

ARCHAEOLOGIA AELIANA.

I.—THE ANCIENT FARMS OF NORTHUMBERLAND.

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[Read on the 25th July, 1894.]

WHEN the Royal Archaeological Institute paid its last visit to Newcastle in 1884, canon Creighton read a paper on the Northumbrian Border in which, among other topics, he discussed at some length the meaning of the word 'farm' as employed in former times in this county. In 1892 Mr. Dendy read a paper before this Society dealing largely with the same subject. In both these papers great stress was laid on the evidence brought forward on the occasion of the suit of the Attorney-General *v.* Trevelyan, revived in the year 1832 by Mr. Woodman in the Court of Chancery. I will venture to quote so much of Mr. Dendy's description of the points at issue as is material for my present purpose.

This suit was instituted 'to set aside an improvident lease which had been granted by the bailiffs and burgesses of Morpeth in 1685 At the time the lease was granted the lands of Netherwitton had been neither divided nor enclosed, and the portions' in question 'lay intermixed in the common fields. The family of Thornton, by purchases made both before and subsequently to the granting of the lease, became, in course of time, the owners of the whole of the rest of the township, and they had destroyed all traces of the boundaries and enclosed and brought into cultivation the ancient arable lands, the meadow, and large portions of the waste and woodlands.'

It was 'found from the ancient grants and leases, dating from the time the land was parted with, and from evidence taken by commission in 1710, that the whole of the township of Netherwitton, at the time the lease was granted, consisted, and that in 1710, although it had then been enclosed, it was still deemed to consist of 19½ farms, and

that of those $19\frac{1}{2}$ farms $5\frac{1}{2}$ farms formed' the estate it was sought to recover. The object was to 'show that those $5\frac{1}{2}$ farms formed an aliquot portion of the entire $19\frac{1}{2}$ farms into which the township was divided, or, in other words, that each of those $19\frac{1}{2}$ farms was of exactly equal value, and that' the suitor 'was therefore entitled, in respect of his $5\frac{1}{2}$ farms, to exactly $\frac{1}{3\frac{1}{2}}$ of the total value of the entire township.'

An immense amount of evidence was adduced in support of this contention, but the suit was eventually compromised by the payment to the claimants of an agreed lump sum before the final decision of the court had been given, as to either the amount to which the claimants were entitled, or the basis upon which it should be calculated.

It will be seen, to put it shortly, that the argument relied on was as follows :—A 'farm' in the sixteenth century, and under the common field system, was an aliquot part of the value of a township. There were $19\frac{1}{2}$ farms in Netherwitton, of which $5\frac{1}{2}$ were let in 1685. Therefore the value of the farms let was to the value of the whole township as $5\frac{1}{2}$ is to $19\frac{1}{2}$.

The force of this contention will manifestly depend upon whether, in what sense, and to what extent an ancient 'farm' can be said to have been an aliquot part of the value of a township. I propose in the following pages to bring together a few facts bearing on this point, and also on another, viz., were these farms identical with the husbandlands which formed the basis of the agricultural system under the 'common field' method of husbandry?

For the extracts from the churchwardens' accounts for the parish of Lesbury I am indebted to the vicar, the revd. A. A. Edmundson, who kindly afforded me facilities for examining the originals. Mr. J. C. Hodgson has been so good as to enable me to make extracts from the parish clerks' books of other localities. To Sir William Crossman I am indebted for the particulars of the division of Cheswick. The remaining facts are all gathered from MSS. in the possession of the duke of Northumberland.

THE TOWNSHIP OF BIRLING.

The following entry appears in the books of the parish clerk of Warkworth in the year 1826. It seems to have been made for the purposes of a rate of 1s. 6d. per farm for his salary :—

BIRLING. 10 FARMS.

Mr. Thomas Laidler	...	...	...	...	...	3 $\frac{3}{8}$
Miss Watson	...	...	...	...	...	1
Mr. John Wilson	...	...	...	...	...	1 $\frac{1}{8}$
Mr. Matthew Wilson	...	...	...	...	...	1
Mr. Robert Wormphrey	...	...	...	...	...	1 $\frac{9}{16}$
Borough Greve, Warkworth, Pattison's Close...	...	...	...	...	...	$\frac{1}{16}$

The divided farms, Birling, formerly possessed by Henry Cramlington 1 $\frac{1}{2}$ farm, viz. :—

	Rent.	Payable.
	£	d.
The revd. J. C. Winscom	50	5
Henry Cramlington, esq.	50	5
Mr. Joseph Castles	26	2 $\frac{1}{2}$
Mr. John Garrett	10	1
Mr. Joseph Purvis	10	1
Mr. George Coward	10	1
Mr. Thomas Marshall	10	1
Mr. William Elliot	9	1
Mr. John Dickson	8	0 $\frac{3}{4}$
Mr. Mark Moor	8	0 $\frac{3}{4}$
Mr. Dickson	8	0 $\frac{3}{4}$
Mr. William Taylor	8	0 $\frac{3}{4}$
Mr. Thomas Turnbull	6	0 $\frac{1}{2}$
Total	...	1s. 9d.

Below, in a tabular form, is the information furnished with regard to this township by a survey of about the year 1567 :—

Tenants.	Messuages and Cotes.	Cottages.	Land.		Rent.			Fine.		
			Acres.		£	s.	d.	£	s.	d.
Hugh Finch	3	0	33		29	2		2	18	4
Cuthbert Dobson	2	1	33		29	2		2	19	2
Thomas Arnolde, senr.	$\frac{1}{2}$	0	33		28	1		1	4	8
Thomas Arnold, junr.	1 $\frac{1}{2}$	0	33		29	2		4	7	6
Robert Browne	1 $\frac{1}{2}$	0	33		28	1		5	12	4
William Wharrier	—	0	33		29	1		4	7	3
William Elder	1	0	33		29	2		4	7	6
William Harper	$\frac{1}{2}$	1	33		29	0 $\frac{1}{2}$		4	7	3
Cuthbert Elder	$\frac{1}{2}$	0	33		29	1		4	7	3
Thomas Earingtone	3r. 20p.	1	33		29	2		5	16	8

Here we have a state of things which seems to bear out the theory advanced in the Netherwitton suit. There are ten holdings, answering to the ten farms in the parish clerk's books; the acreage of each

is the same; the rents are almost identical, and the variations between them may be accounted for by the fact that some of the crofts attached to the holdings were larger than others, and that the condition of some of the houses or 'messuages' upon them may have been better than others. The fines were very unequal, but they may have been determined rather by what the tenant could afford to pay, than by the value of his tenure.

The extent of the holdings in this survey are expressly stated to have been arrived at by 'estimacion.' A terrier made about the year 1616, in which the land had been carefully measured, even down to the sixteenth part of a perch, gives:—

	Acres.	Roods.	Perches.
John Huntley	49	0	25 $\frac{1}{2}$
Hugh Elder	45	0	37
William Wharrier	46	0	39 $\frac{1}{4}$ $\frac{3}{16}$
Jane Elder, widow	46	0	4 $\frac{3}{4}$ $\frac{3}{16}$
Ralphe Robinson	47	0	33 $\frac{1}{4}$ $\frac{3}{16}$
William Davie	49	2	7 $\frac{1}{2}$ $\frac{1}{8}$
John Barker	48	1	27 $\frac{3}{4}$ $\frac{1}{8}$
Robert Arnoll	43	2	12 $\frac{1}{4}$ $\frac{1}{16}$
Henry Finch	47	0	17 $\frac{1}{4}$
Robert Finch	49	1	27 $\frac{1}{2}$ $\frac{3}{16}$
Total	471	3	36 $\frac{1}{16}$

Here again are the same ten holdings, but there is a difference of nearly six acres, or about thirteen per cent., between the largest and the smallest. The estimated equality of the respective areas seems therefore to have been somewhat fictitious.

And here let me remark that though at the present day equality of acreage by no means implies identity of value, it did so within the limits of the same township under the common field system in vogue at this period. Each man's holding consisted of a great number of small strips lying scattered among those of his neighbours throughout the whole of the cultivated area of the township, and thus the good land and the bad was practically evenly divided between all the occupiers. It was this which gave vitality to the system, and, in spite of its many disadvantages, any attempt to break through it led to discontent. Thus at Longhoughton, a very large township, when, about the middle of the sixteenth century, it was divided into two parts, one allotted to the tenants who lived at the south end of the village, and

the other to those who inhabited the north end, although, within each, common husbandry was carried on as before, yet after a few years there was much grumbling, each party imagining that they had come off worst in the allotment of their respective portions.

Although it appears from this survey that the land was not so uniformly apportioned at Birling as the earlier account would indicate, and although the rents are not mentioned, another element of uniformity is recorded, for it is stated that the dry moulter paid to the lord was the same for all, viz., twenty-two bushels of bland malt.

THE TOWNSHIP OF BUSTON.

There were two townships of this name; High Buston, or Over Buston, often, as here, called simply Buston, and Low, or Nether Buston. The parish clerk's book has the following entry regarding the former:—

	BUSTON. 8 FARMS.		Farms.	Amount of Cess.
				s. d.
Thomas Buston, esq. including the late T. Embleton	2	$\frac{3}{4}$	2 $\frac{3}{4}$	4 1 $\frac{1}{2}$
Mr. Robert Embleton	3		3	4 6
John Wilkinson, esq.	1	$\frac{3}{4}$	1 $\frac{3}{4}$	—
Ditto, late Thomas Embleton	$\frac{5}{8}$		$\frac{5}{8}$	2 7 $\frac{1}{2}$
Mr. Robert Common	$\frac{1}{4}$		$\frac{1}{4}$	0 4 $\frac{1}{2}$
W. Mills and T. Stephenson	$\frac{1}{4}$		$\frac{1}{4}$	0 4 $\frac{1}{2}$

'The late Thomas Embleton's $\frac{1}{4}$ farm is taken into that of T. Buston, esq., and J. Wilkinson, esq.'

