bordarii pauperes G. D. 180 b. non tenentes terram. L. D. 6.

In Normandy they were principally employed in domestic labours, while the services of the other peasants were directed to the cultivation of the land (Delisle 16). This is quite consistent with some entries in Domesday: we read of bordars being servants of the court at Evesham (G. D. 175 b.), and of bordars who abided about the hall at Tewkesbury (G. D. 163).

In Domesday a cottar's tenement does not, in general, exceed four acres; according to the old Saxon regulations a Cotsettler should have five; by the same regulations he was not required to pay landgafol, and was bound to perform such services only as were within his competence (1 Sax. in Eng. 320). In the survey we find cottars or bordars without villeins, in petty boroughs, in the outskirts of towns and in places with no proper villenage, as at Bishopsgate (G. D. 128), at Holywell near Oxford (G. D. 158 b.), at Cotes in Warwickshire (G. D. 238), at Sesaltre in Kent (G. D. 5).

Our modern copyholders appear to be descended from these tenants of garths or gardens, rather than from the ancient villeins, who were, in some respects, a superior class. They may be called good men<sup>6</sup> or ploughmen if there

6 Hanc meam villam dedi et concessi . . . cum omnibus

should be an objection to the name of villein. Chaucer's ploughman was no servant in husbandry, but a farmer with "catel" of his own. In the Saxon regulations the term equivalent to villein is *geneat* or *comrade*. Villeins in Domesday are ever named before *bordarii* (Co. Litt.). In a few districts we find equal or proportional numbers of villeins and *bordars*<sup>7</sup>. A villein's tenement was probably the customary yardland of the neighbourhood. He would not hold less than an *oxgang*, nor more, in general, than half a ploughland.

Wherever there is an account in Domesday of the number of acres occupied by each villein, as in Middlesex and Cambridgeshire and at Sawbridgeworth in Hertfordshire (G. D. 139 b.), we can ascertain the extent of the common fields. For instance, the villeins farmed 600 acres at Ely, 180 at Downham, and as many at Doddington, 150 at Wisbeach, 144 at March,

*servitiis omnium hominum proborum in eadem villa manentium.* A. D. 1192. 6. Mon. 898.

7 Hatfield 18 villeins et 18 *bordars*. Hadham 15 of each class. G. D. 135. Berkhamstead a priest with 14 villeins and 15 *bordars*. 136 b. Belintone 16 villeins one priest 17 *bordars*. Seuechampe 5 villeins with 6 *bordars* and a clerk. Esecwelle 8 villeins and 8 *bordars*. 141.

112 at Lyndon, 96 at Whittlesea, 60, 80, or 90 acres in other places. It is likely that these accounts do not include fallows or pastures.

The name of the Coliberti was unquestionably derived from the Civil Law. (Sir H. Ellis). We are told three times in Domesday that bures or buri are the same as coliberti<sup>8</sup>, but our Saxon authorities do not explain the distinction between the boor (gebúr) and the villein. According to Sir Edward Coke Coliberts were tenants by free rent (Co. Litt. 86 a.), but coliberts liable to the general agricultural services are noticed in Domesday<sup>9</sup>, and tenants at free rent are therein called censarii, censores, or gablatores<sup>10</sup>. It appears by the ancient regulations that a gebúr's tenement was a yardland, with pasture for two oxen, a cow, and six sheep

8 In Coseham sunt IIII hidae quae pertinent huic manerio ubi T. R. E. erant VIII burs i. e. coliberti cum IIII carrucis reddentes L solid' VIII denar' minus G. D. 38. coliberti aut Bures. G. D. 38 b. (Powick). III buri (coliberti) reddunt III sextar' mellis et XLV denar'. G. D. 174 b.

9 Ibi VI coliberti reddunt per annum XI sol et II den' et arant et seminant de proprio semine XII acras. G. D. 174 b.

10 censores reddunt XV solid G. D. 78 b. = gablatores qui reddunt per annum XV sol. Supp. 38.

(1 Saxons in England 320): in Domesday we meet with coliberts rendering sheep as part of their rent<sup>11</sup>. Possibly the boors were not sharers in the common fields, but tenants of detached and enclosed farms. We find them in groups of about half a dozen<sup>12</sup>. They seldom occur on any but crown and church lands, and are confined to the western counties. There were more coliberts in Somerset, and more in Wiltshire, than in Hampshire: there were a few in Devon and Cornwall, and others on the borders of Wales. There is no mention of Coliberts in M. Delisle's work on Norman agriculture.

The homesteads and meadows of the peasantry were called their tofts and crofts: a single croft contained about two acres. The name of the gaerstún, or enclosed meadow, is now commonly corrupted into Gastons, or Garsons. It was often next to the headlands of the arable field<sup>13</sup>; but we are told that in Oxfordshire the

11 coliberti reddunt III sext' frumenti et ordeï et II oves et dimid' cum agnis et II den' et unum obolum. G. D. 179 b.

12 VI coliberti G. D. 38 b. 174 b. 179 b. bis. 239 b. 254.

13 Concedo etiam quod dicti monachi possint includere de mariscis ... croftum sive pratium Hist. Crowl. 43 duas acras ad unamquamque virgatam 4. Mon. 252.

prata ad capita suarum segetum 4. Mon. 144 duas fore-



open field meadows are often situated at a considerable distance from the villages, and besides generally lying in very narrow slips and parcels, are frequently even in lots changeable every year (Oxon. Agri. Rep.). There are meadows of this kind in Northamptonshire. The Tin, or Tynte, Meadows at Gracedieu, in Leicestershire, were probably tynded, that is, enclosed.

The distance of the farm houses from the farms was an evil which attended the open field system. In Nottingham, Northampton, Worcester and other shires the reporters to the Board of Agriculture found the farmers crowded together in villages, and away from the common fields: near the villages were enclosures and fruit trees. "You shall know a village by a tuft of trees" (Anatomy of Melancholy). A farm house with its barn and fold yard was called a toft: a toft of one acre is mentioned in the Monasticon (6. Mon. 612), and a toft measuring 17 perches by 16 (6. Mon. 1198).

ras cum Capuciis prati Madox Form. 184. The Hevetlandes or heads of the furrows and furlongs are often mentioned in Saxon boundaries. A title in the laws of Ina is "be ceorles gærstune" concerning the churl's meadow.

At Bowcomb in the Isle of Wight there were four houses upon  $2\frac{1}{2}$  acres (G. D. 52.).

The tenantry part of an unenclosed manor subsisted almost in the same state from the reign of Edward the Confessor until the reign of George III, but the nature of the connection between the tenantry part and the lords home farm was greatly altered in the course of these seven hundred years.

Manerium in Domesday appears to mean not much more than a settlement, answering to the Saxon word manúng. Twenty acres of land are in Little Domesday called a manor (L. D. 314): a free tenant with 12 acres is called a manor (L. D. 318).

“By the name of a town a manor may pass” (Co. Litt. 5 a.) in a conveyance, and the name of the manor-house often ends in -ham or -ton. The South Hams of Devonshire are the manors above the English Channel. Ton means any place enclosed; it is applied to a burial ground, as church litton; to a meadow, as gaerston and Salgarston (Whites Selborne 324. ed 1836); to an orchard, as Appleton and Cadlington. It was used in a primary sense by Miss Edgeworth’s Irishman, who wanted one of the parks near the town. The Hall or Manor House

was the Head of the Manor (heafodbotl. caput manerii<sup>14</sup>), the seat of justice and administration. It was surrounded by a wall, or strong palisade, and the space *intra curiam vel domum*<sup>15</sup>, in this manner enclosed, was almost sacred. We may suppose the Hall to be a single chamber, not unlike a barn. Queen Isolt's bower, in the romance of Sir Tristram, is a separate building not attached to the hall. We read in Domesday that Hugolin the pilot "transported the hall and other houses" from Ebrige into another manor (G. D. 63); no very difficult operation if these buildings were, like the palace of Queen Isolt's husband, "constructed of wooden boards or shingles". In the Huntingdonshire Domesday there is an allusion to a contract made between the abbots of Peterborough and Thorney; the former agrees to supply materials for

14 Heafodbotl. 2. Mon. 265. Madox Form. 421. 3 Kemble's Charters. XVIII.

Caput manerii G. D. 11. 18. 41 b. 163. 254 b. 291. L. D. 227. 293.

L'agglomération des habitations sur un même point fut souvent appelée "chef-de-ville". Delisle 731.

15 Si quis aliquem interfecerit intra curiam vel domum suam corpus ejus et omnis substantia sunt in potestate regis. G. D. 154 b.

a house of sixty feet, and rods for the court around the house, and to restore the house and court if they should be out of repair (G. D. 205). The villeins of Auklandshire were held to make for the bishop a hall, or forest lodge, sixty feet long and sixteen feet wide within the posts (Supp. 575. B. B.). Halls were frequently divided by pillars and arches of wood or stone into three parts, or aisles, like a church. One of this description remains at Oakham Castle, Rutlandshire, being part of the structure erected by Walkelin de Ferrers about 1180 (Turner's Dom. Archi. 4.). The hall at Oakham measures inside 65 feet by 43 feet and the width of the central aisle seems, by the plan, to be 20 feet. Adam de Cokefeld, who lived under King Stephen, had a wooden Belfry one hundred and twenty feet high connected with his hall<sup>16</sup>; and it will be remembered that, according to the old English law of promotion, as soon as a Churl had acquired fully five hydes of owned land, a church and a kitchen, a Bell-House and a judgment seat, he was entitled to a thane's honour.

That the court included several buildings is

<sup>16</sup> Chronicon Jocelini de Brakelonda. 103.

proved by the description of Ketton in Durham. Thomas of Honyngham holds at farm the demesne of Ketton with the stock of four ploughs and four harrows and acres sown as specified in his lease with grange and byre and other houses which are within the court which is closed with moat and fence (Supp. 584. B. B.). It was a part of the duty of the villeins to cover the hall, to close the court, and to keep other fences in repair<sup>17</sup>; and this was the chief object of the wood for fencing, brush, and underwood, so frequently mentioned in Domesday<sup>18</sup>.

The lords reserve was, generally, called his Thaneland or demesne<sup>19</sup>. Inland is a term applied to it also, but all demesne land was not inland. Perhaps inland may have been the several or enclosed part of the demesne: ten-

17 claudunt curiam et similiter cooperiunt aulam Supp. 572 B. B. claudunt curiam de Heyngton et virgultum. 585.

18 Silva ad clausuram G. D. passim Nemus ad sepes et domos reficiendas G. D. 200 b.

19 Terra quae fuit in dominio est ad firmam pro LX solidis G. D. 14 b.

In firma hujus manerii est dimidia virg' terrae quae fuit tainlande G. D. 64 b.

Ibi XXX hidae. Ex his X sunt liberae ad curiam pertinent . . Ibi X hidae sunt Harum II in dominio et ad servitium VIII. G. D. 165 b.

ants were obliged to ware, that is, to guard or fence, their lord's inland<sup>20</sup>. Again, the lord's own acres were anciently called Boardlands, because they supplied his board. John Daincurt, in the year 1169, calls a ploughland in the fields of Branston, part of his demesne, of his board<sup>21</sup>.

The demesne was usually but a small portion

20 (Garsington Oxon.). Ibi I hida de inland quae nunquam geldavit jacet inter terram regis particulatim. G. D. 156 b.

Praeter inland habet II hidas et unam virg' de terra villanorum. G. D. 159.

Caput hujus Manerii tenet de comite Rogerio Roger venator et terram ejus quae est inland defendunt a geldo II hidae quas tenet Azo. G. D. 254 b.

De his fuit I hida inland et super hoc II car' in dominio G. D. 204 b.

"Werige his hlafordes inland". 1 Sax. in Eng. 320. Item si terram habuerit abuttantem super dominicum domini, tunc debet claudere, ex opposito terre sue, et defendere, et ad hoc habebit clauturam de domino. Survey of Hadham a°. 1277.

21 And hereby the old bookes shall be the better understood, viz Bracton .. Est autem dominicum, quod quis habet ad mensam, et proprie sicut sunt Boordlands Anglice. And Fleta .. Est autem dominicum proprie terra ad mensam assignata. Co. Litt. 17 b.

duas carucatas in campis Branzton .. una de predictis carucatis fuit de dominio meo, mensae meae. 4. Mon. 421.

of the manor. Few of the old Hall farms in Lancashire exceed 600 acres, many do not extend to the amount of 200 (Lanc. Agri. Rep. 116). Some places, described in Domesday, are without halls and have no demesne; but small manors large enough for one farm only, were often entirely in demesne: otherwise, all the land was in demesne excepting five or ten acres<sup>22</sup>.

The boardlands were cultivated partly by the ploughs and slaves attached to the hall and partly by the tenants, who had grand days of work upon the boardlands called precatations. There were precatations of ploughing, and precatations of autumn, in harvest time. The boon days which the tenants in the north of England were accustomed to find for their lord not long ago, which consisted in getting and leading the lords peats, ploughing and harrowing his land and making hay, correspond to these precatations<sup>23</sup> (Cumb. Agri. Report.).

22 *est tota in dominio praeter V agros et habet ibi I carucam et I bordarium qui tenet predictos V agros . . . . . Est tota in dominio praeter X agros et habet ibi . . . II bordarios qui tenent predictos X agros. Supp. 396.*

23 The boor was required to plough three acres of boon (tres acras precum) and two of gaersyrde — Rect. Sing.

The Hall, the principal village, and the lands attached to them, did not always make up the whole lordship. There were often subordinate hamlets, little homes, like the cells of an Abbey, or the satellites of a planet, depending upon the head of the manor. Such were the *denae* of Domesday, dens or deans, noticed in Kent, Surrey and Berkshire. Dean in England means a valley: in Scotland "the den of Balruddery is a sweet wooded dell" (Old Red Sandstone). We have heard also of Craven's dens<sup>24</sup> and of dens of Yarrow. In the Kentish Domesday we meet with large and small dens, halves and third parts of dens, one den of 5 swine, 5 dens of 50 swine. The Confessor gave the manor of Lewisham with all belonging to it, Greenwich, Woolwich, and other places, with the valleys in Andred, or the Weald, adjacent to the same, namely, ... Thingendene, Scarendene etc. (6. Mon. 988). We read in the Kentish Agricultural Report that the manors above the

Pers. Service done with the plough within four days after Michaelmas was called *Grashearth* — Kennet.

24 In Craven's dens, on Cumbrian heights.

*Sindon dena dimme*; Dark are the "dens"

*Duna up hean*. And steep the mountains.

Exile's complaint.



hills, which separate the middle of Kent from the weald, have many of them a long strip of land each, reaching ten or twelve miles into the weald (Agri. Rep. 3). May not denae be sections of these long strips of land? Denbera in the charters are defined to be places supplying food for hogs, but some of the Kentish dens were arable<sup>25</sup>. Mr. Kemble has given an account of the courts of the dens from Sir Roger Twysden's papers which may contain further information. The dens have given name to places out of Kent, such as Highden, Deepdene, Denland or Dunsbury.

It happens, here and there, that a hamlet bears the general name of the township with "wick" as an affix. There is Paddington cum Paddingwyke, marked in Norden's old map, and there are wicks at Hampton, Kingston, Eton, Bray, Bath and other places about the same parallel. This affix is remarkably like the La-

25 Haec sunt pascua porcorum, quot nostra lingua denbera nominamus hoc est Lamburnanden, Orricesden, Telligden, Stanchtanden. I Kemble's Charters. XLI.

Adam filius huberti tenet episcopo I denam de dimidio jugo .... ibi habet II villanos cum dimidia carruca. G. D. 9 b.

tin vicus or viculus. In Essex a farm is called a wyke, and wick is likewise said to mean a place upon the water side (Co. Litt. 4 b. 5 a.).

Berewica, or berewita<sup>26</sup>, a berwick in Domesday is a subordinate manor; or a remote hamlet, so far from the mother church as to need a chapel. In a Saxon account of the lands of Peterborough we read of Medehamstede and Oundle with their berwicks (1. Mon. 382). Sometimes a berwick was a dislocated part of a manor, as Wyke, in Surrey, in Domesday called Wūcha, is an insulated part of the parish of Worplesdon, wholly surrounded by the parish

26 Sciatis me dedisse ... R. Episcopo ... ecclesiam de Oschintona .. et ecclesiam de Chestrefelt, et ecclesiam de Eseburne et ecclesiam de Mammesfeld, et capellas quae sunt in berewicis, quae adjacent praedictis quatuor maneriis 6. Mon. 1271. (Kippax in the West Riding.) Huic manerio adjacet terra que vocatur proprie Bereuuit G. D. 315.

Beneteleiam tenuit comes Guert t. r. e. post eam adjunxit comes Radulfus stalra huic manerio (viz Bercolt) pro beriwita L. D. 287.

(Fornham St. Genoveve.) Genonefæ forham t. r. e. tenuit sanctus Edmundus pro breuita ... et aula cui pertinet est in alio hundred... (Woolpit) Wlfpitam tenuit S. E. t. r. e. pro bereuica ... et aula cui pertinet est in alio hundred. L. D. 362.

of Ash. Staines had four berwicks: Mimmes was a berwick of Edmōnton. They were arable farms. Like the word barn, equal to bere-ern, berwick is said to come from bere, barley, bear. In some parts of England the grain of corn is called the berry, and a threshing-floor a Berrystead.

Harduices, Hardwicks, in Domesday are colonies of herdsmen. One is noticed in Hertfordshire, as belonging to Westminster Abbey (G. D. 135), and three in the district between the Wye and the Usk, still a pastoral country (G. D. 162). Sixty years since there were some sheep farms, called Herdwicks, belonging to Lord Muncaster, on the borders of Cumberland and Lancashire, near Hardknott and Wrynose Fells. The flocks belonged to Lord Muncaster, so that the tenants were not sheep farmers but shepherds. The reporter was informed that the family of Mr. Tyson, the chief shepherd, had lived in that sequestered spot above four hundred years (Cumb. Agri. Rep. 245). Joscelyn de Brakelond speaks of the "lancetti de Herdewic" as an inferior class (74). The tenants of the Welsh herdwicks are called, in Domesday, half villeins and there were *dimidii villani*<sup>27</sup>

<sup>27</sup> *Dimidii villani*. Delisle 15. G. D. 162. 166. 167. 168.

in other parts of Gloucestershire and in other counties. It was apparently the custom at Croyland to convert runaways into shepherds and fishermen<sup>28</sup>, which we may suppose to have been a kind of punishment.

Vaccaries, or cowpens, were pastoral settlements also. There are twelve farms called vaccaries in the Forest of Wyersdale, Lancashire; others in Quernmoor, and about the Peak of Derbyshire. They are noticed in Domesday at Wadberg, in Worcestershire (G. D. 175), and Danbie, in Yorkshire (G. D. 317). At Sparsholt, in Berkshire was a vacancy of six weys of cheese — *una vacaria de VI pensis caseorum* (G. D. 57 b. see 59 b.), and a Wick of ten weys of cheese — *Wica de X pensis caseorum* (G. D. 58 b.) at Buckland in the same county<sup>29</sup>. Snowswick, in the neighbouring parish of Buscot, was famous for pineapple cheese not many years ago. (Berks Agri. Rep.)

169 b. (110 b. 114 b.) 137 b. 252. 260 b. 359 b. L. D. 144. 210 bis. 215. 338.

*Dimidii bordarii* L. D. 176. 182. 197. 238. 286. 318. 325. 336. 387. 388.

28 *Pro servis ergo vestris, quos de fugitivis sive piscatores, sive pastores vobis facietis* Hist. Crowl. 13.

29 *de Manerio Mildentone redditur in Neuuetone una consuetudo id est XXVIII pensae caseorum etc.* G. D. 14 b.

Wica likewise means a saltern in Domesday. There was a salt wich, with a salt maker, at Risborough, in Buckinghamshire (G. D. 143 b.), one or more in Oxfordshire, several in Gloucestershire, and great numbers in Worcestershire and Cheshire. It does not appear whether salterns on the coast have ever been called Wiches. Inland salt works were sometimes in demesne, sometimes in the hands of villeins<sup>30</sup>.

The ploughs in hamlets and subordinate manors were liable to work upon the boardlands of the capital Manor<sup>31</sup>: thus in the bishopric of Durham, a<sup>o</sup> 1183, every plough of the village of Moorton tilled an acre at Houghton (Supp. 568); Urpath rendered sixty shillings rent, and ploughed and harrowed eight acres at Chesterle-street (572); and after Washington had been alienated by the bishop, the operations which the villeins of Great Usworth had been accustomed to perform at Washington were diverted to Gateshead (580).

30 *Omnes istæ salinæ et communes et dominicæ cingebantur ex una parte quodam flumine et quodam fossato ex alia parte.* G. D. 268.

31 *Alterius villæ homines laborant in hac villa* G. D. 182 b. (Brodeham Notts.) *Terra jacet ad Neuverce sed opus villanorum pertinet ad Saxebi in Lincolescira* G. D. 291 b.

These were almost independent colonies — members<sup>32</sup> hardly attached to the head of the manor: — but the true villenage and the lord's demesne were intimately connected; they were "like to a double cherry". The tofts of the peasantry, if not exactly close to the hall, would be but a little apart, perhaps upon a neighbouring hill. We have this very type of an ancient settlement in Mr. Poulett Scrope's account of Castle Combe, in Wiltshire (Q. R. April '53). A few years before the Reformation Polydore Vergil admired the delectable valleys of England, "wherein the most parte of the inhabitantes, especiallie the nobles, have placed their manners and dwellinge-houses" — and so Combe Hall, as its name imports, is in a valley at the foot of a hill; while there is a cluster of houses, called Over-Combe, beyond the brow of the hill, and the village at its foot is known as Nether-Combe — "distinctions of Saxon origin, no doubt", observes Mr. Scrope, "being almost exactly the Ober and Nieder still prefixed to the names of villages, similarly situated, in Germany.

This difference of position in the two divi-

32 Rodolei . . . huic manerio pertinent subsequencia membra. G. D. 230. Rothley Temple, still a great lordship.

sions of the town, had its origin, of course, in motives of convenience suggested by the different occupations of their inhabitants; as is well expressed in an ancient Chartulary, or Book of Evidences, chiefly in the handwriting of William of Worcester, surveyor of this manor between 1430 and 1465.

In the said manor are two towns, one called Over-Combe, in which reside the yeomen, who are occupied in the culture and working of the land which lies on the hill; and the other called Nether-Combe, in which dwell the men who use to make cloth, as weavers, fullers, dyers and other tradesmen."

Here a manufacturing village had grown up around the hall. In like manner we meet with Chipping Norton and Over Norton, Stowupland and Stowmarket, Epping and Epping Upland. The tradesmen of Combe — "dwelling in the Hall's demesne"<sup>33</sup> — might well call the yeoman "Jack Upland" — "a poure persone dwelling up on lond." In London and other towns the rural districts were frequently called the upland<sup>34</sup>.

33 (At Sudbury) L V burgenses in dominio halle manentes L. D. 286.

34 Villeins sont coultilvers de fiefe demurrants in vilages upland. Co. Litt. 109 b.

Although it may be true that "hill sheltered tuns" were chiefly chosen by the "western thanes" of Dorset, Wilts and Somerset, in other parts we frequently find the hall seated upon an eminence. In the Book of Ramsey there is a neat little sketch of a place in Bedfordshire, anciently called Schitlingdonia, described as having been fenced in by woods, with a spacious court and manorial residence, seated at the edge of the wood, upon rising ground, so that one standing at the door of the hall, could look down on the greater part of the village, and on the wide spread arable plain<sup>35</sup>.

As a picture of an ancient settlement, we can hardly pass over the account of the improvement of Deeping Fen, in Lincolnshire. Richard de Roullours, a Norman chief, who had married the daughter and heir of the lord of Bourn and Deeping, was much given to agriculture. He obtained leave from Croyland Abbey to enlarge his township of Deeping, by enclosing a

35 In pago Bedeford est villa quædam Schitlingdonia antiquitus dicta, olim sicut hodieque extantes indicio sunt reliquiæ, vallata nemoribus . . . curiam spaciosam et penates dominicales ad oram nemoris in loco edito habens situs, ubi ab ostio aulae tota fere villa et late patens ager arabilis oculis subjacet intuentis 444 (Oxon. 1691).



great portion of the common marsh. He raised a very strong bank to exclude the river of Welland; by this means he regularly irrigated almost all his meadows in the course of each year, whence the town was, of old time, called Dep Yng, that is Deep Meadow: he built many tenements and cottages above the bank, in short, he made a large town: he allotted garths, and undertook the cultivation of plains, and in the meadows which had, theretofore, been deep lakes and impassible pools, after the exclusion of the river, he found very fertile fields and excellent land, and out of pits and horrible swamps he made a garden of delight (H. C. 77. 78).

