Anglo-Saxon Rochester: some parameters of urban life

A bird's-eye view of Anglo-Saxon Rochester would have revealed that the inhabited area, inside and outside the walls, was divided up into plots of land of a suitable size to accommodate a family home. Though it is, for us, something of a puzzle to know what to call these plots, it was not a puzzle at the time. Before 1066, for people who were thinking and speaking in English (which means almost everyone, almost invariably), there was never any doubt about it. A plot of this kind was a "haw", *haga* in Old English spelling.* The word *haga* means "a fence"; by extension it comes to mean "a fenced enclosure".† In an urban context it means specifically the sort of fenced enclosure on which someone had built or might want to build a house.‡

* The letter "g" had more than one value for Anglo-Saxon scribes. Here, as in *laga*, "law", it denotes a fricative [gh].

† Thus a churchyard could be called a "church-haw". The cemetery to the north of Rochester cathedral was known as "the green church-haw" in the fifteenth century (Hope 1900:26 from Thorpe 1769:565).

‡ There is a mid eleventh-century document from Canterbury in which *haga* seems to mean the house itself: "and the *haga* within the city which Ægelric had built for himself", *and se haga binnan port þe Ægelric himsylfan getimbrod hæfde* (Sawyer 1968, no 1471). But that, I suspect, is a mistake: probably the scribe forgot the words "with the house". The intended meaning, as I understand it, was a match for the wording found (for instance) in a thirteenth-century charter from Rochester, "one plot of land with the house that I have built on it", *unum masagium cum domo quam in eo edificaui* (Thorpe 1769:535 from Domitian fo 196r-v).

(As the OED pithily puts it, the word "haw" is "Obs. exc. Hist." In Kent, coincidentally, it lasted longer than it did elsewhere, with the meaning "fenced enclosure". It turns up in John Ray's list of "country words" -- words, that is, which were current only in some part of the country, and would not be understood by strangers. "A Haw: Kent, a close" (Ray 1674:68). Consulting Somner's Anglo-Saxon dictionary, Ray had come upon the entry for *haga*, which says this: "a small quantity of land which the Kentishmen call a haw, as a hemp-haw, or bean-haw, lying neere to the house and enclosed to that use" (Somner 1659). To cite an example from Rochester, the farmyard south of Prior's Gate was called the hog-haw.)

Scribes who were writing Latin documents did sometimes need to find a Latin equivalent for this word. They were, for a long

while, hesitant in their choice. Before 1066, such scribes would scroll through whatever Latin vocabulary they carried in their heads until they arrived at a word which seemed sufficiently suitable.* One scribe might decide on the word *villa*: "one *villa* which in English we call a haw" (*unam uillam quod nos Saxonice an haga dicimus*, Campbell 1973, no 23), though on second thoughts he might prefer the diminutive *villulus* (*uilluli illius*). Another scribe might opt for *viculus* (no 7).† This seems to have been a more popular choice (nos 21,‡ 24); but it does not appear that consistency was ever thought to be something worth aiming for. If different scribes used different words, nobody got upset.

* The prize for the most abstruse choice goes to the man who came up with the word *possessiuncula* (see below).

† A *viculus* is properly "a little village", and "village" is how Campbell translated it. But here the word was being made to mean whatever the scribe wanted it to mean.

‡ In no 21 the word occurs twice -- *viculus* the first time, *vicus* the second. (At least that is true for the fourteenth-century copy which is all that we have to go by.)

After 1066, though the quandary persisted, it took on a different shape. Written documents, by and large, were now being produced by scribes who thought and spoke in French. (Perhaps they spoke English as well; even if they did, their Latin was Latinized French.) For French-speaking scribes there were basically two options.* One was to use the English word but treat it as a first-declension Latin word. (In English the word was masculine; in Latin it became feminine; but nobody cared about that.) In early twelfth-century documents from Rochester, the quasi-Latin word *haga* is freely used, without any hint that it needs to be explained or apologized for. As late as around 1220, it was still possible for a scribe drafting a charter to use the word in the same unselfconscious manner (Thorpe 1769:538 from Domitian fos 190v--1r); but that, by then, was exceptional.

* There was a third option -- to avoid the word altogether. Instead of speaking of somebody's *haga*, one could speak of somebody's land. The monks' rental adopts that policy.

As far back as the 1080s, French-speaking scribes had been exploring the other option -- looking for a French word which they could substitute for *haga*. They experimented with various words. In order of appearance, the sequence goes something like this: *masure*, *masage*, *mesage*, *mesuage*, *messuage*. It took more than two hundred years before they had settled on a word and a spelling which everyone was happy with.* Turned into quasi-Latin, *messuage* became *messuagium*. In French -- even (I think) in the sort of

French spoken in England -- the stress is going to fall on the second syllable: [mes'wa:dzh]. In English the stress gets displaced onto the first syllable, and the word becomes "messuage": ['meswidzh]. The word survives in that shape -- but only as a technical term in the language of conveyancing.