In 1567, or thereabouts (for these surveys took several years to compile), the occupiers of Buston are given thus:—

Tenants.	Husband-lands.	Area.		Rent.		Fine.		Remarks.		
		A.	R.	P.	s.	d.	£		s.	d.
Robert Buston ...	2	—	—	—	—	—	—	Counted as free, as he had a burgage in Warkworth. His subtenant paid 5s. yearly to the Greve of Buston.		
William Earsdon...	2	—	—	—	—	—	—	Freehold.		
Thomas Byers ...	2	—	—	—	—	—	—	Freehold.		
Thomas Buston ...	2	—	—	—	—	—	—	Freehold.		
Thomas Wilson ...	2	33	2	0	1	6	4	0	0	Copyhold. ¹
Roger Wilson ...	2	29	0	0	1	6	3	12	0	Copyhold. ¹
John Wilson ...	2	28	2	0	1	6	3	0	0	
John Wilson, jun.	2	32	2	0	1	6	—	—		

¹ Throughout this essay the word 'copyhold' is employed to denote a tenure neither freehold nor leasehold. This is not the place to discuss the exact posi-

To this account there is a note :—

This towne was at the fyrste planted wth xvi tennts as yett appeareth by the scites of there tenem^{ts} and are nowe but viii tennts the cause ys that there ys so little arable lande and meadowe grounde as also pasture moore grounde w^c will not well suffice for the livinge of so many tennts and for that also they sholde the better lyve and be more able to doo ther dewtyfull servyce to ther L. and M^r they wer of xvi made but viii tennts.

Thus, instead of there being eight holdings, as the parish clerk's books might have led us to expect, there were really sixteen, of whom eight were freeholders, and eight copy or leaseholders. In another otherwise complete survey, made about 1586, only the last eight tenements are mentioned, the freeholders being omitted.

Why, when these sixteen tenants were reduced to eight, was not the number of holdings reduced to eight also? There is here no gradual absorption of several small holdings into a few hands, but a deliberate reduction of the number of occupiers for a specific purpose. It was essential in the then troubled state of the country that the tenants on a manor should be men of sufficient substance to provide means for the defence of their property from attack, and that they should be, if possible, 'hable men,' capable of joining with horse and armour in any operation of either a defensive or offensive character against the enemy. And according to our ideas it would have been simpler and more natural to increase the size of their holdings by throwing them together, rather than by keeping them distinct. But our ancestors did not think so, and it is probable that they had some good reason for what they did.

The survey of 1616 gives for Buston :—

tion of these tenants, or to determine how far they were 'copyholders' in the modern sense of the term. They are frequently mentioned as holding by copy of Court Roll, and yet in the early part of the seventeenth century, when their title came before the courts of law, they failed to prove it good. The bias of the judges at this epoch was strongly in favour of customary tenants, or, as Lord Coke puts it, 'time' had 'dealt very favourably with copyholders in divers respects.' The Prince of Wales, who had, at his father's instigation, attempted to seize the customary holdings on the Crown manors in Westmoreland and Cumberland, was defeated, and when the tenants of other lords, who had copied the prince's example, were brought before the Star Chamber for resisting the attack upon their property, the judges to whom the matter was referred decided in their favour. (See Elton's *Custom and Tenant Right*, 1882.) It is evident therefore that some serious defect must have existed in the title of those who could not sustain it even before favourable judges. Mr. Dendy has pointed out that where copyholds had been originally held of the church they still survive.

		Acres.	Roods.	Perches.
Freeholders—	Thomas Carre, 3 tenements ...	104	3	28 $\frac{3}{4}$
	Roger Buston, a messuage ...	37	3	1 $\frac{1}{2}$
	Total freehold ...	142	2	31 $\frac{3}{4}$
Tenants	—John Wilson, senr., 1 tenement	37	2	33
	John Wilkinson ...	38	0	4 $\frac{1}{16}$
	John Wilson, junr. ...	40	0	25 $\frac{3}{16}$
	Robert Wilson ...	38	0	33 $\frac{1}{8}$ $\frac{1}{16}$
	Total tenement land ...	154	0	29 $\frac{3}{16}$

THE TOWNSHIP OF BROTHERICK.

The parish clerk's book has here '3 farms. John Tate, esq., 3 farms.' But in the survey of 1567 four tenements are enumerated.

Tenants.	Area.	Rent.	Fine.	Remarks.
	A. R. P.	s. d.	£ s. d.	
John Turpin ...	16 2 0	16 8	3 6 8	There is the scite of a old mation house in old tyme. Copyhold. Rent paid to the 'firmar' of Bamburgh, 8s. Nothing paid to the lord, because it is held 'in elemosina,' being part of the possessions of the church of Bamburgh. Freehold.
Thomas Hodgeson	7 3 20	—	—	
William Bednell ...	12 0 0	10 0	—	Freehold.
Thomas Hodgeson	15 1 0	16 8	—	

Of these four tenants two were freeholders, whose acreage varied considerably, and two were copyholders or leaseholders, the amount of whose holdings was more nearly identical, and who paid the same rent.

In the survey of 1586, as at Buston, the copyholders are alone mentioned, but in 1616 a very different state of things existed :—

Launcelot Ogle gent. holdeth freely of His Ma^{tie} part of the village or towne of Brothericke and part as Tenant to his Lo^p whoe hath converted all the arable ground into pasture and denieth to distinguish his Lo^p's lands from his owne freehold, to the end, as it seemeth, to confound the one with the other, which if they should not be severed whilst some, (especially one man that knoweth the

The survey of 1567 runs thus: 'Ther is a mencion of a mansion howse like as it hath ben the scite of the manor nowe in the tenure of Edward Smales, and demysed by the name of a cotadge of y^e yerly rent of 8^s 9^d.'

Tenants.	Close.	Holding.	Rent.		Fine.			Remarks.
			s.	d.	£	s.	d.	
Robert Robinson...	3	30	20	4	2	0	8	Copyhold.
William Robinson ...	3	30	20	7	4	1	4	"
Roger Simpson ...	2	30	20	4	3	12	0	"
Robert James ...	4	30	21	4	4	5	4	"
Thomas Wimpray ...	2	30	20	4	4	1	4	"
John Urpethe ...	4	30	20	4	4	1	4	"
John Claye ...	4	30	20	4	4	14	4	—
John Patersonone ...	4	30	20	4	4	1	4	"
John Robinson ...	2	30	20	4	3	1	0	Copyhold.
Robert Johnsonone...	2	30	20	4	3	1	0	"
Robert Lawe ...	4	30	20	4	3	1	0	"
John Smithe ...	5	30	20	4	3	1	4	"
William Pawtersone ...	3	30	20	4	3	1	0	"
John Brewster ...	4	30	20	4	3	1	0	"
Thomas Andersone ...	2	30	20	4	2	1	0	—
Humphrey Harper ...	1	15	10	2	1	0	4	"
Thomas Simpson...	2	30	20	4	3	1	0	Copyhold.
John Wright ...	2	30	20	4	3	1	0	"

Here are eighteen holdings, seventeen with an area of thirty acres each, and paying the same rent, but there is one only half the size of the others, and paying only half the rent. Robert James had a cottage attached to his husbandland, with two acres, for which he paid 12^d rent. Roger Simpson had another with two acres, and Robert Lawe a third. The fines again vary very much.

Compare this 'estimated' condition of things with that revealed by actual measurement in 1616:—

Tenants.	Acreage.			Cot-tages.	Tenants.	Acreage.			Cot-tages.
	A.	R.	P.			A.	R.	P.	
Humphrey Barker	45	0	23 $\frac{3}{4}$	2	Thomas Anderson	42	3	31 $\frac{1}{8}$	1
William Clay	40	3	13 $\frac{1}{4}$	0	Thomas Wright	43	2	19 $\frac{3}{8}$	1
Martin Smart	35	3	6 $\frac{1}{4}$	0	Thomas Horsley	41	2	16	0
John James ...	44	0	38 $\frac{1}{2}$	0	Thomas Harper	24	3	29 $\frac{1}{2}$	0
Lawrence Rishforth	42	2	36 $\frac{1}{2}$	0	Henry Johnson	42	2	17 $\frac{1}{4}$	1
John Smith ...	42	3	14 $\frac{3}{4}$	0	Robert James	41	2	17 $\frac{1}{8}$	1
Robert Robinson	39	1	26 $\frac{3}{4}$	0	John Robinson	39	1	22 $\frac{3}{4}$	1
John Robinson	42	1	23 $\frac{1}{4}$	0					
William Lec	43	0	7 $\frac{1}{2}$	1					
Robert Wompery	44	0	24 $\frac{1}{2}$	1					
George Hunter	63	3	7 $\frac{1}{2}$	1					
					Total	764	1	213 $\frac{1}{8}$	10

This shows that the difference in the size of the holdings was much greater than it was, or was imagined to be, when the survey was made only by the eye. One tenant holds sixty-three acres, while another holds only twenty-four. Instead of there being but three cottages in the hands of the larger occupiers, there are ten.

But there was also in this township another element, which did not exist in those above-mentioned, viz. : a body of independent cottagers, holding directly of the lord. These appear in the survey of 1567 thus :—

Cottagers.	Acreage.			Rent.		Fine.		Remarks.
	A.	R.	P.	s.	d.	s.	d.	
Thomas Lawsone	1	0	0	2	0	8	0	Copyhold.
Richard Hardinge	2	0	0	—	—	—	—	—
William Wright	1	3	0	6	8	—	—	Copyhold.
Robert Robinson	1	0	0	4	0	12	0	—
William Simpstone	3	1	0	8	0	23	0	Copyhold.
Roger & William Simpstone	6	0	0	6	8	20	0	„
George Thewe	0	1	0	3	0	9	0	„
Edward Smales	2	0	0	8	9	30	5	„
Total	17	1	0	—	—	—	—	

And thus about 1616 :—

	A.	R.	P.
Roger Taylor	7	1	16
John Wand	6	3	20 $\frac{1}{4}$
John Greeves	7	0	28 $\frac{1}{4}$
John Smales	9	0	21 $\frac{1}{2}$
Thomas Robinson	11	3	0 $\frac{3}{4}$
Roger Wompery	0	0	22
George Thew	1	1	13 $\frac{1}{2}$
Total	43	3	1 $\frac{1}{2}$

At this latter date therefore over five per cent. of the cultivated land of the township, an area equal to the size of an average husband-land, was in the hands of cottagers.

