*The Authorship of the 'Book of Husbandry' and the 'Book of Surveying'*¹

BY most bibliographers the author of the two books of 'Husbandry' and 'Surveying' has been said to be Sir Anthony Fitzherbert, justice of the common pleas, while other writers have doubted his authorship or assigned it to his elder brother, John Fitzherbert, Esq., of Norbury, Derbyshire. Professor Skeat, in his introduction to the reprint of the 'Book of Husbandry,' edited by him for the English Dialect Society in 1882, has very clearly and ably stated the arguments in favour of the former. But since that date the Rev. Dr. J. Charles Cox has printed, in the *Journal of the Derbyshire Archaeological Society*, 1885, an abstract, with copious literatim extracts, of 'the long and remarkable will of John Fitzherbert,' together with the transcript of an interesting list of heirlooms attached to the will. Had Professor Skeat seen this document before he wrote his introduction, it is probable that the arguments therein contained might have been modified.

It should be stated at the outset that in several places in the 'Book of Surveying' the author of it plainly asserts that he had himself already written the 'Book of Husbandry;' and Thomas Berthelet, who printed both the books, gives us the author's name as 'Mayster Fitzherbarde.' There is surely a greater antecedent probability that such a work as the 'Book of Husbandry' should have been written by John Fitzherbert, a wealthy country gentleman, who, as eldest son and heir, succeeded on his father's death to a landed estate and lived upon it for nearly fifty years, than by his younger brother, Sir Anthony, who from college went to London, and became a practising lawyer and judge, actively employed on important affairs of state, and who, although he succeeded to his brother's property seven years before his own death, yet continued his judicial work at the court of common pleas until the last year of his life.

¹ The manuscript of the present paper with some abbreviation was sent by me, on 4 Dec. 1893, to Mr. Ernest Clarke, the secretary of the Royal Agricultural Society of England, who had asked me for information about Sir Anthony Fitzherbert as the reputed author of the *Book of Husbandry*. Mr. Clarke, on 17 Feb. 1896, read before a meeting of the Bibliographical Society a paper embodying the substance of this article, together with the results arrived at by his own subsequent researches.

The statement which Professor Skeat quotes² from the catalogue of the Huth library is not correct. Joseph Hunter (in Jonathan Boucher's Glossary, s.v. 'Big') was not the first to question Sir Anthony's authorship of the 'Book of Husbandry.' Long before Hunter's time Wood wrote, 'There are not wanting some who say it was penned by his brother John Fitzherbert;' and Pitseus, only eighty years after Sir Anthony's death, says of this book *quem aliqui fratri eius Iohanni ascribunt*. The authorship of the books of 'Husbandry' and 'Surveying' has clearly been uncertain from the first.

The first distinct clue to the identity of 'Mayster Fitzherbarde' is found in two important statements, one made by the printer, Berthelet, the other by the author himself. These two statements, which are quoted and discussed at some length by Professor Skeat,³ demand the fullest consideration.

Berthelet says (colophon at end of 'Book of Husbandry,' in the edition of 1584)—

Thus endeth this ryghte profytable boke of husbandry compyled sometye by Mayster Fitzherbarde, of charytie and good zeale that he bare to the weale of this mooste noble realme, whiche he dydde not in his youthe, but after he had exercysed husbandry with greate experyence XL yeres.

The author himself says (on the last page of the book)—

As touchynge the poyntes of husbandry, and of other artycles con-
teyned in this present boke, I wyll not saye that it is the beste waye and
wyll serue beste in all places, but I saye it is the best way that euer I
coude proue by experyence, the whiche haue ben an householder this xl
yeres and more. And haue assaied many and dyuers wayes, and done my
dyligence to proue by experyence which shuld be the beste waye.

Between these two statements Professor Skeat sees a wide difference, and says that 'the difference is material.' 'He' (the author) 'does not say that he had "exercised husbandry" for forty years, but that he had "been a householder" during that period. The two things are widely different.'⁴ The meaning of the author's statement is, however, that the fact of his having, during more than forty years as a householder, made many experiments in points of husbandry, enabled him to speak with some authority upon the subject. If so, then to be a householder has much the same sense here as to be a husband—an exerciser of husbandry—and the two statements made by the author and by Berthelet, so far from being 'widely different,' mean much the same thing.