* By this time, however, the word was no longer used only in an urban context. If the house was your home, wherever it was, in the language of lawyers it was now your capital messuage.

Where does that leave us? I suspect that even solicitors might feel uncomfortable using a word which is manifestly French in talking about Anglo-Saxon Rochester. It seems so glaringly unapt. (Is "burgage-plot" any better? I cannot think so.) In the end, we do not seem to have much choice in the matter. For present purposes, we are going to have to revive the word "haw" and try to get accustomed to using it.

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There is another odd word (also "Obs. exc. Hist.") which we can hardly manage without. The word is "gavel" -- *gafol* (or something similar) in Old English spelling.* It had a range of meanings: in an urban context, however, it denoted a sort of ground-rent paid to the landlord. The rent was not always paid in cash. It might comprise some set quantity of work -- help, for instance, in getting the lord's meadow mowed. (That work might be called "gavel-reap".)† Or it might be a payment in kind -- some set quantity of honey, for example. (That rent might be called "honey-gavel".) Perhaps there was a time when gavel was normally paid in one or other of these ways. Once there was enough cash in circulation, however, the trend was for such payments to be monetized. On the whole, it suited both parties to have the rent commuted for some fixed number of pence, to be paid at some fixed date. The upshot is that gavel varied quite considerably from haw to haw, both in the amount and in the date or dates when payment was due. It is notable that the four quarter-days -- "the four terms of the year" -- which regulated the payment of many other rents did not, by and large, apply to the payment of gavel.

* Here the "g" is a hard [g].

† Numerous names of this type were collected by Somner (1660:16), in an excellent book based largely on the Christ Church records.

Land which paid gavel was (unsurprisingly) called "gavel-land". All land in Kent was gavel-land by default -- that is, unless it could be proved to be something else. A haw in Rochester or Canterbury was a piece of gavel-land -- a very small piece, but gavel-land none the less. And therefore it was subject to a code

of customary law which only existed in Kent, the code called "gavelkind".* Nobody thought to put the code into writing before the late thirteenth century. By that time, gavelkind had been coexisting for two hundred years with the very different code which governed feudal tenure, and that experience, no doubt, had helped to sharpen people's understanding of gavelkind's peculiarities. Even before 1066, however, they would have been aware that their code was different from the code which applied in Essex, Surrey and Sussex; and that would have caused them to ask themselves what exactly the differences were. But the code remained unwritten. Everyone knew that this was how things were: if the land was in Kent, these, by default, were the rules which applied to it.

* There is another excellent book on the subject, by Robinson (1741), aimed more at lawyers than at historians, but still very well worth reading. It was reprinted and reedited from time to time: it remained the standard treatise for as long as gavelkind survived.

When people thought about the peculiarities of gavelkind, the first property which came to mind was partibility. When a man died in possession of some quantity of gavel-land, that quantity was divided equally among his sons.* If he had no sons, it was divided equally among his daughters; if no daughters, among his brothers; if no brothers, among his sisters; and so on. At that rate, it might seem that gavel-land would become divided into smaller and smaller pieces, till nobody had enough to make a living. This did not happen. People had more sense than to let it happen; and there were ways to prevent it from happening. Most importantly, gavel-land could be sold. From the age of fifteen upwards, the owner could sell it to anyone who wanted to buy it. If the land was still his when he died, gavelkind would decide who was going to inherit it, regardless of any wishes that he, the late owner, might have had. He had no say in the matter. While he was alive, however, he could dispose of the land as he pleased. It was the people who might have been hoping to inherit who had no say in the matter.

* The same is true for a woman. Though gavelkind preferred sons over daughters, brothers over sisters, it was, in other respects, quite equitable in its treatment of men and women.

It is notoriously difficult to detect any trace of gavelkind tenure in Anglo-Saxon documents. Disappointed in that, historians have pored over the pages of DB-Ke (which is emphatically feudal in design) looking for some incidental allusion to gavelkind. There too, their efforts have been fruitless. Though everyone thinks it safe to assume that gavelkind was ancient, it does not seem to be possible to arrive at any definite conclusions. To say

that peculiar things happened in Kent because Kent was a peculiar place is not to say much at all. But it is true, of course, that Kent was a peculiar place. Another unique feature (to which we will need to revert) is the fact that arable land in Kent was measured in "sulungs" (also decidedly "Obs. exc. Hist."), not in the "hides" which were normal throughout the rest of southern England.

