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A Brief Survey of Domesday

THE mystery which has hung about Domesday Book for centuries is one of the most curious things in the history of English institutions and of their study. So lately as ten years ago it could not be said that any one of the many scholars who had considered this unique national monument for various purposes had done more than feel their way to correct interpretation of the writings that were brought to the Conqueror in execution of his great inquest, or rather the official digest of them. If now at last we walk in the light it is not too much to say that we owe our facilities in large measure to the work of one man, Mr. J. H. Round, who has finally cleared away the worst and darkest of the fog. The common metaphor is, perhaps, more appropriate than usual. No guide is so hardy or skilful that he may not be baffled by mist, and the earlier Domesday explorers spent much of their strength in wandering like travellers overtaken by a thick mist and without bearings or landmarks. Industry and learning were not wanting for the search, but the searchers too often set their faces in directions where nothing was to be found. Even the late Mr. Eyton, though he took infinite pains and saw further than any of his predecessors on some points, cannot be said to have attained to more than glimpses of the true way. James F. Morgan, the author of 'England under the Norman Occupation,' published as long ago as 1858, is one of those who most deserve our grateful remembrance. His little book is still a most valuable collection of facts and authorities, and, although he did not risk a solution of the larger problems, is remarkably sound and solid work all through.¹ It would be idle to attempt an enumeration of others

¹ Thus Morgan is quite clear about the normal hide, as an actual measure of area, being 120 acres, and the normal plough team of the Domesday period a team of eight oxen, points on which there is still too much hesitation even among competent persons.

whose endeavours have more or less contributed to set us on the right track ; it would be both idle and ungracious to specify their shortcomings or mistakes. Until the clue is found the most ingenious of men will go astray, as has been exemplified in abundance in every branch of learning.

With the exception of the valiant ones who have adventured themselves in the forlorn hope, and for the most part fallen, modern critical students of the early middle ages in England, moved by knowledge or instinct of the danger, have fought shy of Domesday Book and its problems so far as they decently could. Even so they have not escaped serious error. Thus the first part of Mr. Ashley's 'Economic History,' which on the face of it covers the eleventh century, contains, if one may trust the index, only three references to Domesday, of which two prove to be very slight and the third misleading.² The fifth volume of Freeman's 'Norman Conquest' deals at considerable length with the political aspect of the Conqueror's survey, but to all material intents with its political aspect only. Mr. Freeman, as a political historian, was well entitled to limit his work in this way, and there is no occasion to complain of him for having done so.

As to the origin and formation of Domesday Book, the briefest reminder will suffice for any one who is likely to read this paper. We know that in the winter of 1083-4 King William levied a Danegeld at the novel and oppressive rate of 6s. a hide, the normal rate having been 2s. a hide. The authorities from which we know this do not tell us what a hide was, but assume it as well known. To this great levy of Danegeld, not to the Domesday survey, belongs the valuable document known as 'Inquisitio Geldi,' preserved and published³ along with the 'Exon Domesday,' to be presently mentioned. We also know that in the mid-winter of 1085 the king, after 'very deep speech with his Witan,'⁴ gave orders for the great inquest recorded in Domesday Book, and that in the course of the following year the returns called for from

He was apparently the first (p. 149) to suggest that *alodium* in Anglo-Norman documents means book-land, a conclusion which I had reached independently before I noticed this passage, and believe to be quite certain.

² P. 18, where Mr. Ashley, following Mr. Seebohm's early oversight, assumes that the categories of socmen and *liberi homines* exhaust the smaller free tenants, and therefore that there were no such people in the western and southern counties—the *tains* of Wessex, the men who held in *alodium* in Berks and Hants, and others *eiusdem generis* being forgotten or misconceived. In 1893 Mr. Ashley repeated the mistake even more dogmatically (*Econ. Rev.* iii. 165). We shall see more of this presently.

³ In the Record Commissioners' edition, and also in the Devonshire Association's edition of *The Devonshire Domesday and Geld Inquest*, completed in 1892.

⁴ The passage in the Chronicle has been reproduced at length too often to need fuller citation here. With regard to the completion of the survey, I am convinced by Mr. Round's argument (*Feudal England*, p. 139) that the colophon to the 'Little Domesday' refers only to the original returns and not to the book as finally made up.

every county were sent in. The account in the 'Anglo-Saxon Chronicle' is accurate enough as regards these original returns, if we make allowance for some natural exaggeration from the point of view of unwilling taxpayers. We have an authentic date at the end of the second volume (so called) of Domesday Book itself. *Anno millesimo octogesimo sexto ab incarnatione Domini vigesimo vero regni Willelmi facta est ista descriptio non solum per hos tres comitatus* [that is, Essex, Norfolk, and Suffolk] *sed etiam per alios. Descriptio* seems to have been the contemporary official name for the operations of the survey, and (in the plural) for the original returns as sent in. We have a Westminster charter⁵ dated *post descriptionem totius Anglie*. Within a century later we find the word still used for the survey, but likewise used for Domesday Book itself, or the process of editing it from the returns.⁶ There is no need to believe that these returns were digested within the year (which, as Mr. Round has pointed out, is not what the contemporary statement tells us), though probably it was done with greater despatch as well as greater skill than any earlier English king could have commanded. The permanent result was to give us the two volumes still preserved in excellent condition at the Record Office, of which the smaller, or 'Little Domesday,' containing only the three counties of Essex, Norfolk, and Suffolk, and drafted on a much more diffuse scale than the rest, is commonly called the second. It was left for Mr. Round to suggest that this was really the first part executed, that the plan was then revised for the saving of both time and length, and that the so-called first volume, or 'Great Domesday,' was executed according to the revised instructions. The suggestion appears extremely probable.

It is not known that the original returns are extant for any county; but the document known as 'Inquisitio Comitatus Cantabrigiensis' is at least an early copy of the returns for Cambridgeshire, and the 'Inquisitio Eliensis,' printed in the supplementary volume of the official edition of Domesday, which appears to represent the return to a special royal inquest made somewhat later, is of the same type.⁷ The 'Liber Exoniensis,' or 'Exon Domesday,' is a digest, on much the same scale as the 'Little Domesday,' of the returns for parts of the western counties. It has been in the custody of the Dean and Chapter of Exeter so far back as memory goes, but there is no direct evidence or tradition about its compilation. Comparison of the 'Little Domesday' and

⁵ Madox, *Form. Ang.* No. 396. And see D. B. i. 164, col. 2: 'De quo manerio nemo legatis regis reddidit rationem nec aliquis eorum venit ad hanc descriptionem.'

⁶ *Dial. de Scacc.* i. 16: 'Fit autem descriptio per comitatus, per centuriatas, et per hidas, praenotato in ipso capite regis nomine, ac deinde seriatim aliorum procerum nominibus apposisis secundum status sui dignitatem, qui videlicet de rege tenent in capite.'