Here is another page out of the book of Croyland.

In the reign of Henry I., the abbot assigned to the monks "all his manor of Wridthorp, namely, three yardlands in demesne, and four acres of meadow, with three holms (islands), in place of the two (deficient) acres; and one water mill, with the fishery of the pool, and of the whole stream; with fourteen bondsmen in the same town, of whom each holds a yardland, namely, 28 acres of arable land and two acres of meadow; and each of them renders for his land fourteen shillings, and carriage of corn, and

carriage of hay, or one penny for carriage of corn, and one halfpenny for carriage of hay; and each pays for the marriage of his daughters a ransom to the lord, and Ourlop pro filiabus correptis — and Stoth and other services and aids, which will be more fully described in the Chartularies of the Monastery (115 Oxon. 1684).

The regulations with regard to marriage and incontinence were necessary to secure the lord's rights, since children generally followed the condition of their father. A rent of fourteen shillings from each yardland of thirty acres is an amount greatly beyond the average rate: perhaps we ought to read four shillings; or sterling money may not be intended. In the following extract it will be observed that the sum of five shillings is not the rent paid out of each yardland, but the estimated value of the service in addition to the actual rent.

A. D. 1253. The Abbot of Eynsham holds the manor of Charlbury (near Woodstock), and has therefrom by free rent ten shillings and four pence, and he has there in villenage thirty two yardlands, the rents and services of which are worth eight pounds to the abbot per annum, the customary return from a yardland being five shillings, and he has there in demesne three

hydes of land (or twelve yardlands), which are worth per annum 60 shillings, the value of each hyde being twenty shillings (3. Mon. 18).

The system of common field is so nearly obsolete, that it may be well to insert a few descriptions of unenclosed parishes from the Reports to the Board of Agriculture. It may seem a long step to pass from the reign of Henry 3. to the reign of George 3, and yet M. Delisle assures us that there was little advance, or change of any kind, in Norman agriculture in the course of eight centuries, and I fear that as much might be said of England (Delisle pref. XL). M. Delisle thinks that the Normans carried some improvements into England (251); and something like agricultural progress appears in Gloucestershire, and even in Herefordshire (G. D. 179 b.), notwithstanding its exposed situation. Perhaps the most thoroughly normanized counties were those upon the Welsh border.

During the last years of the last century, the parish of Stewkley afforded the best example, in Buckinghamshire, of the open field system of cultivation. Stewkley was then a village of farmers and labourers, upon an eminence .... environed by three extended fields, the one

fallow, the second wheat, and the third beans; and the main roads, running through the fields, could not readily be distinguished by a stranger, from the drift ways leading to the different properties. There were about 104 yardlands, containing thirty acres each (Bucks Agri. Rep. 358.342).

In another place, the reporter complains of the bad roads in Buckinghamshire, saying, that they were only excusable in the good old times, "when all lands were in open field culture, and when farms produced little else but subsistence for their own neighbourhood, when a third, at least, of the land might remain uncultivated, and the remaining two thirds yield enough only to maintain the scanty population around" (Rep. 342).

It will be remarked that the land at Stewkley was arranged in Trinity fields. I have met with no more than one recent example of the double field system. In the Isle of Portland it was the custom to fallow half the arable land every year, and to sow the other half with wheat, barley, oats, and a few pease and tares (Dors. Rep. 201). Here, at the end of the eighteenth century, we have the old arrangement which Fleta calls bipartite land<sup>36</sup>.

In the year 1797, there was a gentleman ta-  
 36 unam virgatam terrae in Hasfeldis inter Claccam et

king notes in Northamptonshire. "The parish of Rothwell supposed to contain about 3000 acres, of which 600 acres may be enclosures near the town, and 2400 acres open land, in three distinct fields of about 800 acres each: these fields contain a considerable breadth of grass land never in tillage; for the sake of round numbers I will suppose 600 acres of arable land in each common field, and 200 acres of grass land .... One of the fields is always in fallow, or turnips, and two in crops".

Before the Norman Conquest the amount of stock allotted to each boor, with his yardland, was two oxen, a cow and six sheep: the introduction of new kinds of fodder, and perhaps a more liberal allowance of pasturage, enabled his descendant at Rothwell to keep four heads and a half of cattle, and 24 sheep: the number of horses in the parish estimated at five or six score. There were, of course, no boardlands at Rothwell in the 18<sup>th</sup> century; at least no services due to the lord. There were about 80 yardlands in the parish, each com-

Rochesciram scilicet XX acras uno anno et XX acras altero. Madox Formulare. 244 (temp. Hen. 2). Here a double virgate contains forty acres and the whole hyde or ploughland 160. Compare Chap. 2. notes 21. 22.

prehending about thirty acres of the common field; and each yardland was in fragments, the distinct occupations being dispersed and intermixed, throughout every part of each field. Nevertheless, Rothwell was a favourable example of the open field system (Report 67).

At Naseby, Oct. 17. 1797., the reporter, found the common field extensive, and in as backward a state as it could have been on the 14th of June 1645 — the day of the fatal battle. The lower parts a moist rough pasture, with furze, rushes and fern abounding: the rest of the field a strong, brown, deep loam in the usual bean and wheat culture. Pasture enclosures near the village. This parish is as much in a state of nature as any thing I have seen in the county. The avenues across the field to the village, zigzag, as chance directed, with the hollows and sloughs unfilled, except with mire. The village contains a good many houses and other buildings, built with mud and covered with thatch, except the church and two dwellings, one of which appeared to be the parsonage (305).

At the same period there was a curse resting upon another noted field. The return from Chalgrove is "Clay, sad roads and bad hus-

bandry, all open" (Oxon. Agri. Rep. 11). The common fields at Doncaster, and at Battersea, were especially disgraceful, and I really believe that some lands had been better cultivated under Edward the Confessor, than they were in the early part of the reign of George 3. At the former period there was a good system of administration, and every tenant worked under superintendence: in the eighteenth century every man did that which was right in his own eyes, and was only controlled by the standing regulations of the Manor.

In the Middlesex Domesday it may be observed that there is often one villein, in each manor, with a larger tenement than his fellows, in the sole occupation of half a hyde of land, or even more. This will be remarked at Hanwell (G. D. 128 b.), Hanworth (G. D. 129), Edmonton, Enfield (G. D. 129 b.), and Westminster (G. D. 128): at Ruislip there were two such persons (G. D. 129 b.), at Staines three (G. D. 128), at Fulham five (G. D. 127 b.). It is likely that these men were Reeves, or Bailiffs<sup>37</sup>. In the

<sup>37</sup> Prepositus unam hidam G. D. 182 b. dimidiam hidam G. D. 182.

Qui hanc terram custodit habet de ea 1 hidam G. D. 174 b.

Isle of Portland we find one villein with ninety bordars (G.D. 75), at Letcombe Regis, Berks, one villein with thirty bordars and eighteen boors (G. D. 57 b.), at Bromley, Essex, one villein and 17 bordars (L. D. 87), at Legram, one villein and 17 bordars (L. D. 92). The "gerefa" or grieve "prepositus villæ" was an important officer in those days, and it would seem that the tillage of the Boardlands, as well as of the villenage, was often under his superintendence. One of Chaucer's pilgrims to Canterbury was a reeve, whose person, character, and abode are minutely described by the poet —

The Reve was a slendre colerike man .....  
 Wel coude he kepe a garner and a binne:  
 There was non auditour coude on him winne.  
 Wel wiste he by the drought, and by the rain,  
 The yelding of his seed and of his grain.  
 His lordes shepe, his nete and his deirie,  
 His swine, his hors, his store and his pultrie,  
 Were holly in this reves gouerning .....  
 His wonning was ful fayre upon an heth,  
 With grenë trees yshadewed .....

The claims and independent proceedings of the reeves are occasionally noticed in Domesday:

In dominio est una carruca et Vlf cum suis hominibus  
 habet aliam G. D. 234.



in one case we are told that the Reeve, after an exchange, had kept possession of both objects of the transaction (G. D. 38 b.): the hundred deposed that two hydes and one yardland, belonging to Ewell in the time of King Edward, had been leased out by the Reeves to their friends (G. D. 30 b.): and in the same county the abbot of Chertsey had a small farm at Battersea, which belonged to the manor of Battersea, until the reeve of the village "*prefectus villæ huius*" removed it into Chertsey, *propter inimicitiam quandam* — on account of some ill will (G. D. 32). Other passages relate to disputes between the reeves and the foresters (G. D. 38 b.). Still, it is not clear that all such entries refer to the reeve of the villenage, because *prepositus*, in Domesday, is a name common to various officers: we meet with *prepositus regis*, *prepositus burgi*, *prepositus hundredi* — just as there are shire reeves, portreeves and woodreeves now. In some places there were two or three reeves, two at Christleton in Cheshire (G. D. 264); and there were no less than eight at Leominster in Herefordshire (G. D. 180); it is likely that each of them had a detached hamlet, or a certain number of villeins under his control. *Prepositi* are named most frequently in Hampshire, Surrey,

Hertfordshire, Herefordshire, and Gloucestershire; but the office was known every where, except perhaps, in the neighbourhood of some abbeys, where the monks were able to be their own overseers.

The reeve was commonly a villein, liable to be bought or sold with the land<sup>38</sup>. In Domesday, however, he is sometimes coupled with the priest, and other free tenants, and is called a French reeve<sup>39</sup>, a Frenchman, or an Englishman. It is probable that these free bailiffs were of another class, rather like the modern agents of absent landlords: such were the men who farmed the demesne lands of the Bishop of Durham; in 1183; and the farmers who cheated Ab-

38 Be it known to all that I have given and granted . . . my capital manor . . . with four yardlands of my demesne with their appurtenances and all my wood . . . and Robert the Reeve, Richard Lane, William Barkeby, and Agnes relict of Geoffrey Hert, my customary tenants, with all their issues, and all their chattels, together with four yardlands, and the tofts, which the said customary tenants hold of me in villenage. 6. Mon. 633.

39 Prepositus vero francigena qui tenet ad firmam dicit etc. G. D. 2 b.

In dominio sunt III car' et III servi et unus prepositus cum I car'. G. D. 183.

bot Sampson of Edmundsbury, and oppressed his tenantry (Joc. de Brakelond. 21. 24).

In Durham, under Bishop Pudsey, the reeve of each manor held two oxgangs, freely, for his service, and paid rent if he ceased to be the reeve (Supp. 570. B. B.)

At Kelshall, near Royston, A. D. 1277. the reeve was one of the tenants of half a virgate; he was quit of all things due from his land, he could have a horse at pasture with the lord's stotts in summer, he ate at the lord's table in autumn \*\*\* in the same manor the lord could choose a bedell, out of the tenants of five acres, to be foreman of the harvest, and his land was quit: moreover, he had his sadlip<sup>40</sup> (seedbag, box, or basket), once filled with wheat in the winter, and with barley in lent, and could have a horse at pasture, and could dine at the lord's table, like the reeve aforesaid. He was entitled to a thrave and a half of wheat, and one thrave of maslin<sup>41</sup>, in autumn, and was

40 "habebit suum sadlepum plenum". Sædere, id est seminatori, pertinet, ut habeat uno quoque sementis tempore I leap fulne (seedlip full). Rect. Sing. Pers. Saxon Chronicle anno 1124.

41 A thrave is usually 24 sheaves — maslin a mixture of wheat and rye.

responsible to the lord for his losses in harvest (3 Clutterbucks Herts Appendix).

Bedels are noticed in Domesday at some places in Herefordshire (G. D. 180 b. bis. 182. 184) the eight reeves at Leominster had eight bedels associated with them (G. D. 180); there were three bedels at Kingston, in Surrey, who could not withdraw without the King's leave (G. D. 32 b.); three bedels are described as freeholders in Bedfordshire (G. D. 218 b.). The bedel is generally called a forest officer, or an apparitor of a court; but M. Delisle says that, in Normandy, the person who took care of the crops was often called the Bedel, and cites a charter of the twelfth century, by which S. abbot of St. Edmunds — our old friend Sampson — conveys the serjeantry of Westle, which is called the bedelship — videlicet ad seminandum semina et in autumpno ad custodiendum messes (106). On the other hand, it is clear that these cares, in many cases, would devolve upon the reeve who was obliged, as Fleta says, to be a good agriculturist. (Co. Litt. 62 a.).

In each of Bishop Pudsey's manors we find a Pinder or poundkeeper: there was Thomas Punder, alias Pondere Thomas, at Shotton (Supp. 569. B. B.). At Boldon the Pinder held 12

acres, had a thrave of corn from every plough, and rendered forty fowls and five hundred eggs (Supp. 566).

I cannot remember that this officer is anywhere named in Domesday.

One item in the summary of tasks given at the opening of this chapter is *stagnum molendini facere*—to make the mill pond, and to keep up the wear<sup>42</sup>. Mills were either in *demesne*<sup>43</sup>, or at rent. At Abingdon there were two mills of forty shillings, and two mills without rent in the court of the Abbot (G. D. 58 b.). Rented mills — *molini villæ* (G. D. 85) — *villanorum* (G. D. 7 b.), were of very unequal value. The poorest are to be found in Somersetshire, in which county several returned but sixpence a year to their lord; a few no more than four pence; one only three pence (G. D. 93 b.). The common range appears to be from

42 *Scilicet arare, kariare, falcare, bladum secare, foenum facere, merchetum dare, stagnum molendini facere* 4. Mon. 625.

The *gebúr* must furnish "towards *werbold* forty large trees or one load of rods. 1 Saxons in England 320.

*Reparare exclusas que dicuntur anglice were.* Delishe 85. G. D. 203 b. 298.

43 *molin' ad aulam* G. D. *passim.* in *dominio serviens* G. D. 112. *annonam curiae molentem* G. D. 268. *molendinum de Inlande* 4. Mon. 50.

nine pence to twenty shillings, although several mills were worth forty shillings: at Malvertone, in Warwickshire, was a mill worth fifty shillings (G. D. 239 b.); at Cotes, in the same county, two mills of a hundred shillings (G. D. 238); and two of a hundred shillings at Mortlake, in Surrey (G. D. 30 b.). The Sheriff's mills at Cambridge, three in number, returned nine pounds per annum (G. D. 189); and seven mills at Battersea, belonging to Westminster Abbey, returned 42L. 9 s. 8 d., or wheat of equal value (G. D. 32). These large sums may include the rent of the miller's farm, or the value of meadows, pastures, and fisheries. Pastures were taken away and several houses destroyed, to make room for the mills at Cambridge above mentioned. A mill at Cowley, near Oxford, was worth thirty five shillings including the rent of a yardland (G. D. 157 b.). Another at the same place was worth forty shillings (G. D. 160 b.). A mill-seat in the same county returned ten shillings (G. D. 157 b.). *Sedes molini* is called "Mill-ham" in a charter of Bishop Oswald of Worcester (1 Sax. in Eng. 50), and in the Wiltshire Agricultural Report a Mill-ham is defined to be a narrow strip of ground by the side of a river (259). In some cases the

contracted form *molin'* may denote more than one mill. On the other hand *sixpence*, or *ninepence*, may be no more than a fraction of a mill's annual value, for a mill had often more than one owner: at Iselham, in Cambridgeshire, the King had three mills and a half, the fraction over belonged to the Bishop of Rochester (G. D. 189 b. 190 b.). Two mills at Acforde, in Dorsetshire, were divided between the King and the earl of Mortain (Supp. 26. E. D.). At Boniniope, in Herefordshire, two mills were divided into three shares; one share belonged to Roger de Laci (G. D. 184), another to Ansfrid de Cormeilles (186), and the third to Gilbert Fitz Turoid (186 b.). So a person might hold the fourth, fifth, sixth, or eighth part of a mill. There was a fifth part of a mill, and a third of another mill at Fetcham, near Leatherhead (G. D. 32). A mill at Grinsted, near Colchester, had been divided into four shares by *parceners* (L. D. 104). At Rivenhall, in the same county, there had been one mill in the time of King Edward, there was but half a mill in the time of King William, because Richard de Sackville had taken the other half away (L. D. 27). The rent of mills was returned in almost every possible shape, in money, in uncoined

silver (G. D. 150 b. etc.), in corn (257 b. 259 b. 260), malt (255 b.), salt and eels (239), in honey (174), pigs (191), and bars of iron (91 b.).

Mills were sometimes under the care of the Reeve (G. D. 38 b. 182); but it appears probable that whenever the annual value of a mill did not exceed five shillings its keeper would be, in general, a bordar. We frequently find a single bordar in lands which have a small mill<sup>44</sup>: this is most remarkable in particular counties Oxford, Gloucester, Northampton, Warwick, and Leicestershire: and several lands with two mills have likewise two bordars<sup>45</sup>.

44 *Servicia borderiorum. Illi borderii debent . . . intertenere quisque unam eclusam dicti molendini. Delisle 16.*

*Ibi habet I molinum de V solidis et I bordarium G. D. 24. IIII servi et I bordarius et molin' de V solidis G. D. 170. I car' cum I bordario et molin' de V sol G. D. 172 b. Ibi molin' de II sol' et unus bordarius nil habens. G. D. 177 b. Ibi modo I bordarius et sedes unius molini G. D. 357. Ibi est I bordarius et I molin' VI solid. G. D. 360 b. G. D. 30 b. 31 b. 34 b. 35. 93 b. 97 b. 98. 156 (bis.) 158. 158 b. 160. 165 b. 167. 168 (bis.) 168 b. 179 b. 182 b. 183 (bis.) 186. 220 b. 222 b. 223 (bis.) 225 b. 226 b. (bis.) 227. 227 b. 229. 231 (bis.) 231 b. 232 b. (bis.) 233. 234. 235 b. (bis.) 236 b. 239. 239 b. 243 b. 249. 250*

45 *G. D. 167. 168 b. 219 b. 221 b. (bis.) 226 b. 230. 232 b. 239 b. 240. 242. 353. 361.*





There appears to be no genuine evidence that Windmills were used in the eleventh century (Delisle 514). A mill worked by horses is noticed in the Boldon Book, dated 1183, at Oxenhalle, near Darlington (Supp. 583). A mill which could only support the person who had charge of it (G. D. 179 b.), must have been a quern, or hand-mill. The tenants of St. Alban's extorted a licence to use querns at the time of Tyler's rebellion.

For some time after the Conquest the miller continued to be a villein, liable to be sold with his mill, as others used to be sold with their tofts and crofts and yardlands.

It is likely that the most valuable mills entered in Domesday were soke mills. All persons living within a certain range, called in France the Ban, in Scotland the Sucken, would be obliged to send their corn to be ground at the Soke-mill. This thirlage, or thraldom, was not abolished in Scotland until about the end of the last century. I am aware of no great soke mills in the south of England. The inhabitants of Daventry are subject to an ancient horse-mill, malt mill, and bake-house (Baker's Northants); there is a soke mill at Castleton in Derbyshire (2. Rep. 492); a soke mill and

bake house at Macclesfield in Cheshire (Lysons); and further north they are rather plentiful: the mills at Leeds and at Pontefract are banal, and the pretensions of the mills at Wakefield have been the subject of various controversies within the last few years.

It is strange that some of these notes on mills should be applicable to churches also: they were occasionally divided into moieties, and other fractions. At Sibson, in Huntingdonshire, the church and the mill were equally divided between the abbot of Thorney and Earl Eustace (G. D. 205). The church at Rhyddlan was shared between Robert de Roelent and his lord the earl of Chester: in the same manner the whole lordship with mills, waters, fisheries, and forests, was divided (G. D. 269). Several churches in Notts were divided into halves; and two, Bole (G. D. 286 b.), and Clistone (284 b.), were quartered. Edward Cilt had a third part of the Archbishop of York's church at Wime, in Lincolnshire (G. D. 340). At Londonthorp there was half a church with half a priest<sup>46</sup> (G. D. 357): and at Boxford, in Suffolk, we meet with a fraction as small as the twelfth part of a church (L. D.

<sup>46</sup> I presbyter integer et II dimidii tenent C acras liberæ terræ L. D. 196.

291). At the present day there are several advowsons held in shares<sup>47</sup>, and some of the examples above given may amount to nothing more.

But at Lymm, in Cheshire, the benefice was in medieties at the time of the Norman survey: in that portion of the township which belonged to Gilbert de Venables, was half a church with half a yardland (G. D. 267); in the other portion belonging to Osbern, the son of Tezzo, was half a church with a priest and half a yardland quit of geld (G. D. 267 b.). The sections of this church had not been united in 1810; the duty was performed on alternate Sundays by the incumbents of the two medieties (Lysons). The rectory of Malpas, unnoticed in Domesday, is in like manner divided, "there is an excellent parsonage and a glebe belonging to each mediety" (Lysons). Up to the year 1637 the church of Houghton Conquest, in Bedfordshire, was divided into two portionable parsonages, called Houghton Franchise and Houghton Gildable (Lysons). At Wantage, in Berkshire, there were formerly two churches in one church-yard (Lysons): when Domesday was compiled two

<sup>47</sup> In Kottenham undecim hidas terræ, cum advocacione ecclesiæ alternis vicibus Hist. Crowl. 35.

thirds of this benefice were in the Kings hands, having belonged to the late bishop Peter; the remaining third with one hyde was held by William the deacon under the King (G. D. 57). At Willengall, in Essex, there are two churches, together, in the same churchyard: at Fulbourn, near Cambridge, there were formerly two churches.

Some churches, not otherwise known to be monastic, are called in Domesday minsters (monasteria): these were probably collegiate churches. The minster of Southwark, near London bridge, was of this kind (G. D. 32). Hitchin, in Hertfordshire (132 b.), Stanway, in Gloucestershire (163 b.), Melred and Shelford, in Cambridgeshire (191), are called monasteria. There were twelve monks in the church of Wisset, in Suffolk, and under the church a chapel (L. D. 293).

It is believed that ecclesiolæ were without burial-grounds, perhaps without other rights of the foundations called ecclesiæ.

With regard to the fabrics not much can be gathered out of Domesday. There was a ruined church in Cheshire (G. D. 269); also at Kings Collingburn, and at Nigravre, in Wiltshire (G. D. 65); a new and fair church at Bermondsey

(G. D. 30); a new church at Wilcote near Marlborough (G. D. 69); and a church at Frampton, in Gloucestershire, where there had been none before (G. D. 169). At Begeland, in Yorkshire, was a wooden church (G. D. 320 b.), as noticed by Sir Henry Ellis, and there can be no doubt that others were stocken churches as our ancestors called them<sup>48</sup>. Mr. Kemble is of opinion that the number of churches in Saxon times was very great. Some, in Domesday, are valued with the manors (L. D. 172. 208. 219): and some may have been left out because they were without lands<sup>49</sup>, or because they returned nothing to the lord of the manor.

The church at Nigravre "ruinous, unroofed, and almost broken down", belonged to Nigel the physician, who is called a priest in *Inquisitiones Geldi* (Supp. 1. 7), and is placed before the lay lords in Herefordshire Domesday. He held lands and churches in many parts of England. Another pluralist was Albert the clerk, who was rector or patron of Okeham and Ha-

48 de dono ejusdem Algari comitis senioris ligneam capellam sanctæ Mariæ per Spaldelyng quæ Anglice Stokym appellata Hist. Crowl. 14.

49 sine terra L. D. 169 (bis.). 218. 224. 282. 286. 355. 382. 386.

milton in Rutland, St. Peter's Stamford, (G. D. 294), and Upton, in Warwickshire (G. D. 238). A third was Reinbald, who had been King Edward's chancellor. We meet with this class of wealthy churchmen before the Conquest. Such were Bollo, the priest of Bodmin, who still enjoyed lands and churches at the time of the survey (G. D. 78 b. 79); and Sired, canon of St. Paul's (G. D. 130). Nigel's lands and churches had mostly belonged to Spirtes a canon of St. Mary's, Brunfelde, who had been sole tenant of ten out of the twenty hydes possessed by the brotherhood at Brunfelde; but after he had been exiled from England, King Edward gave these ten hydes to Robert Fitz Wimarch, to hold them as a Canon. Robert gave the land to his son in law. When the King had been informed of this by the Canons, he immediately directed that the land should be restored to the church, only giving Robert respite until the court days of Christmas, then approaching, in order that he might provide other lands for his son in law. But during those very feast days the King died, and so the Canons lost their land (G. D. 252 b.).