On p. viii Professor Skeat quotes Harte's objection to Sir Anthony Fitzherbert's authorship, which was based on the statement under discussion, and says that the objection is answered by the fact that

² 'Int.' p. vii.

³ *Ibid.* pp. viii-x, xx, xxi.

Ibid. p. x.

this statement 'is *not* the author's at all. . . It was Thomas Berthelet the printer who said that the author "had exercysed husbandry, with greate experyence, xl years." But the author's *own* statement is *differently worded*; and the difference is material.' Here Professor Skeat seems to imply that Berthelet's statement is so untrustworthy that no valid objection can be based upon it. Yet soon afterwards he quotes Berthelet's verses prefixed to the 'Book of Surveying' (edition 1523), and from them draws several inferences concerning the author of the 'Book of Husbandry.' 'We hence conclude that Berthelet knew perfectly well who the author was. . . He plainly tells us that the author was a nobleman, and merely wrote to benefit others out of pure love and zeal.'⁵ So that, according to Professor Skeat, Berthelet knew who the author was, and is to be believed when he tells us that he was a nobleman; but when he says that the author had exercised husbandry forty years his statement is to be rejected, because the author himself says that he had been a householder for that length of time. Surely Berthelet's two statements must be regarded as equally trustworthy, neither of them being contradicted by the other, or by anything said elsewhere by Berthelet himself or by the author.

With regard to Berthelet's allusion to the author as a *nobleman*, it may be asked which of two men comes the nearer to this designation, the youngest of the five brothers of a country squire, working his way up in the legal profession by diligent study and active practice, 'a learned and painful man,'⁶ or his eldest brother, the squire himself, the owner of considerable landed estates, a part of which he obtained, in 1506, the royal licence to empark, one of the leading men of his county, a justice of the peace, in days when magistrates were few in number and select in quality; a man proud of his long descent, and who made handsome provision for one of his younger brothers who had gone into business in London, seeing that 'he ys a gentleman, and I wold that the name shold contynewe in worship according to our degree.' Both Berthelet's description of the author as a 'nobleman,' who delighted 'by his busy labour mens welth to procure,' and that of Professor Skeat⁷ as 'a country gentleman, rich in horses and timber,' &c., seem more applicable to John Fitzherbert, twelfth lord of the manor of Norbury, than to Sir Anthony Fitzherbert, the rising lawyer of London.

These two statements already quoted, the one by Berthelet, the other by the author himself, present some points of interest and importance as bearing on the identity of the latter. The statement of the author that he had 'been an householder this forty years and more' appears in the first edition of the 'Book of Husbandry,'

⁵ 'Int.' p. xii.

⁶ 'Brief Sketches,' in *Dom. State Papers*, 1623-5.

⁷ 'Int.' p. ix.

printed by Pynson in 1523.⁸ It follows, therefore, that, if the statement is true, and was written by Sir Anthony, he, being born in 1470, must have begun to be a householder, and (according to Berthelet) to exercise husbandry, before he was thirteen years of age—a somewhat remarkable instance of youthful precocity. But we know that Sir Anthony went to Oxford, and thence to the Inns of Court. Are we to suppose that he gained his householding experience by the management of his chambers in Gray's Inn, and experimented upon 'the poyntes of husbandry' in Lincoln's Inn Fields? This is felt and acknowledged by Professor Skeat⁹ to be a difficulty, 'but not an insuperable one,' he adds cheerfully, and forthwith surmounts it by dismissing the author's own statement about himself as a mere 'rhetorical flourish,' although at an earlier stage,¹⁰ in order to support his case, he has appealed to this very statement as being that of the author himself, and therefore trustworthy. But when viewed with regard to the character of the whole book, and to the context of the passage in which the statement occurs, it will probably seem to most readers nothing more than a plain and sober statement of an actual fact; and to brand such a statement as a 'rhetorical flourish' will hardly be deemed a satisfactory mode of getting over the difficulty.