⁷ For full discussion see Round's *Feudal England*, pp. 123 sqq.

the Exeter book with the 'Inq. Com. Cant.' shows that for the districts covered by them we have (accidental errors of omission excepted) the substance of everything that was in the original returns. Mr. Round has proved that none of these documents are infallible, but the conclusion is that Domesday Book is on the whole the most correct; and there is evidence that sometimes it embodies information which was not in the returns. There is no doubt that in some cases a new tenant's name was added at the last moment.⁸

Domesday Book was known by that name in the third quarter of the twelfth century at latest,⁹ and is also mentioned under several other names; Mr. Round's research has added to these *liber de thesauro* from a passage in the 'Abingdon Chronicle' which cannot well refer to anything else.¹⁰ In the book itself the name *liber de Wintonia* is used.¹¹ In the Black Book of Peterborough belonging to the Society of Antiquaries an extract of the monastery's estates is headed *Quere in libro sancti Edwardi qui vocatur Domesday*. Notwithstanding the celebrity of Domesday, tradition seems to have become confused about it within two generations or so. We read in Florence of Worcester¹² that after the survey the land was troubled with riots thereon ensuing, *vezata est terra multis cladibus inde procedentibus*. It is credible that the survey might cause discontent, but hardly credible that the actual levy of 6s. a hide two years earlier should not have caused as much, or more; while it is at least conceivable that trouble in collecting the Danegeld of 1083-4 may have been one reason moving the king to undertake a general survey, with a view to reforming the old assessment on which the levy had been made. In the St. Albans chroniclers of the thirteenth century at all events we meet with the still greater mistake of placing the Danegeld of 6s. a hide after instead of before the survey.¹³

It is possible that the transposition of dates now in question was wilfully performed as a piece of literary embellishment by an author who thought the precise order of events of no importance as

⁸ Robert Bruce's estates in Yorkshire are separately entered out of their proper order, i. 332 b: 'Hic est feudum Rotberti de Bruiis quod fuit datum postquam liber de Wintonia scriptus fuit.' I do not know whether the following passage has been noticed in this connexion: i. 273 a, Derbyshire, Tibecel [Tibshelf], 'Habuit Ligulf. iiii. carucatas terrae ad geldum . . . Willelmus Peverel custodit per regem (by the king's grant) . . . [at end of entry] Robertus tenet.' The last words seem to be a late correction. May not this Robert be the same Robert Bruce?

⁹ *Dial. de Scacc.* i. 16: 'Hic liber ab indigenis Domesdei nuncupatur, id est, dies iudicii per metaphoram.'

¹⁰ *Feudal England*, 142-3; *Chron. Ab. ii.* 115-6.

¹¹ See note 8 above.

¹² *Sub ann.* 1086, extracted in Stubbs's *Sel. Ch.* 81.

¹³ Rog. Wend. (before 1235), copied by Matthew Paris and the so-called Matthew of Westminster (*Flores Historiarum*), from which an extract is given, to the confusion of unwary readers, in the introduction to the supplementary volume of D. B. For the filiation of these works see Sir F. Madden's preface to *Matt. Par. Hist. Ang.*, and Dr. Luard's to *Flor. Hist.*, in the Rolls Series.

compared with rounding a paragraph or pointing a moral. But it is also possible that it represents a confused tradition which was really current. Again, there is an odd story, preserved by Orderic and criticised by Bishop Stubbs,¹⁴ about William Rufus having made a new survey, by Ranulf Flambard's advice, in such a way as to confiscate land and increase taxation. If, as the bishop suggests, this is a Domesday story gone astray, founded perhaps on Ranulf Flambard having really been employed as a subordinate on the great survey, we have to add it to the evidence that only for a short time, if at all, can there have been an accurate tradition about Domesday beyond the narrow circle of the skilled clerks concerned in its formation. If, on the contrary, the tale does belong to the reign of William Rufus, it shows within how short a time a fabulous tale can spring up and be believed. It is just possible that Ranulf really gave advice to some such effect; we can make nothing but fable of the alleged execution. William of Malmesbury¹⁵ runs the Domesday survey and the Council of Salisbury into one sentence, which, though not inaccurate save in the exaggerated phrase *censum omnium capitum*, is too short to throw any light on these matters.

As to the purposes of the survey, it is easy to say with some confidence that Domesday does not profess to give some kinds of information which a modern reader might at first sight expect it to give. It is not so easy to say exactly how much information it did convey to a skilled reader at the time. We may be clear, to begin with, that the main purpose was not topographical. Any modern associations of the word 'survey' pointing that way must be carefully put aside. Within each county the arrangement of the entries is not territorial at all, but, as the 'Dialogue of the Exchequer' truly reports, according to the rank of landholders from the king downwards, the manors held by the king and his several tenants in chief being respectively grouped together. This alone is enough to show that topographic description was not contemplated. No attempt is made as a rule (if ever) to define boundaries in any way, and there is no reason to suppose that the normal duties of the king's commissioners included any view, still less perambulation, of the lands dealt with in the returns. Local traditions are sometimes met with to the effect that well-known landmarks—trees

¹⁴ Ord. Vit. viii. 8; Stubbs, *Const. Hist.* i. 302. The design ascribed to Ranulf seems to be that (1) there shall be an actual measurement of all holdings; (2) nobody shall hold more actual ploughlands than the number of hides he pays geld for. The passage is obscurely expressed, and Orderic's information, or his understanding, or both, may already not have been very clear. A plan for making taxable value correspond exactly to actual value is not necessarily iniquitous in the eyes of us moderns, and there is nothing more on the face of this; but medieval lords (especially when, being ecclesiastical persons or religious houses, they commanded the pen of ready writer) could and did cry aloud for much less.

¹⁵ *Gesta Regum*, ed. Stubbs, ii. 317, l. 3, § 259.

of great antiquity, for example—are mentioned in Domesday. I have never heard of such a tradition being borne out by the text; on the other hand it might well, in some cases, have a genuine and even earlier foundation in the boundaries of some Anglo-Saxon charter.

Again it was not the purpose of the Domesday inquest to make what we should now call a census of population. Certainly very many persons are named or enumerated, but not merely because they are human beings dwelling in the land. Women are not mentioned except where they hold, or in King Edward's time held, land in their own right—a thing less uncommon than it became after the technical forms of English real property law were settled. Children are not mentioned at all, nor is there any place in the Domesday formulas for an adult free man living with his father or occupying part of his father's land without any definite tenancy.

Moreover there is reason to believe that in some places and circumstances there were omissions, too considerable to be accidental, even of persons whom we should now reckon as tenants of some sort.¹⁶ It seems clear that the survey was not understood at the time to aim at a general counting of heads. Among the evidences of discontent we do not find a single allusion to David's sin in numbering the people. If it had been deemed in point, the comparison would have been irresistible, at any rate for the writers of the next generation, who might have made it with impunity.

Neither does Domesday Book purport to set forth the terms or customs of the various tenures: it assumes these to be known, and if we get anything tending to throw light on them it is by the accident of some point of a particular tenant's duty to the king or another lord being recorded as exceptional, or some special dispute noted as lately settled or still unsettled.

There is no doubt that the main purpose was fiscal. The Conqueror found an old, probably a very old system of taxation established in England. It was put to a severe test in the great levy of Danegeld in 1088-4. We cannot doubt that in more than one way it was found wanting; we can hardly doubt that this was what gave cause for the 'deep speech' of 1085, and led the king to direct an inquiry not unfamiliar in kind to trained continental clerks, but on an unprecedented scale, that he might be certified what was the taxable value on which he could count under the existing system, and how it compared with the actual value which a revised assessment might make available.