All these townships had one peculiarity. Although every manor had its demesne land,² it did not lie in every township. There was

² The word 'demesne' is used in two different senses: first to denote the land originally occupied by the lord himself, and cultivated for his immediate advantage; and, second, as applied not only to this, but also to all the copyholds and to the waste. It is in the first of these significations that it is invariably employed in the surveys here referred to and in this essay.

none in the above. It is not necessary to assume for this reason that there had never been any within their limits. The gradual absorption and disappearance of the demesnes is a very noticeable feature in the manorial history of this period. No doubt many of the freeholds had been carved out of them. But they had also been largely eaten up by, and included in the copyholds, owing partly to the carelessness of land agents and surveyors, and partly to the encroachments of the tenants. The fields were cut up into very small divisions, and much of the demesnes lay in strips intermingled with those of the tenants. Under such a state of things carelessness on the one part and pilfering on the other had the result naturally to be expected, and the writings of the time abound in allusions to 'concealed' land. At Bilton, early in the seventeenth century, a suit was instituted to ascertain and recover the demesnes appropriated by some of the tenants. At Rennington 'there was diverse demayne lands belonging to this manor as by ancient recordes appeareth, but they have bene of so long tyme occupied and demised together with the tenement landes that now noe man hath knowledg trully to separate them one from the other, and were of the auncient yearely value of six^s v^d or thereabouts.' At South Charlton there were 'noe demayne landes belonging to the said mannor which can be found out, onely there is a parcell of ground called Chirnesidewich is reputed as parcell of the demaynes heretofore belonging to the same.'

Let us now turn to a township containing not only freeholders and cottagers, but also a certain quantity of demesne.

THE TOWNSHIP OF LESBURY.

The same tale is told here : 'In this Towne there hath been the scite of a Mannor or Capitall Mesuage, and certen Demayne lands used therewth, but nowe the house is utterly decayed, and scarce any mencion where it stood, and the Demayne lands have been confusedly mixed with the tenements, and soe of long tyme demised, so that nowe they cannot be distinguished, saving some fewe parcells which yet doe retayne the name of Demayne lands.' But the township is an interesting one, for these 'fewe parcells' introduce a fresh element for consideration, and the records extend to an earlier date than is

commonly the case. It will be convenient to take these older records first, leaving, in this instance, the more recent evidence to follow in chronological order.

In 1500 the husbandlands of Lesbury were as follows :—

Tenants.	Rent.	Remarks.
	s. d.	
The abbot of Alnwick ...	—	Freehold.
John Sedman ...	35 0	Copyhold.
Thomas Fyffe ...	42 0	"
" " ...	40 2	"
Robert Fyffe ...	40 2	"
Edmund Legh ...	16 0	"
Thomas Page ...	41 0	"
Robert Berop ...	42 0	"
Robert Smyth ...	42 1	"
Edmund Milner ...	32 0	"
John Fyffe ...	24 0	"
" " ...	46 8	"
William Legh ...	40 2	"
John Simson ...	40 2	"
John Sleg ...	39 0	"
John Clege (? Slege) ...	29 4	"
John Wilkinson ...	40 2	"
William Mantell ...	44 8	"
Thomas Sedman ...	39 4	"
The vicar of Lesbury ...	42 0	"
William Wright ...	42 0	"
John Todd ...	40 2	"
Robert Robinson ...	44 8	"

There were therefore at this time twenty-three husbandlands. Even so early as this the rents paid by the tenants varied considerably, but the acreage is not recorded in this survey.

Let us now pass to that of 1567 (see table on opposite page).

This shows that not only did the fines and the rents vary, but the acreage of the arable and the meadow land did so also, even by 'estimacion.' The portentous rent of 206s. may be a clerical error, though it is very distinctly entered in the original. But there can be no doubt about the other variations.

At first sight there would seem to be twenty-five farms, but the two tenants whose names are bracketed held half a farm each. This is the farm set down in the roll of 1500 under Edmund Legh's name, and for which he paid only 16s.

Tenants.	Acreage.			Rent.	Fines.	Remarks.
	Arable.	Meadow.	Pasture.			
	A.	A.	A.	s. d.	£ s. d.	
William Herrison ...	—	—	—	—	—	Freehold.
” ” ...	36	3	4	40 0	6 0 0	Copyhold.
” ” ...	36	6	4	41 10	4 3 8	”
{ ” ” ...	—	—	—	16 0	—	”
John Carr ...	6	—	2	—	—	Leasehold.
” ” ...	36	3	4	40 0	—	”
Edward Slegge ...	36	3	4	39 4	5 18 0	Copyhold.
Robert Sharpe ...	38	3	4	42 10	6 9 9	”
John Page ...	—	—	—	40 0	6 0 0	”
John Rimpethe ...	36	3	4	40 0	—	”
Edward Smyth ...	29	3	4	41 10	6 7 6	”
Thomas Ladyman ...	30	1r.	4	32 0	4 16 0	”
Thomas Elder ...	39	3	4	44 0	8 16 0	”
George Tomling ...	39	3	4	41 0	6 5 6	”
Robert Christine ...	40	3	4	42 6	7 8 4	”
James Rennieke ...	33	3	4	36 0	5 7 6	”
George Wilkinson ...	36	3	4	206 0	6 4 6	”
Robert Mantell ...	39	3	4	44 6	6 13 6	”
Thomas Sedman ...	36	3	4	39 4	5 18 0	”
John Falkener ...	40	3	4	42 0	7 8 6	”
William Milne ...	36	3	4	10 0	6 0 0	”
Thomas Taylor ...	36	3	4	40 0	8 0 0	”
Robert Wilkinson ...	36	3	4	40 0	6 0 0	”
John Fyffe ...	36	3	4	39 4	5 18 0	”
Thomas Slegge ...	26	1r.	4	23 0	3 12 0	”

Another survey of 1586 differs in no important particular from the above, yet there are slight alterations in the rental and the acreage, sufficient to show that it was not held that these were, even theoretically, constant quantities.

We now come to the more detailed and elaborate survey of 1616.

Hitherto these holdings have been entered as ‘husbandlands.’ Here for the first time they are called ‘farms.’ The freehold, formerly the property of the abbot of Alnwick, and which had now passed through the hands of Herrison to the Fenwicks, is a ‘freehold ferme,’ and is included in the following table in the ‘collection of the fermes’ of Lesbury. Even as early as 1500 some of the tenants held more than one farm, but now the practice had become more common, and in these cases the acreage of each farm is not given separately:—

Tenants.	Number of Holdings.	Garths and Crofts.			Arable.			Meadow.			Pasture.			Total.		
		A.	R.	P.	A.	R.	P.	A.	R.	P.	A.	R.	P.	A.	R.	P.
John Carre ...	3 $\frac{1}{2}$	7	2	35 $\frac{3}{4}$	114	1	0 $\frac{11}{16}$	6	2	26	22	1	31 $\frac{1}{4}$	151	0	13 $\frac{11}{16}$
Robert Fenwick	2	9	1	33 $\frac{1}{2}$	86	0	26 $\frac{1}{16}$	3	0	3 $\frac{3}{4}$	15	2	6 $\frac{1}{4}$	114	0	30 $\frac{1}{16}$
Roger Carre ...	2	2	3	11	66	3	30 $\frac{6}{16}$	4	1	25 $\frac{1}{16}$	13	3	10	87	3	37
George Salkeld ...	2	1	0	25 $\frac{1}{4}$	68	1	26 $\frac{1}{16}$	4	1	36 $\frac{1}{2}$	13	3	10	87	3	18 $\frac{7}{16}$
George Freswell	2	2	3	39 $\frac{1}{4}$	66	1	21 $\frac{1}{16}$	4	1	9	13	3	10	87	1	39 $\frac{1}{16}$
Francis Freswell	1	0	3	30	38	2	9 $\frac{1}{2}$	2	3	33 $\frac{3}{8}$	6	3	25	49	1	18 $\frac{1}{2}$
Edward Shepherd	1	1	0	1	38	0	9 $\frac{1}{4}$	2	0	34 $\frac{1}{16}$	6	3	25	48	0	30 $\frac{1}{2}$
William Wilkinson	1	1	1	29 $\frac{1}{16}$	36	0	10 $\frac{6}{16}$	2	1	5 $\frac{1}{2}$	6	3	25	46	2	30 $\frac{3}{8}$
Alexander Reveley	1	0	1	7 $\frac{1}{16}$	36	0	23 $\frac{9}{16}$	2	1	7 $\frac{1}{16}$	6	3	25	45	2	23 $\frac{1}{16}$
William Armorer	1	0	2	21 $\frac{1}{4}$	36	0	10 $\frac{3}{16}$	1	3	26 $\frac{1}{16}$	6	3	25	45	2	3 $\frac{2}{16}$
Roger Simson ...	1	1	1	27	34	2	12	2	0	2 $\frac{1}{4}$	6	3	25	44	3	26 $\frac{1}{2}$
John Hempsell ...	1	1	0	15 $\frac{1}{2}$	34	0	25 $\frac{1}{4}$	1	3	5 $\frac{1}{2}$	6	3	25	43	3	31 $\frac{1}{2}$
John Milne ...	1	0	3	3 $\frac{3}{4}$	33	3	4 $\frac{7}{16}$	2	0	5	6	3	25	43	1	38 $\frac{3}{16}$
George Taylor ...	1	0	3	12	32	3	8 $\frac{1}{16}$	2	1	11 $\frac{3}{4}$	6	3	25	42	3	17 $\frac{5}{16}$
John Wilkinson ...	1	1	0	27	32	1	2 $\frac{1}{4}$	2	1	12 $\frac{1}{16}$	6	3	25	42	2	27 $\frac{1}{16}$
George Shepherd	1	0	2	14 $\frac{1}{2}$	32	1	1 $\frac{1}{16}$	2	1	22	6	3	25	42	0	22 $\frac{9}{16}$
James Sleg ...	1	1	2	3	22	3	35 $\frac{1}{16}$	1	3	38 $\frac{1}{4}$	6	3	25	33	1	22 $\frac{3}{16}$

Some of these tenements, which at an earlier date had been copyholds, had now been converted into leaseholds at an increased rent, thus making the inequality between them even greater than before.