This chronological difficulty ceases to exist if we may assume that not Sir Anthony Fitzherbert, but his brother John, wrote the book. For, from 1483, in which year John succeeded to the family estates, having then been married for at least three years, to 1523, when the 'Book of Husbandry' was first printed, is *exactly xl. years*. 'This xl yeres and more,' says the author of the 'Book of Husbandry.' A similar expression occurs in the will of John Fitzherbert, dated 1517, where he speaks of his ancestors having held the manor of Norbury 'this cccc yeres and more,' a statement the approximate accuracy of which is proved by the original deed of grant of

* Only one copy of the first edition of the two books of *Husbandry* and *Surveying* is known to exist. These two companion volumes, lost to view since they were sold amongst Mr. Heber's books on 15 April 1836, had eluded all search made for them until, on 24 Jan. 1894, they were discovered in the valuable library of Mr. Christie Miller, at Britwell. The story of the discovery of these two unique quarto volumes, which had lain *perdus* so long, is worth recording. I had asked my friend Lord Doneraile to look out for these two books whenever he had an opportunity for inquiry. He wrote to me as follows: 'I went to Britwell on Tuesday, 23 Jan. [1894], and on Wednesday, the 24th, I was ranging in the library, and asked Mr. Christie Miller if he had any Fitzherbert works. He said he had, and that, curiously enough, somebody else had been asking him the same question a few days before. So he got out all that he had, while I examined the catalogue and spotted these two quartos. I looked through the books he had brought out, and then said to him, "There are not these two quartos." He answered that he had none but those on the table. So I said there must be two more, according to the catalogue. Then he said that, if so, he did not know of them, and that he would look again amongst the quartos. Then he found these, which neither he nor his wife knew about before.'

⁸ 'Int.' p. xxi.

¹⁰ *Ibid.* p. viii.

the manor of Norbury to William Fitzherbert, dated A.D. 1125, which document, together with the manor, is still in the possession of the family.

One more point in connexion with the statement of the printer Berthelet remains to be noticed. On p. xii Professor Skeat gives some verses by Berthelet prefixed to the first edition of the 'Book of Surveying,' which was printed by Pynson just after the 'Book of Husbandry,' in 1523. These verses agree in substance with the colophon which has been already mentioned as printed by Berthelet in his edition of the 'Book of Husbandry,' 1534, and they contain several expressions almost identical with those in the colophon. In particular these words of the colophon, 'this ryghte profytable boke . . . whiche he dydde not in his youthe, but after he had exercysed husbandry, with greate experyence xl yeres,' are but an echo of the verses 3, 4, and 5—'He sheweth to husbandes in right fruteful wyse The manyfolde good thynges in brefe sentence Whiche he hath well proued by long experyence.' The colophon speaks of the 'charytie and good zeale that he bare to the weale of this mooste noble realme,' which is but a repetition of verses 6 and 7, 'And thus I leaue hym in his good wyll and mynde That he beareth vnto the publyke weale.'

But there is also a noteworthy difference. It will be seen that in the verses of 1523 the verbs are expressed in the present tense—'he sheweth,' 'I leaue him in his good wyll and mynde That he beareth,' 'He so delyteth and taketh pleasure'—whereas in the colophon of 1534 Berthelet speaks of the author in the past tense—'the good zeale that he bare.' Now in 1534 Sir Anthony was alive, but his brother had died three years before. If Sir Anthony was the author of the 'Book of Husbandry,' would Berthelet, a law printer who must have known the justice of the common pleas well enough by reputation, have spoken of the 'good zeale that he bare,' and not rather 'that he beareth,' as he wrote in 1523, when John Fitzherbert was alive? Comparing the language of the verses of 1523 with that of the colophon of 1534, both from the same pen, the natural inference is that the man of whom they speak was alive when the former and was dead when the latter was written. In 1534¹¹ this would be true of John, but not of Sir Anthony.

In Sir Anthony's acknowledged legal works his name is given as 'A. F. K.' (Anthony Fitzherbert Knight), 'Anthonie Fitzherbard Judge,' 'le reverende Justice Antonie Fitzherbard,' 'Juge tres reverend Monsieur Anthoine Fitzherbert,' and, so far as I know,

¹¹ As Professor Skeat has observed ('Int.' p. xxiii), the date of the 1534 edition of the *Book of Husbandry* is not to be implicitly relied upon, the block bearing that date having been used in some books certainly printed later than that year. If, then, it should be proved that Berthelet's edition, dated 1534, was really printed after Sir A. Fitzherbert's death in 1538, this argument would of course lose its force.

in no edition of any of his acknowledged works is he ever described as 'Master Fitzherbert.' On the other hand, in no one of the very numerous editions of the two books of 'Husbandry' and 'Surveying' is the author given any name but his surname only, with or without the prefix of 'Master.'