¹⁶ Mr. F. Baring has shown (*ENGLISH HISTORICAL REVIEW*, xi. 98: Jan. 1896) that a considerable class of rent-paying tenants (*censarii*) on the lands included in the Burton cartulary is wholly omitted in Domesday. Many antiquaries had suspected something of the kind, but I think this is the first case clearly proved.

No copy of the Conqueror's writs commanding the Domesday returns is known to exist, but the form preserved at the head of the 'Inquisitio Eliensis' may be taken as incorporating the form of those writs. For the writ to which that document seems to have been the return demands what, according to modern usage, we should call certified extracts of all the entries in the Domesday returns relating to the possessions of the abbey.¹⁷ Then the heading to the return shows what were the headings of the Domesday inquest itself. Some of the terms, as might be expected, are peculiar or specially appropriate to the eastern counties, but the main lines must have been the same everywhere. The text is easy of access; ¹⁸ it may be convenient, however, to give a translation here for reference.

Here is underwritten the inquest of lands which was made ¹⁹ by the king's barons, to wit, by the oath of the sheriff of the shire and all the barons and their Frenchmen and the whole hundred, and of the priest and the reeve and six villeins of every township. As followeth: ²⁰ How the manor is called; who held it in King Edward's time; who holds it now. How many hides. How many plough-teams in demesne. How many plough-teams of the men's. How many villeins. How many cottiers. How many slaves. How many free men. How many sokemen. How much wood, how much meadow, how much pasture, how many mills and fisheries. How much has been added or taken away. How much the whole used to be worth [and how much now].²¹ How much each free man or sokeman had or has there. All this thrice over, to wit, in the time of King Edward, and when King William granted it, and how it is now: and if more may be got than is now gotten.

It will be observed that the 'barons and their Frenchmen' are spoken of in such a way as to take it for granted that English tenants and under-tenants on a large scale are exceptional, which on the whole is borne out by the text. Very many English freeholders are named, but most of them as having been on the land in the time of King Edward and not being there now, that is, in 1086. We find the hundred called on to act as the primary responsible unit in local affairs. In fact, there is great reason to think that questions of local assessment were argued and decided in the hundred court itself. The work of furnishing the detailed

¹⁷ Round, *Feudal England*, p. 133. Mr. Round's connected reading of the documents is, to my mind, quite convincing.

¹⁸ Round, *loc. cit.*; Stubbs, *Sel. Ch.* p. 86, besides the full print of the *Inq. El.* and facsimile of the heading in the supplementary volume of the official edition of D. B.

¹⁹ Reading *inquisierunt*, not *inquirunt*, with Round, from Trin. Coll. Camb. MS.

²⁰ *Deinde* must apparently have this meaning here.

²¹ Perhaps there is an interpolation due to previous misreading, Round, *op. cit.* p. 134. One or two bad mistakes in Latin also show that our text is not perfect.

returns was, however, distributed among the townships in each hundred.

It is an interesting and still doubtful question how far the king's commissioners exercised judicial functions.^{21a} There is a specially important entry as to this in Berks, D. B. i. 58 b, as to a contested claim of Bishop Osbern: *unde iudicium non dixerunt sed ante regem ut iudicet dimiserunt*. * The nominative has to be supplied by inference, but only the commissioners, it would seem, can have had power to refer a case to the king. I know of no reason to believe that the hundred court had any such power. The conclusion seems to be that the commissioners had a discretion to decide on disputed claims (or perhaps we should rather say report their opinion) or to submit the whole to the king in cases of gravity or difficulty. It is a further question whether, in any case, they had the means of giving effect to their opinion without special orders from the king. I am disposed to think they had not.

What was the system of taxation applied by this machinery? We know from the 'Anglo-Saxon Chronicle' ²² and from Domesday itself that in the greater part of England the *hide*, divided into four *virgates* (in English *yardlands*), each consisting of thirty *acres*,²³ was the unit of taxable value, whatever else it may have been, and whatever local variations of measurement and terminology existed in unofficial usage. The formulas of Oxfordshire and Gloucestershire, *sunt* or *erant x hidae*, might seem, if they stood alone, to point to actual areas of land, or to be ambiguous; but they are cleared up by the more explicit usage of the clerks who supervised the returns for Devonshire, where a manor *geldat pro x hidis*; for Cambridgeshire, where they say indifferently *pro x hidis se defendit* or *A. tenet x hidas*; for Middlesex, where there is yet a third alternative form, *A. tenet pro x hidis*; and for Huntingdonshire, where they say *habet A. x hidas ad geldum*; and by the formula current in the western counties, *nescitur quot hidae sint ibi quia nunquam geldavit*.²⁴ There is an ancient list of districts with round numbers of hides set against them which may go back to the ninth or even the eighth century; it is imperfect, and many of the names cannot be identified, though they seem to point to former independent principalities.²⁵ On the whole the document appears to be some

^{21a} See Mr. Round's contribution and evidences in *Domesday Studies*, ii. 540 sqq.

²² *Sub anno* 1008; equipment of fleet assessed by hideage.

²³ Mr. Round has conclusively proved from the *Inq. Com. Cant.* and the *Inq. EL* that this is the Domesday scale (*Feudal England*, pp. 36 sqq.)

²⁴ Devon, i. 100 a; examples from Somersst, Dorset, and Wilts in Round, *F. E.* p. 109. In Hampshire (89, 89 b) we find the forms '*nunquam geldum dedit nec hida ibi distributa fuit*,' '*non fuit per hidas distributum*.'

²⁵ K. Maurer in *Krit. Ueberschau*, i. 81; Liebermann, *Ueber die Leges Anglorum*, p. 8. This hideage list has been printed sundry times, last and best in Earle's *Land Charters*, p. 458. The positions of Mercia as a whole at the beginning, rated at a round figure of 80,000 hides, and Wessex as a whole at the end, rated at 100,000, are

kind of fiscal memorandum. Perhaps its history, if we knew it, might account for the origin (if there was any other than pure invention) of the legend propagated by the pseudo-Ingulf that 'King Alfred about the year 900 composed a book of this nature' (i.e. like Domesday) 'which was extant at Winchester at the coming of the Conqueror.'²⁵

Under the system as the Conqueror found it, at all events, the number of hides for which a county, hundred, or manor was assessed was no more necessarily or usually identical with any number expressing actual measured or estimated area than the 'rateable value' of an estate or a house in modern times with the actual rental.

We might have expected, perhaps, to find something like a standard ratio of assessed 'geldable' land-measure either to actual measure or to actual value. But the result of examining Domesday is that nothing like a fixed ratio can be found. Mr. Round has shown that the old West-Saxon kingdom was much more heavily rated than the counties taken in later: the eastern counties and western midlands come out, according to their modern area, at about half the rate of the original Wessex, while more outlying parts, the northern midlands, Kent, and Devon, are rated lower still, and Cornwall very low indeed. This applies, however, only on a large scale: there is no regularity of internal details in this or that county.²⁷ In fact the old assessment, probably very rough to begin with, was badly out of date in the eleventh century, and one object of the survey was to ascertain how capricious its results had become. The 'hide' of the southern and central counties in Domesday is a conventional measure of assessment and nothing more; and so are its subdivisions, not only the virgate but the acre.

