

## TRACES OF TEUTONIC SETTLEMENTS IN SUSSEX AS ILLUSTRATED BY LAND TENURE AND PLACE NAMES.<sup>1</sup>

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This difficult and important subject has been dealt with by Kemble, by Canon Stubbs, and the late Mr. J. R. Green, so far as it affected their important works, but there remains yet very much more to be done in the way of local investigations. It is, therefore, now proposed briefly to consider the matter, not so much in minute detail, but generally, and to sketch out the lines for further research.

The first recorded landing of Teutonic settlers in Britain is that of Hengist and Horsa, in 449, in Kent. The *Saxon Chronicle*<sup>2</sup> states that the first settlers, who were Jutes, sent to invite other tribes to land, and men came from three tribes, viz., Old Saxons, Angles and Jutes. The men of Essex, Sussex, and Wessex were *Old-Saxons*, the Kentish-men and Wightwarians (or inhabitants of the Isle of Wight), and a tribe of the West Saxons in Hampshire, were *Jutes*, and the *Angles* occupied East Anglia, Middle Anglia and Northumbria.

The next landing was that of Ælle with his sons Cymen, Wlencing, and Cissa in 477, at Cymenes-ora (or Keynor) near Chichester, in Sussex. In 485 the fight at Mearcredsburn (? Seaford) took place. "It was," says Mr. Green, "only after fourteen years of struggle that the Saxons reached the point where the South Downs abut on the sea at Beachy Head."<sup>3</sup> The siege and capture of Anderida followed in 491, and this resulted in the establishment of the Kingdom of Sussex. Lappenberg, indeed, remarks that "it is the echo of Ælle's name alone to which Sussex is indebted for a place in the Anglo-Saxon Heptarchy."<sup>4</sup>

### PHYSICAL FEATURES.

Before considering the early settlements, it will be well to glance at the physical condition of the county, which, beyond dispute, affected the position of the settlements to a great degree. This question is very material, as it raises the point whether the *Rapes* in Sussex are of great antiquity, or not. There can be little doubt that the present division of Sussex into six rapes is owing more to physical reasons than any other. In early times Arundel, Bramber, and Lewes were situated at the head of large estuaries of the sea, and Pevensey was in a somewhat similar posi-

<sup>1</sup> Read in the Antiquarian Section at the Lewes Meeting, August 3, 1883.

<sup>2</sup> A.D. 449.

<sup>3</sup> "The Making of England," p. 42.

<sup>4</sup> "A History of England under the Anglo-Saxon Kings" (Thorpe's trans.), p. 248.

tion, but surrounded by a small archipelago (Mountney, Manxey, Chillye, Horse Eye, Glynleigh, Langney, &c.) Now Camden tells us, that each *Rape* in Sussex had its castle, river, and forest, and there is some reason for thinking that this division is very little earlier in date than the Norman Conquest, for we do not find entire physical boundaries for any *Rapes*, though perhaps the line of watershed may have formed the boundaries. The names of the *Rapes* moreover, are derived from the castles. The boundaries of the county were no doubt determined by the dense forest of *Andredesweald* on the north, and, at the east by the *Rother*, then having a different mouth, which even now forms in great part the eastern boundary of the county. On the west the boundary was ill-defined, as will be presently shewn. It is quite possible also that some part of East Sussex was formerly included in Kent. The unmistakable South-Saxon kingdom was that part of the coast of the present county which extends from *Selsey* to *Anderida* (now *Pevensay*.) Now, in this coast district, there may have been divisions; but only one survives, *i.e.*, the *Ouse*, which, as far as *Barcombe*, separates the *rapes* of *Lewes* and *Pevensay*.

The estuary of the *Ouse* was the widest and most difficult to cross, which accounts for this separation. Attention should also be directed to the remarks of Major-General Lane-Fox Pitt Rivers who says the flat ridges of the downs were formerly the great thoroughfares, and points out that the existence of large estuaries is opposed to a connected system of defence in the hill-forts, which are of British origin. He considers that each group had a stronghold of its own, intended, no doubt, to contain the inhabitants of the surrounding district, who dwelt in the valleys beneath, where fuel and water were obtainable, where traces of their cultivation still exist, and who, like the savages of Africa and many other parts of the world, resorted to their stronghold in times of danger, each man carrying with him fuel, water, and provisions sufficient to sustain him during a predatory attack.<sup>1</sup> This tends to shew that the districts between each estuary were in early times distinct.

The only roads northward from the county were the old Roman road, *Stane Street*, running N.E. from *Chichester*, and possibly another road going N.W. from *Hastings*. For some centuries these were the only approaches to the county, and, indeed, we find attacks at various periods, commencing at the extremities, except in case of sea invasion.