The 'drie Moulter' which was paid by every tenant of a husbandland, and even, in some cases, by cottage holders, 'in respect of such malt as the tenants doe sell in the marketts, and to forreyne inhabitants, not ground at the lord's milne,' was also not identical. In 1567, eighteen of the husbandlands paid three bushels; two, three bushels and six pecks; one, four kennings; one, three kennings; and one nothing. In 1586, twenty paid three bushels; one three bushels and six pecks; one six pecks; and one four kennings. In 1616, twenty-one paid three bushels; one, a boll; and one three kennings.

The cottages were held, as in the other townships already mentioned, partly by the tenants of the husbandlands, and partly directly of the lord. In 1500 these stood thus:—

Held with the husbandlands.

s. d.				s. d.			
The vicar ...	...	...	5 0	Thomas Fyffe ...	...	...	2 9
" ...	...	...	2 6	" ...	...	...	1 3
John Wilkinson ...	...	...	1 0	Robert Smyth ...	...	...	1 0
Edmund Legh ...	...	...	1 3	Edmund Milner ...	...	...	6 9
John Todd ...	...	...	8 0	Robert Fyffe ...	...	...	1 0
John Fyffe ...	...	...	2 9				

Held directly of the lord.

		s.	d.			s.	d.
Robert Todd	...	1	3	William Legh	...	1	3
Thomas Stephenson	...	2	9	William Stephenson	...	1	3
William Bamburgh	...	5	0	William Wilson	...	7	0
Robert Henry Capell	...	4	0	Edward Robinson	...	1	0
Robert Dyconson	...	2	4	John Milne	...	1	0
William Elder	...	1	3	Thomas Smyth	...	1	0

Here the rents are given, but not the acreage. In 1616 we get the acreage, but not the rents.

Held with the farms.

Tenants.	Cot-tages.	Acreage.			Remarks.
		A.	R.	P.	
John Carre	...	2			
"	...	1	0	0	36
"	...	3	0	2	21½
"	...	1	0	3	20
Roger Carre	...	1			
Robert Fenwick	...	1	0	0	29½
"	...	5	0	3	39½
Francis Freswell	...	1			
George Freswell	...	2	0	1	33½
John Hemsell	...	1	0	0	25½
George Salkeld	...	2	0	0	35
Roger Simson	...	1	0	0	6
John Wilkinson	...	1	0	0	32½
William Wilkinson	...	1			
Total	...	23	3	3	38¼

Held directly of the lord.

Tenants.	Cot-tages.	Acreage.			
		A.	R.	P.	
John Dunne	...	2	5	0	17¾
Thomas Dand	...	1	3	0	20¼
John Harrison	...	2	2	2	15½
William Clarke	...	1	1	0	29
Thomas Douglas	...	1	0	2	32½
William Milne	...	1	0	2	9
George Bonner	...	1	0	2	6
John Taylor	...	1	0	1	32¾
Total	...	10	14	1	1¾

Of the cottages held with the farms, five were freehold; the rest copy or leasehold. The acreage is, in some instances included in that of the farms, and cannot therefore be given. The total area is consequently understated, but the deficit is included above under the husbandlands.

In addition to these husbandlands and cottage lands there was a great variety of property in this township. There were seven freeholders including the vicar, holding land composed partly of strips in the common fields, and partly of larger plots, some of these plots being over seventeen acres in extent. These were not 'husbandlands' or 'farms' like Fenwick's freehold farm, but stood in a category by themselves.

There was the mill, a most valuable asset, paying a rent varying from £8 in 1500 to £30 in 1609; what remained of the demesne lands, part held on lease, and part at will; a 'house' occupied by William Clarke in addition to his cottage, about which there is some obscurity; the common pinder's house and close; certain common meadows which apparently are not included in the totals for the husbandlands; and a small bit of land held by lease or copy by one John Stamp, who was not even an inhabitant of the township. And finally there were the hedges and dykes, the 'towne gaites' and 'laynes,' the common balks and wastes, and the great common.

Nature of Property.	Rent.			Acreage.		
	£	s.	d.	A.	R.	P.
Husbandlands or farms; copyhold, leasehold & freehold ...	44	2	1	1,057	1	11
Freeholds, not husbandlands	0	12	3	57	1	39 $\frac{1}{16}$
The mill	28	0	0	0	0	8
Demesnes	0	13	0 $\frac{1}{2}$	13	1	0 $\frac{1}{4}$
Cottages held directly from the lord	1	17	9	14	1	1 $\frac{9}{16}$
John Stamp's land	—	—	—	2	0	16 $\frac{9}{16}$
Common pinder	0	0	8	0	0	22 $\frac{1}{2}$
Common meadows	—	—	—	0	3	8 $\frac{1}{2}$
Hedges and dykes	—	—	—	0	3	33 $\frac{1}{2}$
Towne gaites, and laynes ...	—	—	—	22	3	11
Common balks and wastes ...	—	—	—	64	3	22
Common	—	—	—	384	3	34 $\frac{1}{4}$
Total	75	5	11$\frac{1}{2}$	1,618	0	181$\frac{1}{16}$

The above table gives a fairly correct idea of the extent and

value of these several items, though as the rentals and the acreage respectively are gathered from two different surveys compiled at an interval of thirty years, they do not form a basis for mutual comparison. In particular the number of cottages varied much from time to time. The demesne lands too are probably rather under the mark, but the error cannot be considerable. As regards the rental it must be remembered that no account is here taken of the fines which were levied on leaseholds and copyholds alike. As they fell due at uncertain periods it is impossible to include them in a statement of this description.

It is evident that the husbandlands furnished only fifty-eight and a half per cent. of the rental, and covered a little over ninety-two per cent. of the cultivated and occupied area of the township.

The churchwardens' accounts for the parish at the latter half of the last century unfortunately do not specifically state the number of farms the township contained. But on September 28th, 1783, there is an entry:—'Agreed on by the Minister, Churchwardens and Four and Twenty that a cess of one shilling per farm, and three farthings per Coatland be laid on and collected throughout the parish of Lesbury or the defraying of the expenses of the church.'

This shows that the rate was divided into sixteenths, three farthings being that proportion of a shilling, and that the farms were not the only basis of rating. The details of the amount raised on this occasion have not been preserved. We are therefore compelled to rely on an account of later date. 'D^r. Ralph March and Robert Swan, Church-wardens, for cash received from June 3rd 1791 to June 7th 1793 at £1 1^s. per farm, for repairing the east front of the north Isle and Vestry of Lesbury Church.'

'Cash received of the undermentioned persons.'

In the following table (see page 18) the first and second columns are taken from this account; the third, fourth, and fifth are compiled from other sources.

Is it possible to discover the number of ancient farms from this schedule? We have seen that the rate for 1783 was divided into sixteenths. Here, in eleven instances, the payments divide evenly by sixteen, with the results shown in the sixth column, giving a total of twenty-three and ten-sixteenths, or within six-sixteenths of twenty-

four ; the number of farms we know to have existed two hundred years before, and to have been identical with the old husbandlands.

TABLE.

Name of Occupier.	Rate.	Nature of Holding.	Rent.	Acreage.	Farms.
	£ s. d.		£ s. d.	A. R. P.	
John Swan ...	5 10 3	Hungerup farm ...	200 0 0	239 1 16	} 5 $\frac{1}{4}$
		Lesbury farm ...	65 0 0	142 1 6	
William March ...	4 5 3 $\frac{3}{4}$	Field House farm ...	240 0 0	268 0 11	} 4 $\frac{1}{16}$
David Baird...	3 13 6	Foxton Hall farm } Cottage and land }	190 0 0	163 1 30	
Robert Gardner ...	2 15 1 $\frac{1}{2}$	Waterside farm } Holme farm }	135 0 0	153 3 1	} 2 $\frac{3}{8}$
William Hay ...	3 8 3	Hipsburne farm ...	220 0 0	216 2 22	
	0 2 10 $\frac{1}{4}$	Mill and land ...	52 10 0	7 1 30	} 3 $\frac{1}{4}$
Lawrence Gibson ...	3 5 7 $\frac{1}{2}$	Townhead farm ...	190 0 0	232 0 6	
Thomas Richardson	0 9 8 $\frac{1}{2}$	Bridge Haugh ...	—	—	} 3 $\frac{3}{8}$
William Coulter ...	1 6 3	Freehold farm ...	—	65 3 37	
Henry Davison, for Coatland and Fisher's Close ...	0 5 3	—	—	—	} 1 $\frac{1}{4}$
Robert Bell ...	0 3 7 $\frac{1}{2}$	Cottage and garden	2 0 0	0 1 22	
Thomas Annett ...	0 2 7 $\frac{1}{2}$	—	—	—	} 1 $\frac{1}{2}$
William Fleming ...	0 0 10 $\frac{1}{2}$	—	—	—	
Ralph Bell ...	0 1 3 $\frac{3}{4}$	—	—	—	} 1 $\frac{1}{8}$
William Bell ...	0 1 9	Cottage and garden	4 0 0	1 0 0	
John Bell ...	0 1 9	Cottage and land...	4 0 0	2 3 12	} —
Henry & Robert Bell	0 2 7 $\frac{1}{2}$	Public house, black- smith's shop, and land ...	7 0 0	4 3 32	
Robert Bell ...	0 1 0 $\frac{1}{4}$	Cottage and garden	6 0 0	2 3 11	} 1 $\frac{1}{8}$
John Lough...	0 0 11	Cottage and land ..	0 1 0	—	
William Dixon ...	0 3 6 $\frac{1}{2}$	Public house and land ...	8 0 0	4 1 26	} —
William Grey ...	0 0 2 $\frac{3}{4}$	Cottage and garth	0 10 0	—	
					23 $\frac{1}{16}$

Four of these six-sixteenths can be readily accounted for. It is a curious fact that some time ago, whilst engaged in tracing the history of the farms or husbandlands at Lesbury for a totally different purpose, and approaching the subject from an entirely distinct point of view, I came to the conclusion that at some period during the latter half of the seventeenth century a quarter of one of the farms had been lost. The missing quarter belongs to William Coulter, who, it will be seen, is credited by the calculation just made with one farm and a quarter, but who should properly be responsible for one

and a half. It would swell this paper to an inordinate length to give all the details which have led to this conclusion, and I must therefore be content with recording my conviction that it is so.