But the hide, while it had become an artificial fiscal unit, had not ceased to be an actual measure of land for ordinary purposes.²⁸ We meet with a hide stated to consist of 120 acres in the will of an East-Anglian nobleman not much later than the middle of the tenth century.²⁹ Standing alone, this might have been exceptional; but

singular. They may point to a time soon after the union of Mercia to Wessex. Dr. Liebermann thinks the document as a whole even older.

²⁵ Kelham, *Domesday Book Illustrated*, ad init.

²⁷ Round, *Feudal England*, pp. 94-5.

²⁸ Eyton (*Key to Domesday*) failed to see that this is quite compatible with the technical use of terms in Domesday. The result was that the finding of the true key was left for Mr. Round.

²⁹ Will of Ælfgar, dated by Kemble and Thorpe about A.D. 958, *Cod. Dipl.* 1222; Thorpe, *Diplom. Angl. Acvi Saxon.* pp. 505, 508: 'An hide lond þes ðe Aelf haude be hundtuelti acen.' No place-name is given for this land. The others that occur in the will almost all belong to the eastern counties. As the document is known only from later copies, it is just possible that the words in question are a gloss; I do not myself think it likely.

we find from later authorities that after the Conquest a hide was understood to contain a hundred acres or thereabouts (this means generally, if not always, the long hundred of six score; there is also said to be authority for a 'middle hundred' of 112, now represented by the common avoirdupois hundredweight³⁰); and all witness is uniform that it was the same as a ploughland, that which one team can till in a year. Classical passages are in Henry of Huntingdon, anno 1008: *Hida autem Anglice vocatur terra unius aratri culturae sufficiens per annum*; and in the 'Dialogue of the Exchequer,' i. 17: *Ruricolae melius hoc norunt* [note that the hide has already disappeared from the practical machinery of the king's revenue under Henry II]; *verum sicut ab ipsis accepimus, hida a primitiva institutione ex centum acris constat*. It may suffice to have cited these.³¹ As to the actual dimensions, we must not assume that the acres were of the same size as the statute acre. The medieval acre was conceived, and in fact laid out, as a strip of forty rods (a furlong) in length and four rods in breadth. Now the rod might be either longer or shorter than the statutory 'rod, pole, or perch' of 16½ feet, which may well be a compromise between different customary measures. The 'forest acre,' commonly used for measuring woodland down to modern times, was based on a rod of eighteen feet. There was a Cheshire perch of twenty-four feet.³² On the other hand extant maps of college estates at Oxford (notably at Corpus and All Souls) show that small customary acres were quite common down to the seventeenth century in the southern midlands. They may have been based, as Morgan suggests,³³ on a short perch of twelve feet, the length of the old Lombard perch, as one may see in Du Cange, *s.v. pertica*.

We know, chiefly from Mr. Seebohm's work, and it is strikingly confirmed by several of the old college maps just mentioned, that, as a matter of actual land measurement and agriculture, a virgate or yardland consisted of a number of acre strips distributed or 'lying abroad' in the common fields of a township,³⁴ and that the most usual number of acres in a yardland was thirty: but we do not find

³⁰ Morgan, p. 31. I have not met with any examples of this as applied to land measurement; a yardland of twenty-eight acres or oxgang of fourteen would indicate it.

³¹ Cf. the note from a C. C. C. Camb. MS. in Liebermann, *op. cit.* p. 10: 'Memorandum quod i hida terre constat in aliquibus comitatibus $\frac{xx}{x}$ (i.e. 180) acris terre, in aliquibus aliis comitatibus $\frac{xx}{i}$.' And see Stubbs, *Const. Hist.* i. 74. It is needless to discuss Kemble's work on this point, which ignores the Anglo-Norman evidence. Yet it shows his acuteness, for he started with the notion that the hide must be the normal holding of a single agricultural occupier, and brought out a result very near to the thirty acres which we know to have been the normal average measure of a villein holding after the Conquest.

³² Morgan, pp. 22, 24.

³³ There is a pretty Domesday illustration at Garsington in Oxfordshire, i. 156 b: 'Ibi i. hida de inland que nunquam geldavit iscet inter terram regis particulatim.' The passage, I find, had already been noted by Mr. Round in *Domesday Studies*, i. 221.

that the number either of acres in a virgate or of virgates in a hide was absolutely constant. In the later medieval surveys we may meet with hides of six virgates (possibly connected with a change from two-field to three-field tillage), and even of five. In the 'Register of Worcester,' published by the Camden Society, we find under a two-field system virgates of thirty-six acres, consisting of eighteen acre-strips in each of the two common fields, *xxiii. in utroque campo*. In the same survey, made in 1240, there are virgates of thirty-six and forty-eight acres in different parts of the same manor: and this was quite what people expected to find, for one of the articles of inquiry was *item quot acrae faciunt virgatam secundum diversa loca*. How is it that in Domesday Book we find no traces of these variable local elements? The reason is as simple, when we have the clue, as the question would remain puzzling without it. For the purpose of ascertaining and collecting the king's revenue it did not matter what was the system of land measurement actually used by farmers and peasants in this or that neighbourhood. The hide was, for that purpose, nothing but an ideal unit of assessment; so many hides and virgates (and acres, if further fractional parts were required), worked out at the normal two shillings a hide of former times, or the Conqueror's enormous rate of six shillings, were merely the measure of what the county, the hundred, or the estate had to pay. Therefore the hide and its fractions could be, and indeed had to be, reckoned on a uniform scale without regard to local custom.

The Domesday hides can, in some parts of the country at least, be fairly identified with the *mansac* and *cassati* of much earlier land books. This seems to complete the proof that the system was traditional and antiquated. 'The anomalies which existed among the hides of Domesday had evidently existed among the holdings, two or three centuries before, and they may represent the more or less scattered occupation of the earliest English settlement.'³⁴

In the counties most strongly under Danish influence we find a different unit of assessment, based, however, on the same real magnitude. This is the carucate or ploughland, divided into eight bovates or oxgangs. We must be careful not to mix up these two distinct scales; it is an error into which even some careful writers have fallen, and perhaps not unknown in later medieval writings.³⁵ They give us practical equivalents, no doubt; but that is all. Two

³⁴ Rev. C. J. Taylor, 'The Pre-Domesday Hide of Gloucestershire,' *Trans. Bristol and Glouc. Arch. Soc.* 1894-5, vol. xviii. pt. ii. pp. 288, 317; a highly interesting and profitable paper.