#### GROUPING OF SETTLEMENTS.

There is some difficulty in grouping the early Teutonic settlements in Sussex, but assuming that they were influenced by the estuaries, which is not improbable, they may be considered in six groups, corresponding very much with the *Rapes*, *viz.* :—

- A. Jute settlement. Hundred of Manhood.
- B. The *ings* or *Poling* group (*Arun* to *Adur*.)
- C. *Steyning* group (continuation of last.)
- D. The *Brighton* group, or sheep farms (*Adur* to *Ouse*.)
- E. *Lot-land* and *Dole* group. (*Ouse* to *Pevensay*.)
- F. *Semi-Jutish*. *Hastings* group.

A. The fact of the existence of a Jutish settlement in West Sussex has generally escaped notice Bede states<sup>2</sup> that *Wulfhere*, king of *Mercia*,

<sup>1</sup> "Archæologia," xlii, p. 51

<sup>2</sup> "Ecclesiastical History," Book iv, chap. 13.

godfather of Æthelwalch, king of Sussex, gave the latter on his baptism "two provinces, viz. :—the Isle of Wight and the province of Meanwara in the nation of the West Saxons." The name of *Meanwara* (i.e., the descendants of Mean) is still preserved in the name of Meansborough, East Meon, West Meon, and Meon Stoke, &c., in Hampshire.<sup>1</sup> Now, Æthelwalch, when S. Wilfrith visited Sussex in 681, gave him a large grant of land, and Cædwalla (who conquered and killed Æthelwalch two or three years later) made an extensive gift to Wilfrith,<sup>2</sup> which included the Hundred of Manhood, then *Manwode* or *Meonude*, and a name obviously derived from the Meanwara. It is also probable that Wittering (then Wightring), a place in this Hundred, is a Jutish settlement, and derived its name from the same source as Wight (Isle of.) Very curious cultivation customs long prevailed in this district.

The traces of personal influence of the invaders in West Sussex are more distinct than in other parts of the county. Thus *Cissa* has left his name in Chichester and Cissbury. *Offa* in Offham and Offington. *Cerlic* in Kirdford(?), &c., and there can be little doubt that the Royal Saxon residence was in the west of the county. Another feature in the extreme west of Sussex is the occurrence of *tithings* which are not to be found farther east.

B. The next group of settlements is those in which the patronymic syllable "ing" occurs, which, as Canon Stubbs says, "were originally colonised by communities united either really by blood or by the belief in a common descent."<sup>3</sup> Referring to Pol (Baldr or Baldæg) the son of Woden, Kemble says, "Last, but not least, we have in Poling in Sussex the record of a race of *Polingas* who may possibly have carried up their genealogy to Baldæg in this form."<sup>4</sup>

Now, it is somewhat remarkable that the Hundred of *Poling* contains more parishes with names terminating in the patronymic "ing" than any other Hundred in Sussex, viz., *Poling*, *Angmering*, *Ferring*, *Goring*, *Rustington*, also *Warningcamp*, a tything, all on or near the coast. This district is one of the most fertile in Sussex, and had probably (as Mr. Green points out) been occupied by the Romans from the date of their first settlement in Britain.<sup>5</sup>

C. The next group is virtually a continuation of the last. The numerous settlements with names terminating in "ing" extend some distance into the county, in fact, as far as Billingshurst. On the north of the Downs in Arundel and Bramber Rape are :—*Storrington*, *Sullington*, *Washing-ton*, *Ashington*, *Worminghurst*, *Billingshurst*, *Itchingfield*, *West Chilting-ton*, *Tottington*, *Steynang*, *Erringham*, &c.

D. A curious group of settlements is to be found near Brighton and may conveniently be termed "the Brighton group." Taking a line from Brighton to Hurstpierpoint, thence to Lewes and down to Newhaven, a group of places with names ending in *den*, *dene*, or *dean*, is traced. This small district includes no less than one hundred, three parishes, and thirty-three hamlet or place-names, with these terminations, viz., *Dean Hundred*, *Ovingdean*, *Rottingdean*, and *Denton*, *Parishes*. *Roedean* and *Wooden-dean* in *Ovingdean*—*Balsdean*, *Saltdean*, *Standean*, *Roedean*, and *Broom-*

<sup>1</sup> "Suss. Arch. Coll.," xxxiii

<sup>2</sup> "Suss. Arch. Coll.," xxxiii.

<sup>3</sup> "The Constitutional History of Eng-land," p. 81.

<sup>4</sup> "The Saxons in England" (1876 edit.), i, p. 367.