The titles usually given to ministers in Domesday are clericus, capellanus, diaconus, and pres-

byter, or presbyter villæ. Some of the clerks or chaplains were apparently rectors with priests or vicars under them<sup>50</sup>: they were generally tenants in demesne, and are commonly enumerated with the free tenants (G. D. 181 b. *passim*). The clerklet — clericolus — at Westbury, in Wilts, was perhaps a deacon (G. D. 65). We find a deacon associated with a priest at Bosworth, in Leicestershire (G. D. 233). Priests are often called free men and we have them holding land in conjunction with thanes<sup>51</sup>.

The distinction between free lands and bond lands extended to the glebe of churches<sup>52</sup>. There were lands held in Frankalmoigne or "clean alms"

50 Frome (Heref.) De isto manerio tenent II milites III hidas et capellanus episcopi I hidam et presbiter villæ unam virg' terræ G. D. 181 b.

Upton (Warw.) tenet Albertus clericus III hidas de rege in elemosina. Ibi sunt II presbyteri cum II carrucis. G. D. 238.

Ledbury. De isto manerio unum membrum tenent de episcopo quidam Franco et Willielmus clericus et ecclesiam ejusdem Manerii cum presbyteris et terra ibi pertinenti. G. D. 252.

51 Vlgar presbyter et alii III teini tenuerunt pro III maneriis et liberi erant. G. D. 266 b.

52 Bishop's Waltham. De terra harum ecclesiarum tenet unus homo I hidam de terra villanorum. G. D. 40.

Bromham (Wilts). De terra villanorum tenet presbyter unam hidam et unam virg' terræ de rege. G. D. 65.

*libera et pura elemosina*: other lands were held in *elemosina*, in charity, or by divine service, that is, on the condition of praying for the founder on appointed days. It is written in Domesday that in Archenfield the King has three churches. The priests of these churches bear the King's embassies into Wales, and each of them chants for the King two masses in every week (G. D. 179). Alwin the priest of Turvey, in Bedfordshire, held of the King the third part of half a hyde with two oxen. He held this land in the time of King Edward, and could then do what he pleased with it. But King William afterwards granted it to him in charity, that he might perform a mass every Monday for the soul of the King and of the Queen (G. D. 218 b.). Some lands of Dublin Cathedral are still held upon such terms, and a short service is performed at stated periods in the Irish Court of Exchequer. Frankalmoigne and tenure by divine service are different<sup>53</sup>. When land was given in frankalmoigne, the tenant was only bound to pray at

De hac eadem terra tenuit quidam presbyter I hidam in tainlande et poterat cum ea ire quo volebat. G. D. 76.

53 Writtle (Essex). I hidam dedit Harold cuidam presbytero suo sed hundred nescit si dederit liberæ vel in elemosina. L. D. 5.



his own discretion, and the lord could not recover prayers in arrear; he could merely make report of the default to the ordinary or visitor: but a tenant by divine service was bound to offer certain prayers on certain days, and the lord could distrain in default, as in the case of an ordinary tenant (Litt. §. 136. 137). These "holy work folks"<sup>54</sup> were not all of them presbyters. It is pleasing to find among them several women, and other helpless persons: a blind man at Warsop in Nottinghamshire, twice entered (G. D. 281. 293); and two cripples, one at Odesclive, near Axminster (G. D. 100 b.), the other at Eversaw, in Buckinghamshire (G. D. 153). At Bury St. Edmund's the priests, deacons, and clerks were in number thirty, and there were eight and twenty nuns and poor persons, who prayed every day for the King, and for all Christian people (L. D. 372). In some counties the King's bedesmen, *elemosinarii Regis*,

54 When the people of Durham were invited to march against the Scots, they excused themselves on the ground that they were Holy work folks, the tenantry and body-guard of St. Cuthbert. *Dicebant enim (historia Dunelmensis pro me loquetur) se esse Haliwerke Folkes i. e. sacro operi adscriptitios, et terras suas tenere ad defensionem corporis S. Cuthberti.* Camden.

are arranged under a distinct heading; and the King's charity lands are now and then mentioned<sup>55</sup>.

It really would appear that some presbyteri were quasi villani (G. D. 41 bis.) Chaucer's good parson was the ploughman's brother; and in Domesday the parish priest is often numbered with the villeins and bordars. At Home Lacy there were two ploughs in demesne; and 16 villeins, and a priest, a reeve, a Frenchman, and four boors had twenty ploughs and a half among them (G. D. 181 b.). Clerks are rarely spoken of in this manner<sup>56</sup>. Priests are often described as owners of stock. They sometimes had one or two bordars or cottars under them<sup>57</sup>. The tenement of a parish priest

55 Hæ terræ fuerunt de elemosina R. Edvardi et omnium regum Antecessorum suorum, ut scira testatur G. D. 142. and 137 b.

56 V villani cum VI bordariis et I clerico habent III carrucas G. D. 141.

57 Coggeshall huic manerio pertinent XI sochemani et I presbyter et I porcarius et I mercennarius L. D. 26.

In dominio sunt II carrucæ. Presbyter cum VI bordariis habet I carrucam G. D. 139.

Hales. in hac villa habet S. Ebrulf I carrucam cum presbytero qui habet II boves. G. D. 248.

Assington (Notts). Ibi æcclesia et II presbyteri haben-

was about equal to the tenement of a villein; not less than twelve or fifteen acres, and not, usually, more than half a ploughland.

A small part only of the revenues of a church was allotted to the Vicar, who, generally, received a third of the whole tithe; or a third part of the tithe of the demesne, and the whole tithe of the villenage<sup>58</sup>. The founder of Belvoir “concessit decimas decem villarum ad præsens, ex suo videlicet dominio, annonæ, omniumque rerum de quibus decima danda est et datur, semota quidem tertia parte presbiteri villæ”: and William St. John gave to the Priory of Boxgrove two portions of all the lands and of all the tithes belonging to certain churches, for the third parts were assigned by him and the bishop and the prior to vicarages (Selden 1241). Some charters do not notice the destination of the third part of the tithe; and in some cases, the Vicar’s portion was fixed by a special papal, or

tes I carrucam et I bovem et novies viginti acras prati.  
G. D. 281 b.

Ibi est presbyter sine carruca sine pecunia G. D. 175.

58 In Langcherchilla de dominicatu duas partes decimæ.

Villam quæ vocatur Edmetona cum tota decima de dominicatu et duabus partibus decimæ rusticorum 2. Mon. 147.

episcopal, ordinance. By the recent custom the tithe of corn, hay, pulse, and wood commonly fell to the share of the rector; and the vicar took the rest. This distribution does not appear until the thirteenth century. It is mentioned in ordinances of Walter Gray, archbishop of York between the years 1216 and 1255.

Not much is said in Domesday concerning tithe; still less concerning any other branch of ecclesiastical revenue. Kirkset<sup>59</sup> is defined, in the Worcestershire Domesday, to be a seam of corn from every hyde upon which a free man is settled. It sometimes fell to the lord of the manor, even if a layman<sup>60</sup>. The excuse for the lord's usurpation of Kirkset was, perhaps, an understanding that he should maintain the fabric of the church. The King received Circet from Bensington and Headington in Oxfordshire: from these manors, and some others in the county, he received a tribute called Annona

59 Dicit Comitatus quod æcclesia de Persore debet habere Circset de omnibus trecentis hidis scilicet de unaquaque hida ubi francus homo manet unam summam annonæ in die festo Sancti Martini et si plures habet hidas sint liberæ. G. D. 175 b.

60 Corhampton Hants. Item Chirechet valet per annum II s. VI d. (anno 24. Ed. 1.).

unius anni — first fruits — and from Headington Helueuecha — the Easter offering — which is mentioned by the Confessor, who gave to Ramsey Abbey all the “gyltes” annexed to his crown in Yule in Holy week and Gang days (2. Mon. 560).

By the gift of William Fitzosberne, earl of Hereford, the monasteries of Cormeilles and Lire received the entire tithes, or the rectorial tithes, of a considerable number of churches in Herefordshire, Worcestershire, and the Isle of Wight: he attached to each rectory a yardland and a villein to collect the tithe<sup>61</sup>. St. Peter's Hereford had one villein at Stantone, Shropshire (G. D. 260 b.). Ambresbury Abbey held the church of Letcombe Regis with one yardland (G. D. 57 b.). Such impropriations were multiplied in subsequent years; and it is to be feared that vicarages were much neglected, and that many churches were merely served by occasional chaplains, until an Act of Parliament,

<sup>61</sup> Marcle Hereford. Sancta Maria de Cormeliis habet decimam hujus Manerii et presbyterum et æcclesiam cum I villano tenente I virg' terræ G. D. 179 b.

duas partes omnium decimationum de dominiis meis ... cum quodam rustico virgatam terræ tenente ad colligendas decimas 4. Mon. 111.

in the beginning of the fifteenth century, obliged the impropiators to maintain a perpetual vicar in each church. The parochial clergymen, in this manner restored, would naturally become opponents of the monastic system, and heralds of the Reformation.

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## CHAP. V.

### THE FREEHOLD TENANTRY.

An account of free tenants ought to begin with freemen, who performed some kinds of predial service. In the counties bordering on Wales we meet with a class called Radknights, or Radmen. The radknights at Deerhurst, in Gloucestershire, were freemen who, notwithstanding their freedom, did ploughing, harrowing, and harvest work in aid of their lord (G. D. 166): the radknights of Tewkesbury ploughed and harrowed at the lords court (G. D. 163). Other persons, who were connected with the bishopric of Worcester, are said to serve as rustics (173 b.); or to render every custom to the reeve of the farm; or to render rustic work at the deprecation, or request, of the reeve<sup>1</sup> (172 b.).

1 Hi Radchenist' arabant et herciabant ad curiam domini G. D. 163.

Brictuin' tenebat et inde episcopo serviebat sicut deprecari poterat .... Lewin' tenuit et inde radman episcopi fuit G. D. 173.

The higher services of husbandry were, probably, called precatations because they were optional, or commutable, as far as the free tenants were concerned. Bracton says that Radknights attended their lord on horseback. A few Radknights are noticed in Hampshire, at Mapledurham (G. D. 38), Christchurch (38 b.), and Ringwood (39); one at Goosey, in Berkshire (G. D. 59): the rest were in the marches of Wales. In Gloucestershire, and the neighbouring counties, a radknight's usual tenement was about a single ploughland; a hyde, or three yardlands: there were occasionally villeins or bordars under the Radknights. Some radmen in the land between the Ribble and the Mersey were lords of manors, and immediate tenants of the Crown (G. D. 269 b.).

In Herefordshire, Shropshire, and Cheshire we meet with "hospites"<sup>2</sup>. The prevalence of

Godric tenuit ad voluntatem episcopi G. D. 173 b.

(Garstune) Qui hanc terram tenebat in prato uno die secabat et alia servitia faciebat G. D. 175.

Homines operantur opera regis, quæ prepositus jusserit G. D. 219.

<sup>2</sup> Ibi sunt homines reddentes X sol' et VIII denar' pro suis hospitibus ... de quibusdam hominibus ibi hospitalis habentur C den' quamdiu ipsi voluerint ... In dominio



Norman customs in these counties has been already noted, and hospites are frequently mentioned in Norman documents. Les hôtes, in Normandy, were freemen in the occupation of very small tenements — “a little cabin a court yard and a garden” (Delisle 8). We may be allowed to call them sojourners. The sojourners in the Welsh Marches were perhaps encouraged for the sake of their military services.

“Adjoining to Farndon, not far from Chester, and bordering also upon some of the neighbouring townships, is an extraparochial tract of land now called the township of King’s Marsh. It was formerly called Over-Marsh, and was one of the spots set apart for the reception of fugitive strangers of any county, who should come in time of war under the protection of the earl of Chester, and who were allowed to live there in booths for a year” (Lysons 657).

Drenchs or Drenghs are noticed in the “Land between the Ribble and the Mersey” (G. D. 269 b.), and repeatedly in Boldon Book. At West Auckland Elstan the Drenggh held four oxgangs, and rendered ten shillings, and made  
est I carruca et presbyter et VII hospites cum I carruca  
reddunt V solid’ G. D. 184 b.

Ibi sunt III hospites nil habentes G. D. 264.

four precatations in autumn with all his men, excepting his own household, and ploughed and harrowed two acres, and went on commissions for the Bishop between the Tyne and the Tees, at his own cost, and found four oxen to carry wine (Supp. 574). There is nothing in this very unlike the ordinary services of common socage, as will appear presently. At Oxenhalle another man was bound to perform the service of the fourth part of a Drengage; namely, to plough four acres, and sow them with seed found by the Bishop, to harrow, to make four precatations in autumn with all his men, and with all their families except the housewife, his own house being exempt: he took charge of a dog and a horse for a quarter of a year, carried wine with four oxen, and kept Outward whenever it should be set in the bishopric (Supp. 583 B. B.). The peculiarities of drengage tenure seem to be — riding with the Bishop's writs to various parts of the diocese, keeping Outward, attending the Buck-hunt with greyhounds and leashes, and taking care of dogs<sup>3</sup> and horses. About the same period, that

3 "Two and two gebúrs shall feed one staghound" Recitutions. 1 Saxons in Eng. 320.

Personal services are, in many places, kept up in a

is, towards the end of the twelfth century, two or three farms, in the neighbourhood of Battle Abbey, were not subject to the ordinary rents and services, because the tenant of each of them was bound to ride as a courier, or to keep a horse for the abbot and his monks (Battle Abbey Book 18). A detached parcel held on such terms, was called "terra Wrenci" (20) — should it not be threnci? The epistle of the Prior and Convent of Canterbury to Henry 2. states that 'before the Conqueror's time, there were no knights in England but thringes, and this king converted them into knights (3. Turner 234): and in the Monasticon we read of a man named Gamelbere<sup>4</sup>, who was an old Dreyinghe before the Conquest, and held two ploughlands at Cukeneý, in Nottinghamshire, from the King in chief, by the service of leading the King's palfrey from the King's farriery, when small degree; such as a day's work with a team annually, to draw coals, fuel, and other articles, the keeping of a game-dog etc. Northants Agri. Rep. 38.

The rack tenants of a sporting landlord are frequently subject to the inconvenience of keeping dogs. Shropshire Report. 127.

<sup>4</sup> The name of Gamelbere occurs in Domesday, G. D. 298. 301 b. etc. (though not at Cuckney 285. 291 b.), in general history, and even in Sir E. B. Lytton's romance.

ever the King visited his manor of Mansfield, and if an expedition into Wales should be undertaken, Gamelbere was bound to perform the service due from two ploughlands, and the like for his homage (6. Mon. 872). Herethringes, or warriors, are mentioned in Layamons chronicle: when King Arthur lived in state at Caerleon upon Usk he summoned all his vassals to court —

He bade come earls;  
 He bade come bairns;  
 He bade come kings;  
 And eke herethringes.

The very names of the drenghs or thringes of the north, and of the radmen of the western marches, have become obsolete; and the nature of drengage, and of a radknight's service, is but ill understood. It has been otherwise with the sochemen of the eastern counties, for — although there may be much obscurity with regard to their origin and ancient state — their tenure is not likely to become extinct. The derivation of the term socman<sup>5</sup> can hardly be considered

<sup>5</sup> *hec terra est de socna regis L. D. 38.*

*Soca in folsa (Falsham) regis manerio de istis soca mannis L. D. 131.*

*In bodeneia IIII sochem' ... et super eos habet rex socham et sacham L. D. 235.*

a doubtful matter: it is believed that it comes from the Saxon soc — a franchise especially one of jurisdiction (Mr. Hallam). The old definition of soc, or socne, is *secta curiæ* — suit of court — and the word is said to come from *secan*, to seek: socman, if it comes from the same, must mean a member of the manorial inquest, or one who seeks protection, a suitor, a follower. The verb “to seek” is used to this purpose in Anglo Saxon. “Thurkytel the earl sought to the King to be his lord” (Sax. Chron. 918); in Latin this would be *regem requisivit*<sup>6</sup>; a phrase which more than once occurs in Domesday. We may then take the “Soke of Normancross” and “the two hundreds which seek unto Normancross”<sup>7</sup> to be equivalent expressions.

Sochemen, in the eleventh and twelfth centuries, are commonly described as suitors and attendants of the court of the hundred, or of some other manorial court. The controversies

6 *Hanc tenuit pater ejus de rege. Sed hic regem non requisivit post mortem Godric sui avunculi G. D. 50 b.*

*Hanc terram tenuit Anschitil de regina ut dicit. sed post mortem ejus regem non requisivit G. D. 83.*

7 *Soca regis in Normanecros. G. D. 206.*

of tham twam hundredum the secæth into Normanescros  
1. Mon. 382.

of Abbot Sampson of Edmundsbury were with his military tenants for arrears of scutage, and with his sochemen for suits of hundreds<sup>8</sup>. The first step in the proceedings before a court was to call on each party to produce his "secta" suit, or suite, of witnesses and sureties (Selden notes on Fortescue).

The term *soca* is used in Domesday with reference to the land; and the personal bond is called commendation, or homage<sup>9</sup>. Men were

8 *Tres istorum sochemanorum accommodavit Picot Rogerio comiti propter placita sua tenenda G. D. 193 b.*

Abbas semper in labore existens, quandoque movens controversiam ... contra milites Sancti Eadmundi pro scutagiis integre reddendis ... quandoque cum sochemannis pro sectis hundredorum. *Joc. de Brakelonda 15.*

9 ipsi tenebant libere terram suam et tantummodo erant commendati abbati de Eli L. D. 25.

Sochemani de Risdene et Irecestre et Rande fuerunt homines Burred et iccirco G. episcopus clamat hominationem eorum G. D. 225 b.

hos calumpniatur Drogo de Befrerere pro homagio tantum L. D. 172.

tenuit liber homo pro manerio et pro I hida qui tempore regis Willielmi effectus est homo antecessoris Ranulfi Piperelli sed terram suam sibi non dedit. Quando vero rex dedit terram Ranulfo saisivit illam cum alia. L. D. 71.

de uxore illius habebat tunc Alwinus commendationem

frequently commended to others, or placed under their protection.

“This land” at Estone, in Bedfordshire, “held Avigi and could give it to whom he pleased in the time of King Edward. King William afterwards granted it to him and by his writ commended him to Radulf Tallebosc that he might serve him during his life” (G. D. 211 b.).

In Willey hundred, in the same county, Osiet the King’s prefect or bailiff held half a hyde of the King: a socheman had held it in the time of King Edward, whom King William commended with this land to the prefect aforesaid, to be supplied with food and clothing as long as he lived (G. D. 218 b.).

At Cromhall, in Gloucestershire, there were two brothers, who could turn themselves with their land whither they pleased: these earl William Fitzosberne commended to the reeve of Berkeley, that he might have their service (G. D. 163).

At Pickenham in Norfolk there was a free-man holding sixty acres, whom, after the King came into the country, Earl Ralph gave to the reeve of the hundred (L. D. 120).

*tantum et eadem uxor nichil habebat ex hac terra.* L. D. 278.

Some phrases, still familiar to us, have arisen from this custom of commendation: we commend or recommend one person to another's favour — "after my due commendations to your good mastership" — "after humble recommendation" — are old fashioned complimentary expressions. The commended men of a great lord formed a compact body of retainers, sureties, and champions: "as in the counts of writ of right they were wont to declare 'et hoc paratus sum probare per hunc liberum hominem meum A. B.' which was a tender of Battle" (Selden on Fortescue). Earl Alan claimed some land at Drayton, in Kesteven, and Alger his man gave a pledge to the Barons of the King, that he would confirm the claim by judgment, or by battle; and on the other side the other claimant's man gave an opposite pledge (G. D. 377 b. L. D. 146. 176. 190. 208). And the engagements of commendation were reciprocal (Glanvill IX c. 4): in Domesday when a man's title is disputed he appeals to his chief, he calls Robert Malet to warrant (L. D. 311), or declares the King to be his advocate (G. D. 227 b.): and when Brungar was accused of stealing horses, Robert Fitzwimarc, who had commendation over him, and the Abbot of Edmundsbury, who had sac and soc, attended the



plea in the hundred court on his behalf (L. D. 401).

Simple commendation was often connected with *faldsoke* — *soca falde* — the privilege, or the obligation, of using the lord's fold. "In Kirkby there were twelve men following the fold of Edric of Laxfield" (L. D. 124). In some cases freemen commended had their own fold yards.<sup>10</sup>

The commended men had often other freemen under them called the under commended; and commendation was divisible into shares; in consequence we read of entire freemen — of halves of men, partly commended to one lord, partly to another — of the fourth part of a freeman — and of the sixth part of a man's commendation held by one person, and five parts of it by another. In some cases, this disintegration of the homage had been occasioned by a partition: an uneven number of sochemen could only be divided into two equal shares, by assigning the half of one socheman to each par-

<sup>10</sup> *de his habuit suos antecessor socam falde et commendationem et Stigandus socam aliam* L. D. 256.

*Haberet et faldas, ubi omnes homines villæ, præter seneschaldum qui propriam faldam habet, tenentur ponere oves suas* (Joc. de Brakelond). 3. Mon. 164.

cener, as had been done at Terintone in Lincolnshire<sup>11</sup>.

Residents in one place, even members of one family, were often under different lords. It is common to find a man commended to one chief, and his wife commended to another<sup>12</sup>. Persons

*Terra Sancti Edmundi . . . ad faldam etiam omnes excepto uno qui faldam habet per se. L. D. 356.*

11 Brunwin fuit homo Munolf totus t. r. e. Alfac dimidius et Lefricus dimidius. Esmoda tota femina Toli vicecomitis et Brithmar filius ejus fuit homo Brithmari prepositi Roberti Malet. L. D. 299.

liber homo dimidius comendatus abbati et dimidius sub commendatus antecessori Malet L. D. 309.

In Bredefelda III liberos homines integros et III dimidios et quarta parte unius liberi L. D. 387.

de Vita parte sui fuit commendatus antecessori Malet et Achi antecessor Roberti Blundi habuit quinque partes commendationis de illo L. D. 309. Also 376.

Wlsinus antecessor R. Bigot terciam partem commendationis habuit et II fratres Wlsini II partes commendationis L. D. 333.

In Terintone habebat Rolf III bovatas terræ et dimidiam . . . Ibi . . . II sochemani et dimidius . . . Ibidem habebat Clac III bovatas terræ et dimidiam . . . Ibi II sochemani et dimidius. G. D. 358.

12 Vlchetel habuit dimidiam commendationem de illo . . . et de uxore ipsius totam commendationem L. D. 182.

Blaceman fuit homo Edrici et commendationem habuit de eo et rex socam: sed uxor istius hominis fuit homo Sti-

owing nothing more than commendation to their lord, were attached to the soke or hundred court of the King, or of another lord, as may be observed in Brungar's case above given<sup>13</sup>. There is sufficient evidence that these involved relations had led to much trouble and litigation in Norfolk and Suffolk, and it must have been found necessary, at an early period, to abolish personal commendation, and to make homage and tenure of land inseparable things.

The soke, or jurisdiction over the land, was liable to partition, but its nature did not admit of very minute division. The soke due at Kirkby, in Lincolnshire, was bipartite between the Bishop of Durham and Eudo the son of Spirewic (G. D. 359 b.). The dues and services of the men were the real subject of parti-

*gandi episcopi et commendationem habuit de muliere. L. D. 313.*

*Super II<sup>ss</sup> feminas istorum hominum habuit Abbas ... dimidiam commendationem L. D. 440.*

*13 Super omnes liberos istius Hundred habet rex sacam et socam L. D. 185.*

*Et de tota hac terra liberorum hominum jacet soca et saca in Blideburh ad opus regis et comitis. Et de omnibus istis hominibus habuit Edric antecessor Roberti Malet commendationem L. D. 311.*

tion: it was for the sake of these dues and services that men were given and bought and sold: nothing more than their service and taxation could be transferred: for although their commendation was the lord's property — the men of a Saxon thane becoming the men of his Norman successor — they were, personally, as free as the infant wards who, in later times, were liable to be sold, or given away, by the Edwards and Henries<sup>14</sup>.