³⁵ Evesham cartulary, cited in notes to Burton Cartulary (*Collections for Hist. of Staffs*, ed. Salt Arch. Soc., vol. v. pt. i. p. 103), where we read of a *carucate* containing three *virgates* of twelve acres each. This, if it has any real foundation, must refer to some very peculiar local system. But the 'Additions and Corrections' (p. xvii) note it as being in a modern hand, and it may be a mere blunder.

bovates no more make a virgate than two English florins make an American dollar. In a general way the use of the carucate or hide scale answered to the local usage of actual measurement; but differences of usage within a county were not regarded. A county assessed in hides—'hidated,' as we say in these discussions—must be hidated all through, and conversely. The Burton cartulary shows that on the borders of the 'hidated' and 'carucated' districts the cleavage line of actual custom did not always follow the county boundaries. We get virgates in places where Domesday and the cartulary itself tell us of assessed carucates (Caldewalla and Appelbi, p. 24), and bovates where Domesday reckons by hides (Bedintone, p. 22, Brantiston, p. 25). This again is the natural result of a conventional method of assessment.

So far we have only the notation of taxable value. But the king meant to learn more than this from the survey. How does Domesday show the real value of the land as compared with the existing assessment? By answering the question in the king's writ, 'how many plough-teams'—both how many there might be and how many there are. There is land for so many teams, and so many are there. As *hida* is the unit of taxation, *terra ad .i. carucam* is the unit of agricultural capacity; and the statement of the number of teams on the land—*ibi in dominio x carucae*, &c.—shows whether the land is tilled up to its capacity or not. The team contemplated in Domesday is a full team of eight oxen.³⁶ If that was not the team in actual use in a particular district, the returns must have been reduced to the normal denomination by some conventional process. This, I venture to think, may be taken as settled. It was needful to deal with fractions of a team every now and then, and Anglo-Norman arithmetic could not have done this without a fixed number for the whole team. On the other hand I know of no reason for holding the *terra ad .i. carucam* to involve any conventional reduction to 120 acres or any other uniform acreage. There would have been no means of making such a reduction in the absence of modern surveying appliances and of any defined normal acre; and if it had been possible, it would have been of no use to the king's treasury. The *terra ad .i. carucam* was, I conceive, the actual customary ploughland of the district, sometimes more and sometimes less than the mean quantity of 120 (modern statute) acres of arable. In the 'hidated' counties the word *carucata*, when it occurs, is just a synonym for *terra ad*

³⁶ In the Burton cartulary we read of 'aratra fortissima in dominio.' The lord's oxen, I presume, were commonly better beasts than the villeins'. The Peterborough survey, however, shows that six-oxen teams were also in use, though less common. In one place the Camden Society's print gives the enormous number of 34 oxen to 3 ploughs; but this is an error (xxxiv for xxiv), as I have verified by the manuscript, with the courteous permission of the Society of Antiquaries.

i. carucam.³⁷ It commonly denotes land exempt from geld, and therefore not reckoned with the hides; but this is not necessary, as has sometimes been thought. In the carucated counties there is of course nothing equivalent to this; when the writer means an actual ploughland he can only say *terra ad unam carucam* or *unius carucae*; but the word 'hide' appears twice, in a manner perplexing at first sight, as a local name for six or thrice six carucates.³⁸ The pre-Norman assessment of the carucated shires must have a distinct history. Carefully directed local research may, for aught I know, yet enable us to recover some of it.

In Gloucestershire, a hidated county, and as far removed from Danish influence as any county could be, we find on the first page a curious group of entries with the assessments in carucates.³⁹ But the seeming anomaly soon explains itself. These entries come between the city of Gloucester and the regular series of tenants, and there is no mention of the time of King Edward in them. They represent lands won from the Welshmen of the border since the Norman Conquest, or, if in some cases before it, still so lately that there had never been any English assessment.⁴⁰ Accordingly the Normans were free to use their own terms, and did so. Strighull Castle (*Estrighoiel* or *Strigoieig* in Domesday) was, in fact, over the border near Chepstow, in what is now Monmouthshire. One or two anomalous entries occur elsewhere, which we need have no hesitation in setting down as clerical errors.⁴¹

As the number of ploughlands and the number of teams actually on the land were pure matters of fact, we find, as we should expect to find, that the figures are seldom far apart. Sometimes land has gone out of cultivation, and there is not a team for each ploughland; sometimes there has been improvement or reclamation of fresh land, and the ploughland supports rather more. Any very large discrepancy may fairly suggest that something has gone wrong with the figures. At any rate the clerk who made up the Devonshire returns was of that opinion, for when he found entered under

³⁷ *E.g.* Odetun, in Dorset, D. B. i. 83. Eyton entangled his work in useless difficulty by not perceiving this.

³⁸ Round, *op. cit.* pp. 82, 86.

³⁹ D. B. i. 162 a.

⁴⁰ Since writing this I find that the Rev. C. S. Taylor sees in the entries on this page 'a state of transition from the Welsh land system to that which was in use in England' (*Trans. of the Bristol and Glouc. Arch. Soc.* for 1894-5, vol. xviii. pt. ii. p. 316). On the king's demesne, as he points out, there are neither carucates nor hides, only 'mansiones.' Mr. Taylor has kindly called my attention to another Gloucestershire curiosity, fol. 165, where the Bishop of Coutances has a manor 'de una hida,' and 'in ista hida quando aratur non sunt nisi .lxiii. acre terre.' These must be actual acres. We learn nothing but that the normal ploughland was a good deal more than 64 acres, which is already known.

⁴¹ D. B. i. 83 a, Fernham, in Dorsetshire, 'unus tainus . . . geldabat pro .ii. hidis quae ibi sunt.' Between the words 'hidis' and 'quae' there must be an accidental omission of 'terra est .ii. car.'

Otterton⁴² forty-six teams to twenty-five ploughlands, he noted in the margin 'r[equire] car[rucas],' 'see about those teams,' obviously thinking that there must be a mistake in the original return.⁴³

Kent, as is well known, had its own ploughland, apparently reckoned at 160 acres⁴⁴ and called a *solin* or *sulung*, which in that county is used as a measure of assessment, just like the hide elsewhere. The only point that now calls for remark is that Mr. Round has shown the *solanda* met with on the estates of St. Paul's to be something quite different, in fact a name for, or including, a prebend.⁴⁵ Other local peculiarities existed both in Kent and elsewhere: thus in Northamptonshire there was a little virgate of which eight, it seems, went to the hide.⁴⁶ Such points, however, are best left aside in a general consideration of the Domesday system, as the king's commissioners deliberately took no notice of them. Special local rates of assessment occur, but there is no need to dwell on them here, nor do I propose to say anything of the arrangements peculiar to cities.⁴⁷

Finally, the artificial character of the hidage assessment is now put beyond all doubt by Mr. Round's discovery that hundreds and villis were alike assessed in multiples of a five-hide unit, leading to the highly probable suggestion 'that the assessment was, in the first instance, laid upon the hundred itself, and that the subsequent assessment of its villis and manors was arrived at by division and subdivision.'⁴⁸ In the carucated shires there is a corresponding six-carucate unit.⁴⁹ As regards Devonshire Mr. Round says of the assessments of the hundreds as given in the 'Inquisitio Geldi' that sixteen hundreds out of thirty-one, far more than can be accounted for by mere chance, show a multiple of five hides. But we can carry this a step further, and apply Mr. Round's test with complete success to several of the remaining numbers, which, as they stand, are at first sight irregular.

According to the identification of the Devonshire hundreds most lately propounded by a local inquirer who has given much pains to the subject, apparently without reference to this or any other par-

⁴² D. B. i. 104 a, col. 2.