<sup>5</sup> "The Making of England," p. 44.

den<sup>1</sup> in *Rottingdean*—Barndeane in *Telscombe*—Reade's Dene and Apledeane<sup>2</sup> in *Rodmell*—Withdean, Varndeane, Lower Tongdean, Upper Roe and Lower Roedeane in *Patcham*—Hollingdean<sup>3</sup> and Raddingdeane in *Preston*—The Upper Dean and the Lower Dean in *Kingston-near-Lewes*—Houndene<sup>4</sup> and Haredene in *St. Ann's, Lewes*—Deaneland and Denny (or Danny), in *Hurstpierpoint*—Pangdean and Upper Standean in *Piecombe*—Lower Standean in *Ditchling*—Bevendean, Upper Bevendean, Cold Dean, House Dean, Crane Dean, and Novingden<sup>5</sup> in *Falmer*—Standean in *Stanmer*—and Peter Deane<sup>6</sup> in *Aldrington* just outside the district. These places were presumably pastures for sheep (the Anglo-Saxon *denu* means pasture), and the broken character of the country prevented cultivation here, whilst the downs afforded excellent pasture. The parishes in this district are all small, as also the hundreds. The Mark system is here well illustrated.

E. The next group is destitute of any places of importance, but contains many sheep pastures, and traces of the Mark in its "Lot-lands" and "Dole-lands" (Angl. Sax. *Delan* to divide.) Round Pevensey are to be found several islands or *eyes* already mentioned.

F. The last district contains less traces of Teutonic settlements. Jutish influence possibly extended from Kent into this part of Sussex; and certainly gavelkind tenure can be found in some places here, notably in the large and important manor of Brede, and in Coustard, a manor in Brede parish, also (as Camden says) in Rye. It was probably not settled until long after the western parts of the county, and its desolate condition even at the time of the Norman Conquest is well known.

Reviewing, then, the groups, it seems that the Teutonic settlements are most numerous in the fertile plains to the south of the Downs, and near Poling, and that there, these extended northwards for some distance. That farther east the land was used for small sheep farms; and the field, and down names corroborate this view. The hill-forts of the British were, no doubt, used by the new settlers for defence, for some received names from the Angles, thus, *Cissbury* from Cissa, *Wolstanbury* from Wulstan, *Hollingbury* from the tribe of Hollingas, &c.

#### SURVIVING TRIBAL NAMES.

The number of Teutonic tribal names still perpetuated in Sussex place-names is very great. Kemble<sup>7</sup> enumerates sixty-eight marks, or early settlements in Sussex, inferred from local names containing the syllable "ing," but a careful search by the writer has resulted in increasing the total to 145, and further investigation will, no doubt, produce a still larger total. This, perhaps, shews that the tribes were small but numerous, for there is only one *Rape* (Hastings) with a patronymic title, and six *Hundreds*, viz., Guestling in Hastings Rape, Buttinghill and Poynings in Lewes Rape, Steyning and Tarring in Bramber Rape, and Poling in Arundel Rape. Except in two instances (1) that of the Hollingas or Hollings, whose name appears in *Hollingbury*, the hill-fortress in the rear of Brighton, and *Hollington* a parish near Hastings, and possibly also

<sup>1</sup> "Suss. Arch. Coll.," vii, 14.

<sup>2</sup> Add. M.S. (Brit. Mus.) 5684, p. 230.

<sup>3</sup> Add. MS. (Brit. Mus.), 5684, p. 379.

<sup>4</sup> Add. MS., 5683, p. 368.

<sup>5</sup> Add. MS., p. 268.

<sup>6</sup> Exch. Dep. by Comm. Sussex, Michs. 1653, No. 27.

<sup>7</sup> "The Saxons in England," vol. i, App. I.

in *Hellingly* a parish near Hailsham, and (2) that of the Toringas or Tarrings, who name coast parishes in Lewes and Bramber Rapes respectively, no tribal name appears more than once in the county.

It is somewhat remarkable that many tribal names can still be found in surnames in use in Sussex, and a few of these are shewn in the following list, the surnames being taken from Kelly's Post Office Directory :—

Tribal Names.	Place-Names.	Surnames.
BILLINGAS	<i>Billingshurst</i>	Billingshurst, Bellingham, Bellinger,
GORINGAS	<i>Goring</i>	Gorringe (numerous), Goringe, Goring, Goring.
HOLLINGAS	<i>Hollingbury</i> and <i>Hollington</i>	Hollingham (formerly numerous), Hollingdale, Hollingsworth, Hollendale.
PÆCCINGAS	<i>Patching</i>	Patching, Patchin, Packham, and Peckham.
STENINGAS	<i>Steyning</i>	Stenning (very numerous), Stening.
PÆLLINGAS	<i>Palingham</i> and <i>Pellingworth</i>	Pelling, Pullinger, Pillinger.
BYTTINGAS	<i>Buttinghill</i>	Botting (numerous)

The Billingas were probably a numerous tribe, for several places commencing with the name are to be found in Norway (see *Bœdeker*).