In 1584 Berthelet printed the 'Book of Husbandry,' by 'Mayster Fitzherbarde.' In 1537 he printed 'La novel Natura Brevium,' with a preface by 'le reverend Justice Sir Antonie Fitzherberd;' and in 1539 he printed the 'Book of Surveying,' 'compyled somtyme by Master Fitzherbarde.' If Berthelet knew or believed that the writer of the first and last of these three books wrote also the second, why did he name him so differently? The natural inference is that Berthelet knew that the writer of the books of 'Husbandry' and 'Surveying' was not the judge.¹²

Sir Anthony Fitzherbert was a distinguished man whose legal works were well known and highly esteemed; would, then, the enterprising publishers, who reprinted the books of 'Husbandry' and 'Surveying' at such frequent intervals both before and after his death, have neglected to better their sale by putting the famous judge's name on the books, if they believed that he and 'Master Fitzherbert' were one and the same man? But, on the supposition that John Fitzherbert was the writer of these two books, it would be proper and natural to describe the author as 'Mayster Fitzherbarde.'

One of the strongest arguments in favour of Sir Anthony Fitzherbert's authorship is that stated by Professor Skeat,¹³ to the effect that whoever wrote the 'Book of Husbandry' wrote also the 'Book of Surveying,' and that the author of the latter work must have had some knowledge of law. The professor argues this point in favour of Sir Anthony with force and skill. But the fact that John Fitzherbert's brother was a great lawyer is no reason why he himself should have known nothing of law. We know that John Fitzherbert was a justice of the peace at a time when justices were required to be chosen from amongst 'the most sufficient Knights, Esquires, and Gentlemen of the Law,' and when these words of the Great Charter, 'we will not make any justice . . . but of such as know

¹² On pp. xiii, xiv of the 'Introduction' Professor Skeat employs an argument which is based on an allusion by Berthelet to a certain 'Boke longyng to a Justice of the peace,' which book he assumes to be the same as the 'Newe Boke of Justices of Peas, by A. F. K.,' printed by Robert Redman in 1538. Since this paper was written, however, Mr. Clarke has found evidence which goes to prove that the 'Boke longyng to a Justice of the peace,' of which Berthelet speaks, is a different book altogether, and one with which Sir Anthony Fitzherbert had nothing to do. That being so, Professor Skeat's argument falls to the ground. In the *ENGLISH HISTORICAL REVIEW*, April 1894, Miss McArthur argues that the two books above named were different works, but suggests that they were *both* written by the same man—namely, by Sir Anthony—in which case Professor Skeat's argument, although based upon a false assumption, would still remain valid.

¹³ 'Int.' pp. xiv, xv.

the law of the realm and mean duly to observe it,' were still held to apply to this office. 'It used to be as much a matter of course, as Sir Edward Creasy remarks, for the young English county gentleman to become a student at one of the Inns of Court, as it was for him to study at Oxford or Cambridge.'¹⁴ A short course of such legal studies would have enabled any man of average ability at that time to make himself master of so much legal knowledge as is indicated by the 'Book of Surveying,' especially if the student, being heir to large landed estates, had therefore turned his attention more particularly to the laws affecting such property.

But even if it be conceded that John Fitzherbert was totally ignorant of the law, might he not have got his lawyer brother to help him in the legal parts of his book? Such literary co-operation is common enough. Only a few years before such a supposition could not have stood, for John then had grudges against his brother, which induced him to put the latter out of his will, and would no doubt have rendered any such co-operation most improbable. But in 1517, six years before the first publication of the books of 'Husbandry' and 'Surveying,' the two brothers are reconciled, and John appoints his lawyer brother, Anthony, his heir and chief executor, speaking of him in terms of praise and affection. In 1523, the very year of the first publication of these two books of 'Husbandry' and 'Surveying,' the brothers are appointed commissioners for the raising of a subsidy in the two adjoining counties of Derbyshire and Staffordshire respectively. What more likely than for them to have met together on that occasion at the old ancestral manor house of Norbury, standing on the very bank of the river Dove, which separates these two counties? Here would John Fitzherbert show his lawyer brother the manuscript of the two little treatises which he, from his forty years' experience as landlord of Norbury, had 'contrived, compyled and made,' the one 'for the poore farmers and tenauntes,' the other 'to the profytte of all noble men and women.' And what, too, more likely than that Sir Anthony Fitzherbert should have given his assistance, if required, in the more legal parts of the latter treatise, and then have taken the manuscripts with him up to town to get them printed for his brother?