“Soca”—socage land—is always distinguished from demesne land, inland, or thaneland<sup>15</sup>. The Conqueror, directing that invaded lands should be restored to Ely Minster, says “Let those who hold theinlandes which undoubtedly should be held of the church, make the best agreement

14 *Inibi habuit comes Tosti I car' terræ de cujus terræ soca habebat rex II denarios et ipse comes tercium. G. D. 280.*

*Ipsi L sochemani reddunt per annum de soca VIII lib et X denar'. G. D. 220.*

*omnes isti liberi homines valebant XXX sol' tunc modo LIII et VIII d. L. D. 134.*

*Isti omnes liberi reddebant Stigando t. r. e. XL. sol. Si non redderent essent forefacti de IIII lib. L. D. 139.*

15 *De his carucatis sunt VI ad aulam et X sunt in soca de Poclinton ... Hanc alii dicunt esse tainland alii so cam in Wachefeld. G. D. 299 b. 301.*

which they can with the Abbot ... let the same be done concerning those holding soc and sac" (Hist. Elien. 11. 120). These strange syllables "soc and sac" had a shade of difference in their meaning. Our ancestors were fond of alliteration, and some of their jingles are still used; for example, health and wealth, or wear and tear. Sac appears to be our common word sake, with the force of placitum or causa, and to mean the correction of offences, or power of imposing penalties<sup>16</sup>.

16 Dicit quod ratione de Sok intendit habere sectam omnium tenentium suorum tam liberorum quam villanorum; et ratione de Sak intendit habere emendationem omnium delictorum: Quo. Warranto. 3. Ed. 3.

Isti sochemani dicunt se habuisse Legrewitam et Blode-witam et Latrocinium suum usque ad IIII<sup>or</sup> denarios et post IIII denarios habebat abbas forisfacturam latrocinii G. D. 204.

In his custodiis sunt LXXVII mansiones sochemanorum qui habent terras suas in dominio et qui petunt dominos ubi volunt super quos rex nichil aliud habet nisi emendationem forisfacturæ eorum et heriete et theloneum G. D. 336 b.

de tota hac soca habet sanctus Audoenus duas partes et rex terciam. Et semper duas partes de forisfacturis de hundret. L. D. 22.

de duobus sochemanis habet rex et comes Socam et super alios VI forisfacturas L. D. 155. 179.

It may be well to state more distinctly the writer's impression, that in Little Domesday a freeman commended generally means a man commended to one lord, with his land in the soke or jurisdiction of another; and that a socheman was in the soke and under the commendation of a single lord. Lands held by sochemen were like *terra villanorum* inferior to thaneland, or demesne, and generally liable to the King's geld<sup>17</sup>; but sochemen were superior to villeins: they were not merely free but might be lords of manors<sup>18</sup>, notwithstanding their subordination. It is likely that they paid a feefarm rent. Nothing at this time, and until the statute called *Quia Emptores Terrarum*, forbade a gift to a man and his heirs with the reservation of a rent (Litt. §. 215. 216).

We may suppose that sochemen had acquired their lands by purchase from the lord of the manor<sup>19</sup>; and that, with regard to their lands,

17 In Herstingest Hundred sunt dominicæ carrucæ quietæ de geldo Regis. Villani et sochemani geldant secundum hidas in brevi scriptas G. D. 203.

18 In Aldebure tenuit Vlueric sochemanus Edrici t. r. e. LXXX acras pro Manerio. L. D. 316.

19 Ricardus tenet in Rode I hidam quam ipse tenuit de Rainboldo presbytero G. D. 99.

they were much in the position of persons who now hold estates which are entailed, or otherwise settled. The power of a socheman over his land would depend upon the terms under which he had come into possession of it. The form 'non potuit ire quo voluit' does not necessarily mean that the tenant was unfree, but rather that he could not change his lord; or that he could not sell his land, or that he could not remove it out of the soke or manor of Biggleswade, for example, without the consent of the lord of Biggleswade (G. D. 217). There were sochemen who could sell their land; in certain cases the lord had a right to the refusal of the land: some tenants could by no means depart; and others could purchase a licence of migration for two shillings<sup>20</sup>. The thanes between the

quam ipse emit de Rainboldo sacerdote. Supp. 432.

(Kenchester Heref.) Vlwi cilt tenuit ... De hac terra emit quidam Godric dimidiam hidam de Vlwinno supra dicto et tenuit pro manerio .... predictus Godric habet ibi I carrucam sub Hugone et dimidiam hidam. G. D. 187.

20 Hic jacent II sochemani ... et poterant vendere terram suam L. D. 238.

VII homines qui possent vendere terram suam si eam prius obtulissent domino suo. L. D. 260.

isti sochemani sicut comitatus testatur non poterant remove ab illo manerio L. D. 66.

Ribble and the Mersey could withdraw from the King's land by paying forty shillings (G. D. 269 b.)

The vavasseurs in Normandy answered to our English sochemen, and the terms there which correspond to dominium, terra sochemanorum (G. D. 11 b. L. D. 2. 145), and terra villanorum are feodum, vavassoria, vilanagium: but the resemblance of the noble lands in Normandy to our thanelands, of vavassories to socheman's land, and of the Norman vilanage to our ge-neatland was merely general, not exact (Delisle 32. 33).

In recent times 'opus rusticum' has been considered so great a characteristic of socage tenure, that socmen have been supposed to derive their name from the sock of a plough. Nevertheless, there is scarce any thing in Domesday to show that they were liable to predial service. It is probable, however, that they

*tota terra sua fuit ita in monasterio sancti Benedicti de Holmo, ad victum quod nec dare nec vendere potuit. L. D. 201.*

*De his omnibus habuit suus antecessor commendationem tantum et horum XVIII. si vellent recedere daret quisque II solidos. L. D. 278. or 207. [to be quit of simple commendation].*



joined the villeins in the precatious, and performed acts of husbandry on the demesnes of the lord of the soke<sup>21</sup>. The free tenants of Croyland Abbey, excepting a few who were exempt by charter, owed to the Abbot three days of work, namely, on one day to reap, on oneday to bind, and on one day to carry, receiving food from the Abbot on these occasions (H. C. 101). Osmund, the son of Aluric the Forester, who held half a hyde of the Abbot of Battle to himself and his heirs for ten shillings rent; ought to plough one acre, and to carry corn to the court during three days in August, and hay as long as the harvest lasted (Madox Form. 43). He lived under the reign of Henry 2. Bishop Hugh de Balsham's survey of Hatfield was taken a hundred years afterwards, A. D. 1277. At that time and place Simon Angevin held a yardland for five shillings equally; and was to plough thrice a year, without board,

• 21 Super socam quæ jacet ad Cliftune debet habere comes terciam partem omnium consuetudinum et operum. G. D. 280 b.

In Flemingtuna tenet Vluardus de abbate X sochemanos ... hi sunt sancti cum saca et soca et commendatione et servitium debent in Risby et in Leacfordam et in Hemegretham L. D. 358. 364.

with his proportion of a team, and to find at each of the two autumnal precatons four men at the lord's board (2 Clutterbuck's Herts Appendix). These were socage tenants: for every tenure which is not tenure in chivalrie, is a tenure in socage (Litt. §. 118).

Sochemen in Hertford, Cambridge, and the neighbouring shires often returned to the Crown, or to the Sheriff, a service called *Avera* in Domesday, in Liber Winton and *Inquisitio Eliensis* called *Aura*; sometimes thought to be plough service: the beasts of plough are called *Averia carrucæ* (Co. Litt. 85 b.). It is also possible that *Avera* may have been a general name for various public works, requiring the use of draught animals, and since called *Pontage*, *Paveage*, *Murage*, and *Purveyance*. In the thirteenth century *Averagium* signified *Carriage*, or *Conveyance*. We find it among the services of the villeins at Bishop's Hatfield — thence to Hertford or St. Albans was a short average — to London, Cheshunt, Waltham, or Hadham it was a long average. In Boldon Book such services are called *lades* and *rades*<sup>22</sup>.

<sup>22</sup> De *Avera* id est servitium LX sol. G. D. 9 b. de his IX solins reddebat Sigar apud Mildetone *Averam* G. D. 14 b.

Unam *Averam* aut IIII den' redd'. G. D. 134 b.

In the sixteenth century the yeomen of Godmanchester, near Huntingdon, still a fine place for tillage, used to appear with their ploughs, in rustic pomp, whenever the King came into the neighbourhood, so that, after all, Avera may mean plough service. Among the lands which found Avera, or returned a sum of money instead, whenever the King came into the shire, was Knebworth, in Hertfordshire (G. D. 139), which now belongs to Sir E. B. Lytton.

In the same counties sochemen were frequently liable to Inward, which may mean body guard service, or Castle guard: so the great thanes of Kent "Child Alnod and his peers"

VI sochemani de omni consuetudine sed unusquisque redit semper IIII d' in Keninchala regis ex summagio. L. D. 178.

VI sochemani pertinentes in Tornei manerio regis Edwardi cum commendatione et saca et soca et summagio. L. D. 404.

Burgenses T. R. E. accommodabant vicecomiti carrucas suas ter in anno modo novem vicibus exiguntur. Nec averas nec carrus T. R. E. inveniebant. G. D. 189.

ridan and auerian and lade lædan. Rect. sing. Pers.

Hen. 2. confirmed a donation made by his Grandfather cum libertate et quietancia de exercitibus et de operationibus fossatorum et de Karreagio ... seminatura et aratura. Madox. Form. 47.

guarded the King whenever he came to Canterbury, or to Sandwich (G. D. 1). A socheman who lived at Shenley, in Hertfordshire, is called King Edward's Huscarl (G. D. 136 b.). Some socage land at Summerdebi, in Lincolnshire, was of such nature that it rendered nothing, but aided the King's host by land or by sea (G. D. 368)<sup>23</sup>.

It may have been noticed already that sochemen were apparently confined to the midland and eastern counties: they are hardly to be found on the south side of the Thames, except in Romney marsh, and at a few other points in Kent and Surrey. They are in Buckinghamshire (G. D. 143 b.), and none appear beyond the Thames in Berkshire: and I cannot remem-

23 homines de Walt reddunt L sol' pro Ineuuard' et Averis G. D. 2 b.

VIII averas et VIII inew' et III Heueward vicecomiti invenerunt G. D. 200.

De terris .. Alnodi cild et similium ejus habet rex custodiam VI diebus apud Cantuariam vel apud Sanduic et ibi habent de rege cibum et potum. G. D. 1.

alii homines ... inveniebant jneuardos ad aulam quando rex erat in civitate G. D. 179.

In isto hund habet rex XVIII sochemanos tenentes XXVI acras et dimidiam et nunquam reddiderunt consuetudinem præter servicium regis L. D. 4.

ber that sochemen are mentioned, or that the term soke occurs, in Exon Domesday, or in the corresponding part of Great Domesday, in which Cornwall, Devon, Dorset, Somerset, and Wilts are described. In these counties, Wilts and Dorset especially, we find an unusual number of independent thanes, few traces of a middle class, and no trace of a three-fold division of lands. In the midland counties sochemen were settled as far westward as Leicestershire; at Oldebi, in Guthlakeston Wapentake, were forty six sochemen with eleven bordars (G. D. 236). Several manors in this county had one socheman, perhaps a reeve, with a number of villeins or bordars. Sochemen were not very numerous in Derbyshire; but were thickly scattered over Yorkshire, and the other eastern counties. In some of these counties, and in the north of England, a class of independent yeomen, and peasant proprietors, has subsisted down to our own time. About fifty years ago, in the Report to the Board of Agriculture, parts of Lincolnshire were thus described. "In the Isle of Axholm ... the inhabitants are collected in villages and hamlets, and almost every house you see .... is inhabited by a farmer, the proprietor of his farm of from four to five, and

even fewer, to twenty, forty, and more acres in the common fields, scattered about (19). In the hundred of Skirbeck, on the coast between Boston and Wainfleet, property is very much subdivided and freeholds numerous. In the parish of Frieston, containing about 3000 acres, the largest entire farm contains sixty acres (22).

The ancient sochemen of the eleventh century were gathered together in such colonies. Sometimes they had other freemen, or villeins and bordars, under them: in some parts the whole population consisted of small freeholders and their families. Each colony was composed of any number of sochemen, from two, or three, up to many scores: in Norfolk, Cambridge, Huntingdon, and Bedfordshire groups of seven sochemen, or commended men, were not unfrequent. The extent of each tenement was anything under sixty, eighty, or one hundred acres: here and there a socheman held a mere garth, a quarter of an acre, or even a smaller portion<sup>24</sup>;

24 In Hadescou unus sochemanus Edrici de Laxsefelda XXX acras et III bordarios et una carruca et dimidia VI acrae prati et III liberos homines sub illo L. D. 182.

Hanc terram tenuerunt homines villæ communiter et vendere potuerunt G. D. 213 b.

but the tenant of one of these roods was probably tenant of other lands elsewhere, the number of socage tenements being, apparently, greater than the number of tenants: it would be difficult, therefore, to form an estimate of the number of inhabitants in these eastern counties. We may trace the same man through several townships. In Westerfield, near Ipswich, Turchill, a freeman commended held eight acres (L. D. 383); in Pettaugh the same Turchill half commended to the Abbot and half to Earl Guerth held twenty acres (L. D. 384); in Rushmere, Turchill a freeman half commended to Saint Etheldred and half to Guerth held eighty acres for a manor (L. D. 386). It should not be overlooked, however, that Turchill is not called a socheman.

Some of the inhabitants of Grantham are called thanes (G. D. 337 b.); and subordinate freeholders are, now and then, called thanes in Domesday. At Suinhamstede, in Lincoln-

- 1 sochmanus de suo orto G. D. 344 b. 1 sochmanus de una tofta. G. D. 358.

1 soc' de quarta parte unius acre L. D. 109. 1 liber homo de quarta parte 1 acre. 317. 446. Bouldge. In Bulgis 1 liber homo commendatus Edrici grim de V percis terræ. L. D. 443.

shire, was a thane whom King Edward had given to Merlesuen, as the men of the hundred testified (G. D. 362 b). The thanes in the land between the Ribble and the Mersey, who were immediate tenants of the Crown, were accustomed to make houses for the King like villeins, and to maintain weirs for fishing, and enclosures and stations in the woods, and each of them on one day in August was to send his harvestmen to cut the King's corn (G. D. 269 b). And these were the forefathers of our Manchester men. Thanes and military men sometimes paid rent, and they are often connected with villeins, or described as tenants in terra villanorum<sup>25</sup>.

The sheriffs and other important persons often farmed lands under monasteries. Brictric of Tewkesbury, the son of Algar, held a hyde of the bishop of Worcester, and out of it he paid rent to the Bishop every year, and also returned at the soke of the Bishop whatever was due for the King's service (G. D. 173).

25 tenent III milites tantum de terra villanorum quod valet IX lib quando pax est in terra G. D. 12.

De terra villanorum dedit abbatissa uni militi III hidas G. D. 67 b.

XXXIII villani cum presbytero et uno milite et V bordariis .... XIII villani et XXIII bordarii cum I francigena



Turchil held land in Normancross Hundred of Thorney Abbey, "et Karitatem inde reddebat" and returned a Bounty, but the men of the Hundred knew not how much (G. D. 206 b.). It was a mark of gold every year. Turchil left his land, and crossed over to his friends in Denmark, and the Conqueror gave all his lands to Earl Waltheof, including these six hydes at Connington, Huntingdonshire. Waltheof restored them to the Abbey, but it was arranged afterwards that he should hold them on the same terms as his antecessor Turchil. After the death of Waltheof his widow, the lady Judith, would pay no rent to the monks of St. Mary, Thorney. (2. Mon. 604). This is their account of the transaction.

Bishops and Abbots not unfrequently made grants for the life of one man (G. D. 47. 67 b. bis. L. D. 286. 373. 406), for the lives of a man and his wife (G. D. 175. L. D. 444), or for three lives (G. D. 66 b. 72. 175). Alward held Lomer of Hyde Abbey in the time of King Edward: he bought it to hold for his life only, and returned to the Abbot per annum X sex-

et III<sup>bus</sup> tainis . . . . XXXII villani cum presbytero et XXV bordariis et I milite et II tainis. G. D. 242.

taria vini (G. D. 43). Ralph de Mortimer held Worthy at the time of the survey. This manor in the time of King Edward had been bought out of the church, on condition that after the third life it should return to Hyde Abbey, and Ralph de Mortimer was the third possessor (G. D. 46 b.).

Soon after the Conquest churchmen were compelled to make feudal grants (Hist. Elicn. II. c. 134). In the Monasticon there is an early account of the "Knighten londes" liable to the King's military service, with their horses and with their gear, for the Church of Shaftesbury. Each hyde is called a fourth or fifth part of a Knightsmetehome, or Knight's fee. At the end of the description it is said that "all the Knights who these lands wield do maurdine and wallez for the nuns of Shaftesbury and for the Minister." Lord Bacon thought that the tenements in chivalry, under a great manor, were usually planted on the borders of the manor, like the outposts of an army.

At the top of the political scale were the great chiefs and landowners, who had soc and sac over their men, and were themselves subject only to the King<sup>26</sup>. Each of them had his hall,

<sup>26</sup> In hoc Manerio ten' unus homo XX acras terræ va-

or a number of halls, and within his own soke, or manorial precinct, each of them was a prince, a magistrate, and a judge. Soc and sac denoted jurisdiction over freemen, the lord's rights over his villeins being generally implied<sup>27</sup>. A few great men had the further privilege of Toll and Team, that is "the power of taking toll (perhaps exemption from toll), and of warranty" (1 Kemble's Charters XLVI). From Alveston, in Warwickshire, Eldred, archbishop of York, had soc and sac and tol and teim and cerset and all other forfeitures, excepting the four Pleas which the King has over the whole realm (G. D. 238 b.).

Something ought to be said with regard to the laws of inheritance.

Before the Conquest, the sons of a deceased landlord were, in general, his equal heirs. On the claim between the Bishop of Durham and

*lentes per annum V sol'. Vluret vocatur nec pertinuit ad illud Manerium neque potuit habere dominum præter regem G. D. 6.*

*Iste Edwinus fuit teinus dominicus regis Edvardi. L. D. 203.*

<sup>27</sup> *homines illius villæ testantur quod burchardus similiter habuit socam de liberis hominibus sicuti de suis villanis L. D. 285.*

“Eudo filius Spirewic” the men of Horncastle Wapentake, with the assent of the whole Trithing, deposed, that three brothers, Herold, and Godeuert, and Aluric, divided the demesne land of their father equally and evenly; and that Herold and Godeuert alone divided the soke of their father without the third brother, and equally and evenly held it in King Edward’s time (G. D. 375).

Soon after the Conquest primogeniture became the rule of inheritance for lands held by military tenure: they were assimilated, in this respect, to the noble lands in Normandy; but for some time, as late as the reign of Henry 2. socage lands did not descend according to the rule of primogeniture. We learn this from Glanvill, who says: If a man having landed estate dies, leaving several sons, then enquiry must be made whether he has been a knight, at least a tenant by knight’s service, or a free sockman; because if he has been a knight, or a military tenant, then according to the right of the realm of England the son first born to the father will succeed him in the whole: if, however, he has been a free sockman, then the inheritance will be divided among all the sons (Co. Litt. 14 a.).

Vavassories in Normandy were liable to partition but the parceners were not, all of them, in direct relation with the lord of whom the vavassory was holden. The lord had only to do with one, who was to collect the portions of rent due from all the others. As the parceners were considered to be sons of one father, he who answered to the lord for the entire vavassory was called *aîne* — the elder. They even came to give to vavassories the name of *aînesses-elderships*. This system was based upon the same principles as the tenure of noble fees by *parage* (Delisle 33).

The term *aînesses* is not strange to English law. It is used by Glanvill in the context of the passage above cited; and in Stat: de Marleberge it is provided that whenever "the secta" suit due to the lord's court or person may be indivisible, then if the inheritance should come to several parceners, he who has the part which is called in Latin *enitia pars* (Litt. §. 245) ought to perform entire suit for himself and his coparceners, who are to contribute their portions<sup>28</sup>.

28 Accord in the nature of a Partition Ex magn. Rot de Anno 9. Ric. 1. . . . prædicto Olivero remansit cum Etne- scia tota terra de Bubendona . . . . et præfato Johanni re-

In old King Edward's time Chetel and Turver lived at Covenham in Lincolnshire: they were brethren, and after their father's death they divided the land, in such wise that Chetel, in doing the King's service, should have the aid of his brother Turver (G. D. 354).

In Swaton Alsi and Adestan had one ploughland at geld .... Aluric their brother had soke over them in Hazebi only for the King's service<sup>29</sup> (G. D. 357 b.). In another case the eldership was alternated. The men of Calneshou Wapentac deposed, with the assent of the whole Trithing, that Siwate and Alnod and Fenchel and Aschil equally and evenly divided among themselves their father's land in the time of King Edward; and so held it that, if need were, Siwate might go on warfare for the King, while the other brothers aided him. After him

*mansit in portione sua ... tota terra de Norwude .... Tenendum praedicto Olivero ut de antenato, et de heredibus suis Madox Form 77.*

29 *Freesoke. habuerunt Godric et II fratres ejus III car' terrae ad geldum. Duo serviebant tercio. G. D. 341.*

*habuerunt Dane et Carle I car' terræ ... Terra Carle fuit frigsoca sub Dane .... habuerunt Dane et Carle et Ledflet XX<sup>ti</sup> bou' terræ .. Terra II<sup>orum</sup> ex his fuit frigsoca sub Dane G. D. 368 b. passim.*

the next went, and Siwate with the rest aided him, and so of all. Siwate, however, was the King's man (G. D. 375 b. 376).

We are told by M. Delisle (33) that the principle of eldership, when applied to noble lands in Normandy, was called Parage. It is not clear whether this term is used in Domesday with exactly the meaning which it bears in Norman documents. It is natural to suppose *pariter*, or in *paragio*, to denote that several tenants hold the land on an equality with regard to each other: we cannot understand a single tenant in *peerage*<sup>30</sup>: it may have been thought unnecessary to name any but the holder of the eldership<sup>31</sup>; or the man may have been a partner with others in the performance of military duty, but, in other respects, unconnected with them.

*Paragium* is a term confined, in Domesday, to the counties on the south side of the Thames; but the system, whatever its exact nature may have been, was not so restricted. Five brothers held Wadune, in Gloucestershire,

30 *Cheping tenuit in paragio. G. D. 51. 51 b. 52. 52 b. etc.*

31 *Ansgerus habet I mansionem que vocatur Suetatona quam tenuit Godric ea die qua Edvardus rex fuit vivus et mortuus . . . hanc prædictam terram tenuit Godric pariter et frater ejus Supp. 426.*

for five Manors and could go where they would et pares erant — and they were peers (G. D. 168 b.). Eight thanes held a manor at Lavendon, in Buckinghamshire, and one of them, Alli, the man of King Edward, was “senior” lord, or elder, of the rest. All of them could sell their land (G. D. 145 b.). Wicheburne in Nottinghamshire; five thanes held two oxgangs of this land. Unus eorum erat senior aliorum (G. D. 291). The five brothers in Gloucestershire had five manors: at Shalford, near Guilford, two brothers had four hydes; each of them had his own house and they, nevertheless, abode in one court (G. D. 35 b.). In Domesday we not unfrequently find a single manor under a quasi corporation of thanes<sup>32</sup>. A district under several coordinate lords is a thing not unknown in modern times. “The township of Childer-Thornton, which lies eight miles N. N. W. from Chester, is divided between several freeholders who exercise manerial rights in rotation ..... The township of West Kirkby, which lies eight miles N. W. from Great-Neston, and about eigh-

32 Hanc tenuerunt IIII fratres et potuerunt ire quo vouerunt. Non fuit nisi una haula G. D. 20. Hoc manerium tenuerunt VI teigni G. D. 147. Decem taini tenent Chimedecome. Ipsi tenuerunt T. R. E. pro uno M. G. D. 84 b.



teen from Chester, belongs to several freeholders, who are lords of the manor in rotation (Lysons 654. 668).

In early times it would appear that parcellers occasionally divided, not the soil only, but the homage and magistracy; and it may be said that the formation, in some districts, of an infinite number of petty jurisdictions was one of the evils arrested by the Norman Conquest<sup>33</sup>.