#### TERRITORIAL DIVISIONS.

We now arrive at the territorial divisions of the county, the chief being the entire district or *shire* possibly perpetuated in Schiremanbur<sup>1</sup> (Shermanbury), the abode of the *Scirman* (or Sheriff) as he is termed in the laws of the Ini.<sup>2</sup> It is somewhat difficult to tell why the sheriff selected this Wealden parish for his *burh* or town, and it is remarkable that until 9th to 13th Elizabeth and after 12th Chas. I, there were joint sheriffs of Sussex and Surrey.

The next division is the *Rape*, which is peculiar to Sussex and has already been mentioned. The suggestion of a different origin of the Rape may appear bold after so much discussion, but there seems little or no evidence for the conclusion of Lappenberg that, "to the first German population belongs apparently the singular division of Sussex into six rapes, each of which is again divided into Hundreds. These districts were probably intended for military purposes."<sup>3</sup> Robertson was inclined to trace the *trithing* in Kent and Sussex, remarking that Sussex was divided into east and west, each again being divided into three rapes. There is apparently nothing to shew that any distinction between East and West Sussex existed until long after the Conquest, when, for convenience, the County Court was appointed to be held at Lewes, as well as at Chichester. The word Rape does not appear in any record before Domesday Book, and (except in the case of Pevensey) it is doubtful whether any of the castles, which gave names to the Rapes, existed before the Conquest.

The *Hundreds* are smaller divisions which go to make up the *Rapes*, and it is undesirable to discuss their origin fully as this is done by Stubbs, Green and others. Canon Jenkins, quoting S. Augustine, attributes to them a Roman origin.<sup>4</sup> Kemble points out that the coast

<sup>1</sup> Tax. Pope Nicholas.

<sup>2</sup> See note 3, Stubbs' "Constitutional History, i, p. 113

<sup>3</sup> "History of England under the

Anglo-Saxon Kings," i, 107.

<sup>4</sup> "Diocesan Histories," Canterbury, p. 57, *cit.* Augustine Sermo, 45; "De verbis Isaïæ," c. 57.

*hundreds*, which he regarded as representing the settlements of the free settlers, were smaller and thicker than those of the interior. This is very well illustrated in Sussex, especially in the Hundreds of the Brighton district, *i.e.*, between the Ouse, the Adur, and the Downs. The Sussex Hundreds have been altered to some extent, for fifty-eight are mentioned in Domesday while there are seventy-one now. Mr. Gomme, in his valuable book on *Primitive Folk Moots*, states that thirty-eight of the Sussex Hundreds still retain the names given in Domesday. Much more research is desirable as to the origin of the names, &c.

The next smaller division is the *tithing* which still exists in a few parishes in West Sussex. This is possibly due to Jutish influence. Its origin is obscure.

#### THE MARK SYSTEM.

"The unit," says Mr. E. A. Freeman, "is the Mark, roughly represented by the modern parish or manor."<sup>1</sup> This system is to a great extent the discovery of recent years, and is fully described by Sir Henry S. Maine in his work on *Village Communities in the East and West*. It seems to have consisted of a number of families standing in a certain proprietary relation to a district, divided into three parts. These portions were:—1. The *Mark of the Village* (*i.e.*, the inhabited part); 2. The *Arable Mark*, or cultivated district; 3. The *Common Mark*, or waste lands, on which cattle were pastured, &c. Sir H. Maine states that the cultivated land appears to have been almost invariably divided into three great fields, separated by baulks of turf, and having a rude rotation of crops, so that each field should lie fallow once in three years. Each householder, however, had his lot in the common fields, but must conform to the will of the rest of the community as to cultivation and leaving land fallow, with the right of the common flock to graze over the fallow. The *Arable Mark*, according to this view, was originally cut off the *Common Mark*, and, in some cases, shifted from one part of the general domain to another. The system well illustrates the transition from collective property to individual property, when certain lands were allotted to certain persons; and a further step when the system of "shifting severalties" came to an end, and each one enjoyed his land in perpetuity.

The Mark system did not last long in England, and Professor Stubbs says that it cannot be safely affirmed that the German settlers in Britain brought with them the entire system of the Mark organisation.<sup>2</sup>

#### SUSSEX MARKS.

In Sussex the traces of the Mark are singularly distinct, especially in the coast parishes from Brighton to Eastbourne, and bounded on the north by the South Downs, and the Mark was nowhere better developed than at Brighton, and possibly this is due to the fact that the first settlements of the Angles were in Sussex, when the system was most fresh. There was a constant tendency in this system to modify itself in the direction of feudalism, and we accordingly find the Marks incorporated in or forming the manors of later times. The boundaries of the Sussex manors are ill-defined, except in the Weald, and it is impossible here to

<sup>1</sup> "Norman Conquest," i, 104.