The loss of the other two sixteenths I am unable to explain, except by pointing out that the account is of 'cash received,' and that it is possible that some inhabitant of the township had not paid the rate demanded. But the close approximation of these eleven payments to the number of the husbandlands of bygone days is very remarkable.

The other ten payments in the account will not divide equally by sixteen, and the basis of rating is evidently different. Let us, for the sake of convenience, call the payments which divide by sixteen 'normal' payments, and those which do not 'abnormal.'

It is plain that though the churchwardens professed to take the farms as the basis of their assessment, there was, in reality, another basis which applied to property outside these farms: cottages, public houses, the mill, etc. What it was there is nothing to show, but it manifestly existed.

We are now in a position to approach the question propounded at the outset of this paper, viz., were the farms which formed the basis of local rating in the last century identical with the ancient husbandlands? Canon Creighton has attempted to ascertain the extent of the ancient farms by dividing the area of each township by the number of them it contained. Mr. Dendy, proceeding apparently on the same principle, although he considers the farm to be the same as the husbandland, finds that five hundred farms, of which he has given a list, 'have an average of nearly one hundred and sixty acres of township land assignable to each of them.' If this be so it is certain that the 'farm' was *not* the same as the 'husbandland,' for it would be difficult to find in any of the Northumbrian surveys a husbandland that amounted to even eighty acres.

But a considerable portion of every township consisted of common or waste, and this was the lord's, and not the tenants'. The law on the point at the present day is distinct on this head. 'The soil of the waste land of the manor is always vested in the lord of the manor, notwithstanding the rights which the commoners may have on it. The lord therefore, as owner of the soil, has the same rights as other

owners, except so far as the existence of the right of the commoners may prevent him from exercising these rights.' (Williams on Commons, p. 150.) The rights of the commoners are limited, in the absence of any grant, or title of prescription (which supposes a now forgotten grant) to a right of 'common appendant,' and to estovers; the former being defined as a privilege belonging to the owners or occupiers of arable land to put upon its wastes their commonable beasts, viz., horses, kine, or sheep, being such as either plough or manure the soil; in other words, from which the arable land derives some benefit. The other common rights, of 'common appurtenant' (or the right of feeding beasts not generally commonable, such as swine, geese, or goats), common of vicinage, in gross, turbary, etc., must, in order to be held good, be determined by grant or prescription. The lord's position in this respect has been recognised for the last hundred and fifty years at least by his being assigned in the first place, and before any other claims are considered, a sixteenth part of the whole common on a division, and he is moreover entitled to compensation for any growing timber on the waste, to the minerals below the surface, and to any surplus of the waste which may remain after the claims of the commoners have been satisfied, such claims being limited to as much land as is equivalent to the right of depasturing as many cattle, sheep, etc., in summer as the ground each commoner occupies within the township or manor will enable him properly to maintain in winter.

The surveys of the sixteenth and seventeenth centuries are in complete accord with these principles. They prove that the land, in the minds of the compilers, was divided into three classes, each demanding its own proper treatment. In the first class came all the garths, closes, and arable and meadow land,³ except the 'common meadows.' These were accurately measured, or at the least estimated with what precision was possible. Each man had a perfect knowledge of what plot, parcel, or strip of ground belonged to him, and as absolute and exclusive a right to it as any modern tenant farmer has to his holding, subject always to the rights of the lord and to the

³ The distinction between meadow and pasture is not very accurately observed by some modern writers, but it is very marked in the surveys. The latter was used solely for grazing; the former furnished the hay crops, and was only thrown open for grazing when they had been carried.

custom of the manor,⁴ and subject also to the restrictions imposed upon him by the exigencies of the system of common cultivation. The pastures formed another class. Each husbandland was credited with a certain number of acres in them, corresponding to a certain number of 'gaites.' Thus at Lesbury each husbandland claimed eight gaites, or 6 a. 3 r. 25 p. of the common pasture, except the smallest husbandland, to which only four gaites, or 3 a. 1 r. 32½ p. were allotted. But no man could put his foot down on a particular spot of these common pastures and say 'this is mine.' It was held strictly in common. The third class comprised all the common, wastes, roads, common balks, and common hedges. All these were 'no man's land' (as indeed portions of them were sometimes called) except the lord's, and he held them subject to the rights of the commoners, which varied in every manor and township, but which included a right to a certain number of 'stints,' affording the agriculturist 'sufficient common of pasture.'⁵

The working of the system is well illustrated by one of the witnesses in the suit of the Attorney-General *v.* Trevelyan in 1847. He states that at that time the township of Sharperton consisted of 11¼ farms, and that there 'is in the said township of Sharperton a tract of common and unenclosed ground, which belongs to the owners of the enclosed lands in the said township, and is stinted by the occupiers of the said enclosed lands according to the number of ancient reputed farms which each occupier holds, one stint being depastured on the said common for each reputed farm, so that I depasture thereon one stint, the said William Sproat two stints, the said James Nicholson depas-

⁴ In making this statement I have not overlooked the evidence relating to the existence of the runrig system, or something similar to it in the county. There are several notices of exchanges of land in the surveys, invariably mentioned however as having taken place at a time then past, which may refer to such a custom. I have not met with any instance in which it can be said that it is clear that more is meant than a single transaction, such as might be carried out in the present day between owners or occupiers. The strongest case is that of North Middleton, but even here it seems possible to understand the account as a description, not very well expressed, of the ordinary common field system, at a time when its incidents had ceased to be familiar. But however this may be, it seems certain that in the sixteenth century runrig only existed exceptionally, if at all, and that it had entirely disappeared in townships for which terriers similar to those here quoted had been made.

⁵ It is important to distinguish between a right to the 'common pasture,' and a right to 'common of pasture.' The former referred to the pasture land, the latter to the common or waste.

tured thereon five stints and a quarter of a stint ; a six year old ox is half a stint, which the occupier may put on every other year as a quarter of a stint,' etc.

This exactly describes the condition of things before the common fields were divided and the commons enclosed, except that the former having disappeared, the owners occupy the position formerly held by the lord of the manor. The occupiers' interest in the common consists of stints, not land, and the amount of these stints is not estimated by acres, but by the right which they confer to pasture cattle on the waste. A stint entitles the holder to pasturage for two beasts, half a stint for one beast, while the holder of a quarter of a stint can only put his ox upon the common in alternate years.

If therefore, I repeat, these ancient farms embraced the whole township, averaging nearly one hundred and sixty acres apiece, they are certainly not the same as the 'husbandlands,' but were something else of which we know nothing, and to which, so far as I am aware, there is not the most remote allusion in any document.

But when we reflect how often the number of husbandlands is the same as that of the more modern farms ; how, in many cases (as at Buston, where although there were only eight 'farms' in 1826, as against sixteen in 1567, yet these more ancient farms divide themselves naturally into eight freeholds and eight leaseholds), there are indications pointing to a relation between them, though at this stage of the enquiry not a very explicable one ; how nearly the number of farms at Lesbury, at the end of the last century, ascertained indirectly, agrees with what we know of the past history of the place, it appears highly probable that they were identical. This view may be supported by other evidence, not in itself conclusive, but tending in the same direction.

In the churchwardens' accounts for Lesbury for 1791-3 the payment for Hawkhill is put down as a lump sum of £10 10s. This, at a guinea per farm, represents ten farms. In a Manor Court Roll of the 15th December in the fourth year of King James I. is this entry :—' We find by the oath of William Alnewick of Wolden, sometime of Hawkle, of the age of 53, and also by the oath of &c that there is ten tenements and a half in Hawkle, out of which there is due ten bowles and a bushel of barley malt, to wit every tenement a

bushel,⁶ which they have known during all the time of their remembrance to be paid.' Here half a farm seems to have been lost, just as a quarter of one disappeared at Lesbury, but the approximation is close.

In Hodgson's *History of Northumberland* there is a list of the rates laid on the townships of the county, apparently for the purposes of what we should call imperial taxation, and levied on the lords of the manors, and the freeholders, and not on the other tenants. These rates are therefore probably governed by other considerations than the number of husbandlands. But that this had something to do with it the table below proves. In the first two columns are the payments made for each of the townships we have been concerned with, according to 'the old book of rates,' dating at least as far back as the seventeenth century. The third gives the number of farms in each, and the fourth the sums arrived at by dividing the rate by the number of farms :—

Township.	Rate.			Farms.	Share per Farm.	
	£	s.	d.		s.	d.
Lesbury... ..	1	12	6	24	1	4 $\frac{1}{4}$
Birlington ...	0	14	0	10	1	4 $\frac{2}{5}$
Brotherick ...	0	4	0	3	1	4
Buston, Upper...	0	11	0	8	1	4 $\frac{1}{2}$
Acklington ...	1	3	4	18	1	3 $\frac{2}{5}$

The result is that each township is rated at about 1s. 4d. per farm, or the tenth part of a mark.

There is a feature in the more detailed and accurate surveys which is worth observing in this connection. In modern days when a farmer undertakes to cultivate two contiguous farms, they are either kept entirely distinct, so that they may at any time be separated without inconvenience; or they are united, the acres which compose them are thrown together, one farm house is converted into the steward's house, or into cottages, one set of farm buildings becomes merely a steading, and the whole is treated in every way as one farm. The former is the common practice at the present day; the latter was that pursued sixty or seventy years ago, and is the method by which most of our large tenancies have been created.

⁶ ? Bowle.