The term *Alodium* is used only in the description of the southeastern counties. It seems to mean possession as absolute as could be at that time, and it may be a translation of the word *Bookland*. We have *bochelandis* in *Exon. Domesday*, written as a gloss above the word *mansionibus* (Supp. 126). Otherwise the term does not occur. I think that *Bochelande*, in *Kentish Domesday* (G. D. 11 b.), is the village called *Buckland*, a mile or two from *Dover*. Lands granted by book or charter could not pass away from the family of the grantee. Ed-

33 *Quinque Maneria fuerunt. Modo est in unum Manerium. G. D. 36.*

*Rainald de Balgiolle tenet de rege IIII hidas . . . . Novem teini tenerunt T. R. E. pro IX Maneriis G. D. 250 b.*

34 *Eddulf ten' de rege in alod' unam masuram in Mortelhvnte. Pater ejus tenuit. G. D. 50.*

nod and Edwi held Sudberei in alodium of King Edward, and after his death they also died. But a certain Cola, who was their next of kin, redeemed the land from Earl William (G. D. 50). There was one tenement held in alodium under the Conqueror (G. D. 50)<sup>34</sup>. The term feudum is used, two or three times, with reference to the days of Edward the Confessor<sup>35</sup>.

35 Alric Episcopus tenuit in feudo de rege E. G. D. 19.  
Offa tenuit de episcopo in feudo pro Manerio. G. D. 23.  
Blacheman tenuit in feudo T. R. E. G. D. 59.

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## CHAP. VI.

### BOROUGHS AND CITIES.

There is yet another class of freeholders to be noticed. Burgesses are sometimes entered in the descriptions of rural villages; and their presence did not, of necessity, make the place a borough. They were sometimes husbandmen. At Pocklington there were fifteen burgesses with seven ploughs (G. D. 299 b.). At Luprige in North Huish, Devonshire, a villein with a burgess had one plough (G. D. 112 b.). In Shropshire the church of St. Juliana held half a hyde with one plough, and two burgesses labouring there returned three shillings (G. D. 253.). They were, perhaps, inhabitants of Shrewsbury. In the borough of Steyning, Sussex, were more than a hundred tenements in King Edward's time, and the tenants worked at the hall like villeins (G. D. 17): and in other places townsmen are said to serve at the court (G. D. 163), or to render *opus ad curiam* (G. D. 173 b.).

It is probable, however, that burgesses were

more generally tradesmen, and that they were not liable to all kinds of agricultural service. At Battle, under Henry 2. a hundred and fifteen burgage tenements were occupied by smiths, shoemakers, weavers, millers, goldsmiths, cooks, carpenters etc. Each of them, with a very few exceptions, paid a rent of seven pence at Michaelmas, annually, and found a man to do one day's work at Bodeham meads, and in like manner to repair the mill, and each tenant was to make one seam of malt for the court; and the men of said town, on account of the superior dignity of the place's excellence, were called burgesses (Hist. Monasterii 12—17). At Bury St. Edmund's, in the time of the Conqueror, there were eighty persons wanting five composed of bakers, brewers, tailors, washers, shoemakers, skinners, cooks, porters, and stewards (L. D. 372); who are not called burgesses, nor was the place then a borough: before it became a borough the men were accustomed to cut corn like servants; afterwards one penny, for reapsilver, was given to the celerer from each household (Joc. de Brakelond 73). Bury, before its enfranchisement, was not much more than a village, with a number of handicraftsmen by the side of its agricultural population.

A few of the boroughs entered in Domesday were of recent foundation. Rhyddlan, on the borders of Wales, was a new borough with eighteen burgesses, who enjoyed the laws and customs of Hereford and Bretvill (G. D. 269).

The immunities of Hereford had been granted by its earl William Fitzosberne, but they were confined to the French inhabitants (G. D. 179)<sup>1</sup>: we have already noted the prevalence of Norman customs in that part of England. Staines was no more than a village when given to Westminster Abbey by the Confessor: in the time of the Conqueror it had forty six burgesses (G. D. 128 b.): and there were as many burgesses at St. Alban's (G. D. 135 b.). Rameslie, in Sussex, was a new borough with sixty four

1 Ibi est novum burgum et in eo XVIII. burgenses inter Comitem et Robertum, ut supradictum est. Ipsi burgensibus annuerunt leges et consuetudines quæ sunt in Hereford et in Bretuill scilicet quod per totum annum de aliqua forisfactura non dabunt nisi XII denar' præter homicidium et furtum et Heinfar præcogitata G. D. 269.

Modo habet rex civitatem Hereford in dominio et anglici burgenses ibi manentes habent suas priores consuetudines. Francigenæ vero burgenses habent quietas per XII denarios omnes forisfacturas suas, præter tres supradictas . . . pacem regis infractam et heinfaram et forestellum. G. D. 179 (See William of Malmesbury sub anno 1074).

burgesses (G. D. 17): and there were likewise sixty four burgesses at Taunton — *Istæ consuetudines pertinent at Tantone. Burgheristh. Latrones. Pacis infractio. Hainfare. Denarii de Hundret et Denarii St. Petri. Circieti. Ter in anno teneri placita episcopi sine ammonitione. profectio in exercitum cum hominibus episcopi (G.D.87b.)*. The special customs of Taunton are still remarkable. Although the descent of land is called Borough English the wife succeeds instead of the youngest son; and it is no uncommon thing for a widow, on the death of her husband, having children by him, to marry again, and to carry her estate into her second family to the disinheritation of her first (Somerset Agri. Rep. 268).

In Domesday there are various names for burgage tenements. They are called houses, mansions, messuages, crofts, gardens or yards and hays or haws (*hagæ*). It is not likely that *hortus*, in Domesday, often means a garden in the present sense of the word. We have seen that enclosures in woods were called hays. "There are some fields near Manchester, well known to the inhabitants as Green Heys Fields." Stow speaks of a great haw-yard or garden, of old time called Coleman-haw (56. Ed. 1842);

also of Woolchurch haw, meaning the yard of St. Mary Woolchurch (85 and see 86). Such closes would be called hays and haws after being built over. So we find the Northern and Southern Hays at Exeter, and at Bristol a crowded cul-de-sac, called Pit-hay.

In Guilford King William had seventy five hays, in which a hundred and seventy five men resided (G. D. 30). At Wallingford the abbot of Abingdon had two acres, in which were seven messuages (*masuræ*). Milo had an acre in which were six hays, and another in which were six messuages: there were two acres besides with eleven messuages in each of them. At that time Wallingford was the chief town of Berkshire: in the borough King Edward had eight *virgates* of land, and in these were 276 hays, returning eleven pounds as rent (G. D. 56): but these yardlands must have been mostly in arable fields, pastures, or meadows, for 276 town lots would hardly cover more than fifty acres. Most of the cities, and important boroughs, had fields attached to them: at Totness there were within the borough ninety five burgesses, and fifteen without the borough cultivating the land (G. D. 108 b.). The burgesses of Exeter had twelve ploughlands without the city, which

returned no custom except to the city (G. D. 100). In the common of the burgesses of Colchester were eighty acres of land, and eight perches around the walls (L. D. 107). Such tracts were, in all likelihood, occupied as common arable fields, or pastures. Malmesbury common may still be shared in this manner: not many years ago each landowner in the borough had an acre of the common; a member of the common council about two or three acres; a capital burgess fifteen or sixteen acres.

Among the burgesses entered in Domesday there were great inequalities of condition. In many places we find a distinction made between burgesses within the walls and out-burgesses or suburbans. The King's tenants at Wallingford went on the King's service on horseback, or by water, as far as Blewbury, Reading, Sutton, and Bensington (G. D. 56). When the King rested at Shrewsbury the better men of the city were his body guard, and if he went to the chase they attended him on horseback with their arms (G. D. 252). There were likewise mounted burgesses at Hereford, and knights at Nottingham, and at Westminster: and these were all patricians. We meet with poor (G. D. 203. Supp. 532), mean (L. D. 116), minor



(G. D. 280), and petty (G. D. 316 b.) burges-  
ses at Winchester, Huntingdon, Norwich, Derby,  
and Tateshale in Yorkshire. At Winchester  
in a certain tenement there have been two good  
burgesses, now none but poor men who, perhaps,  
were in the land

For good men beholden —  
or regarded, until the Normans set them adown.  
At Norwich there were 480 bordars rendering  
no custom on account of their poverty (L. D.  
116); and at Ipswich there were 100 poor bur-  
gesses who could return nothing towards the  
King's geld except a poll-tax of one penny (L.  
D. 290). This charge is called the nose tax by  
S. Sturleson.

There is no explanation in Domesday of the  
system of administration within the boroughs:  
a portreeve is occasionally mentioned as at Bed-  
ford, Wallingford, Bristol (G. D. 170), and Ips-  
wich (L. D. 337); and the manorial inquest or  
jury may have been more or less a standing  
committee of management; but it is not pro-  
bable that there were many regular corpora-  
tions, and it is believed that the guilds were  
chiefly private associations. In Danelagh, how-  
ever, we find a group of boroughs with a very  
peculiar constitution. In King Edward's time

Lincoln and Stamford were each of them under twelve hereditary chiefs called Lagemen, who had soc and sac over their men, one of these burgraves at Lincoln had also toll and team, but all the inhabitants of Lincoln and Stamford were not subject to the Lagemen. The original band of the five Danish boroughs comprehended Leicester, Nottingham, and Derby, together with Lincoln and Stamford (Sax. Chron. 941): at a later period we hear of seven boroughs, and it has been supposed that the number was made up by York and Chester, but it seems not unlikely that Cambridge, in which there were Lagemen, may have been a member of the Danish league.

The burgesses of a large town were seldom dependent upon one lord. In the borough of Warwick the King had in his demesne 113 houses, and his Barons 112; and it is added, that these messuages belong to the lands which the same Barons hold without the borough, and are valued with those lands (G. D. 238). Hugh de Grentmaisnil had four tenements in Warwick, and the monks of Pilardintone held one from him (G. D. 238. 242), two burgesses in Warwick returned sixteen pence into his manor of Marston, and one house in Warwick,

worth eight pence, was attached to his manor of Billeslei (G. D. 242). Ten burgesses of Tamworth belonged to Coleshill, in Warwickshire (G. D. 238); and eight burgesses of Tamworth belonged to Drayton, in Staffordshire, and worked there like other villeins (G. D. 246 b.). Tamworth and Drayton are even now politically connected. Eight burgesses of Gloucester owed rent and service to the court of Tewkesbury (G. D. 163): ninety seven burgesses of Canterbury are entered under the account of Northwood (G. D. 5). Hays and houses, burgesses and outburgesses, of Winchester were attached to Wallop, Clatford, Basingstoke, Romsey and less important places: houses in London and Southwark belonged to manors in Surrey, Kent, and Essex: so that a burgess entered at an obscure place, such as Loperidge, in Devonshire, or Westwell, in Oxfordshire, (G. D. 158 b.) may have been really resident in a neighbouring town<sup>2</sup>.

It has been remarked that the conquest did not directly injure the rural population, excepting in particular districts; but it fell severely upon the dwellers in the towns. Many were unable to pay their dues, and the Barons seem

<sup>2</sup> Risborough Bucks. In hoc Manerio jacet et jacuit quidam burgensis de Oxeneford reddens II sol' G. D. 143 b.

to have acquired burgage tenements, either absolutely or in mortgage, by paying up arrears<sup>3</sup>. If a tenant at Hereford could not perform his appointed service, he was obliged to surrender his house to the Portreeve without compensation, and the portreeve was to see that the house did not remain vacant, and that the King's service due from it did not fail (G. D. 179). No class of towns flourished under the Conqueror excepting the seaports, especially the ports leading to the Continent—Sandwich, Dover, Pevensey, Chichester, and Southampton.

Domesday gives no adequate notion of the relative rank, or aggregate population, of the cities and boroughs. It seems unlikely that Exeter, which had over three hundred houses, can have been much more populous than Bristol, which is barely noticed in the record. The sites of monasteries are in some cases unnoticed. There is nothing concerning Croyland, Ramsey, or Thorney, or the church lands at Coventry: and some abbies had liberties around them such as the League or Lowy of Battle,

3 habet unam domum in vadimonium de uno burgense de qua consuetudo est retenta. G. D. 112.

in burgo habet Normannus II burgenses unum in vadimonio contra eundem et alterum pro debito. L. D. 438.

the league of St. Wilfrid of Ripon, the ploughland of St. John of Beverley (G. D. 303 b. 304). The castleries of Tunbridge and Hastings — with Pontefract and others in Yorkshire — are imperfectly described in Domesday, as being quit of geld, or out of hundred law; and I cannot otherwise account for the absence of any survey of Marlborough, in Wiltshire; and — still to speak of the same county — there is no mention of Devizes, and hardly a complete description of Old Sarum.

In the Chronicle of Richard of Devizes there is a disparaging picture of the English cities, as they were at the end of the twelfth century. It is attributed to a vile French Jew, who recommends an unfortunate young cobbler to pass through London quickly, since every nation has introduced into that city its vices and bad manners; and to avoid Canterbury, because the shrine of the lately canonized archbishop attracted crowds of vagrants — “every where they die in open day by the streets for want of bread and employment. Rochester and Chichester are mere villages, and they possess nothing for which they should be called cities but the sees of their bishops. Oxford scarcely — I will not say satisfies but — sustains its clerks. Exeter supports men and beasts with the same grain. Bath is

placed, or rather buried, in the lowest parts of the valleys, in a very dense atmosphere and sulphury vapour, as it were at the gates of hell. Nor yet will you select your habitation in the northern cities, Worcester, Chester, Hereford, on account of the desperate Welchmen. York abounds in Scots, vile and faithless men, or rather rascals. The town of Ely<sup>4</sup> is always putrefied by the surrounding marshes." He advises the poor apprentice not to visit Durham, Norwich, Lincoln, Bristol, nor the rural districts — especially Cornwall — and ends by directing him to Winchester "the city of cities the mother of all, the best of all". (Pp. 60. 61. 62 of the translation by Dr. Giles). And to Winchester the unfortunate lad betook himself accordingly and there became the servant of a Jew, who — not long afterwards — was accused of the young Frenchman's murder. Many Jews, about that time, inhabited Scowertenestret, which may possibly be the street since called Jewry street, and Jail street.

We have two ancient descriptions of Win-

4 Oû est Ely qy siet?	And where does Ely stand?
Sire, sur l'ewe estiet.	my liege
	It stands upon the water's edge.

chester, one made by direction of Henry 1., with reference to his own time and to the reign of Edward the Confessor: the other taken by the Bishop of Winchester in the year 1148. The second appears to be an account of every house; the first is but a partial survey, containing only the tenements belonging to the King and his Barons. The following are the names of the streets of Winchester mentioned in the first Record: Suithelinga Street, Bredenestret, Scower-tenestret, Alwarenestret, Flesmangerestret (now St. Peter's), Wenegenestret (now Middle Brook Street), Tannerestrete (Lower Brook Street), Bucchestrete (Busket Lane), Calpestret (now St. Thomas'), Goldestret (now Southgate Street), and Gere Stret. In the second record Sildewor-tenestret (Shulworth now Upper Brook Street), Colobrochestret, and Menstre Stret (Great or Little Minster), are mentioned in addition to those already noticed. The High Street of Winchester, as it lies now between East Gate and West Gate, must have been nearly the same street in extent and direction eight hundred years ago. In it were two Knighten Guild halls in the time of King Edward, both on the north side of the street, one towards East Gate and the other not far from West Gate (Supp. 531.

533). The site of the Knighten Guild of London, founded by Edgar and suppressed by Henry 1., is now known as Portsoken Ward (Stow 46. 47). There may have been such a guild at Wallingford, where King Edward had fifteen acres in which the Huscarles resided (G. D. 56). The bishop's survey of Winchester notices a third hall in Colebrook Street called hantacheuesle, where the Prud' hommes of Winchester were accustomed to drink their guild<sup>5</sup>: this street is not entered in the King's survey, apparently because it contained no houses belonging to the Crown; all or nearly all being held under the abbess of Winchester. Between the two Knighten Guildhalls in High Street was the King's Bailey, where thieves were placed in prison; and still on the same side of the way was a place called Domus Godebiete, described in the Bishop's inquest and the King's as being liable to no charge or duty<sup>7</sup>. From the op-

5 hantacheuesle solebat ibi esse ubi probi homines Wint' potabant Gildam suam et remansit in manu Regis. 556.

6 lebalche regis ubi latrones ponebantur inprisone 532.

7 Domus Godebiete fuit T. R. E. quieta et modo est quieta. Supp. 532.

Terra Godebieta semper quieta et est quieta. Et sunt



posite side of the street twelve burgage tenements had been removed to make room for the King's palace, which occupied the area now called the Square (2 Milner 104). King Edward had 63 burgesses in High Street.

In the outskirts of the city we meet with bordells, which were very innocent places, sheds or booths of some kind: without Westgate, Osbert the son of Thiard, a tenant of King Henry, had set up five bordells, partly in the King's way, and had made them for the love of God as a refuge for the poor (536). There was another hospital for the love of God in the same part of the town (536). Stalls, shops, and shambles<sup>8</sup> are mentioned in High Street: the stalls and shops stood in front of the houses, projecting into the street for a space of two

*ibi juxta in calle Regis VI scamell' unde Rex habet in una quaque ebdomada de uno quoque I d. preter quadragesimam et uxor Martini habet I ex istis et reddit priori V d. et habet in una quaque ebdomada III obolos preter quadragesimam et tria festa annalia. 543.* "Good-begot or rather Godbegate" was at the south end of St. Peter's street, anciently called Fleshmonger street, because here stood the chief shambles (scamell') of the City. 2 Milner. 193. 2nd Ed.

<sup>8</sup> estals escheopes eschamel 532. 533.

feet, in some cases of four feet: before one of the houses in High Street were some shops which had belonged to Queen Edda: in this case the nature of the merchandise is not stated; linen-draper's shops are noticed in the second survey<sup>9</sup>. These shops and stalls were set up by the permission either of Adelwold, who had been portreeve of Winton in the time of King Edward, or of Warin, who was portreeve in the time of King Henry: and the tenants paid a rent to the reeve for their licence. The erection of stalls and shops without licence was a continual trouble to the lords, and municipal authorities. Purprestures in the market place were among the matters which annoyed Abbot Sampson of Edmundsbury<sup>10</sup>. Slight structures, such as stalls and bordells, had a tendency to become substantial and permanent. In the High Street of Winchester King Henry's commission-

9 *abante Escheopes que fuerunt Edde regine. 533.*

*Sewi tenet seldas ubi linei panni venduntur 544.*

10 *abbas semper in labore existens, quandoque movens controversiam .... cum burgensibus pro purpresturis in foro. Joc. de Brakelonda 15. a purpresture .... is properly when there is a house builded, or an enclosure made of any part of the king's demesnes, or of an highway, or a common street. Co. Litt. 277 b.*

ers found a house where none had been before; and the King's way, at that point, was straiter in consequence (535): and in the Bishop's survey houses are noticed which had been stalls (543). Stow tells us that the houses in Old Fish Street, London, were, at the first, but moveable boards (or stalls) set out on market days, to show their fish there to be sold; but procuring licence to set up sheds, they grew to shops, and by little and little to tall houses (129). Again—in Cheapside, from the great Conduit west, were many fair and large houses . . . . . which houses in former times were but sheds or shops, with solers over them (101). I do not see that solers, or upper chambers, are noticed in the Winton Book; cellars, or cripts, are mentioned in High Street (534). The dwellings were, probably, like houses in London at the same period; built all of timber and covered with thatch of straw or reed (Stow. 31). Some who paid rent for shops in Winchester had their dwelling-houses free<sup>11</sup>. Rents were generally paid in money; it is stated, however, that two

11 Stigandus filius Goscelini Priori V d et habet inde XXI d. Et managium suum quietum Supp. 546.

Managium quod fuit Lamberti . . . ubi ipse Lambertus manere solebat. Madox. Form. 115.

capons were reserved from a piece of land; and from other tenements a pound of pepper, or half a pound of pepper, or a number of horse-shoes.

The Kings taxes were Landgable and Brueg'; the name of the latter is never written at length; it may be the charge called *firma burgi*<sup>12</sup> in the account of the town of Huntingdon (G. D. 203), and mentioned there in connection with landgable. The burgesses of Southampton (G. D. 52), Cambridge (G. D. 189), and Lincoln (G. D. 336), were subject to Landgable, which is defined in the account of Lincoln to be one penny from each house. The tenants at Winchester were also liable to certain charges or services at the deprecation of the reeves: among these customs were "Aura" — which we tried to deal with in the preceding chapter — "Wata" or "Waita" — the Wait or city Watch — and "pascere prisonem" — maintenance of the prisoners in jail<sup>13</sup> —.

12 XVIIs. et IId. de firma burgi Huntenduniæ granted to the hospital of St. Margaret within the borough by Malcolm King of Scotland who died 1165. 6. Mon. 652.

13 similiter reddit consuetudines per deprecationem prepositorum Supp. 533.

facit similiter consuetudines præter auram 533.

facit similiter consuetudines præter pascere prisonem 537.

A few tenants in the suburbs were subject to the reeves of Worthy (Supp. 550. 552. 554), or Alresford (556); or connected with Basingstoke (532), Polhampton, or Lasham (538).

Some persons mentioned in Winton Book can be detected in by Great Domesday. Ulueva beteslaf, owner of more than one house in Swithe-linga Street in King Edward's time (Supp. 538), can be no other than Ulueva beteslau who held Laverstock for life under Hyde Abbey (G. D. 43). Queen Emma had a house in High Street (Supp. 535): and among other Saxon ladies owning property in Winchester were Alueva of Mapledurham (Supp. 540. G. D. 38), and Alueva of Cricklade (Supp. 541): unless Alueva of Cricklade can be the same as Ulueva beteslau (G. D. 74 b.)

London, like Winchester, is a blank in the Domesday-Book. We have little notice of the condition of London during the eleventh and twelfth centuries, excepting Fitzstephen's rhetorical essay. "It is to be remembered that in old times the greater part of the city was built

*Modo similiter quieta præter Waitam quam fecit 535.*

.. quedam terra que reddere solet vigilibus de castello Norwici Waite-fee, id est XX solidos per annum. Joc. de Brakelonda.

of wood, and the houses were covered with reed and straw or covering of such kind, so that whenever any house caught fire, the greater part of the city was burnt, as came to pass in the first year of King Stephen .... when by a fire which broke out at London bridge the church of St. Paul was burnt, whence the fire went on, burning houses and edifices, unto the church of St. Clement Danes. Afterwards many citizens to escape the like calamity, as far as in them lay, built on their premises a house of stone, covered with close tiles, and secured against the rage of fire" (*Liber de Ant. Leg. App.*). We may fancy the old houses, with irregular stalls and shops erected in their front, as at Winchester: stalls unconnected with houses, like the shambles or benches in the abbatoir at York<sup>14</sup> (*G. D.* 298), would be likely to become middle rows. No more than one church in London, excepting St. Paul's, is noticed in *Domesday*, and that one appears to be *Allhallows Barking* (*L. D.* 18. 1 *Mon.* 438. 442). *Bow Church* was built on arches of stone in the time of the Conqueror (*Stow* 95); and there was a collegiate church before the Conquest at *St. Martins* (115),

14 *bancos in macello.*

where the General Post Office is now. St. Paul's cross, in the eastern part of the churchyard, towards Cheapside, indicated the forum of old London, where the folkmotes of the City were held in the thirteenth century. These folkmotes, at that time, were tumultuous assemblies, without much real power; the demagogues of London could make the people cry Yea! Yea! or Nay! Nay! Nay! almost at pleasure; and the King's cunning agents were able to do the same (*Liber De Antiquis Legibus*). In the troubled times preceding the Confessor's accession, the political power of the city was much in the hands of the litsmen or boatscarles of London — the seafaring people or naval militia: they were Northmen, and invariably took part with the chiefs of Danelagh, in opposition to Godwin and the western thanes, who were relics of the old West Saxon aristocracy (S. C. anno 1036). While the citizens met in folkmote on the eastern side of St. Paul's, they also claimed the west side of the churchyard that they might there assemble themselves together, with the lord of Baynard's castle, for view of their armour, in defence of the city (Stow 121). The lord of Baynard's castle was chief Bannerer of London. In time of war he was bound to come,

with nineteen men at arms, to the west door of St. Paul's Cathedral, to receive the banner of St. Paul from the Mayor and Aldermen. This was the custom of the thirteenth century (Stow 24. 25). There is no evidence whether it existed at an earlier period — whether London had a “gonfalonier” in the Saxon age — at which time there was such an officer at York, who carried the standard of St. Peter (*vexillum Sancti Petri*) before the citizens in warfare (6. Mon. 1180). Castle Baynard and its soke or ward are unnoticed in Domesday. The eastern side of London, without Aldgate, used to be defended by the Guild of Knights in Portsoken Ward; but there appears to have been a castle, in this quarter, more ancient than the tower of London. Whoever looked into London in the time of the second William must have seen many buildings in progress: works at the Tower, works at St. Paul's, and works at London bridge.