<sup>2</sup> "Constitutional History," i, 83.

speak of the "ambit" of a manor, as almost invariably we find portions completely outlying from the bulk of the manor, where it is of any extent and the lands of other manors are strangely intermixed.<sup>1</sup> The small manor of Atlingworth in Brighton consisted, early in this century, of no less than eighty-three detached pieces all situate in different parts of Brighton. Coast manors had outlying parts in the Weald, thus the Manor of Ernley, which formed part of the present parish of Brighton, was also partly situated at Edburton, at the foot of the Downs; Hove and Preston formed one large manor, of which the Wealden parish of Bolney, fourteen miles distant, was held; Broadwater Manor had outlying parts in Sedgwick, Horsham, and Nuthurst;<sup>2</sup> Horton Manor lies at the foot of the Downs near Edburton and in Beeding parish, but extends into the coast parishes of Kingston Bowzey and Southwick;<sup>3</sup> the Manor of West Tarring possesses land at Marlpost (near Horsham), and is now called Tarring-with-Marlpost. Almost without exception the manors lying under the South Downs between Lewes and Newhaven have lands held of them in the Weald, in the neighbourhood of Chailey and Newick. These detached parts of manors are probably relics of the *Common Mark* and were used for pasture, possibly for swine which were extensively kept in Sussex (see Domesday.) In East Sussex we find the large Manor of Brede extending into no less than ten parishes; Filsham Manor into eight; and Buckholt Manor into four parishes.<sup>4</sup>

The word *Mark* only appears in three Sussex place-names, *i.e.*, *Mark* Cross in Laughton; *Markly* in Warbleton; and *Mark* Stakes Common in Chailey; and it is worthy of note that these are all Wealden parishes and not far apart.

#### SUSSEX FOLK-MOOTS.

The Teutonic settlers regulated the affairs of the primitive Settlements or Marks, and also decided questions of law and government, in popular open-air assemblies, known as *Moots* or *Motes*, the growth and development of which are traced by Professor Stubbs, whilst Mr. Gomme has endeavoured<sup>5</sup> to identify the sites of some early *moots*. The *Hundred* Court of Younsmere was within living memory held on the open downs at a place known as "Younsmere Pit."<sup>6</sup> *Hundred* House Farm in Framfield and *Hundred* Steddle Farm in East Wittering, no doubt, indicate the position of other *Hundred* Courts, whilst at Hastings we find, from a Charter dated 1356, that the *Commonalty* assembled in the *Hundred* Place, which is at the bottom of High Street, to choose bailiffs and for other purposes.<sup>7</sup> They were summoned by sounding a horn (the *Burgh-Moot* Horn).<sup>8</sup> At Rye the *Hundred* Court met on Sundays (*temp.* Henry VI), and the Mayor was chosen on the Sunday after the Feast of S. Bartholomew at an open-air meeting at the cross in the churchyard. The *Commonalty* were summoned by ringing a bell on the top of the

<sup>1</sup> This information was kindly supplied by E. A. Nicholson, Esq., of Lewes.

<sup>2</sup> "Suss. Arch. Coll.," xxv, 45.

<sup>3</sup> Add. M.S., 5685, p. 172.

<sup>4</sup> Add. M.S., 5679, pp. 131, 381, & 149.

<sup>5</sup> Primitive Folk Moots.

<sup>6</sup> "Suss. Arch. Coll.," xxiii, 226, 231.

<sup>7</sup> "Suss. Arch. Coll.," xiv, 72.

<sup>8</sup> On the entry of Archbishop Benson into Canterbury, the day before his installation in 1883, the *Times* states that the old *Burghmote* horn was blown.

Court Hall, but at Winchelsea a horn was blown.<sup>1</sup> One of the meetings of the Cinque Ports is termed a "Brotherhood and Guestling," but the connection between the parish, and the Hundred of Guestling, and this meeting is obscure.

Motcombe Laine, a group of fields in a hollow near Eastbourne, was, perhaps, the site of a primitive moot, whilst we find a *Court Hill* in Slindon parish, near Slindon House, and another *Court Hill* on the boundary line of Singleton and East Dean parishes. Moots were often held at the extremities of Marks, or parishes, on a kind of neutral territory between the Marks, and the last mentioned place is perhaps an illustration of this, whilst pieces of land called "*No Man's Land*" occur in several places in Sussex. In Finden parish there is a "No Man's Land" at the junction of Sompting, Bramber, Steyning, and Finden parishes, and "*Four Lords Burgh*" at the junction of Falmer parish, with detached parts of the parishes of Westmeston, Chailey, and S. John-sub-Castro, Lewes. Both of these were obviously Moot places. At *Cessan Beech Field*, Harting, there was formerly a clump of trees under which the Lord of the Manor used to receive petitions, complaints, &c., from his tenants on his road from Lady Holt to Harting. This is, perhaps, a representative of the Moot Hill and Sacred Tree.<sup>2</sup>