Our ancestors did neither. When a man held two farms the fact that he had two 'messuages' or two 'tenements' was duly recorded; the strips in the fields were carefully measured, even down to the sixteenth of a perch, and labelled (so to speak) as his; but there is nothing to show to which of the two farms each strip belonged. An extract from a survey of a parcel in the common fields of Lesbury will illustrate this :—

'LONG SEA HEUGHE BEGINNING AT THE NORTH SIDE.

	A.	R.	P.
John Hempzell, one land	0	1	18 $\frac{3}{4}$
Roger Carre, two lands	0	2	35
John Carre, one land	0	1	16 $\frac{1}{4}$
John Hempzell, one land	0	1	15 $\frac{1}{8}$
Roger Carre, two lands	0	2	28 $\frac{3}{4}$
John Carre, one land	0	1	13 $\frac{3}{4}$
George Shepherd, one land	0	1	12 $\frac{2}{16}$
Robert Fenwick, one land	0	1	12 $\frac{1}{4}$
George Sawkeld, one land	0	1	11 $\frac{1}{4}$
George Taylor, one land... ..	0	1	11 $\frac{1}{4}$
George Fressell, one land	0	1	10 $\frac{1}{8}$
John Carre, one land	0	1	10
George Fressell, one land	0	1	9 $\frac{6}{16}$
Francis Fressell, one land	0	1	8 $\frac{3}{4}$
John Carre, one land	0	1	8 $\frac{2}{16}$
John Milne, one land	0	1	7 $\frac{1}{2}$
Roger Sympson, one land	0	1	6 $\frac{1}{4}$
Alexander Reveley, one land	0	1	5 $\frac{1}{8}$
John Wilkinson, one land	0	1	5
Robert Fenwick, two lands, late Acton's	0	2	6 $\frac{1}{4}$
William Armorer, two lands	0	2	6 $\frac{1}{2}$
John Carre, three lands... ..	0	2	35 $\frac{2}{16}$
Francis Fresswell, one land	0	0	37 $\frac{1}{2}$
John Milne, three lands... ..	0	2	25
William Armorer, one land	0	0	33 $\frac{3}{4}$
John Hempzell	0	0	32 $\frac{3}{4}$
Roger Carre, three lands	0	1	23 $\frac{3}{4}$
John Carre, one land	0	0	31 $\frac{1}{8}$
Some of acres of Long Sea Heugh	10	2	0 $\frac{3}{4}$

Of the tenants whose names are given here, John Carre held three and a half farms, Robert Fenwick two and a half, Roger Carre, George Sawkeld, and George Fresswell two each. Yet there is nothing to show to which of these farms the strips belonged. The extreme pains and minuteness with which each bundle of strips is measured and laid

down, with the utter disregard of the exact holding to which its component parts appertained is very striking. The two farms were evidently regarded as indivisible for agricultural purposes, and there must therefore have been some other object in keeping the fact that they were *two* messuages and *two* husbandlands so carefully on record.

There is no doubt about the reason for keeping count of the messuages. 'Every tenant, Cotinger and Cotterell doe pay yerely to the Lord of Alnwick one henn called a rent henne in winter tyme, except the Lord's Reave of the Towne for that yeare.' There are many returns of these rent hens extant, showing that each man paid according to the number of houses he had, whatever his status or the character of his dwelling might be. It was in truth a house tax, and a very valuable asset. At Prudhoe in 1607 the rent hens were considered 'worth to be demised' for 55s. 4d.

If the record of the messuages was kept for a fiscal purpose it seems natural to suppose that of the husbandlands to have been preserved with a similar object, and unless it was that they might form the basis of local taxation it is not easy to see what it could be.

But if the ancient farms be the same as the husbandlands, nothing can be more certain than that they were not aliquot parts of the whole township, of which they covered but a portion. The table below proves that in three of the five townships mentioned in this paper the husbandlands did not cover one half, and in one instance little more than a fourth of the township in which they were situated:—

Townships.				Husbandlands.			Percentage of the Township covered by the Husbandlands.
Name.	Area.			Area.			
	A.	R.	P.	A.	R.	P.	
Birling ...	789	1	17 $\frac{1}{8}$	471	3	35 $\frac{1}{16}$	60
Brotherwick ...	181	0	0 $\frac{1}{8}$	87	2	7	48
Buston ...	728	0	1 $\frac{7}{16}$	296	3	21 $\frac{7}{16}$	41
Acklington ...	2,691	2	4 $\frac{1}{8}$	764	1	21 $\frac{7}{8}$	28
Lesbury ...	1,618	2	29 $\frac{7}{16}$	1,057	2	1 $\frac{11}{16}$	65

They did not even include in many cases the whole of the land under cultivation, for in addition to them there were frequently freeholds, leaseholds, cottage lands, etc. Nor were they equal *inter se*, at

any rate in the sixteenth century, for the evidence I have adduced proves that they differed in acreage, in rental, in the number of cottages held with them, in the amount of moulter paid to the mill; in short in every particular incident to an agricultural holding.

It would seem then that our ancestors were contented to regard as equal bases of assessment items which were not only relatively unequal, but which, in many cases, covered only a comparatively small portion of the area on behalf of which the rate was levied. According to our modern notions equality of assessment is so indissolubly connected, *a priori*, with equality of value that to many persons such a state of things may appear incredible. But there is no more fertile source of error in antiquarian researches than a proneness to import the ideas of our own time into the history of the past. In early days it is probable that the imposts arising under this system were not onerous. It was not the rates, but the fines and the services which were the cause of complaint. The difficulties attending the rearrangement of areas under the common field system may have been very great. The inhabitants may have preferred to endure a state of things, however anomalous, to which they were accustomed rather than to embark in a local revolution, which might have led to unforeseen results. It is more extraordinary that, long after the common fields had disappeared, the same system should have been tolerated, and yet the evidence taken in the suit so often quoted proves abundantly that, though the want of correspondence between the actual and supposed value of the holdings was fully recognised, and the more serious demands of the land tax and poor rate had been added to the lord's rent, church rate and parish clerk's fees, the same method of assessment, with certain minor modifications, survived until a comparatively recent date.

The arrangement cannot always have been anomalous. It must have been originally created to meet the actual requirements of the time. If the system assumes the equality of the farms, the presumption is very strong that they were once actually equal. If these farms covered only a portion of the township, there must have been some reason why they alone were considered the basis of taxation.

In the absence of direct evidence on this point we may fairly fall back upon the principle which underlies so many of the received 'laws' of physical science, and assume that a theory which accounts for all

the facts is good until a better can be formulated, or until it is contradicted by some further discovery. The theory I venture to propose is as follows :—

At the date, probably very remote, when the plan of rating by farms was inaugurated, whatever the nature, variety or complexity of the tenures under which the land was held might be, a sharp line was drawn between that portion of the township which was composed of demesne land, and that portion which was not. The latter alone was rateable.⁷

This would be entirely in accord with the spirit of the manorial system when the rights and interests of the lord were predominant. In the light of this supposition the history of these farms may be traced as follows :—

Originally that portion of a township which was not demesne, that is to say which did not form a part of what has been sometimes described as the home farm of the lord, was divided into husbandlands of equal area, paying an equal 'ferme.'⁸ It has been already pointed out that, under the common field system, areas of equal extent of the same kind of land (arable, meadow, or pasture as the case might be) must necessarily have been practically of equal value. And we have seen that the older and ruder the record the more the equality of the husbandlands or farms seems to have been assumed.

Within this rateable area there might or might not be a certain number of 'Cotingers and Cotterels,' holding directly of the lord. There is some reason to think that they were more numerous in early days than subsequently. A survey of the middle of the sixteenth century says :—

⁷ Mr. J. C. Hodgson informs me that the parish clerk of Warkworth's book contains no assessment for Acklington Park. It appears that attempts had been made to levy a rate; *e.g.*, in 1830 Mr. Reid's representative refused to pay 1s. 6d. This corroborates the above theory, for Acklington Park was undoubtedly demesne land, being one of the parks attached to the castle of Warkworth, and it shows that so late as 1830 some land was exempt from rating, though the reason of the exemption had probably been forgotten.

⁸ It has been shown that at Acklington and Lesbury, though in the earlier surveys the bulk of the husbandlands were nearly, if not quite equal, there was *one* which fell very much below the others. This is a feature of such common occurrence in the larger townships that it appears to be indicative of something in the ancient manorial economy demanding further enquiry. That it represents something connected with the original constitution of the manor seems probable when we reflect that while it is easy to imagine causes which might tend to increase the area of a husbandland, it is more difficult to account for a decrease. But this does not materially affect the main argument.

In auncyent tyme the L. nor his officers dyd not pmytt one tennt of any of his L. townes to enjoy twoo sevall tents and farmeholdes neyther to adjoine tent and cotage together but evie tennt to have one tent and to evie cotinger one cotage whiche nowe yn this my L. tyme ys lytell regarded to y^e great impovishment of all y^e reste of y^e said tennts where any suche thing is. And also no lytell hurte and hindrance to svyce to his L. then pjudice to the comone welthe wherfor I could wyshe the same were orderlye reaformed and y^t wth out any exclamacon.

So far back as the year 1500 there were several cottages at Lesbury in the hands of the farmers, so that the abuse, as it seems to have been regarded, was of long standing, but the comment of the surveyor evidently refers to a time when all or nearly all the cottagers held their land, like the other tenants, directly of the lord. Whether they were rated or not we cannot tell. It is possible that the rate imposed upon them at Lesbury in 1783 was a survival of an ancient charge, and it will be remembered that half a farm at Acklington in 1826 is called the 'coatland,' though if this really represents the body of cottagers of the middle ages it has taken the place of half a husbandland. But be this as it may, the main part of the burden indubitably fell on the husbandlands.

In course of years parts of the demesnes were granted to freeholders or leaseholders, but these, having once been demense, remained exempt from local taxation. Thus at Buston eight of the sixteen husbandlands had been doubtless demesne, and so escaped taxation. This was the reason why, although the number of tenants was reduced from sixteen to eight, there continued to be sixteen husbandlands. The same was the case with one of the holdings at Brotherick.