⁴³ This interesting note has by some unlucky accident been omitted in the Devonshire Association's edition. For other similar notes of omissions or mistakes see 154 b, 155 b, 200 a.

⁴⁴ D. B. i. 2 a, col. 2, where 400½ acres are said to make 2½ solins.

⁴⁵ *Feudal England*, pp. 108-6; as to the subdivisions of the Kentish solin see at p. 108.

⁴⁶ *Op. cit.* p. 218: 'Hundred de Sutton . . . In Gremesbir' [Grimsbury] Aunsel de Chokes ii. hid. et iiii. parvas virg. scil. quarta pars ii. hid.'

⁴⁷ In Berks, D. B. i. 56, only 7d. per hide was paid in time of peace, in halves at Christmas and Whitsuntide, but as a set-off to this there was a heavy military service in war time.

⁴⁸ *Feudal England*, pp. 44 sqq., 63. The arithmetical evidence, once properly marshalled, is irresistible.

⁴⁹ *Op. cit.* p. 69.

ticular theory founded on the amounts of hidage,⁵⁰ we have the following results in groups of contiguous hundreds :—

Dippeford (now Stanborough and Coleridge)	. =	39 hides
Carsuelle (now Haytor)	 =	51 ⁵¹ „
		<hr/> 90
Cadelintone (part of South Molton)	 =	46 „
South Molton	 =	22 „
Witheridge	 =	30 „
Budeleia (now E. and W. Budleigh)	 =	72 „
		<hr/> 170
Hemiock	 =	28 „
Hayridge (only part of the modern hundred)	. =	40 „
Cliston	 =	27 „
		<hr/> 95
Colyton	 =	25 h. 3 v.
Axmouth } (now Axminster)	 =	9 h. 1 v.
Axminster }	 =	50 hides
		<hr/> 85

This seems proof enough that older and more extensive hundreds assessed in round numbers of hides were subdivided as the English settlement proceeded and English population increased, and that the existing hidation was apportioned among the new hundreds in varying proportions. Inspection of any county map which marks the hundreds (the older the better) will, I think, leave little if any doubt. It follows that there can be no question of the five-hide system having been confined to the eastern and midland counties, from which Mr. Round's detailed proofs are drawn.

We now have to turn to what Domesday discloses about ranks and persons. The king's inquest did not stop at the statement of the land and its value. He sought to know, in the words of the chronicler, by what men the land was settled. As to the teams it had to be specified which were in demesne and which were the tenants'; that is, how many cultivated the lord's land kept in hand, partly by the work of his own household, but chiefly by that which the customary tenants were bound to furnish, and how many belonged to the tenants and were employed by them in tilling their own holdings. Then the classes of tenants were to be distinguished and their numbers given: villeins, cottars, bondmen, freeholders (so we must translate *liber homo* in this context),

⁵⁰ R. N. Worth, in *Transactions of Devonshire Association*, vol. xxvii. 1895, p. 874.

⁵¹ This is the real total of the particulars: in the *Inq. Geldi* it is wrongly added up as fifty. Other errors of the same kind occur in the list.

socmen. The order of enumeration seems peculiar, but explains itself (up to a certain point, at least) when we consider that the first three classes are the lord's dependents in a way that the two others are not. First come, as the lord's immediate following, those who hold unfreely under him, then those whose tenure as well as person is free. No scholar has ever doubted that this last statement is true of both *liberi homines* and *sochemanni* in Domesday. If it needed proof, the modern tenure in socage—the tenure of all English freeholders since the Restoration—and its full name, 'free and common socage,' are there to prove it.

This classification, coming as it does from Cambridgeshire, is framed in the terms appropriate to the eastern counties. Whether the form of the writ for other counties varied in details or not, the returns show a certain number of variants in the description of classes; we read of *coliberti* and *buri* as well as *rillani*, of *bordarii* as well as *cotarii*, and—as shall be specified—of several kinds of men not substantially distinguishable from *liberi homines* at the date of the survey. Variations within the same county are comparatively rare; it does not follow that in local usage they did not exist.⁵²

Domesday tells us, as a rule, nothing about the condition of the different sorts of tenants beyond what we can infer from the statement of their holdings. The reader is assumed to know what a *rillanus* is and how he differs from a *sochemannus*, and to which of the usual categories the less usual ones are most akin. All this was doubtless known to the king's clerks at Winchester with sufficient accuracy for the purposes of the treasury. But we moderns do not know it by the light of nature, and no precisely contemporary authority tells us. We therefore have to use our knowledge of the periods before and after Domesday to expand our reading of the bare text. Since Mr. Seeböhm's and Mr. Vinogradoff's work we cannot say that information is wanting as to the state and incidents of villeinage in the thirteenth and fourteenth centuries. Then our information about the Anglo-Saxon period, though neither so copious nor so clear, is enough to give us, so to speak, another abutment. The problem is to know whether the Domesday classification represents a process of real change, and, if so, how far the process had gone.

As to this I must be brief, at the risk of seeming dogmatic; partly because it would be idle to repeat arguments which I have

⁵² 'It is very possible,' says Mr. Scrutton (*Commons and Common Fields*, p. 32), 'that the scribes who made up the exchequer records from the returns of the commissioners disregarded all local peculiarities, and threw the returns into a species of schedule form under general heads, thus destroying the evidence of many customary rules.' This seems quite a just remark in principle, only the Exeter book and the *Inq. Com. Cant.* rather suggest that the common form was imposed from the first by the commissioners on the original returns themselves.

already used⁵³ or concurred in⁵⁴ elsewhere, partly because Mr. Maitland has more and fuller work in hand, which I have had the advantage of seeing, and which he will set forth in his own way. Broadly speaking, we find before the Conquest a sharp distinction between free men, of whatever rank, and unfree. The *gebur* may be bound to burdensome services; he may be practically dependent on his lord, and much at his mercy; but he is personally free; the *theow* is not free at all, or as regards any man. There is no doctrine of the 'relativity of serfage,' as Mr. Maitland has called it. In the thirteenth century we still find free men and bondmen. But we also find free and bond land whose quality does not change with the tenant's person, and the tenure is constantly becoming more important than the personal condition. The tenant in villeinage is presumed to be unfree; attempts are made, and nearly succeed, to deduce personal bondage from long-continued holding of bond land. On the other hand the bondman is not like a Roman slave; he is only his lord's bondman, and can deal with all other men as if he were free. The villein has lost something; he may have lost much; but the bondman has gained more.⁵⁵

Now in Domesday we shall find, I think, that the transition has only just begun. Our indications point to the *villanus* being normally a free man. There is no sign of a great gap in personal condition between the sokemen or even the smaller freeholders and the villeins. A small freeholder might be reduced to villeinage, and some are stated to have been very poor.⁵⁶ Again, the attempts of Anglo-Norman writers to formulate English custom exhibit the *villanus* as the equivalent of the Anglo-Saxon *ceorl*. Now the *ceorl* was undoubtedly free, and might be a well-to-do man aspiring to thane's rank. The *villanus* has, moreover, a quite substantial wergild assigned to him.⁵⁷ No doubt the compilers of the 'Leges Henrici Primi,' and the other pious apocrypha of legal antiquities which Dr. Liebermann has dissected with infinite skill and patience, were anything but critical. Some of them were capable of bold fiction in the endeavour to reconstruct a golden age. But in a matter so much on the surface as this, and so much in living popular memory, their tradition can scarcely have been unfounded.