Of the Mark-Moots we find in Sussex the names preserved in the *Swainmote* (or Wood Court) of Ashdown Forest; the *Woodmote* Court in Duddleswell Manor; the *Halimote* Court (that of the Lord of Brighton Manor, 1656); the *Aves* Courts in Duddleswell and Southmalling Manors respectively; the *Paroc*, "a court-like" meeting in Mayfield Manor; *Le Lathe*, a Court of the Rape of Hastings; and the *Forest* Court for Endlewick Manor.<sup>3</sup> The *Swainmote* and *Woodmote* related to the Forest, whilst the *Aves* Court and *Paroc* were held in connection with the keeping of swine in the forest. The *Last* Court, held at Westham in reference to the fisheries,<sup>4</sup> perhaps originated Andrew Borde's stories of the *Wise Men of Gotham*, Gotham being a manor in the adjoining parish of Pevensey, where Borde resided for some time.

Kemble states that a striking example of the Mark jurisdiction is the "Court of Dens" in Kent which met to regulate the rights of the Mark men in the *dens* or pastures.<sup>5</sup> A few *dens* in East Sussex were under the jurisdiction of the Kentish court but it does not appear whether the large group of *dens* round Brighton were regulated by any court, though it is most probable, and Dean Hundred (which includes Patcham parish) may have been the chief place of the *dens*. The Brighton *dens*, moreover, were situate in the Downs, and not in the Weald, as is the case in Kent.

#### THE VILLAGE COMMUNITY IN BRIGHTON.

It would not be easy to find a better exemplification of the early *Village Community*, or *Mark*, than can be traced in Brighton. From its lack of tangible relics of antiquity Brighton has been the butt of the archæologist and antiquary, but it preserved until about the first quarter

<sup>1</sup> Holloway's "History of Rye," pp. 159 and 160.

<sup>2</sup> "The History of Harting" (Rev. H. D. Gordon), p. 223.

<sup>3</sup> "Suss. Arch. Coll.," xiv, 51, and

xxiii, 302; Add. MSS., 5705, p. 109 and 5701, p. 167; Somner, "Treatise on Gavelkind"; "Suss. Arch. Col.," iv, 151.

<sup>4</sup> "Suss. Arch. Coll.," vi, 207.

<sup>5</sup> "The Saxons in England," i, 481.

of the present century all the features of a primitive Teutonic village, or settlement. This was due to its comparative isolation, not being on a main road, or navigable river, and having no harbour or fortifications, though for centuries it has been a populous place.

The Old Town of Brighton was situated almost entirely below the cliffs but in time extended above. This was the *Mark* of the village. The ground was probably first broken up between East Street and West Street and possibly on the hill sides also, thus converting the *Common Mark* into the *Arable Mark*. It is difficult to trace the early history of the Mark in Brighton, but in the year 1738 a *Terrier* (or land survey) of "the Common Fields" was made by Budgen, and another in 1792 by another surveyor, and to the owners at these dates the titles to property in the town can still be traced with great accuracy. We find that outside of the Old Town (which was bounded by North Street, East Street, and West Street) were five large tracts of land known as the *Tenantry Laines*, and called the East Laine, Little Laine, Hilly Laine, North Laine, and West Laine. These laines were again divided into *furlongs*, which were, however, separated from each other by narrow roads called *leakway roads*. The land in the furlongs was in its turn sub-divided into long and narrow strips called *pauls*, running at right angles from the leakway roads. In some cases the strips, or *paul-pieces*, were of double width at one end; this increased width extending for only half the length. These pieces were from their shape termed *hatchets*. The laines were situated on the hill-sides, and the furlongs extended upwards, the leakways were thus at right angles with the hill-side, and the paul-pieces parallel to it. This mode of land division has had a singular effect on building operations in Brighton, for the leakways have become main streets, as St. James's Street, Edward Street, Church Street, Trafalgar Street, Glo'ster Road, &c., whilst the smaller streets run parallel to the paul-pieces. The primitive boundaries of the furlongs, &c., are thus permanently preserved. The reference to the Common Field is still kept up in the majority of conveyances of land in Brighton by giving, after the description of the land and its abuttals, the name of the owner at the time of one or both *Terriers*, thus, "*part of 4 pauls of land late Friend's, before Gunn's, situate in the 3rd furlong in the Hilly Laine in Brighton.*"

The divisions of land, with the names of the Laines and Furlongs at Brighton, are more clearly shown in the accompanying map of the parish, which has been carefully compiled from three or four old maps.