Beyond the bridge stood the Minster of Southwark (G. D. 32), since called St. Mary Overie's; and at Bermondsey there was the new and fair church (G. D. 30), founded by Alwyn Child, a citizen of London: also at Bermondsey the Earl of Mortain's palace, the only suburban or country



residence expressly mentioned in Domesday, excepting Sheriff Edward of Salisbury's excellent house at Wilcote, near Marlborough (G. D. 69).

To the west of London "in the town wherein the church of St. Peter is seated" (G. D. 128) the Abbey held thirteen hydes and a half: in the same town Baniard held three hydes under the abbey, perhaps including Baynard's watering, now Bayswater. In the same direction was the manor of Eye, belonging to Godfrey de Manneville: it had been held, before the Conquest, by a ward of Queen Edith, Herald the son of Earl Ralph (G. D. 129 b.). Tothill belonged to the Canons of St. Paul's (G. D. 128). Tyburn to the Abbey of Barking (G. D. 128 b.). At Holborn the King had two cottagers returning per annum twenty pence to the Sheriff (G. D. 127). The great western road leading from Holborn may be the "wide here street"<sup>15</sup> mentioned in Edgar's grant to Westminster (1 Mon. 291). The same document notices the old wooden church of St. Andrew above London fen, or the valley of the Fleet. London and its neighbourhood were much inter-

<sup>15</sup> omnes herestrete omnino regis sunt. Leges H. 1. c. 10.

sected by streams; the whole city was "fenny about" and not alone Langburne ward (Stow 76); the ground was moist and soft even in Cheapside (95).

Fitzstephen alludes to "the great pool that washes the northern walls of the city" — since called the More and Morefields (Stow 159); to pasture fields in the same quarter, and a delightful plain of meadows. Nomansland<sup>16</sup>, a field near the site of the Charterhouse (Stow 161), seems to be mentioned in Domesday (G.D. 127). Smithfield appears not in the record. The cultivated lands at Hoxton, Islington, and Pancrass, chiefly belonged to the canons of St. Paul's.

Eastward of London lay the Bishops great manor of Stepney. Among the tenants at this place under the Bishop were the noted Ralph Flambard, and Aluric Chacepul — the catchpoll of London (G. D. 127. 127 b.). The Bishopsgate of London is mentioned in Domesday; there the canons had ten cottagers with nine acres (G. D. 128). Some of the pretty suburban gardens, noticed by Fitzstephen, were in this direction, extending from the Bishopsgate road to Lolesworth, or Spitalfield (6. Mon. 624).

16 In Osulvestaue Hundret tenet Willelmus rex XII  
acras terræ et dimidiam de nanesmaneslande.

## CHAP. VII.

### HUNDREDS WAPENTAKES AND SHIRES.

The cities and important boroughs were more than mere townships: they took rank with the territories, and were rated as hundreds. The town of Cambridge was rated as one hundred. Bedford as half a hundred. Shrewsbury gelded for one hundred hydes.

Our most ancient account of the territorial system is a table published by Camden and Spelman, and more recently by Mr. Kemble. In this table we may recognize Elmet, and Lindsey, and the Peak Forest, and the Chiltern Hundreds, and some other provinces; but there are no more than three names on the list which appear to be the names of hundreds still existing: in the Britannia they stand thus —

Witherigga 600 hidas

East Willa 600 hidas

West Willa 600 hidas —

and I take them to be the hundreds of Withe-

ridge, in Devonshire; and East and West Wivelshire, or Wellshire, in Cornwall. Witheridge is on the line of an ancient road; there is a camp called Berry Castle in the parish. The Wivelshires are not mentioned in Domesday, but they form a well defined region between the Fowy and the borders of Devonshire.

Scarcely any hundreds can be supposed to retain their ancient names and boundaries. In early times they were liable to constant fluctuation. Secondary townships became the heads of hundreds. Chesterfield is now one of the most important places in Derbyshire, the chief town of the hundred of Scarsdale; but it is described in Domesday as a berwick of Newbold, and Newbold is now a mere hamlet in the parish of Chesterfield. Lands were taken from one manor or hundred and attached to another. In some counties a number of thanes had power to remove their lands and to change their lords, which may, perhaps, account for the seeming dislocation of the hundreds in Wiltshire and Dorsetshire.

It may be well to give the number of hydes in each hundred of these and the other south-western shires, from the returns of the feegatherers or collectors of Danegeld.

†

## Wilts.

Ferstesfeld 11 H.  $0\frac{1}{2}$  V. Dolesfeld 69 H.  $3\frac{1}{2}$  V. and three ploughlands never gelding. Windredic 70 H. Mera 86 H. 3 V. Calna 91 H. Ramesberia 90 H. Stapla 52 H. Ailestebba 73 H. and eight ploughlands never gelding. Suaneberga 183 H.  $1\frac{1}{2}$  V. Crechelade 49 H. Cepeham 142 H. Caninga 70 H. Weruedesdona 78 H. Warminister 89 H. 2 V. Hechtredeberia 137 H. 2 V. Rugeberga 96 H.  $3\frac{1}{2}$  V. Melchesam 86 H. and thirteen ploughlands over. Ambresberia 127 H. 2 V. Cicemethorn 169 H. 2 V. Stotfaldia 94 H. 1 V. Chingbrigge 110 H. 2 V. Bradeford 99 H. Selchelaia 196 H.  $3\frac{1}{2}$  V. Cauduna 59 H. and three ploughlands. Domerham 63 H. Alwareberia 65 H.  $1\frac{1}{2}$  V. Thorngaua 113 H. Denelau 28 H. Staford 105 H. Cadeworda 45 H. 2 V. Torenhella 170 H. Duntona 97 H. Doneworda 121 H. Brencesberga 108 H. 2 V. Scipa 80 H. Worda 60 H. Stercheleia 152 H. 1 V. Westberia 40 H. and seven ploughlands never gelding. Colingeburna (not called a hundred) 14 H. and ten ploughlands never gelding. Chenewarrestan 196 H. 1 V. Blachegraua 165 H.  $0\frac{1}{2}$  V. (Exon Domesday Supp. 12—18.)

## Dorset.

Etheminstre 47 H. and six ploughlands.

Witchirce 84 H. 3 V. præter firmam regis. Oglescome 104 H. Go. chresdone 66 H. 2 V. Albrethesberge 47 H. Bedeberie 32 H. 1 V. Canendone 48 H. 3 V. Pideletone 91 H. Stane 63 H. 2 V. Goderonestona 28 H. 2 V. Haltone 86 H. 1 V. Beieministre 105 H. 3 V. Redehane 7 H. Tolreforde 59 H. Bere 49 H. 1 V. Concredie 77 H. Coddene 86 H. Celeberge 41 H. 2 V. Aileuesuode 73 H. Hanglege 20 H. Neuuentone 47 H. Langeberge 84 H. Chenoltune 36 H. 2 V. Sexpene 50 H. Hunesberge 79 H. Pinpre 34 H. 2 V. Gelingeham 78 H. 3½ V. Brunesselle 52 H. 2 V. Haselore 64 H. 1 V. Winfrode 49 H. 1 V. Celberge 51 H. 2 V. Dorcestre 73 H. 1 V. Morberge 63 H. Sireburne 75 H. 2 V. and twenty five ploughlands. Ferendone 37 H. Bochene 38 H. 3 V. Cuferdestroue 109 H. Frontone 35 H. Lodre 20 H. In dorseta habuit rex de Geldo suo CCCC et XV libras et VIII sol' et VIII den' et I obolum adhuc debentur regi XL. (Supp. 18—26.)

### Devon.

Listone 20 H. Hertilande 20 H. Toritone 34 H. 2 V. Framintone 20 H. Mertone 48 H. Brantone and Scireuelle 50 H. Sut Moltone 22 H. Chridiatone 20 H. Tauuentone 42 H. Wi-

tric 30 H. Tuuurtone 20 H. Clistone 27 H. Sulfertone 52 H. Hamiohc 24 H. Offecolum 14 H. Budeleie 72 H. Hasbertone 18 H. 2 V. Otri 25 H. Axmenistre 50 H. Culintone 25 H. 3 V. Axemuda 9 H. 1 V. Badentone 25 H. Esseministre 50 H. Taintone 30 H. Carsewilla 50 H. Dippeforde 39 H. Cadelintone 46 H. Plintone 25 H. Walchentone 25 H. Allerige 40 H. Wenfort 54 H. (Supp. 59—65.)

## Cornwall.

Conarditonæ 33 H. Tibestene 61 H. 2 V. 3 F. Winnentone 36 H. 2 V. Stratone 83 H. 3 V. Fauuitone 43 H. 2 V. Rilestona 69 H. 6 F. Pautone 44 H. S. Petrochus habet XXX hidas. (Supp. 65—67.)

## Somerset.

Tantotone and Pipeministre 120 H. 3 V. 1 F. Miluertone 24 H. 2 V. Witestane 115 H. Cainesham 104 H. Porberie 86 H. 2 V. Bade 95 H. Cetdre 7 H. 3 V. Condecoma and Manehefue 10 H. 1 V. Harecliue 80 H. 1 V. Betministre 6 H. 2 V. Carentone 4 H. 1 V. 3½ F. Wines-toc 120 H. ... V. Brunetone 5 H. Bimastane 43 H. 0 V. 3 F. Hunespille 1 H. Cumentone 127 H. 2 V. Cungresberie 19 H. Terra Gisonis Episcopi 218 H. Tierleberge 3 H. Giuele

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157 H. 2 V. Cruche 39 H. Willetone 92 H. 2 V. Winesfort 2 H. 0 V. 1 F. Cantetone 45 H. 1 V. 3 F. Meleborne 115 H. 1 V. Nortpedret 38 H. 3 V. 0½ F. Cui 35 H. Andretsfelt 9 H. 1 V. Sutperetone 66 H. 2 V. Abedicche 138 H. Bruuettone 232 H. Lochesleie 47 H. Ringolt-deswee 59 H. In mansione hame 17 H. Monachetone 15 H. (Supp. 67—75.)

Bolestane 18 H. 0½ V. In manerio Torne 7 H. In manerio Torleberge 3 H. (supra). Frome 298 H. (Supp. 489.)

Huntspill, in this county, with one hyde only, Thorn with seven, and Thurlbear with three, were not properly hundreds, but free sokes or independent manors, and such occur in other parts of England<sup>1</sup>.

In a very ancient Leiger-Book of Peterbo-

1 Canonici Sanctæ Fridesvidæ tenent IIII hidas de rege juxta Oxeneforde ... Hæc terra nunquam geldavit nec alicui Hund' pertinet neque pertinuit G. D. 157.

In Wirecestre Scire tenet Robertus ... unum frustrum terræ et vocatur Nadford. Hæc terra non geldat, nec pergit ad hundred G. D. 175.

(Clifford) Istud castellum est de regno Angliæ, non subiacet alicui hundred neque in consuetudine. G. D. 183.

(Pickworth) hæc duæ carucatæ non sunt in numero alicujus hundred neque habent pares in Lincolescyra G. D. 357 b.



rough abbey, preserved in the Library of the Society of Antiquaries, is an enumeration of the hundreds of Northamptonshire and their contents, referring to the time of Edward the Confessor (Sir H. Ellis).

Here follows an account of the gross number of hydes in each hundred, according to this document. — Northamptonshire.

Suttunes hundred 100 H. Werdures hundred 100 H. Klegele hundred 100 H. Grauesende hundred 100 H. Eadboldes stowe hundred 100 H. Egelweardesle hundred 100 H. Uoxle hundred 100 H. Uyceste hundred 100 H. Hoches hlawa hundred 62 H. Wilebroce hundred 62 H. Uptune green two hundreds 108½ H. Nauerslund two hundreds 160 H. Neresforda hundred 62 H. Pocabroc hundred 62 H. Neowbotle graue hundred and half 150 H. Gildesburh hundred and half 150 H. Spelhoh hundred 90 H. Hwicceslea west hundred 80 H. Hwicceslea east hundred 80 H. Stotfalde hundred 100 H. Stoce hundred 40 H. Hehham hundred and half 150 H. Malesle hundred 80 H. Copebi hundred 47 H. Rothewelle hundred 60 H. Anduerdeshoh hundred 90 H. Ordlingbære hundred 80 H. Wimereslea hundred and half 150 H.

The Domesday description of Northampton-

shire comprehends part of modern Rutland, with several townships now in Warwick, Bedford, Oxford, and Huntingdonshire (Sir H. Ellis). In Northamptonshire the territorial systems of the north and south of England were brought into contact, for the double hundreds of Wiceslea and Optonegrave are now and then called wapentakes<sup>2</sup> in Domesday (G. D. 220. 226): and so the wapentake of Alfnodestov in Rutland contained two hundreds (G. D. 293 b.): still, it is not probable that wapentakes in general were consolidated hundreds, or that the Danes paid much attention to earlier landmarks, when they apportioned the country on the north side of Trent (Sax. Chron. annis 870. 877). In the history of Ely (Lib. II. C. 54) an union of three hundreds is called a Triling. Buckinghamshire is now divided into triplets or trilings. The modern hundred of Buckingham includes the ancient hundreds of Rovelai, Stodfald, and Lamua. The three ancient hundreds of Bonestou, Sigelai, and Moleslou are now .... com-

2 Ewerwyckshire, Nicoleshyre, Notinghamshyre, Lecestershire, Northamptonshire, usque ad Watlingstrete, et octo miliaria ultra Watlingstrete sub lege Anglorum sunt. Et quod Angli vocant hundredum, supra dicti comitatus vocant Wapentachium. Leges Edovardi XXXII.

prised within the general name of Newport hundred. The hundreds of Elesberie, Stanes, and Riseberge now comprise one district called the three hundreds of Aylesbury. The ancient hundreds of Coteslau, Mureslai, and Erlai are included in the hundred of Cotslow. The hundreds of Essedene, Votesdone, and Tichesele correspond generally to the modern hundred of Ashendon. Desborough, Stoke and Burnham are the three Chiltern Hundreds (Lysons 452). In the next county of Bedford there has been little change; but the petty sessions of the hundreds of Biggleswade, Clifton, and Wixamtree were recently held at Biggleswade. In Domesday the soke or the third penny — that is a third part of the taxation — of two or three hundreds is often declared to belong to one of them, or to a particular manor. There are many such entries in the survey of Oxfordshire (G. D. 154 b.). The third penny of the whole of Dorsetshire was paid into the manor of Piretone (G. D. 75). To the King's manor of Wallop, in Hampshire, belonged the third penny of six hundreds, and in all the woods which belonged to the six hundreds it had free pasture and pannage (G. D. 38 b.). The sac and soc of twenty two hundreds, and all the forfeitures commonly

in the Crown belonged to the Abbot of Battle's manor of Wye in Kent. (G. D. 11 b. Battle Abbey Book. 29).

The chief officer of the hundred was *prepositus hundredi* — the hundred reeve — to whom, especially in the eastern counties, the freemen owing suit to the hundred court were often commended. In the hundred of Bosmere we have a freeman commended to Bricmar the beadle, who must have been a summoner, or an apparitor, appointed to carry round the bode-stick — if the Northmen had introduced that instrument — and to bid the suitors attend the hundred court<sup>3</sup> (L. D. 446).

The mote or meeting of the hundred was beside a noted tree, like the Appletree in Derby-

3 Si de Hundred remanebat; aut non ibat ad placitum ubi prepositus jubebat per V solidos emendabat G. D. 269b.

In Hundret de Laxendena habet rex VII liberos homines et hos prepositus hund' habet. L. D. 99.

In Pichenham tenuit I liber homo LX acras t. r. e. et postquam rex venit in ista patria dedit R. comes preposito hundret. L. D. 120.

prepositus regis habuit propter socam de uno istorum IIII sol. L. D. 360.

(Dorset) In Winfrode hundred ... Alward prepositus I hidam. I bedell I virgam Supp. 24.

shire (G. D. 280); the Naked Thorn — Nachede-dorne (G. D. 58 b. 59 b.) in Berkshire; and the Shire Oak which gives name to a Wapentake, in the West Riding of Yorkshire: at a mound or barrow, like Offlow, near Shenstone Park in Staffordshire; the hundred hill on Malmesbury Common; Spelhoo the speech hill in Northamptonshire; and Thing-hoe the hill of affairs in Suffolk, which resembles in its name and object the Tings hogen or Council mound at Upsal. The two hundreds seeking unto Norman Cross assembled at a point in old Ermen Street, between Huntingdon, Peterborough, and Stamford. Here and there the gathering place was a Steedfold, in which unbroken horses were penned: there were Stodfold hundreds in Northampton, Buckingham, and Wiltshire. In many cases the court would be held at the chief town of the hundred, or near the capital manor-house. It is noted, in Domesday, as if it were unusual, that the manor of Acton had its pleas in the lord's hall (G. D. 265 b.); but this was a private court leet, or court baron, and no hundred court. In some places manorial courts are still held in the open air; meeting, for example, at a post marked with the initials of the lord of the manor.

It is not surprising to find that the lawsuits noticed in Domesday chiefly relate to land, or to commendation. A claimant calls the hundred court to witness, and if it has no evidence in his favour, the court replies — that it has never heard the King's Writ, nor seen the King's Seal, and that it has never seen the claimant do service for the land. Perhaps, again, the claimant appeals to his lord, the grantor of the land, or to his liberator, the person who had been commissioned to give him livery of seizin, or investiture; and further offers to prove his right by battle, or ordeal, or any other legal process<sup>4</sup>.

4 Testante Wapentac qui brevem regis inde vidit et audivit G. D. 373 b.

Dicunt homines de hundred quod nunquam viderunt sigillum aut legatum regis qui saississet Alwinum ret antecessorum ejus qui modo tenet de isto Manerio et nisi rex testificetur nichil habet ibi G. D. 50.

Nemo enim eorum vidit brevem regis vel ex parte ejus hominem qui eum inde saississet G. D. 62.

Dimidiam vero hidam . . . emit postquam rex W in anglia venit sed nec regi nec alicui inde servitium fecit nec de ea liberatorem habuit. G. D. 218. \*

homines patriæ et de Wapentac nesciunt quo pacto habuit, quia nullum servitium inde viderunt illum facere. G. D. 361.

Harduinus reclamat Petrum Vicecomitem ad protectorem et liberatorem jussu episcopi Baiocensis G. D. 142.

In Domesday a man without a title is said to hold land *sine breve, sine liberatione* — without Writ and without Livery. Livery was made by the delivery of a staff, the branch of a tree, or a piece of turf. A hundred years after the Conquest we find that Livery was, in some cases, confirmed by a deed, in which the lord and liberator declares that “Alexander (the vendor) demised the land, and rendered it quit into my hand by the branch of a tree, in order that I might seize Thomas (the purchaser) of it; and I seized Thomas thereof, by the same branch of a tree, to hold it in chief of me and of my heirs to him and to his heirs; by the same service which Alexander had been doing for me, namely the service of a fifth part of

*De ista terra advocat Walterius regem ad protectorem et Henricum de Ferrariis ad liberatorem G. D. 276 b.*

*Normannus dicit quod rex misit ei unum brevem ut saisiret Radulfum de Savigni. L. D. 377.*

*Noverit universitas vestra me fecisse Thomam de Walecote attornatum meum ad ponendum Ricardum filium meum in seisinam in duabus acris. Madox Form. 346.*

*Hanc terram calumpniatur Godricus dapifer per hominem suum. juditio vel bello. L. D. 176.*

*Hanc terram calumpniatur Rob. Fardenc homo Godrici dapiferi . . . et hoc vult probare contra totum hundred' omnibus legibus. L. D. 371.*

one knight (Madox Formulæ 54). This ceremony was performed in court. The business of the hundred court was mainly civil; but the name of the wapentake suggests that its mote may have been, in addition, a court of array, like the "view of men and arms" at Lichfield.

According to the laws attributed to the Confessor and to Henry 1. the courts of hundreds and wapentakes were assembled twelve times a year: the Shire mote was held twice in the year. A thane in the land between the Ribble and the Mersey failing to attend the shire-mote, without a reasonable excuse, was fined ten shillings (G. D. 269 b.). The county court was not always held in one place. The assemblage of the thanes of Hereford at Wormlow may have been a warlike muster, as well as a court of justice (G. D. 179): but it seems that the regular Shire-mote of Kent was on Pennenden Heath: and some of the thanes were not obliged to go further (G. D. 1); which may mean that they were not bound to join in the pleas of the next counties, for the same motives of convenience which led to the junction of the hundreds, caused the pleas of two or three adjacent shires to be held together. In the History of Ely we find the thanes of Northamptonshire



and of East Anglia assembled at Walmesford — between Stamford and Peterborough — but not in a full county court; no more than eight hundreds were present (H. E. Lib. II. c. 11): and in Domesday we find that Walter, Abbot of Evesham, had vindicated his right to five hydes at Ildeberg, in four shires, before the Bishop of Bayeux and other Barons of the King (G. D. 175 b.): and Wulstan, bishop of Worcester, declares that he had established his title to certain lands before Queen Matilda, in the presence of four shires — to that effect he has the King's Writ, and the verdict of the county of Warwick (G. D. 238 b.). It is natural to suppose that a county court in three or four adjacent shires would be held at or near the intersection of their boundaries<sup>5</sup> — at or near the “nomansland” or neutral point, so frequently marked by shire stones. “Runnymede, the field of council, where, in times of yore, the Anglo-Saxons were wont to meet and consult on the welfare of the state” (1 Palgrave. E. C. 140) is very near the butts of four counties.

At the time which we are speaking of part

<sup>5</sup> Si inter compares vicinos utrinque sint querelæ, convenient ad divisas terrarum suarum. Leges Hen. I. LVII.

of the north of England was not shireland; and the limits of the counties which had been constituted were not settled. The dimensions of Yorkshire, ample enough now, were wider still in the Conqueror's time; and Rutland, which makes a small figure in our maps, shows itself even smaller in Domesday. The boundaries of the counties south of Trent have hardly been changed since the compilation of Domesday. Early in the eleventh century the district of Winchelcombe, till that time a separate shire, was annexed to Gloucestershire by Edric Streone, of whom so much evil is recorded. (1. Palgrave E. C. 117). In Domesday it is called the Ferding — that is the quarter or ward — of Winchelcombe (G. D. 166). Under Wellow, in Hampshire, Domesday notes an extraordinary transfer of one yardland and a half: Waleran the huntsman *misit foras comitatus* — turned it out of the county and sent it into Wiltshire (G. D. 50). Waleran was an Englishman, one of those lucky foresters who escaped the general confiscation: whether the change was made by his own authority, or under superior direction, does not appear: it is possible that part of Wellow may have been assigned to Wiltshire in exchange for some lands at Downton, which had

been thrown into the Forest (G. D. 65 b. Supp. 17). In Herefordshire Domesday we read that "In Niware are two hydes and a half which assembled and laboured in Bremese Hundred, till Roger de Pistes, in the time of Earl William, diverted them to Gloucestershire (G. D. 181): two hydes in Chingestune gelded and laboured in Gloucestershire, but the men dwelling upon them came to the pleas of the same hundred in Herefordshire, to do and receive right (G. D. 182 b.). Two manors in Gloucestershire, and four in Worcestershire, belonged to the honour of Hereford, and are described in the account of Herefordshire (G. D. 180 b.). Bath in Somerset (G. D. 64 b. 87), and Woodchester in Gloucestershire, (G. D. 164) were in the farm, or collectorship, of Wiltshire<sup>6</sup>. The limits of the shires in that part of England are still very

6 Hæc terra jacet ... in Oxenefordscire et tamen dat scotum in Berchescire G. D. 61 b.

In Wich est dimidia hida quæ pertinet ad aulam de Glounecestre. G. D. 172 b.