Further, we can see from Domesday itself that villeins were often men of considerable means. According to the later medieval standard, there should be four villeins on an average to every

⁵³ In the appendix to my book on *The Land Laws*, 3rd ed.

⁵⁴ Pollock and Maitland, *Hist. Eng. Law*, i. 365, &c.

⁵⁵ *Ibid.* i. 44.

⁵⁶ Essex, D. B. ii. 1 b, 'quidam liber homo de dimidia hida qui modo effectus est i. de villanis.' The abbot of Bury St. Edmunds had 54 free men 'satis inopes,' D.B. ii. 372.

⁵⁷ *Ll. Henr. Primi*, cc. 76, 77.

plough-team. If we turn to Oxfordshire, a central and fairly typical county, and run our eye over the entries of villeins and their teams, we shall find that holdings which average nearly double that amount are quite common. As the entry is always collective, in the form '*m* villeins with *n* bordars have *r* ploughs,' we are free to guess that in many or most cases it was not that the normal villein holding was more than a yardland, but that a few villeins in the group had thriven considerably more than their neighbours. This, if it were so, would be yet more destructive to the theory of a population living in servile uniformity both as to tenure and as to the amount of land held.

As to the freeholders, it seems material to point out that the persons holding land freely in the time of King Edward were much more numerous, and much more generally dispersed through England, than can be discovered by examination of the indexes and statistical summaries hitherto available. Mr. Seeböhm once committed himself to the statement that in the greater part of England Domesday makes no mention of free tenants.³⁸ This would seem to have been founded on Ellis's lists, which no doubt show that *liberi homines* and *sochemanni* are much commoner in the eastern counties than elsewhere. But, in the first place, Ellis's indexing is not perfect. A particularly interesting group of *liberi homines*, no less than fifteen of them, holding in Oxfordshire under Milo Crispin, has found no place in either of the two indexes of persons in the second volume of his introduction. I do not pretend to know how many or few similar omissions there may be in other counties; one such is enough to breed caution, if not suspicion. But still more serious danger lurks in the assumption that the categories of *liberi homines* and *sochemanni* exhaust the minor free tenants.

In fact, free tenants, being neither tenants in chief nor military tenants holding of tenants in chief by new grants, may be entered in half a dozen different ways.

a. Liberi homines; also in the form *A. libere tenuit*, which is of course the same thing, but is more likely to escape the indexer, and appears to have escaped Ellis.³⁹

b. Alodiarii and men said to hold or to have held *in alodium*, to whom the same remark applies.

c. Taini (*tagnus* is the form affected by the Exeter book). Of these we must speak presently.

d. Radchenistri or *radmanni*. These are defined, D. B. i. 166, col. 2 (Derheste) as '*liberi homines . . . qui tamen omnes ad opus domini arabant et herciabant falcabant et metebant.*'

³⁸ *Eng. Vill. Comm.* p. 86.

³⁹ The pleonasm '*A. liber homo libere tenuit*' is not unknown. I do not believe these minute variations mean anything. In later times a bondman might hold free land as against all the world save his own lord; but this could not be T. B. E., nor, it is conceived, T. B. W.

c. *Drengs*. This and the last category are confined to special districts.

f. A great number are entered by proper name only, without any other description, though in a few cases of duplicate entry the same person is described once by name and once as *liber homo* or *tainus*. This class, like the second branches of (a) and (b), is of great importance, for it is so large as to destroy the value of any general statement founded merely on the counting up of descriptive terms in different parts of England. For example, we find, with the help of the late Mr. Mowat's 'Notes on the Oxfordshire Domesday,' that there are 45 named pre-Domesday owners of estates of less than 5 hides, and 17 of 5 hides exactly. Most of these are described by name only. To get the total of minor free tenants in any county we must take in both those who are described only by proper name and those who are described only by a class name.

g. *Sochemanni*.

Now as to the several classes, *Liberi homines* are very common in Essex, Norfolk, and Suffolk; but they occur also in Berks, Bucks, Nottinghamshire, Oxfordshire (quite a considerable number if we include those who *libere tenuerunt*, as of course we should), Worcester-shire, and once even in Herefordshire, where Mr. Seebohm's theory was probably more nearly realised than anywhere else.

Alodiarii (that is, small holders of bookland) are found in Berkshire and Hampshire: of these there are but a few; but a very large number are entered individually with *tenuit* or *tenuerunt* (for they are seldom still there) in *alodium*, and these have escaped the indexer and all who put their trust in indexes. They are often called, in addition, *liberi homines*. We have no right to infer that the holdings of the smaller free tenants where the word *alodiarus* or *alodium* was not used had never or very seldom been bookland. Indeed we know that in the case of some of the 'thanes' in the west country they had been.⁶⁰

The *Taini* are a very interesting class. They are found as far into the midlands as Oxfordshire, where we read of a thane who *serriebat sicut liber homo*, as if the term was unfamiliar.⁶¹ and there are a fair number in Bucks, and in Lincolnshire we find men holding *equaliter et pariliter*, and also the name of thanes.⁶² But their peculiar ground is Wessex. They are perhaps best studied in Devonshire, where the additional particulars of the Exeter book are sometimes valuable. The two first points that strike one about them are the general smallness of their holdings—far less than the five hides said to have been the qualification for thane's rank⁶³—

⁶⁰ See as to the thanes of Bovey Tracey, South Devon, *Ex. D.*, 126, where 'boche-landis' is written over 'mans[ionibus].'

⁶¹ Blochesham, i. 154 b.

⁶² D. B. I. 375 b, 376 a.

⁶³ Pollock and Maitland, i. 10.

and their constant occurrence in groups. Another is that in very few cases have the thanes continued in possession since the Conquest. Usually we find their holdings annexed—'added' is the regular term—to manors of the king's followers. At Tavistock we find four thanes displaced by six knights. In a few cases the former freeholder stays on as under-tenant to a new lord.⁶⁴ The natural inference is that in the western counties, where there was prolonged resistance to King William, the English freemen mostly lost their lands by confiscation. In the eastern counties it is quite otherwise. The contrast would seem to be due to political conditions and not to any substantial legal or economical differences in rank or tenure. But in some cases we find the thanes of the shire still an important body, deciding contested claims by their witness or acting as assessors to the commissioners.^{64a}

The groups of thanes are constantly said to hold *pariter* or *in paragio*, a Norman term which never took root in England and was not understood by later writers. The meaning is that the group are co-heirs, and as between themselves are co-owners, but one of them, sometimes known as 'senior,' answers for their dues and services as a whole, and can recover the proper shares from the others.⁶⁵ It would seem that the Domesday application of the term is a Norman clerk's version of the old English partible inheritance, which persisted in socage lands until the thirteenth century and still survives in Kent. At least no other plausible explanation occurs. When any one tenant is mentioned as holding *in paragio*, it may be either that only the 'senior,' who is answerable for the geld, is thought worth mentioning,⁶⁶ or that partible land had come for the time being to a sole heir.