The term *paul* cannot be traced in any other parish in the county except Brighton. Professor Skeat has kindly furnished the following notes on the terms *Paul* and *Laine*. "PAUL. Certainly from the Anglo-Saxon *pāl* (long *ā*, not *pal*), whence modern English *pole* and *paul*. *Paul* or *Pawl* will be found in Webster's Dictionary in quite another sense, but it is the same word. Moreover, the Anglo-Saxon *pāl* is not English at all, but a mere corruption of Latin *pālus*, a stake. So the sense is "stake." LAINE would rather suggest some such Anglo-Saxon form as *læn* (pronounced *lain*) which in Anglo-Saxon commonly means "a gift;" but the corresponding Norse word *lén*, pronounced precisely the same as *Laine*, is the regular legal word for a fief, fee, grant, or holding."

The *Tenantry Laines* of Brighton contained, according to the 1738 terrier, 921 acres 1 rood, or 7,370 pauls (eight pauls in the tenantry

measure being equal to an acre). This quantity of land was divided into no less than 1,258 paul-pieces, but these were only held by 25 persons, as many had paul-pieces in various parts of the same furlong. There was also another measurement by *yardlands*, the total number being 84.

The parish of Brighton consisted of the Old Town, the *Tenantry Laines*, and the *Eastern and Western Tenantry Downs*, and over the latter the owners of land in the laines had certain rights of pasture termed *leazes*, so named from the Anglo-Saxon *læsu*, pasture, or common.

From an affidavit made early in the present century by Nathaniel Kemp, Esq., of Ovingdean, it appears that the Eastern Tenantry Down had then for many years been considered as appurtenant to 68 yardlands, comprising all the laines, except the West Laine. The latter consisted of 16 yardlands, which had an exclusive right of pasture over certain tracts of land known as Black Rock, and West Hill.

It is very difficult to trace how the right of pasture became exclusively vested in the owners of land in the laines, for there is no doubt that in earlier times the inhabitants of the town generally had some rights. The Brighton Costumal of 1580 provided that the constable should have a horse lease, and the two headboroughs one cow lease and twenty-five sheep leases, "for their pains and troubles in their office." The common flock of sheep was kept on the Tenantry Downs. About the year 1750, on the Eastern Down, 20 sheep in summer and 15 sheep in winter were allowed to be kept in respect of each yardland, and the common shepherd, in consideration of his labours, could pasture 80 sheep in summer and 70 in winter.

It appears that the custom of *Tenantry Laines* prevailed also in most of the South Down parishes near Brighton, and is found in the parishes of Rottingdean, Rodmill, Alfriston, Denton, Berwick, Beeding, and Kingston-near-Lewes, and can probably be traced in all the South Down parishes from Brighton to Eastbourne. Amongst these, the laines were best developed in Kingston parish, where we find, in the Swanborough and West Laines, no less than 60 furlongs, and many other furlongs in the Brooks, &c.

It seems probable that the land in the Brighton Laines was cultivated on the "Common Field" system, especially as the earlier Court Rolls contain frequent allusions to the Common Fields, and the Terrier of 1738 is expressly termed "Terrier of the Common Fields of Brighton." The *pauls*, *pals*, or stakes were probably placed at the edges of the furlongs and indicated the parts of the crop to be reaped by each owner. The *leakways* apparently took the place of the baulks of turf, which, in other places under the Mark cultivation, separated the fields. The *Tenantry flock* was (as Mr. Kemp's affidavit shews) usually kept on the Sheep Down, but when taken from the Down invariably kept on the fallow lands, or *grattens*, in the Tenantry Laines.

Professor Nasse, referring to the development of village communities into manors, remarks that, in very many cases, the lord of the manor shared in the communism, and his land had to be tilled according to the common rules, was subject to the same rights of pasture, and his cattle grazed with those of his tenants upon the common pasture land.<sup>1</sup> This, perhaps, accounts for the number of divisions of Atlingworth Manor already mentioned.

<sup>1</sup> "Village Communities," see the *Contemporary Review*, May, 1872, p. 751.

Amongst the northern nations the homestead of the original settler, with his rights in the arable and common marks, bore the name of *Odal* or *Edhel*, and the owner was an *Athelbonde*; the same word *Adel*, or *Athel*, signified also nobility of descent, and an *Adaling* was a nobleman.<sup>1</sup> The latter term is doubtless preserved in the name of the Manor of Atlingworth in Brighton. *Od* or *Odh* signifies proprietorship, and *al-od* entire property, as distinguished from *fe-od* (from "fihu" or "fiu" cattle) the cattle property.<sup>2</sup> We have a further illustration of the ancient and peculiar land holdings found in Brighton, in Domesday, which expressly mentions *allodial* tenure as then existing in one manor in Brighton, "*Tres aloarij tenuer de rege. E. & potuer ire qlibet*;" and Sir Henry Ellis in his "General Introduction to Domesday Book" draws special attention to the existence of allodial tenure in Brighton and as "of a more qualified nature than Sir William Blackstone allows."