Similarly, as time went on, some of the land which was not demense fell into the hands of the lord by escheat, forfeiture, failure of heirs, etc., and might be granted by him to freeholders or leaseholders, but having been part of the rateable area it continued to be subject to that liability. Hence the leasehold and freehold farms we find at Lesbury in the sixteenth century.

Probably from the very commencement of this plan of rating the husbandlands had constantly tended to become more and more unequal, and thus to deviate from the theory of their existence. From time to time some of the more enterprising of the inhabitants would break up small portions of the moor, with or without the

consent of the authorities. They annexed, more or less intentionally, portions of the demesnes to their holdings, and again exchanged these strips with those of other tenants, so that there was a constant accretion on the part of some, and an increasing discrepancy between the size of the various farms. It is easy to conceive many other ways in which this would come about. Although this did not apparently altogether escape the notice of the surveyors, they were content to acquiesce in it, rather than to raise a host of disputed questions which might lead to no final issue, and, as far as the glaring facts of the case would allow, they clung to the fiction that the farms were equal long after this had ceased to be really the case. A minute survey like that of 1616 proved the reverse.

By this time the meaning of the word 'farm' had undergone an important modification. It had ceased to be applied to the payment incident to the holding, and had become applicable to the holding itself. The change in the use of the word notoriously took place about the commencement of the sixteenth century throughout England generally.

At length the day arrived when there was a very general conversion of copyholds into leaseholds. The process was not popular, but the practical change which it introduced into the economy of the manor may be easily overrated. It is a mistake to suppose that statements to the effect that A or B has 'yielded his copy' implies that he has been turned out of his holding. At Lesbury, for instance, numbers of the old tenants and their descendants continued for very many years to occupy the same holdings after they had accepted leases.

The tenants who already had land in the township were very ready to take up any farms that might fall vacant. This tendency had shown itself freely long before the extinction of the copyholds, and it gradually led to a larger number of farms being held together than before.

But now a much more important and radical change took place than was involved in the conversion of copyholds into leaseholds, viz., the abolition of the common fields, and the inauguration of the modern system of several husbandry. It is of the first importance in seeking to interpret the consequences which flowed from it, that we should have an adequate conception of the state of things existing before it, and the methods by which it was carried out. These differed to some extent in cases where the land of a township was the property of one

individual, and in those where it was in the hands of several proprietors. Let us take the former case first.

Let us suppose a township consisting partly of leasehold farms, partly of demesne lands, partly of cottage holdings, and partly of common or waste. The leasehold farms were practically the old husbandlands. The demesnes had become almost entirely merged in them. When the copyholds had finally disappeared there was no object in keeping up the distinction between the demesnes and the husbandlands, and, as the same individuals held both, all trace of the former tended rapidly to disappear. But the land of which the husbandlands originally consisted, as well as large portions of that which had been demesne, lay scattered over the whole township. A held 200 acres in $5\frac{1}{2}$ farms, B 120 acres in $3\frac{1}{2}$ farms, C 120 acres in $3\frac{1}{4}$ farms, and so on.

The first difficulty that would arise would be found in the varying character of the land of the district. The 120 acres which B would receive in severalty might be the worst land in the township, while the same amount allotted to C might be the best. The arbitrator would therefore be obliged in fairness to add a few acres to B, or to deduct a few from C. Thus there would be a further inroad into the small amount of equality which may still have existed between the farms.

Either now or at a later date the common would be divided. Though, as a rule, the complete division of the waste was subsequent to the breaking up of the common fields, the allotment of the cultivated land in severalty was often seized upon as an opportunity for a partial division of the common also. How was the arbitrator to allot this common? A with his five and a half farms of 200 acres would have as much land as he could conveniently manage, while B and C on the contrary might be glad to take a little more. And thus the actual extent of a holding would, after the division, bear no relation whatever to the number of 'farms' at which it was assessed. This explains why, in the accounts of the churchwardens of Lesbury in 1791, William Hay, with Hipsburne farm of 216 a. 2r. 22p. and a rental of £220 pays £3 8s. 3d., equal to $3\frac{1}{4}$ farms, while David Baird, with Foxton Hall of 163 a. 1r. 30p., and a rental of £190, is mulcted £3 13s. 6d., equal to $3\frac{1}{2}$ farms. This method of allotment would be pursued whenever more common was enclosed, until the whole had

disappeared. It would go to increase the size of the holdings in proportion to the ability of the tenant to cultivate it, not with relation to the number of 'farms' he held, and thus gradually the 'farms' would extend, in some cases, over the whole township. In such instances there would be no difficulty in rating the township by farms, but it was a different matter where there were cottage holdings, and leaseholds, not liable, under the ancient system, to a rate. Sometimes also there were small parts of the demesnes which had not been merged in the farms. One of these was the lord's mill. If these hitherto unrated portions of the township were few, it seems that they were ignored, upon the principle 'de minimis non curat lex.' But where they collectively embraced a considerable area, as they did at Lesbury and at Acklington, it would be felt to be unfair that they should contribute nothing to the rate, while there would be no ancient precedent to fall back upon for the purpose. The course pursued in these cases was probably different in different places, and at different times in the same place. At Acklington, as has been already pointed out, the cottage lands may have been thrown together and treated as half a farm called 'Coatlands.' At Lesbury they seem to have been assessed at a sixteenth of a husbandland each, and the remaining hitherto unrated lands on some other basis, resulting in what I have called the abnormal payments in the account. That this is the true interpretation of these abnormal payments is rendered probable by the fact that William Hay's contribution for the mill is one of them, the mill being reckoned as part of the demesnes. His payment is clearly not determined by the rent or the acreage, for he pays less on the mill than Robert Bell for his cottage. At Longhoughton it is said that four, and at Rennington three cottages were accounted equal to one farm.

In those instances in which a township comprised freeholds in the hands of divers persons another element had to be considered in making an award. The question was not only how to divide the land so that it could be conveniently cultivated by occupiers, but also how to allot it consistently with the claims of owners. Where an adequate terrier existed there could be no difficulty. This, however, was rarely the case. The trouble and expense of measuring the land, as in the extract given above from the terrier of Lesbury, and of compiling the record, must have been enormous, and was probably but rarely adopted. Some idea of the magnitude of the undertaking may be formed when

it is remembered that there were in the township of Lesbury alone 3,270 strips, besides the land held in severalty by freeholders, closes, garths, etc.⁹ When no terrier was available the award must have depended on the number of the farms rather than on their extent.

That this was not the sole consideration, however, the facts connected with the division of the township of Cheswick tend to prove. There were eighteen farms in this township, besides a plot of land called the 'Priory Ground,' valued at £3 a year. The 'several shares and parts of these farms . . . lay promiscuously, and inter-mixed one part with another,' and the moor lay undivided, and had been enjoyed in common.

In an award of 1719 the arbitrators state that having caused the arable, meadow, and pasture ground, and the waste and common, to be surveyed and measured, and having found them to contain 1,907a. 2r. 37p., they had viewed the same, and had 'seriously and deliberately weighed and considered the nature, soil, and quality thereof, and the conveniences and inconveniences incident thereto.' They order that 325 acres of the common shall still continue common and undivided, and the parties are 'to have and keep thereupon such rateable and proportionable number of stints according to their respective interests in Cheswick aforesaid as the same will conveniently depasture, feed and bear thereupon.' Nevertheless of this common they gave Sir Carnaby Haggerston 6a. 2r. 36p. in respect of the 'Priory Ground.' The remainder of the township they allotted as follows :—

	A.	R.	P.
Edward Haggerston, 4 farms	371	1	10
Robert Wilkie, 8½ farms	747	2	6
Christopher Strangways, 3½ farms	289	0	0
Christopher Sibbitt, 2 farms	174	3	21
Total	1,582	2	37

A plan attached to this award gives somewhat different figures as the result of the operation. On it it is stated that the 'content of Mr. Edward Haggerston's with the Priory Land' was 371a. 1r. 10p., and it appears that the actual number of acres which came into the possession of each individual in right of their farms was—

⁹ The twenty-four husbandlands were divided into 3,219 strips, covering 1,057 acres. This gives an average of rather more than 1r. 12p. for each strip. If, as has been supposed, the original size of a strip in the common fields was an acre or half an acre, the departure from this had, in the course of years, become considerable, and must have had an influence upon the size of the farms.

	A.	R.	P.
Edward Haggerston	364	2	14
Robert Wilkie	747	2	13
Christopher Strangways	287	3	27
Christopher Sibbitt	172	2	21
Total	1,572	2	35

The total acreage of the township is stated on the plan to be 1,949a. 1r. 24p.¹⁰

In 1724 a further division was carried out by agreement. 'It is agreed by and between all the parties to these presents that nothing herein contained shall be construed or taken to discharge or acquit any of the said parties of the payment of the rents payable out of their lands to Sir Carnaby Haggerston as lord of the manor of Norham castle, or otherwise prejudice his manor on any account whatever.' Sir Carnaby Haggerston received 10 acres, Francis Smith a 'small croft south of the house he dwells in' and 13 acres, and

	A.	R.	P.
Edward Haggerston	48	0	0
Robert Wilkie	144	2	0
Christopher Strangways	42	2	0
Christopher Sibbitt	22	0	0
Total	257	0	0

The result of the two divisions allotted the land between the owners of the farms as follows :—

	A.	R.	P.
Edward Haggerston	412	2	14
Robert Wilkie	892	0	13
Christopher Strangways	330	1	27
Christopher Sibbitt	194	2	29
Total	1,829	2	35

That the total number of farms was the leading idea that governed the transaction is proved by the fisheries on the coast having been allotted in the following proportions :—To the Haggerston estate $4\frac{2}{3}$ eighteenthths, to Robert Wilkie $8\frac{2}{3}$ eighteenthths, to Strangways and Sibbitt conjoined $5\frac{2}{3}$ eighteenthths. But that this was not the only consideration so far as the land was concerned, a calculation of what each proprietor would have received had the allotment been made entirely with a view to the number of farms clearly shows.

¹⁰ The acreage in the Ordnance Survey of 1861 is 1,963a. 2r. 11p.

ACREAGE DIVIDED IN PROPORTION TO THE NUMBER OF FARMS.