But apart from these conjectures there is evidence in the book itself that the writer of the 'Book of Surveying,' whether or not he knew something of law, was at any rate not a professional lawyer. The words 'surveyor' and 'surveying' are here used, and explained by the author himself, as meaning an overseer or steward of a landlord's estate, and his duties as such. The book is, in fact, an estate agent's handbook or vade mecum, and contains a good deal

¹⁴ *Three Centuries of Derbyshire Annals*, by the Rev. J. C. Cox, LL.D., F.S.A., i. 80.

that is well worth an estate agent's attention even at the present day. The author tells us that after the battle of Evesham the estates of those rebel nobles who were slain or attainted for treason were seized into the king's hands; 'and so for want of reparacions, the castels and the manours fell to ruine and in decaye.' To arrest this ruin and turn these estates to most profit there was passed in 4 Ed. I a statute ordering a particular survey to be made of all the castles and other buildings, of the lands, parks, woods, waters, mills, &c., with their acreage, value, &c., of the tenants, with their various conditions of tenure, &c. &c., belonging to these forfeited estates. This 'olde statute namd Extenta Manerii' the author takes 'for a grounde of this treatyse,' and uses it as a textbook on which he bases his discourse upon the nature and duties of land agency. Each chapter of the book is headed by a clause from the above-named statute, in which the subject is stated of which the chapter treats. This 'brefe declaration of this statute Extenta Manerii,' together with copies of various legal forms in Latin used in the letting and taking of lands, &c., occupies 72 out of the 120 pages of the book, the rest of which is taken up with miscellaneous directions, especially in the two matters of demarcation of boundaries—more important *then* than in these days of close fencing and large-scale ordnance maps—and the improvement of lands.

In the chapter 'Of mylnes,' &c., the writer says: 'And yf they grynde nat their corne at the lordes mylne, the lorde maye amerce theim in his court, or els he may sue thō at the cōmen lawe, De secta molūdini faciēda. But whan he shall make his declaration in the debet and whan in the solet, *I remytte that to menne of lawe, that haue experience therof.*' And a few lines further on: 'And so there be soo many dyuersities of takynge of tolle, that *I wyll not take vppon me to telle howe, but also remytte it to menne of lawe, to shewe the dyuersities.* But dout ye not, the mylners wyll be no losers.' Again, in the chapter 'Of freetenantes,' &c., he says—

I coude speake more of the gyftes and remainders, but *I remyt them to men of lawe that be lerned*, for it is not the matter that I entend to speake of. *Howe be it, it is very necessary for euery surveyour to haue insyghte and experience of the common lawe*, or els at some season he shall deceyue his lord or his tenaunte, and speciallye his owne sowle. . . . For euery man that god hath sende wytte and reason vnto, is bounden to knowe, whether he do well or euyll. And therefore it is necessary that euery man lerne and do his dilygence to knowe what he oughte to do, or [ere] he take vppon hym any suche office or rowme. . . . The stewarde is bounde by lawe and conscience to be an indyfferente judge betwene the lorde and his tenantes.

Again, in the chapter on 'Who be free tenantes' he says: 'But how the declaration, the aunswer, replication, and rejoynnder shulde be made: and also an action of Dette, detinue, couenaunte, tres-

passee, and such other, *I remit that to men of lawe that haue experience therof.*' And once more, in the chapter 'Of those fre tenants that sewe,' &c., he says: '*I remytte all those poyntes to men of lawe, that haue knowledge and experyence therof, for it toucheth not my matter that I treate of.*'

It is difficult to believe that the words above quoted from the 'Book of Surveying' were written by a man who nine years before had published his 'Grand Abridgment of the Common Law,' a work which is even yet quoted as an authority in our law courts, who had been in succession the king's attorney-general and high commissioner for the pacification of Ireland (a task which he fulfilled with more success than some pacificators in recent years have achieved, 'and brought many of the wilde Irish to submission'¹³), serjeant at law, and king's serjeant; and who, when these words were first printed, had just been raised to the judicial bench.