#### LOT-LANDS AND DOLES.

Another curious feature of the Mark Cultivation was the system of "shifting severalties" whereby the landowners received different pastures, &c., from year to year. In some cases the rights over the arable and pasture were determined by lot. There are many illustrations of this in Sussex, as *Dole*-ham in Westfield, *Broke-dolen* in West Firle, *Lot's Pond* in Stanmer, and *Small Dole* in Upper Beeding, &c. The *Dole-lands* (i.e., lands divided by lot, Anglo-Saxon *delan* to divide) are well illustrated in Berwick, where the lots were put in a hat and then drawn. The curious customs of "the Drinker Acre" are fully described in "Suss. Arch. Coll.," vol. iv, in which it will be seen that the curious carved stakes or sticks bear a distinct relationship to the *pails* or *paruls* before mentioned, and in Twineham by Hickstead lands are still laid out for hay and termed "cuts," being stumped out with small stakes three inches square and painted white.<sup>3</sup>

Marshall in his "Rural Economy of the Southern Counties, comprising Kent, Surrey, and Sussex," observes<sup>4</sup> that, "The Townships (on the coast) are below the middle size. This is a strong circumstantial evidence that the lands of the district were not only brought into their present form, but cultivated, before the laying out of Townships. It is probably one of those rich plots of country that were early cultivated and full of inhabitants, while the mountain swamps and less genial soils remained in a state of nature."

#### COMMON FLOCKS.

The *Common Flocks* of sheep have already been mentioned in reference to Brighton and we find three *Scabe's Castles* in this district (Anglo-Saxon *scap*, a sheep), presumably places into which the sheep were driven for safety on warlike attacks; one of these is situate to the south-east of the Brighton cemeteries, just below the Workhouse, and close to the hill fortress of White Hawk Down; another is in Portslade parish, not far from the Devil's Dyke; and a third near Mount Caburn, another hill fortress. *Scab* Brow (a hill) occurs in Stanmer parish.

<sup>1</sup> Stubbs's "Constitutional History," pp. 52 and 53.

<sup>2</sup> Sir Henry Maine, "Early Law and Custom," p. 346.

<sup>3</sup> This information is furnished by Mr. Kensett, of Ditchling.

<sup>4</sup> London, 1788, p. 230.

The Sussex place-names connected with Saxon deities have already been considered by the writer in "Suss. Arch. Coll.," vol. xxxiii.

#### INHERITANCE CUSTOMS IN SUSSEX.

One of the special features in connection with the customs of inheritance in Sussex is the extraordinary prevalence of Borough-English, *i.e.*, inheritance by the youngest child. Mr. Geo. R. Corner, F.S.A., has catalogued no less than 140 Sussex manors in which this custom is found,<sup>1</sup> and it seems probable that the actual number is far greater than this. This custom is, no doubt, of Teutonic origin and its working has been lately fully illustrated by Sir Henry Maine,<sup>2</sup> in reference to the dissolution of the *Slavonic House Communities*, which gives room for the working of inheritance rules. In Turkey, each son as he grows up and marries leaves his father's house, taking with him the share which, under developed law, he would have had at his father's death. Perhaps there are few things, which at first sight seem to have a more distant connection with one another, than the customs of *Primogeniture*, and *Borough English*, and the Scriptural Parable of the Prodigal Son. The customs vary as to which son stays at home, in the Scriptural account it is the eldest, but the youngest is most usual. It would seem that in Sussex the almost undue prevalence of Borough English is due to the early settlers, and this is further exemplified by the fact that, whereas in many Sussex Manors "the Bondland" or old tenements descend according to this custom, in the *assart* or newly-cleared or ploughed lands descent takes place according to the common law rule, *i.e.* by primogeniture. The traces of gavel-kind have already been mentioned.

The "Book of Ancient Customs of Brighton, 1580," supplies another curious illustration of one of the rules of the Mark System, *viz.*, the necessity of consent to settlement in the Mark, in the provision that no owner or lessee of any house should admit any tenant, &c., except such tenant should, by the consent of the constable and churchwardens, first obtained in writing, be thought of sufficient ability to maintain himself without burdening the town.

This is a further illustration of the singular customs of the Ancient Village Community in Brighton.

In conclusion, want of time has prevented a more thorough discussion of many interesting points, and it is to be hoped, that further collections of place-names, customs of land tenure, &c., will throw much more light on the early Teutonic settlements in this county, and, very probably, enable the boundaries of some Marks to be discovered.

<sup>1</sup> "Suss. Arch. Coll.," vi, 164, &c.

<sup>2</sup> "Early Law and Custom," p. 260.