Owner.	Number of Farms.	1719.		1724.	4. Proportion of Total Area Actually Received in both Divisions (Cols. 2 and 3).
		1. Of Area of 1,582a. 2r. 37p. as Allotted by Deed.	2. Of Area of 1,572a. 2r. 35p. as actually Received.	3. Of Area of 257a. 0r. 0p. Allotted and Received.	
		A. R. P.	A. R. P.	A. R. P.	A. R. P.
E. Haggerston ...	4	351 2 29	349 1 39	57 0 17	406 2 16
R. Wilkie ...	8 ¹ / ₂	747 1 16	742 2 28	121 1 18	864 0 6
C. Strangways ...	3 ¹ / ₂	307 3 2	305 3 9	49 3 35	355 3 4
C. Sibbitt ...	2	175 3 30	174 2 39	28 2 10	203 1 9
Total ...	18	1,582 2 37	1,572 2 35	257 0 0	1,829 2 35

The net results of the division as actually carried out are shown below :—

Owner.	1719.		1724.		Total.	
	In Excess.	Deficient.	In Excess.	Deficient.	In Excess.	Deficient.
	A. R. P.	A. R. P.	A. R. P.	A. R. P.	A. R. P.	A. R. P.
E. Haggerston ...	15 0 15	—	—	9 0 17	5 3 38	—
Robert Wilkie ...	4 3 25	—	23 0 22	—	28 0 7	—
C. Strangways ...	—	17 3 22	—	7 1 35	—	25 1 17
C. Sibbitt ...	—	2 0 18	—	6 2 10	—	8 2 28
Total ...	20 0 0	20 0 0	23 0 22	23 0 22	34 0 5	34 0 5

Although, therefore, the number of farms in the township was evidently the main guide to the arbitrators in making this division, yet the result was to consign 34a. 0r. 5p. more to two of the proprietors than was allotted to the other two, and to hand over a small croft and 29a. 2r. 36p. to be held in severalty outside the limits of the farms altogether.

Instances of this kind enable us to estimate at their true value the statements so frequently made by different witnesses in the course of the Netherwitton suit, to the effect that townships consisted of a certain number of farms and no more; that these farms were areas of equal value, and that their number was the sole consideration which guided the arbitrators. Such statements are only roughly accurate, and it must not be forgotten that those who tendered this evidence referred to transactions which in general had been carried out long before their time, or at any rate in which they had not themselves taken an active part.

Let us turn again to the account given by the parish clerks of the townships mentioned in the earlier pages of this paper.

At Birling and Acklington the farms did indeed cover the whole extent of the township so soon as all the common had been divided. At Buston the eight husbandlands, which in old days had alone been rateable, had fallen into the hands of the owners of those which had been exempt, or of some of them, and the unrateable character of eight of the farms, and indeed their very existence, was unrecorded. Every owner or occupier in the township was rated, and collectively the township consisted of eight farms, and this was all that it concerned the parish clerk to know or to remember. Very much the same may be said of Brotherrick. At Lesbury there is nothing in the resolution passed by the vestry to indicate that any basis of taxation existed besides that of the farms, except the fact that the Coatlands were to be rated at three farthings. It is not till we come to the details of the actual sum raised that we find any trace of the lands resulting in the 'abnormal' payments, and those who have hitherto considered the subject do not appear to have turned their attention to accounts of this description. If more of these could be brought to light it is probable that they would afford a great deal of information.

So far as the data at present in our possession go they seem to point to the following conclusions:—1st, that the farms which formed the basis of assessment at the end of the last and the commencement of the present century are the descendants and representatives of the ancient husbandlands; 2nd, that it is highly probable, if not certain, that originally these husbandlands were, generally speaking, of equal value within the limits of the same township; 3rd, that they constantly tended to lose this equality, and that in the sixteenth century, if not long before, their inequality had become very marked; 4th, that, notwithstanding, they continued to be regarded as equal bases of assessment; 5th, that they were never conterminous with the township, save in cases like that of Birling, in which the lord of the manor was the sole proprietor, and the husbandlands contained the only cultivated land within it. In this event they would indeed cover the whole area after the common had been divided, but even then the proportion of common added to each holding depended on other considerations than those of mere equality of value.

There is another conceivable state of things in which, even if

there were more than one owner, the farms would include the whole of the township after the division of the common; viz., where there was no demesne, no cottage land, etc., and where the lord of the manor accepted a rent charge in lieu of his claim on the waste. This substitution of a rent charge for a portion of the land of the waste was not formally recognised by Act of Parliament until the year 1846, but it is possible that it may have been adopted in some instances by agreement at an earlier period, though I am not aware of any evidence to that effect.

Since this paper was begun Mr. Woodman has very kindly afforded me the advantage of examining the evidence tendered in the Netherwiton suit. This extensive and most valuable record of the antique customs connected with the tenure of land in Northumberland must ever be an invaluable field for the researches of the antiquary, and would furnish materials for many a paper. I may, however, be permitted to say a few words with regard to it, so far as it bears immediately upon the subject in hand.

The land originally granted by king Edward VI., which formed the subject of the suit, is thus described at the time:—

Terra et tenementa pertinentibus dictae nuper cantaria Sancti Egidii.	{ Nuper cantaria Sancti Egidii fundata in ca- pella de Wyt- ton in parochia de Hartborne.	{ In comitatu Northumbriae.	{ }
	{ Firma unius tenementi cum pertinentibus in Netherweton predicta in tenura Thomae Potts per annum,	{ }	
	{ Firma unius tenementi ibidem cum pertinenti- bus in tenura Johannis Rogerson per annum,	{ }	
			{ }

Here there are five holdings at various rents; four of them being described as tenements, and one as a waste. It will be observed also that 'firma' here means money and not land.

The next evidence bearing on our subject is given more than a hundred and fifty years after, in 1710, when some witnesses deposed that the lands in question were 'about one third part in value' of the township, and others that there were 'nineteen farmes and one half farme' in Netherwitton, and that the property to which the suit referred were 'computed and reckoned to be five farmes and one-half farme,' or, as one witness puts it, 'there were computed and reckoned to be nineteen farmes and one half farme of lands and no more in and belonging to Netherwitton.'

It is not clear whether this implies that there were no more farms in Netherwitton than nineteen and a half, or that there was no land which was not included in these farms. But at any rate it would seem in this instance that the reverse had happened to that which took place at Lesbury and Hawkhill, for instead of a part of the farms being lost, five farms in Edward VI. time had come to be reckoned as five and a half in 1710. It is somewhat remarkable that at this date, when the common field system was still to be found in very many, probably in the majority of townships, there is nothing said (unless I have overlooked it), about these farms being equal or being deemed to be so.

After this we have another break of more than one hundred and fifty years, and we then come upon a great body of evidence brought from many parts of the county as to the practice of rating by farms, which may be summarized for present purposes as follows:—

1st, that most, if not all the local taxation had been, and to some extent continued up to very recent times to be raised according to the number of farms in each township over a very large part of Northumberland, and that for this object the farms were regarded as equal; 2nd, that this imaginary equality had long ceased to have any real existence; 3rd, that in many cases where a division had been carried out these farms had been the only available means of deciding the respective shares of the claimants; 4th, that in the opinion of the deponents these farms had originally been of equal value.

With regard to the first and second of these heads there can be no

dispute. The third may be accepted with certain modifications which have been already noticed. As to the fourth it is no disrespect to the witnesses to say that it rests on no better ground than the obvious probability that things deemed to be equal must have been so at one time or another. They do not profess to put it any higher, and it may readily be admitted that they are justified in coming to that conclusion. But they do not, and they could not, state that this equality existed in the sixteenth century, and the original grant seems to show the reverse, for it is surely more probable that five holdings, three of which are rented at 14s., one at 12s., and one at 10s., four of which were 'tenements' and one a 'waste,' were of different values than that five equal husbandlands were held on different terms and described in different language.

In conclusion, I must express my obligations to Sir William Crossman, Mr. Dendy, Mr. J. C. Hodgson, Mr. Bateson, and other gentlemen who, while not committing themselves in any degree to the theories I have advanced in this essay, have rendered me invaluable assistance by the information they have furnished to me, of which I have ventured to avail myself more than once without acknowledgment, and by their criticisms and advice.

NOTE.

If the views advanced in this paper of the origin of the Northumbrian farms be correct, it may possibly throw some light on the much vexed question of the antiquity of the manorial system with its overlord. It is repeatedly stated in the evidence given in the Netherwitton suit that the farms were also called 'ploughs' or 'plough gates.' It seems clear that originally the word 'farm' implied a rent, either in kind or money, and not the thing let. The 'plough' or 'plough gate' is evidently the proper title of that for the use or enjoyment of which the 'farm' was paid. This recalls forcibly the time when the lord furnished the villein, but not the free tenant, with the stock and implements necessary for his holding, and resumed them on the conclusion of the tenancy. It is a different system from that described by Mr. Seebohm, in his work on the village community, where one tenant supplied the plough, another an ox, another two oxen, etc., to make

up the team. Here each tenant has a plough, and although this seems excessive for the cultivation of a holding so small as most of the husbandlands were, we must recollect that the villeins were under an obligation to plough the demesnes, which were often of considerable size, and that this duty was probably imposed on every villein in the manor, whether the particular township in which he resided contained demesne land or not. The liability to assessment would thus depend upon whether the lord had or had not supplied the plough, and the 'plough' became synonymous with a villein holding, or base tenure.

Hence if the 'farms' of Northumberland can be traced to Saxon times, as some have supposed, it appears to necessitate the existence also of a Saxon overlord, and a system presenting many of the attributes and incidents which are commonly referred to a Norman source.

Mr. F. York Powell tells us that 'the German theory formerly generally accepted, that free village communities were the rule among the English, seems to have little direct evidence to support it. The English conqueror found estates cultivated by British *servi* and *liberti* and *coloni*, according to certain rules and customs for the profit of the *dominus* and *patronus* and their own living. He stepped into the Roman patron's, or even the earlier Celtic chief's, place, exacted his dues, and farmed more or less after his fashion.'¹¹

¹¹ *Social England, 1893*, vol. i. p. 125.