Professor Skeat's new and ingenious argument from *internal* evidence, stated on pp. xv, xvi, goes to prove that the author of the 'Book of Husbandry' was then (in 1523), and for some time before then, living at Norbury. There is, however, no evidence that Sir Anthony ever lived at Norbury after he was grown up, until he succeeded to the estate on his brother's death in 1531, whereas the 'Book of Husbandry' was printed in 1523.

Much importance is attached by Professor Skeat to the mention of *farm stock* in the will of Sir Anthony. But more particular mention of a far larger number of horses, cattle, sheep, pigs, and farm implements is contained in the will of his brother John. Whatever argument may be drawn from the mention of farm stock in Sir Anthony's will to support his authorship of the 'Book of Husbandry' would therefore seem to apply with even greater force in favour of his brother John. In his will, dated 22 Sept. 1517, John leaves to his brother Anthony twelve mares as heirlooms (which is precisely the same number as mentioned in Sir Anthony's will), besides horses and cattle to various other persons.

No less than nineteen chapters of the 'Book of Husbandry' are devoted to sheep, which the writer calls 'the mooste profytablest cattell that any man can haue,' and to the details of shepherds' work, in which the writer displays a very remarkable knowledge of and practical familiarity with even the minutest points in the art of shepherding; yet in the will of Sir Anthony there is no mention whatever of sheep, a fact which is surely somewhat strange if he was the writer of the book. But, on the other hand, John in his will makes the following bequests: to all his servants their full wages, and to have '6 ewe shepe hoggs, if I decesse before Christmas, such as then [to] be shorne, at their own choice; the longest service to have first choice; and so on by order, and if I decesse after they

¹³ *State Papers, Domestic, 1523-5*, vol. ccv. no. 40.

be shorne, and before Christmas, then to have the same sixe shepe called theaves,' a shorn theave being equal in value to a hogg with its fleece. To his daughter Elizabeth he leaves '2 young oxen, 2 young kine, a two-year-old bullock, 2 more aged, 2 two-year-old heifers, and 60 young ewes or theaves.' He also makes heirlooms 'ii c [200] of the best ewes, vi schore to the hundreth, and as many lambs as sowke upon them at my decesse.'

There can be no doubt that the author of the 'Book of Husbandry' was, in 1523, an experienced and practical farmer, and that on a pretty large scale. He had more than sixty mares running loose, with five or six horses going with them, for breeding purposes; and there are indications of similar wealth in other kinds of live stock.

It does not appear that Sir Anthony, prior to 1523, ever held land enough in his own hands for such extensive operations. But from the will of John, dated 1517, we find that the testator then owned five manors in Derbyshire, and lands in other places of the same county, with a park at Norbury; manors in the lordships of Cheadle and Dilhorne, in Staffordshire, and manors and lands in Upton and Stoke, in Leicestershire; and he mentions, besides, Bardon Park in Leicestershire, ten miles from Upton, taken on lease for twelve years (one year gone) from the marquis of Dorset, which was to be held by his executors *for his stock*; these to be sold at the end of the lease and disposed of as most profitable for the souls of his three executors. That in 1483, forty years before the 'Book of Husbandry' was printed, John Fitzherbert was engaged in farming seems probable from the fact that by his father's will, bearing that date, he is left the best wagon with six oxen and six cows, sixty young ewes, and a ram. His younger brother Anthony, who was then but a boy, is not mentioned in his father's will.

Mention is, however, made of Anthony in his mother's will, dated 1490, but in terms which add to the improbability that he was ever engaged in agriculture during the earlier years of his manhood. In her will his mother states that her sons William and Anthony 'as yet have no part of their father's goods, but *their bare finding*;' and she directs her eldest son and heir, John, after her decease, to pay to Anthony the sum of five marks per annum 'towards his exhibition at Court' (*i.e.* Gray's Inn) 'upon condition that he *continue his learning at the same*.'