Vdecestre ... Hanc terram tenet Edwardus in firma de Wiltscire injuste ut dicit comitatus, quia non pertinet ad aliquam firmam. De quo Manerio nemo Legatis regis reddidit rationem, nec aliquis eorum venit ad hanc descriptionem G. D. 164.

much confused: Worcestershire, in particular, has a number of dislocated fragments, landlocked by the counties of Stafford, Gloucester, and Oxford.

I am not sure that a distinction is not occasionally made in Domesday between shires and counties: a shire not subject to an earl (comes), could not properly be called a county (comitatus). The earl received the third penny of the county — that is a third part of the fines paid by offenders. The rights of an Earl Palatine were more extensive. The Counties Palatine have been compared to the proprietary governments of Maryland and Pennsylvania, and to the Marches of the German Empire which were under a March grave or Marquis. It was the duty of the Margrave in Germany, and of the Earl Palatine in England, to defend, if not to extend, the March or Pale “so as to have a County Palatine is in effect to have a privilege to spoyl the enemies borders adjoining.” (Spenser’s View of the State of Ireland). Under the Conqueror there were three March Earldoms, Chester, Shrewsbury, and Hereford; not called palatinates in Domesday. Chester still remains a county palatine; the powers of its earls were almost royal, but the emoluments of the first

earl were not very considerable. At one period the pleas of the county and of the hundreds, excepting the hundred of Inglefeld, were farmed for fifty pounds and one mark of gold. The city returned seventy pounds and one mark of gold (G. D. 262 b.). The rural manors of the earldom were not worth thirty five pounds a year. The pleas and rents of the earldom of Shrewsbury, which belonged to Roger Montgomery, were worth 305 L. 15 s. (G. D. 254). King William had no lands in the counties of Chester and Shrewsbury. The rents of the city and honour of Hereford, without the pleas, amounted to 335 L. 18 s. (G. D. 179). This earldom was in the King's hands at the time of the survey: it had belonged to William Fitzosberne, the most able and powerful of the Norman Barons. He was not earl of Hereford only, but lord of the Isle of Wight and governor of Gloucester: he founded Chepstow Castle, and had conquered a portion of South Wales. His name occurs more frequently in the survey of Gloucester than in the account of Herefordshire.

In Hereford (G. D. 179) and Shrewsbury three pleas only were reserved to the Crown; Grithbrece, Forestel, and Heinfare: these three

forfeitures King Edward had in his demesne over all England, out of districts in which the pleas were farmed (G. D. 252). Grithbrece was breach of Sanctuary, or of the King's Peace and Protection. Forestel is believed to be Highway Robbery, and Heinfare Burglary; but murder seems to be implied in them all (G. D. 56 b. 154 b. 179). In general the pleas reserved to the Crown were four; corresponding to the Pleas of the Crown in Scotland, which are Murder, Fire, Rape, and Robbery. The King in England, as in Scotland, was entitled to the forfeitures and penalties consequent on these offences<sup>7</sup>.

7 (Kent) habet rex has forisfacturas. Handsocam. Gribrige. Foristel. De Adulterio vero per totum chent rex habet hominem et archiepiscopus mulierem — G. D. 1.

(Berks) forisfactura regis sicut est Latrocinium et homicidium et Heinfara et fracta pax — G. D. 61 b.

(Worcestershire) In hoc comitatu Si quis scienter fregerit pacem quam rex manu sua dederit utlaghe judicatur. Pacem vero regis quam vicecomes dat si quis sciens fregerit C solid' emendabit. Forestellum qui fecerit C solid' emendabit. Heinfaram qui fecerit C solid'. Raptum qui fecerit non fit emendatio nisi de corpore justicia — G. D. 172.

(Warwickshire) omnes alias forsfacturas preter illas IIII quas rex habet per totum regnum — G. D. 238 b.

It is said that the Conqueror gave the earldom of Cornwall to his brother Robert, earl of Mortain, but that prince is not called earl of Cornwall in Domesday: he had large estates in the county; likewise in Devon, Dorset, and Somerset: in fact he was a sort of lord lieutenant in the southwestern shires.

Sussex, under the Conqueror, had the appearance of a County Palatine in commission. Two manors only belonged to the Crown; and the shire was divided "literally by the rope" into rapes or military divisions with a strong place in each — 1 and 2 Chichester and Arundel held by the earl of Shrewsbury. 3 Bramber by William de Braiose. 4 Lewes by William de Warren. 5 Pevensey by the earl of Mortain. 6 Hastings by the earl of Eu. In Sax. Chron. anno 1011 Hastings is spoken of as a distinct shire.

Next to the rape of Hastings, on passing into

*Sampson abbas semper in labore existens, quandoque movens controversiam contra archiepiscopum Cantuariensem de placitis coronæ — Joc. de Brakelonda.*

*Et in omnibus eorum curiis quatuor placita reservabuntur ad opus domini regis que ad coronam ejus spectant scilicet de femina efforciata, de rapina, de arsione et de murdre — Assisa Reg. Willi. anno 1180.*

Kent, we come upon the military division of Hugh de Montfort, in the south eastern corner of the county. The south western angle was filled by Richard Fitzgilbert's Lowy or castlery of Tunbridge, which is not surveyed in Domesday. The divisions of the Earl of Eu, and of the Bishop of Bayeux, are likewise mentioned. The Bishop had been earl of Kent, his manors were in the King's hands at the time of the survey.

The lathes in Kent are civil divisions: they remind us of the northern system of wapentakes, and their formation may be due to northern influence. The names and boundaries of the lathes have been slightly changed since the eleventh century. In western Kent were the lathe of Aylesford, and the half lathes of Sutton and Middleton: in the eastern division, Borough Ward, Lyme Ward, Wye Ward, and Eastry Lathe. In Domesday Wye Ward, or the Lathe of Wye, is pleonastically called Lest de Wiwarlet.

The other counties were mostly under the sole charge of their sheriffs. In the earldoms the sheriff's authority would be limited. The most extensive powers were enjoyed by those Sheriffs who had been set over remote or dis-



turbed parts of the country. Such men as Picot of Cambridge, and Baldwin of Exeter, were rather Norman Viscounts than English Sheriffs. An attempt seems to have been made to divide Devonshire into military sections; lands were added to the honours of Edmer, Ordulf, and Brictric, which had not belonged to those thanes; the county made a remonstrance, and the plan may not have been carried out. Picot, Baldwin, and others were lords of castles, and their principle of administration appears to have been martial law. It is likely that their civil duties varied according to the custom of each county. In some cases, the sheriff farmed all the public profits of the county; rents and pleas together. A shire was, in reality, let to the highest bidder; and the sum offered by the contractor in addition to the old or average rent was called an Increment<sup>8</sup>. (2 Madox Exch. 139.

8 De Cremento LX lib ad pondus. Hoc reddit Edwardus Vicecomes G. D. 64 b.

Hoc misit de cremento Ivo Talliebose (son of the late sheriff). G. D. 209. 209 b.

De Augmento XXV lib. ad pondus. G. D. 154 b.

9 Hæ XVII libræ ad pensum et XVI libræ ad numerum sunt de placitis comitatus et Hundretis et si inde non accipit de suo proprio reddit (vicecomes). G. D. 172.

162). In Worcestershire the pleas were farmed<sup>9</sup>: the sheriff complains that seven out of the twelve hundreds of Worcestershire were beyond his jurisdiction, and that in consequence he has lost much by his collectorship; and he states in another place that he cannot return the King's share of the produce of the salt-works, without an allowance of wood (G. D. 172. 172 b.). In many counties the sheriff farmed the ancient demesnes of the Crown: but lands which had fallen to the King by forfeiture were commonly under other agents. The sheriff took charge or possession of the estates of private persons occasionally; sometimes holding them in farm, sometimes in mortgage (G. D. 73 b.), sometimes on account of misdemeanours; because the owners neglected the land, or because the dues were in arrear<sup>10</sup>. The aid given to the Sheriff by

10 In hac villa erat I liber homo de XXX acris et udlagavit, modo homines Sueni acceperunt terram et adhuc tenent — L. D. 24.

Si domini terrarum non procurent idoneos cultores ad terras suas colendas, justiciarii hoc faciant — Leges Gui. Con. XXXI.

ille gablum de hac terra dare noluit et Radulf Taillgeboss gablum dedit et pro forisfacto ipsam terram sumpsit G. D. 216 b.

sochemen and burgesses has been touched on already (G. D. 179. 189). The public works of the county would be carried on under the Sheriff's direction. In the year 1097 many shires bound to duty in works at London, were greatly oppressed in making the wall around the tower; in repairing the bridge, which had been almost washed away; and in building the King's hall at Westminster (S. C.). Sussex, or at least one manor within it, was subject to this charge. (Stow. 9). It is possible that the sochemen performed acts of husbandry for the sheriff; either upon his private estates, or upon the Reveland, which seems to have been a kind of public land under the Sheriff's charge, or held by him during his term of office. The reveland of Wiltshire was farmed by sheriff Edward of Salisbury; when the rent coming from the reeves was deficient Edward was obliged to make up the sum required (G. D. 69). There can be no doubt that other Sheriffs were like Urso d' Abitot of Worcester — that they found it difficult to fulfil their engagements, that they were tempted, in consequence, to plunder the

*Modo nichil reddit quia nichil habet et tunc Godric pro ea censum reddit. L. D. 121.*

towns and the saltworks, and to drive away cattle from the rural manors<sup>11</sup>. Some mischief of this kind may have been done by the Sheriff's officers (*ministri vicecomitis* G. D. 50) without the Sheriff's approbation. Every Sheriff had a number of underlings — called Bailiffs, Errants and Outriders in *stat. 14. Ed. 3. ca. 9.* The age of the Conquest was a time of much dealing and speculation; many jobbers and agents — called *firmarii* by William of Malmesbury — made large fortunes. The noted Ralph Flambard appears to have been, originally, one of these collectors and drivers, who were under the Farmer-General of each county.

#### Table of Sheriffs.

Kent. T. R. E. Oswald. T. R. W. Haimo.

Sussex [It is likely that there was no general sheriff, because the county was entirely

<sup>11</sup> *Ursus Vicecomes ita vastavit homines quod modo reddere non possunt sal — G. D. 163 b.*

*quando abbas recepit valebant C solidos plus predicte due mansiones quia pro H filio Grip fuerunt depredati. — Supp. 34.*

*hec perditio fuit tempore Sueani et Baignardi vicecomitum et per mortem bestiarum — L. D. 1.*

*tunc LX car' hominum modo XXIII hanc confusionem fecit Radulfus de Warr antequam foris faceret. — L. D. 137.*

divided into castleries. (See Battle Abbey Book 166). The castleries in Yorkshire seem to be out of the Sheriff's jurisdiction G. D. 315 b.]

Surrey. 1. Ansculf. 2. Rannulf.

Hants. T. R. E. Ezi. T. R. W. Hugh de Port.

Berks. 1 Godric. 2 Froger. 3 Henry de Fereires.

Wilts. T. R. E. Edric. T. R. W. Edward of Salisbury.

Dorset. T. R. W. 1 Hugh Fitz Grip dec. 2 Aiulf the Chamberlain.

Somerset. T. R. E. Tovi. T. R. W. William de Mohun.

Devon. T. R. E. Heche. T. R. W. Baldwin of Exeter.

Cornwall. T. R. W. Turstin.

Middlesex. T. R. W. Roger (de Rames).

Herts. 1 Ilbert de Hertford. 2 Peter de Valongies.

Bucks. 1 Godric. 2 Ansculf. 3 (William Fitz Ansculf).

Oxon. Edwin.

Gloucester. 1 Alwin. 2 Roger de Pistes. 3 Durand de Gloucester.

Worcester. T. R. W. Urso d' Abitot.

Hereford. 1 Ralph de Bernai. 2 Ilbert Fitz Tuold.

Cambridge. T. R. E. Aluric Godricson. T. R. W. Picot of Cambridge.

Hunts. T. R. W. Eustace of Huntingdon.

Beds. T. R. W. 1 Ralph Tallebosc dec. 2 Hugh de Belcamp.

Northants —

Leicester. Hugh de Grentmaisnil had the third penny.

Warwick. T. R. E. Alwin, father of Turchil of Warwick. T. R. W. —

Stafford. T. R. W. Robert de Stadford.

Salop. T. R. W. 1 Warin (6. Mon. 1078). 2 Raynald.

Chester—Mundret, farmer of the rents and pleas.

North Wales. Robert de Roelent farmer (G. D. 269).

Inter Ripam et Mersham “tenuit Rogerius Pictavensis.”

Derby. T. R. W. Henry de Ferieres.

Notts and Rutland. T. R. W. Hugh Fitz Baldri.

York. T. R. W. William Malet dec. Hugh Fitz Baldri.

Lincoln. T. R. E. Turoid of Buckenhale. T. R. W. Ivo Tallebosc.

Essex. 1 Robert Fitz Wimarc. 2 Suen son of Robert. 3 Baignard. 4 Peter de Valonges.

Suffolk. T. R. E. Norman. T. R. W. 1 Roger Bigot. 2 Robert Malet. 3 Roger Bigot restored.

Norfolk. T. R. E. Tohli. T. R. W. Robert Blund.

Other Sheriffs noticed are Alured (G. D. 83) Johannes (G. D. 184) Alwin (G. D. 206 b.) Blacuin (G. D. 201 b.). Orgar vicecomes Regis E. qui postea fuit homo Asgari stalri (G. D. 197).

Redditus Edwardi Sarisber'.

(Wilts) Edwardus vicecomes habet per annum de denariis qui pertinent ad vicecomitatum CXXX porcos et XXXII bacons. Frumenti II mod' et VIII sextar' et tantundem brasii. Avenæ V mod' et IIII sextar'. Mellis XVI sextar' vel pro melle XVI solid' Gallinas CCCC et quater viginti. Ova mille et sexcenta. Caseos. Cent'. Agnos LII. Vellera ovium CCXL. Annonæ vel Bled CLXII acras G. D. 69.

Reveland.

(Wilts) Habet etiam LXXX libras valentes inter Reueland et quod inde habet. Quando prepositis firma deficit; necesse est Edwardo restaurare de suo — G. D. 69.

(Berks) De isto Manerio sunt II hidæ et dimidia in Manerio Henrici missæ. una hida fuit de Reueland alia de villanis. et dimidia hida fuit de firma regis. sed tempore Godrici vicecomitis fuit foris missa. Hoc attestatur tota scira. G. D. 57 b.

(Hereford) Una ex his IIII hidis fuit et est

in Reueland. Ibi sunt IIII bordarii et una ancilla cum II carrucis et ibi II molini de XV solid'.

De aliis III hidis posuit Rad' de Bernai L acras ad suum Reueland, et un' bord' et molin' de VII solid'. Quod habet vicecomes ad suum opus valet LX solid' — G. D. 179 b.

(Hereford) Hæc terra fuit tainland T. R. E. sed postea conversa est in Reueland et ideo dicunt legati regis quod ipsa terra et census qui inde exit furtim aufertur rege. — G. D. 181.

(Hunts) Comitatus testificatur quod terra Bricmer belehorne fuit Reueland. T. R. E. et pertinuit ad firmam — G. D. 208.

(Dorset) Aiulfus vicecomes habet I virgam terre In Wintreborna de reuelanda et reddit V sol' per annum. — Supp. 29.

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## CHAP. VIII.

### TITLES OFFICES AND SURNAMES.

In the course of the eleventh century Norfolk had three earls in succession with the common name of Radulph, or Ralph. They were Ralph the elder and Ralph the second his son (L. D. 194) in the time of King Edward, and the Breton Ralph de Waer under the Conqueror. The other earls under King Edward whose names appear in Domesday are Radulf, earl of Hereford, the King's nephew; Godwin and his sons Harold, Guerd, Tosti, and Lewin; Lewric or Leofric of Coventry, his son Algar, his grandsons Edwin and Morcar; Odo; Siward and his son Waltef (G. D. 305 b. 337); the usual form of this name in Domesday is Wallef, which may agree with the common pronunciation.

Earl Ralph the second, of Norfolk, is usually called Radulfus Stalre, the marshall or constable: he had allowances "ad victum equorum" — for the feed of his horses — from three or four manors in Lincolnshire (G. D. 347 b. 348). This

official title is likewise given in Domesday to Ednod or Alnod (Supp. 415) — they can scarcely be distinct persons — to Bondi; to Harold; to Esгар or Ansgar, who had large possessions and many dependants in Essex and the neighbouring counties. Bondi stalre is likely to be the person called in other documents Bundinus palatinus (2 Saxons in England 117). We not only find Ednod stalre in Domesday (G. D. 58 b.), but likewise Ednod dapifer (G. D. 69): and we have Aluered dapifer (Supp. 136), as well as Alured marescal (G. D. 121 b.). Alured biga, said to mean the commissary or purveyor, is named in Kentish Domesday (9. 9 b.), with Sbern biga; and in the account of Essex we have Aluric biga (L. D. 30).

In Domesday there are several persons who bear the surname or title of Child: among them the Kentish Alnod (G. D. 1) — chentiscus (G. D. 145) — cantuariensis (G. D. 220), Godwin abbot of Westminster (G. D. 146), Leuric, Ulf, Edric, Brixii cilt (G. D. 1 b.) — Bricii miles R. E. (G. D. 83) and see L. D. 48.

Many chiefs are called Huscarles. They seem to have been quartered about London; for they are mentioned most frequently in the Middlesex, Hertfordshire, and Bedfordshire Domes-

days. King Edward's troop of huscarles at Wallingford has been noted already. Burchard, King Edward's Huscarle, is subsequently called King Edward's thane (G. D. 146 b. 147). On page 164 we have Rotlesc Huscarle R. E., and Tovi Widenesci huscarle Heraldi comitis: and we meet with huscarles of earls Lewin (G. D. 140), Algar (G. D. 213), and Wallef (G. D. 202).

Another official title was Stirman. Edric Stirman (G. D. 173 b.) was steersman or pilot of the King's ship "Edricus rector navis Regis E." (L. D. 200). Hugolinus stirman (G. D. 63) Turchil stirman regis E. (G. D. 174 b.) Ulfech stirman regis E. (G. D. 217 b.). Whenever the King's messengers came to Dover, the burgeses found for them a pilot with his assistant (G. D. 1). Stephen Stirman or the pilot was a burges of Southampton (G. D. 52), and of Warwick (G. D. 238).

I think that the title of Latimer or Interpreter is given to existing tenants only, and that it is never applied to any person who lived in the time of King Edward. In Shropshire, says Camden, a certain Wrenoc the son of Meuric held certain estates, who by his service was bound to be Latimer between the English and the Welsh, that is, Interpreter. In Domesday

Ansgot interpres (G. B. 36 b.), David interpres (G. D. 83), Ricardus interpres (Supp. 432), Osmundus latimar (Supp. 9. 16), Robertus Latin'. (G. D. 8 b.), Lewin Latinarius (G. D. 180 b.) are entered. Hugo (G. D. 87) or Hugolinus interpres (G. D. 99) is called Hugolinus legatus in *Inquisitiones Geldi* (Supp. 68); and Hugh Latimer (Hugo Latinarius G. D. 50 b.), in Hampshire Domesday, may be supposed to be the same.

Other surnames may be official or professional; for example, that of *Alsi berchenistr'* (G. D. 50. 50 b.), of which a constituent part is evident by the word knight. Many persons are mentioned who appear to have been officers of the royal household; chamberlains and bed chamberlains (G. D. 85), cooks and bakers, chaplains, physicians, and goldsmiths.

The two carpenters of the King holding land in Cambridgeshire (G. D. 202) may have been employed to build the wooden towers used in the siege of Ely. Other carpenters are mentioned in Domesday (G. D. 85. 187). Turstinus machinator — the engineer — was owner of two houses in Southampton (G. D. 52). Several persons are called crossbowmen "*balistarii*" (L. D. 382) or "*arbalistarii*" — whence comes the family name of Arblaster.

There were in Duke William's host  
 Able men from every coast;  
 Ship-wrights, archers, engineers,  
 Men at arms, and warlike peers. (Wace.)

We may pass over the fowlers, parkers (G. D. 98 b.), forsters (G. D. 52 b.), huntsmen, and fishermen, of whom many were immediate tenants of the Crown; with the prefects, provosts, and bailiffs, who were overseers of the King's lands. Persons engaged in husbandry have been sufficiently reviewed already. Three or four times we meet with fossor, fossarius, Gerard fossor (Supp. 398), Hereberd fossator (L. D. 117). At Berkhamstead, in Hertfordshire, quidam fossarius habet dimidiam hidam (G. D. 136 b.) a certain dyke-reeve. In the low countries

To make a bank was a great plot of state  
 Invent a shov'l to be a magistrate:  
 Hence some small dyke grave unperceiv'd  
 invades

The power, and grows as 't were, the king  
 of spades. (Marvell.)

The numerous Godwins, Alurics, and Ulwards are not merely distinguished in Domesday by titles official, or professional. Some are called after their abodes, as Anschill of Ware; Algar of Cochenac (G. D. 132. 140) — most likely the

place now called Cokenhatch, or Cockneys Hatch, near Royston — Alestan of Boscumb in Wiltshire; Edric of Laxfield in Suffolk. From Ailward of Felbridge in Norfolk (L. D. 185) the Windham family is presumed to be descended.

Many surnames are, of course, patronymics; such as those of Aluric Mapesone (G. D. 176 b.), Godric Mappesone (G. D. 181), and sheriff Aluric Godricsone of Cambridge (G. D. 189). A gentleman of Suffolk, living in the time of King Edward, bore the name of Leuric or Leofric Hobbesson (L. D. 337. 404). Some names which at first appear unmeaning are really patronymics: thus Alwin Dode is Alwin son of Dode or Dodson (G. D. 141. 142). Rainald Croc is called Raynald filius Croc in the next column. (G. D. 52). Croc was a common name then as Crook is now. Croch the huntsman, of the new Forest, was in all likelihood Raynald's father: we find in Domesday Sbern croc (G. D. 291 b.), Grimbold crac (G. D. 347), Leswin croc (L. D. 350), and Ailward crocco (Supp. 146); and a son of Earl Tosti is called by Snorro Ketil Krok. Other surnames which may be looked upon as patronymics are those of Aldene Tope (G. D. 344), and Sawin Topa (Supp. 457) — since I find the names of Tope (G. D.

356) and Ulf topesune (G. D. 376 b.), in Domesday — of Goding Turbert (G. D. 198 b.) for the same reason (G. D. 130. 164): so Levenot sterre (G. D. 275) may have been the son of Sterri (G. D. 298): even Aluric welp (G. D. 160), and Alwin boi (G. D. 31) may belong to this class; for Welp (G. D. 324), and Bû (G. D. 332), or Boui (G. D. 223) were really proper names; one of the Jomsburg rovers was called Bui. The names of Bruning and Brunesune (G. D. 6). — Browning and Brownson — found together in Kentish Domesday, seem to belong to one person.

A few thanes were surnamed after their mothers as Robert Fitz Wimarc<sup>1</sup> and Sired filius Alvevæ (G. D. 147): among the lagemen of Lincoln were Godric filius Eddevæ and Ledwin filius Reuenæ (G. D. 336. 337). It is likely that the mothers of these men were women of high rank. In Snorro's Chronicle we find Gut-torm Gunhildsson, whose mother Gunhild was sister to King Olaf the saint and King Harald Hardrada; and Swend Alfifason was son of no

<sup>1</sup> Rodbertus filius Guimarcæ, nobilis mulieris. Guil Pic-tav. Lapp. 246.

hanc elemosinam feci concessu Wimerch uxoris meæ. Madox Form. 252.

Wihomarc homo comitis G. D. 310 b.

less a person than King Canute the great. There were surnames of this class in London about a hundred and fifty years after the Conquest; when Simon Fitzmary, sheriff of London — who founded the hospital of St. Mary, called Bethlem — William Fitzysabel, William Fitzalice, and Martin Fitzalice were citizens of credit and renown. (Lib. de Ant. Leg.)

The surname of Edric grim (L. D. 293) is either a patronymic, for the name of Grim occurs singly (L. D. 299. G. D. 362), or an indication of Edric's temper and demeanour. Surnames descriptive of moral attributes are uncommon in Domesday; but very remarkable is the surname of Godwin Franpold, frampalt (G. D. 215 b.) or frambolt (216 b.).