Elsewhere we find groups of minor tenants returned as of King Edward's time, who seem to be very like the lesser thanes of Wessex. Thus in Oxfordshire, besides many small freeholders set down in twos and threes, sometimes as *liberi homines* and sometimes

⁶⁴ D. B. iv. (Ex. D.), 382. 'Tetbaldus habet .i. mansionem que vocatur Dertera quam tenuit Aluualdus . . . modo tenet eam predictus Aluuardus [sic] de Tetbaldo.' Cf. Mr. Malden on the Domesday Survey of Surrey in *Domesday Studies*, ii. at p. 468.

^{64a} Wilts. D. B. i. 69, 69 b, 'testimonio tainorum scire,' 'taini diracionantur hanc terram ecclesie Glastingeberie.'

⁶⁵ Du Cange, s.v. *Paragium*; cf. *Anc. Coutume de Normandie*, c. 30. In D. B. i. 151 b (Bucks) are eight thanes: 'Unus eorum Alli homo regis Edwardi senior aliorum fuit. Omnes terram suam vendere potuerunt' (this puts the full freedom of the tenure beyond doubt); 291 a (Notts), five thanes, 'unus eorum erat senior aliorum;' on the same page, 'Tainus qui est caput manerii;' 375 b (Lincolnshire), Siwate and three others hold 'equaliter et pariliter;' they take military service in turns, 'Siwate tamen fuit homo regis;' 368 b, several entries in the form 'terra A. frigsoca sub B.;' 341 a, Bishopsthorpe, Godric and two brothers, 'duo serviebant tercio;' 354 a, Covenham, 'Chetel [i.e. Ketel] et Turuer fratres fuerunt et post mortem patris sui terram dividerunt. Ita tamen ut Chetel faciens servitium regis haberet adiutorium Turuer fratris sui,' where we see the actual process of partition; 357 b, also cited by Morgan, is not quite so clear.

⁶⁶ So Morgan, p. 147.

by name, there are the six English freeholders on the bishop of Lincoln's land at Dorchester in Oxfordshire, and the fifteen freeholders on Milo Crispin's land at Aston, who, however, seem to hold shares in the same common-field system with villeins.⁶⁷

This 'free share-holding,' as Mr. Vinogradoff has called it, is characteristic of the sokemen in East Anglia, as may be readily seen by the form of the entries. There is no trace of it among the western thanes, and indeed common fields were never so prevalent in the western counties as elsewhere.⁶⁸ I suspect that the Domesday thanes were essentially independent yeomen or squires, or groups of such, and outside the communal agriculture, if any, of their neighbourhood. And I suspect that the seventy-seven 'soke-men thanes' who held 'totts' in Grantham⁶⁹ were so called for the express purpose of showing that they were not, like the rural sokemen, sharers in common fields. We are told that Grantham had not any arable land outside the town.

It may naturally be asked why we sometimes have a name or a list of names, sometimes '*x taini*,' '*x liberi homines*,' '*quidam liber homo*,' or—as occurs a few times—'*quaedam libera femina*.' My own belief is that this was a matter of pure accident, depending on the varying diligence, or curiosity, or fancy, of the clerks employed under the local commissioners to make up the original returns. In like manner I can see no obvious distinction, as to the character of the holdings, between the lesser free tenants who are found under the tenants in chief and the *taini*, *ministri*, or *serrientes regis*, who are massed at the end of several counties, except in Devonshire, where the king's thanes appear to be a distinctly superior class. Their estates are of no certain magnitude, and no doubt there were great differences in rank among the holders. But, as several names occur under this head in more than one county, Nigel the physician for example, we must not draw inferences on this point from one county alone. They do not occur in groups, and it may be that the estates were annexed by ancient custom to particular offices about the king's court.

Of the Domesday *sochemanni* I think it may safely be said, as I have already said incidentally for the purpose of contrasting them with the *taini*, that they were normally holders of land lying in

⁶⁷ D. B. i. 155, 169: '*Estone . . . xxvi. villani cum .iiii. bordariis et .xv. liberi homines habent .xxx. carrucas*.' The *milites* on the bishop's other manors, p. 155, whose names, English only in part, are given on the *verso*, may not be of the same class, though *miles* is a good translation of *thegen*. On the *recto* may be seen in the facsimile marginal jottings of their total numbers, which are omitted in the printed edition, presumably from their connexion with the text not having been perceived. A roughly written *iiii.* is set against Tame, *xiii.* against Middelstone (Great Milton); this thirteen is the sum of the under-tenants at Great Milton, Banbury, and Cropredy, allowing for the duplicate entry of two Roberts, who occur in both of the last-named places. A William at Milton and a William at Cropredy appear to be different persons.

⁶⁸ See Marshall, *Rural Economy of the West of England*, ii. 37.

⁶⁹ D. B. i. 337 b.

common fields. Enlightened local investigation of the special conditions of the eastern counties will be the best way to obtain more light on them.

Much might be said of the remaining heads of the Domesday form of inquest, the measurement of wood, meadow, and pastures, the entries of mills, fisheries, salt-works, and other special sources of profit, and of the many ways in which Domesday can be used as an historical guide and test. But this article is already quite long enough, and such details might hardly be relevant to its general purpose. I have sought to give younger students of this difficult subject the means of directing their work in useful lines and sparing themselves useless wrestling with phantoms. If the more experienced find, perchance, anything profitable, so much the better; in any case I hope they will bear with me for having insisted on things which to them are elementary. They will doubtless be willing to warrant me in bearing witness that the study has, in spite of its alarming appearance at first sight, a real fascination of its own.

I take this occasion of asking whether any scholar versed in medieval phonetics has considered the transcription of English names in Domesday. Some learned persons have found evidence of Italian penmanship in the handwriting. Of this I am no judge, but the forms of English words, especially place-names, appear to point to the employment of Italian scribes. The initial *k* sound of English is constantly represented by *Ch*, while the softened sound (our modern *ch*) is as constantly represented by *c*. There are exceptions, but this is the prevalent rule. An English clerk, I am told by those who know better than I do, might have written 'Celgrove' for the place we now call Chalgrove, but he could not have also written 'Chenth' for Kent (the very first word in Domesday), 'Chingestone' for Kingston (whereas Chingford is 'Cinghefort'), 'Chedelintone' for Kidlington (whereas Chadlington is 'Cedelintone'), 'Cherchebi' for Kirkby, 'Bochelant' for Buckland, 'Cuchesham' for Cuxham, 'Chideminstre' for Kidderminster, and the like. Some of these names occur many times over. A written initial *k* is rare in the Great Domesday, where there is just one 'Kirkebi,' but there are a good many in the Little Domesday. Maybe there were more English clerks available in East Anglia. We can easily believe that enough skilled clerks to do the whole work were not forthcoming in England, that William would naturally consult Lanfranc, and that Lanfranc would as naturally apply to the religious houses of his own country. I learn on good authority that Norman clerks would have been no more likely than English ones to use *ch* = *k*. It is a small point, and not obviously material for any purpose of legal history, but it may have some philological and perhaps some economic interest.

FREDERICK POLLOCK.