In chapter xxxvi. of the 'Book of Husbandry' the author exhorts the farmer to sever his peas and beans, and proves the advantage of so doing 'by a famylier ensample,' drawn from the buying and selling of herrings, with which he was evidently well acquainted. 'Let a man bye c hearynges, two hearynges for a penye, and an other c hearynges thre for a peny, and let hym sell these cc hearinges agayne v heringes for iid; nowe hath he loste iiid,' &c.

It may be only an insignificant coincidence that John by his

will provides an annual Sunday dole during Lent to every householder in Norbury, Rossington, and Snelston, consisting of 'too farthyng lovys two whyte herrings and if herryng whyte or redde faile and be not salt then to pay to every person soo wantynge herrynge for every ii herrynge ob. in sylver.'

Attached to John's will is a long and interesting inventory *per me Iohannem Fitzherbert de Norbury armigerum et ipsa manu mea scripta*. This inventory is a list of goods and chattels, live and dead, at Norbury, which he made heirlooms to pass from one heir to another. The catalogue of household goods, furniture, and implements, written, as he says, with his own hand, shows a knowledge of domestic details which would put most modern householders to shame, and must have made the master of Norbury manor house a terror to any careless or dishonest servant. As one reads this comprehensive list of household articles and domestic appliances, one is forcibly reminded of the man who had 'ben an householder this xl yeres and more.'

Professor Skeat quotes from the 'Book of Husbandry' to prove that the author knew Latin and was 'given to scholarly pursuits and to learned and devout reading.'¹⁶ Perhaps this expression rather overstates the case. It is true that the pages of the book are thickly stocked with quotations, especially towards the end; but, except a few texts picked up, as he says, at his grammar school, the quotations all come from no more than a dozen sources, besides the Bible.¹⁷ It is to be concluded rather that the writer was a man of few books, but knew them well. Professor Skeat might have added that the author evidently knew French as well as Latin. In this connexion it is interesting to find that John includes in his list of heirlooms '*all my books of Latin, French and Englishe*.'

Chapter v. of the 'Book of Husbandry' is headed 'The necessary thynges that belonge to a ploughe, carte, and wayne,' and may be compared with John's list of heirlooms, under the similar heading, 'For Husbandry and other thynges Necessary.' In this chapter the writer speaks of the advantage of binding with iron wooden parts subject to much wear, especially cart wheels, and says, 'If they be yren bounden they are moche the better, and thoughte they be the derer at the fyrst, yet at lengthe they be better cheape.' In John's list we find 'viii drawing yoke and ii cop yoke yroned ii horse harrowes yroned.'

Again, in chapter v. the writer says, 'An husbande muste haue an axe, a hachet, a hedgynebyll.' John's list mentions 'ii axes, ii hachets, and ii heging bylls.'

¹⁶ 'Int.' pp. ix, x.

¹⁷ Since this was written Mr. Clarke has ascertained the fact that most of the Latin quotations are taken from a devotional book called *Speculum Christiani*, which was printed about A.D. 1480, three years before John Fitzherbert succeeded to his father's estate at Norbury.

In chapter cxxi., 'Of Swyne,' the author says, 'Se howe manye swyne thou art able to kepe; let them be *boreys and sowes all, and no hogges,*' and then gives reasons for this advice. In John's list of heirlooms we find these swinish items:—

- ii the elder boores and ii the eldest sowes.
- ii boreys of a yr old and ii sowes of the same age and as many piggs as sowke upon them after the vii day be past.
- ii boore pygge and ii sowe pygge of the yongest sorte yf there be any ordered to be reyled.

Professor Skeat says ¹⁶—

I cannot find that there is any reason for assigning the composition of the 'Book of Husbandry' to John Fitzherbert, Sir Anthony's brother. It is a mere guess, founded only upon the knowledge that Sir Anthony had such a brother. It looks as though the critics who wish to deprive Sir Anthony of the honour of the authorship think they must concede somewhat, and therefore suggest his brother's name by way of compensation.

I do not pretend to have definitely solved the question and conclusively proved who was the author of these two books of 'Husbandry' and 'Surveying;' but I think I have been able to show that the words quoted above are hardly a fair statement of the case as it stands at present, and that there is more reasonable ground for assigning the authorship to John Fitzherbert, and more difficulty attached to the other hypothesis, than any one on either side of the controversy has hitherto been aware of.

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¹⁶ 'Int.' p. xi.