— Alas the sweet woman leads an ill life with him; he is a very jealousy man; she leads a very frampold life with him, good heart. (Merry Wives of Windsor. Act and Sc. 2.)

Is it possible that Alwin Deule (G. D. 206 b. 208. 210 b.) can mean Alwin the devil? if so Alwin cubold (G. D. 220 b.), the goblin, may denote the same man. In Liber Winton a surname still extant is applied to a person called Godwin penifeder (Supp. 536): it means a shabby, penurious person: we read in the fa-



mous history of Fryer Bacon, that when the devil appeared to the gentleman of Oxfordshire, "he came not in a shape terrible, but like an old penny-father."

Surnames descriptive of the person's stature or complexion are frequent. Wlward wit (G. D. 129). Alwin ret (G. D. 50) Brictric blac (L. D. 440) Magno suert (G. D. 36 b.) Edric Lang (G. D. 164) Goduin fot (G. D. 7) Aluric petit (G. D. 50 b.) parvus (G. D. 51 b.) are examples.

There remains a large number which I cannot pretend to interpret. Ulf fenisc may mean Ulf of the fens, he had much land in the Isle of Axholm and other parts of Lincolnshire. Edmer atre (G. D. 104 b.), atule (G. D. 137 b. 146) — the eater, the glutton — was a great lord in Devonshire. Uluric chenp (G. D. 58 b.) — Kemp — lived at Buckland in Berkshire. Aluric cap (G. D. 196 b.) or campe (G. D. 197 b. L. D. 83) may be the same, or perhaps Aluric of Campas (G. D. 196 b.) in Cambridge-shire. Aluric Wanz had been a tenant in Essex under the Confessor (L. D. 51), and was administrator of some of the Crown lands in Suffolk under the Conqueror. Turgot lag may mean the lageman, he was one who had soc and sac, with toll and team in Yorkshire (G. D. 298 b.).

It has been suggested that Aluric chacepul (G. D. 127 b.) was the catchpoll of London, noticed by Mr. Kemble; and yet there is a possibility that the surname may mean Aluric of Chochepol in Bedfordshire (G. D. 213 b.), now Cople. We have Alwin Stichehare a man of King Edward and lord of a manor at Stepney (G. D. 130 b.), and Mr. Kemble finds the name of Aelfwine sticcere in the charters (2 Sax. in Eng. 117). Godric scipri (L. D. 37) may be the skipper, for I see that the Icelandic form is scipari. Godric cloch's surname resembles a surname common in Norway at the same period e. g. Kolbiorn Klakka. Alftan Clac of Fulborne, near Cambridge was living in the time of Edgar (Hist. Elien. 1. 2 c. 33) Clac is a single name in Domesday (G. D. 352), and Clack is a family name now. Godric cratel (G. D. 153) Alwin stilla (G. D. 40. L. D. 71) Edward lipe (G. D. 85) Alwin sac (G. D. 210) Alward mert (G. D. 118) merta Supp. 362—3) perhaps meriete sune (G. D. 377) Aluric scoua (G. D. 134 b.) Lewin socca (Supp. 440) Godwin Socche (Supp. 532) Alric gangmere (G. D. 144 b.) Aluric Stikestac (L. D. 339) Aluied pottoch (Supp. 128) Alestan stric (L. D. 14) Godwin cudhen (L. D. 17) gudhen (L. D. 99) Edwin grut (L. D. 67).

95) Alnod grud (G. D. 134 b.) Lewin post hagra (L. D. 54) Godric poine (L. D. 37) Alsi bolla (L. D. 80) Almar Holefest (L. D. 93) Ulstan eudlac (L. D. 104). Bricmar bubba (L. D. 323) Leuric snipe (L. D. 345) form a mere portion of a very strange list of surnames. Some are surely corrupt and some like the epithet Digera or Digri — the strong or the stout — given to earl Siward, must be Danish rather than Anglo-Saxon.

The single names of Englishmen entered in Domesday occasionally resemble modern family names. Hawart (G. D. 331), or Hofward (L. D. 264), is very like Howard; Baco (G. D. 340) may be Bacon; Leuesuna (L. D. 19. 58. 59. 403) is literally Leveson: others are noted in the margin<sup>2</sup>. And further, the names of some of King Ed-

2 Ælmer, Aldene, Aldred, Alestan, Algar, Alward, Arnnull, Aschill, Balduin, Baret, Biscop, Blac, Blacheman, Blacstan, Bolle, Bonde, Brand, Brun, Cari, Cave, Chenric, Cole, Coleman, Collinc, Dode, Dodeman, Don, Dore, Eliet, Elwi, Fastolf, Floteman, Frane, Frawin, Gamel, Ghilepatric, Godman, Godric, Gold, Halden, Jalf, James, Ketel, Lant, Lewin, Lofe, Man, Merewin, Murdac, Norman, Orme, Osgot, Raven, Rede, Reder or Reider, Rolf, Selewin, Semer, Seward, Swain, Toc, Tol, Tonna, Tope, Torn, Tovi, Turbern, Turchil, Uctred, Wade, Wichin, Wlgar, Wlsi, Wodeman.

ward's tenants, entered in several counties, have since been extant as surnames in the same counties; as in London Waithman, Wateman de Lond' (G. D. 130 b.); in Kent Dering; in Wiltshire and the neighbouring counties Harding, Goddard, Gunner, and Earwaker = Euerwacre (Supp. 159) or Alwacre (Supp. 419) meaning everwakeful or allwatchful; Hache and Dunning in Devonshire; Hastings — Hasten (G. D. 266) and Ravenhill — Rauenchel (G.D. 264 b.) on the borders of Wales; Levinge and Story in Derbyshire; Cubold or Cobbold in East Anglia; and Lambe (G. D. 351) in Lincolnshire; — from that county came the father of the "gentle hearted Charles." Charles Lamb would have been amused if his "Family name" had been shown to him in the Lincolnshire Domesday.

Carle (G. D. 47 b.) or Charles in an old Saxon name which went out of use for some hundred years. James was a tenant at Cockfield, in Suffolk, under Bury St. Edmund's (L. D. 359). His name is likely to be that elsewhere written Gamas (L. D. 369). The lord of a manor at Shipton in Gloucestershire was plain Bil (G. D. 169 b.)<sup>3</sup>.

<sup>3</sup> Bil tenuit pro Manerio ... Hic Bil potuit ire quo voluit.

A few names may be taken from the Winton Book.

Ailward chenicte (532)—Knight.—Goderun litteprot (532)—little wit. — Lewin chane (534)—Cane or Kane. — Godwin capel (535). Aluric penipurs (536). Alured caddebelloc (536)—the corpulent— Alwin lefeller (536) Alwin Wat maungre (538) Borewold Horloc (538).—Horlock is a name extant in the neighbourh oodof Bath.— Adam Witegos (539). Brunstan blachebiert (541) Aluric fulebiert (541).

It is clear that some of these epithets were nothing more than friendly jokes among neighbours. Godwin Pennyfather and Aluric Penny-purse dwelt in adjacent houses; Brunstan blackbeard and Aluric full-beard were inhabitants of the same street.

We have direct evidence that our ancestors were often surnamed after a trivial incident in their lives. One of Hereward's comrades was called the black, because having blackened his face with coal, he surprised a guard and slew ten men: another Mowe i. e. Falca, because he defended himself with a scythe against twenty men with better weapons: a third Prat i. e. astutus, because often captured by the enemy, he as often cunningly made his escape.

When archbishop Henry de Londres took possession of the see of Dublin, he called his tenants together to show the nature of their tenures; and after they had produced their evidences, he ordered the charters of the villeins to be burnt: whence the freehold tenants afterwards called him Henry Scorchevilleyn.

Such a prank may have obtained for the unscrupulous agent of William Rufus his name of Ralph the firebrand (*flambard*, *passé-flambard*). Sometimes in Domesday he is called Flame (G. D. 49), or Flamme (G. D. 37 b.); can this mean the Fleming? we have Hunfrid Flamme in Sussex Domesday (G. D. 23); and Walter Fland' (G. D. 215 b.), or Flammensis (G. D. 210 b.), in Bedfordshire. Many Flemings came into England with the Conqueror. Domesday mentions the nephew of William, Gilbert of Ghent, Drogo of Bevreire, the Flemings Hugo, Odo, Walter, Winemar etc. (2 Lappenberg 287). At Estone in Warwickshire there were nine Flemings under Osbern the son of Richard Scrupe (G. D. 244). Other followers of the Conqueror were from parts more remote: William Bigot and Godfrey Ridel came from Apulia (L. D. 180). Perhaps Alured of Spain had been engaged in a Spanish crusade, or had made

the Journey of St. James<sup>4</sup> — that is the pilgrimage to Compostella.

Strange surnames were borne by some of the Conqueror's followers. Hugh the Wolf was earl of Chester. Hugh the Ass was a tenant in Wilts, Gloucester, Worcester, Hereford, and perhaps other shires. We have Hunfrid Vis de Lew (G. D. 63), and Rad' Viso Lupi (L. D. 118). The name of Radulf Tortesmains (Supp. 145) occurs in general history. A landowner at Felstead and Rivenhall in Essex was Roger God save the Ladies — Deus salvet Dominas (L. D. 21. 96).

But other Norman surnames are quite modern and familiar.

Robert Burdet, Ralph Trenchard, Ralph Blowet, Robert Bastard, Robert Veci, Roger Corbet, Richard Scrupe, and Walter Tirell. The last named personage, in those days, held the manors of Compton and Seaborough in Somersetshire, under Osmund bishop of Salisbury. (Supp. 143).

Persons of the old race whose names belong to history seldom appear very prominently in Domesday. The names of the earls of course occur frequently, with the names of their wives

<sup>4</sup> via Sancti Jacobi. Madox Formulare 423.

and sisters—Gida mater *Heraldi* (G. D. 34), *Alveva soror Heraldii comitis* (G. D. 144 b.), *Gunilla filia comitis Godwini* (Supp. 99), *Getha uxor Radulfi comitis* (G. D. 148), *Eddied soror Odonis comitis* (G. D. 186), *Aelveva mater Morcarii comitis* (G. D. 134 b.), and his grandmother the Countess *Godiva* (G. D. 239 b.) *uxor Leurici comitis* (G. D. 244), *Goda comitissa soror R. E.* (G. D. 34). In this account we should include Queen Edith, and Christina the sister of Edgar Atheling (G. D. 160. 244); but the most interesting name among the names of ladies is that of fair Edith, *Eddeva pulchra, Edeva faira* (L. D. 285). She had large estates in the eastern counties and many sochemen under her protection. The historians of Cambridgeshire think that her chief residence was at Borough-green, four miles from Newmarket, where a deer park is described in *Domesday* (G. D. 195 b.). Once we read of *Eddeva puella* (G. D. 134 b.), likely to be not our Edith but another lady, who is generally called *Eddeva monialis*, the nun (G. D. 136 b.) The name of Edric wild or salvage, Edric the forester, is to be found in *Domesday*. *Uluric Wilde* is mentioned in the survey of Lincolnshire. Hereward almost belongs to romance: his exploits may not have



been exaggerated, but the legend seems to overrate the importance of his origin. In the time of King Edward Ulric held three oxgangs at Brune (G. D. 370), this may have been Hereward's father, who is called Lefric of Brunne or Bourne in the Peterborough narrative. We find Hereward holding land at Witham, Manthorp and other places (G. D. 346. 364 b.) in King Edward's time, and there are allusions to his outlawry, but he is not as conspicuous in Domesday as his friend Siward Beorn. Siward the red (G. D. 376 b.) is called Hereward's nephew in the legend. Copsi, who administered Northumberland at one time, was lord of Cucualt and six berwicks in the West Riding (G. D. 327), with soc and sac and toll and team and every custom (G. D. 298 b.) One of the Norman tenants under Edward the Confessor was William Malet, who took charge of the body of Harold after the battle of Hastings. Bishop Guy (*carmen de B. H. v. 587*) instead of naming Malet says *quidam partim Normannus et Anglus ... compater Heraldii etc.* (2 Lappenberg 303 note). At Glenham in Suffolk Starline held 180 acres for a manor in the time of King Edward, half commended to the abbot of Ely and half to William Malet (L. D. 430): and William

was owner of land in Lincolnshire at the same period (G. D. 350 b.). Domesday refers to the time when William Malet went into the marsh (L. D. 133. 260); and mentions his death in the King's service (L. D. 332), when the castle of York was destroyed (G. D. 373).

In Sir Edward Lytton's romance of Harold this William Malet is a leading character. I cannot tell for what reason he should be called Harold's gossip, compater Heraldi, unless they were sworn brothers in arms, like Robert D'Oyley and Royer D'Ivry, whose relationship is illustrated by Domesday, for we find them holding lands as jointenants; five hydes at Stow in Buckinghamshire, under the bishop of Lincoln (G. D. 144 b.), one hyde at Sandford, near Oxford, and two hydes at Arncot in the same county, under Abingdon monastery (G. D. 156 b.). Six hydes belonging to the bishop of Lincoln's manor of Thame were held by a tenant named Alured et socius ejus (G. D. 155 b.). Somewhere in Little Domesday two men are called *socii* — associates — or members of the same guild. On such points we cannot expect to be informed by the old record — which is a mere description of the land — and only considers the population in connection with the land.

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## CHAP. IX.

### EXTINCTION OF VILLENAGE.

A few notes on some of the revolutions which have affected the agricultural population, since the eleventh or the twelfth century, may not be considered out of place.

There were in the Conquest freemen, holding their tenements freely, by free services or by free customs, who after being driven out by more powerful men, took back the same, their own, tenements to be held in villenage; doing thereupon servile works, but works certain and defined: and such men are, in all respects, free; because they do such servile works, not on account of their personal condition, but on account of the nature of their tenements (Bracton).

In fact they are tenants in free socage: and so socage tenure, which at the time of the Conquest was apparently confined to a few counties, became general throughout England; and it might be said that nothing has contributed

to the solidity of English institutions, more than the early development of this important middle class.

For some time yeomen and gentlemen were still liable to oppression; especially during the contest between Stephen and Matilda. The military tyrants of the country then used to plunder and imprison the rich vavassors, even torturing them out of their lives: but these hardships ended: military service became a distinct profession: and the knight became, in many cases, but a soldier of fortune, while the vavassor may have been a rich landlord, one of the *grandees* of his county: this is almost the appearance which they make among Chaucer's pilgrims; for it will be remembered that the poet calls his Franklein a vavassor. Frankleins are mentioned in an early account of the services of the tenants of Ramsey Monastery. *Præter hos milites sunt Franklani, quorum quidam tenent dimidiam hidam, quidam plus, quidam minus, et solent adjuvare milites ad servicium faciendum* (2. Mon. 579). It cannot be supposed that these Frankleins were very unlike the sochemen of a previous period; and they seem to resemble the class of yeomen freeholders, called statesmen, now becoming extinct,

whose name perhaps indicates that they form a middle class, or estate.

It is presumed that the fortunes of the villeins were not at their lowest ebb in the time of William the Conqueror. Absolute slavery still existed at that time; but it surely died out, in the more settled parts of England, in the course of one or two generations; we know that there was a great decrease in the number of slaves in Essex between the years 1065 and 1085. It is to be feared that the respectability of the villeins, as a class, would be affected unfavourably by the removal of this inferior class, as well as by the formation of a class of independent yeomen. After a time — let us say the middle of the thirteenth century — the increase in the number of freeholders and free labourers went on without reaction: for although in England a man may become a villeine by his owne confession in a court of record (Litt. §. 175), and in Scotland “Ilk fre man may leff his fredome gif him likis”; it is not probable that there were many such greenhorns, as they used to be called in France<sup>1</sup>. In England vil-

1 De la mainmorte au bec iaune. Trois laboureurs demandans aduis et conseil, disans s'estre rendus et faicts

leins were sometimes emancipated by favour, sometimes by oversight or accident: now and then bondland descended to the daughters of villeins, who became the wives of free yeomen without their lord's permission: now and then villeins abandoned their tenements, and escaped from their lords: two of them, who had fled from the Abbot of Burton, were terrified by an apparition, which the country people afterwards called The Devil of Drakelow (3 Mon. 47). In general these runaways were recovered — without supernatural interference, or artful contrivance — by means of a Writ De Nativo habendo, addressed to the Sheriff, the purport of which was "catch him if you can." If the villein had taken refuge in London, or another

becs iaunes et nouveaux hommes de mainmorte et taillables par la necessité du temps a quelque riche marchand, et apres auoir veu par le conseil leurs titres de reconnoissances passees au dit charitable marchand, fut delibéré et opiné qu'il est vray que l'homme franc et sui iuris se peut vendre et se faire taillable, conditionné et mainmortable pour quelque profit: ... non pas ainsi simplement, car il y faut premier plusieurs formes requises de droit. La premiere, qu'il se fera vendre par autre que par luy .... Et si faut aussi secundo, que celuy qui l'achettera soit ignorant que telhomme qu'il achettera soit franc. (Colonia Celtica Lucrosa. Lugd. 1578. 159. 160.)

privileged town, he could not be recovered after an undisturbed residence of a year and a day. The court rolls of Castle Combe, in Wiltshire, refer to various attempts made, in the course of about seventy years, to reclaim a family which had settled at Tetbury (Q. R. April 1853). Bondsmen were often drawn from their allegiance by the woollen manufacture. The commercial habits then beginning to prevail were, of course, at variance with the system of villenage.

But wool had an influence of a very different kind upon the fate of the agricultural population. The rising price of wool raised accordingly the value of pasture land. In consequence, the lords were tempted to turn common ploughed fields into sheep-walks "laieng house to house and land to land, whereby manie mens occupiengs were converted into one, and the breed of people not a little thereby diminished. The auarice of landlords by increasing of rents and fines also did so wearie the people, that they were ready to rebell with them that would arise"<sup>2</sup> —

and to follow "the image of the plough"

<sup>2</sup> Harrison's Introduction to Hollinshed.

painted on a flag "with God speed the plough written under in great letters."<sup>3</sup>

Thomas Cromwell's commissioners could find but one plough at Polesworth, in Warwickshire, a town containing forty four tenements; and they strongly represent that the place would be ruined by the suppression of the nunnery.<sup>4</sup>

Thoroton says of Thorpe in Notts — Inclosing the lordship .... hath so ruined and depopulated the town, that in my time there was not a house left inhabited of this notable lordship (except some part of the Hall, M<sup>r</sup>. Armstrong's house) but a shepherd only kept ale to sell in the church.<sup>5</sup>

Bacon, speaking of the end of the fifteenth century, tells us that —

Inclosures at that time began to be more frequent, whereby arable land, which could not be manured without people and families, was turned into pasture, which was easily rid by a few herdsmen: and tenances for years, lives, and at will, whereupon much of the yeomanry lived, were turned into demesns. This bred

3 Fourth part of the Sermon against wilful Rebellion.

4 Wright's Letters on the Suppression of Monasteries. 140.

5 Southey's Common Place Book.



a decay of people, and by consequence, a decay of towns, tithes and the like.<sup>6</sup>

And Coke says — for where in some townes 200 persons were occupied and lived by their lawful labors, by converting of tillage into pasture, there have been maintained but two or three heardsmen; and where men have been accounted sheepe of God's pasture, now become sheep men of these pastures (Co. Litt. 85 b.).

One man adopts the language of the prophet Amos:

Hear this, O ye that swallow up the needy, even to make the poor of the land to fail.

Another appears to have hated sheep, almost as much as John Randolph hated them. Sheep are ravenous and omnivorous, like the Dragon of Wantley. —

Sheepe have eate up our medows and our  
downes,

Our corne, our wood, whole villages and townes.

Yea, they have eate up many wealthy men,

Besides widowes, and orphane childeren:

Besides our statutes and our iron lawes<sup>7</sup> . . . .

(T. Bastard. 1598).

6 History of King Hen. VII.

7 5 Notes and Queries 197.

It is likely that the act limiting what number of sheep men shall keep, occupy, and have in their possession at one time (13. Hen. VIII. c. 13) would be evaded if not directly broken.

It was ordained by Henry 7.—That all houses of husbandry, that were used with twenty acres of land and upwards, should be maintained and kept up for ever, together with a competent proportion of land to be used and occupied with them: and by Elizabeth — that no cottage should be built without an allotment of four acres (31 Eliz. c. 1). But what could a statute effect against a natural tendency?

In the mean time a change had taken place in the administration of rural affairs

The lord of Berkeley continued the practice of his ancestors in farming his own demesnes, and stocking them with his own cattle, servants etc. under oversight of the reeves, who were chosen at the Halimot Court of Manor, and were bound to the collection of the lords rents, by the tenure of their copyholds, till the eighth of Richard 2. when, chiefly through the insurrection Wat Tyler, and generally of the Commons of the land, he began to tack other men's cattle in his grounds, by the week, month, or quarter,

and to all his meadow-grounds by the acre; and so this land continued, part let out and joysted for the rest of that king's reign, and after in the time of Henry 4 let out by the year, still more and more by the acre, as he found chapmen and price to his liking; and so left his estate 5 Henry 5 when he died.

But in the next reign his nephew and heir male, the lord James, in the time of Henry 6. and Edward 4. as did the other great lords and lords of manors through the whole kingdom, and after to this day, did let out their manor-houses and demesne lands, sometimes at rack-rents, improved rents, according to the estimate of the times, and sometimes at smaller rents, taking a fine of their tenants, as they agreed, which is the general course of husbandry in this present day. The plague and trouble of toyl and hind servants was very great.<sup>8</sup>

Moreover, the old system was wasteful and injurious. The reeves were like all agents, drivers, and gang-masters. They were commonly accused of fraud and oppression, as we learn by the Friar's tale in Chaucer.

<sup>8</sup> Smyth's Lives of the Berkeleys, quoted in Southey's Common Place Book.

If the landlords should, the greater part of them, be tempted to farm the whole of their own lands, the country (instead of sober and industrious tenants, who are bound by their own interest to cultivate as well as their capital and skill will allow them) would be filled with idle profligate bailiffs, whose abusive management would soon degrade the cultivation, and reduce the annual produce of the land. (Adam Smith).

Enclosures were the cause of much immediate suffering to the labouring population, as well as to the tenantry. The lords no longer required so many labourers: large numbers of them, thrown out their homes and of employment, were obliged to become vagrants; and, in the middle of the sixteenth century, want of work combined with political vicissitudes and unfavorable seasons to produce that great distress among the poor, of which Archbishop Cranmer had heard even in his dungeon.

The villeins ousted to make room for flocks and herds ceased, of course, to depend upon their lords; their ejection being equal to their emancipation. Many settled on road sides, or on the edges of waste lands: and I believe that the enclosures really put an end to villenage,

and to the general prevalence of the common field system. The few villeins remaining in Sir Thomas Smith's time were chiefly upon church lands: a fact rather creditable than otherwise to the ecclesiastical order, considering in what way the tenants of the lay lords had been brought out of bondage. Still, it was a timely revolution: and it is well that villenage did not subsist to perplex the statesmen of the eighteenth century; and that the copyholds now undergoing conversion into freehold are not the larger portion of our farms.

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## CORRIGENDA.

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- Page 22, last line, for "11" read "II".  
,, 25, line 6, for "field" read "fields".  
,, 26, line 3, for "11" read "II".  
,, 30, at the end of note 15, for "204" read "254".  
,, 38, line 4, for "acre" read "acres".  
,, 42, line 4 from the bottom, for "exten" read "extant".  
,, 42, last line, for "11" read "II".  
,, 44, line 11, for "W." read "Mr."  
,, 49, last line, for "IX ib lVI" read "IX lib VI."  
,, 74, last line but one, after "campis" insert "de".  
,, 77, last line but one, after "tenet" insert "de".  
,, 85, line 8, for "alloted" read "allotted".  
,, 85, line 11, for "exlusion" read "exclusion".  
,, 93, line 8 from the bottom, erase one "and".  
,, 129, line 3, for "11" read "II".  
,, 130, line 3, for "men" read "man".  
,, 135, line 6 from the bottom, for "carrus" read "currus".  
,, 146, line 8 from the bottom, after "Tenendum" insert "de".  
,, 154, line 3, for "at" read "ad".  
,, 154, line 5, for "St." read "S."
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