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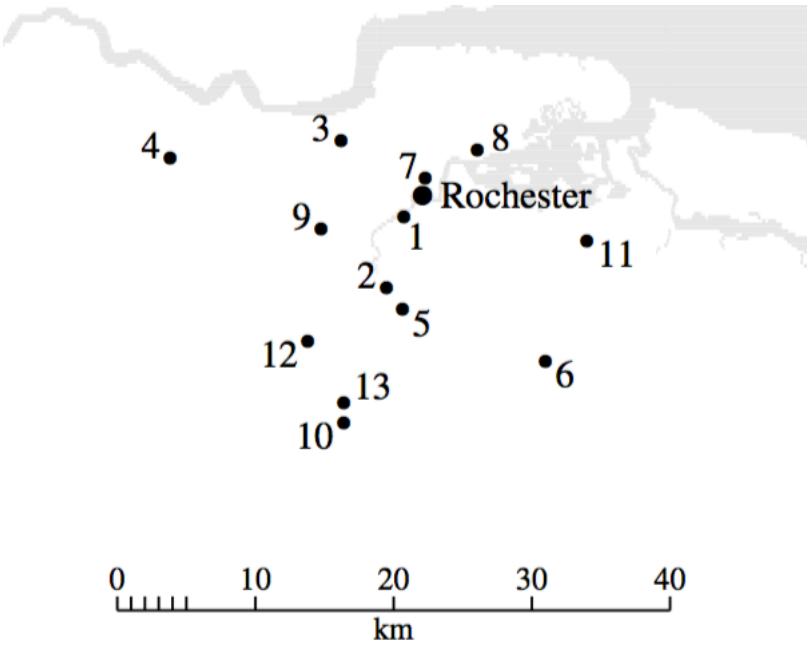
The gavel due for a haw in Rochester was, it seems safe to suppose, originally paid to the king. Over time, however, the right to many of these payments was given away. We know nothing about the process itself, only about its results. By the 1080s, when the city belonged to the bishop of Bayeux, many haws paid their gavel to him, as they would otherwise have paid it to the king; but a large number did not. We know of eighty haws in the city which paid their gavel to the bishop of Rochester (DB-Ke-5vb33). We know of another five which paid their gavel to the archbishop (3ra22). The right was not one which only churchmen could enjoy. On the contrary, many other lords were in receipt of gavel from haws in Rochester:* and the number would have been greater still if the bishop of Bayeux had not made a point of cutting these connections. Apparently it must have been a desirable thing to own a few haws in a town which one was likely to have to visit (with the idea, I take it, that one's tenants would be required to provide one with free accommodation). And apparently it must have been a practicable thing to buy a few haws from the king. But transactions of this kind were done verbally: nobody thought to write them down. The tenants were instructed that they should, from now on, pay their gavel to someone other than the king; when the gavel next fell due, the lord's agent made sure that it was paid in full and on time; and after that, one could hope, there would not be any trouble.

* One instance is of special interest: the lord of Newington (near Sittingbourne) was being paid gavel from haws in both Canterbury and Rochester -- four in the former, two in the latter (14va10).

A king could do much more than give away the gavel. By causing a charter to be written, properly worded and properly attested, he had the power to convert any ordinary tract of gavel-land into a privileged tract of book-land. This meant, among other things, that the land was not subject to the common-law rules of inheritance. Gavelkind did not apply to it. The owner was free to dispose of it in any way he chose, at the time of his death just as much as during his life. In principle, the change in status was made forever. Whatever privileges went with the ownership of the land were to be enjoyed, not just by the original grantee, but by anyone who subsequently got possession of it,

provided that he also got possession of the book. The charters prove that it was possible for a haw in Rochester to be turned into a piece of book-land -- a very small piece, but book-land none the less -- if that was the king's will. A 1000-square-foot plot of land in the city could be transmuted into book-land in just the same way, with just the same form of words, as a 1000-acre estate in the countryside. It is clear that this could and did happen. How often it happened, how many of the haws were converted into book-land, we cannot hope to say.



1 Borstal
2 Burham
3 Chalk
4 Darenth
5 Eccles
6 Elnothington
7 Frindsbury
8 Hoo
9 Luddesdown
10 Nettlestead
11 Newington
12 Offham
13 Wateringbury

Manors recorded in DB-Ke as owning or having till recently owned haws in Rochester (Flight 2010, fig 14, detail)

From this perspective, then, we need to envisage the plan of the city as a mosaic of three types of haw: gavel-land, privatized gavel-land, book-land. That was true for Canterbury, just as much as for Rochester. For the first two types, when the owner died, it was gavelkind which decided who should inherit. For the third type, the owner decided. Since gavel was paid every year, people were constantly being reminded where it ought to be paid. The distinction between gavel-land and book-land, in contrast, only became significant once in a while, when the man who owned the

land was on his death-bed, and that would have left more scope for doubts and disputes to arise.* Honestly or dishonestly, people might become forgetful.

* There was, I take it, nothing to prevent the owner of book-land from sharing it out among his sons -- voluntarily, before he died -- in just the same way as if it were gavel-land. If people came to think that this was the decent thing to do, the distinction would cease to make a difference.

Over time, the ambiguity worked itself out, in one direction or the other. From the 1270s onwards, the citizens of Canterbury are found claiming that the custom of the city allowed them to bequeath their messuages, as freely as their goods and chattels (Somner 1660:152, Robinson 1741:236).* In effect -- though they did not use this language and would not have understood it -- they were saying that every haw in the city should be regarded as book-land by default. The citizens of Rochester seem never to have made the same claim. By not making it, they were saying in effect that every haw in the city should be regarded as gavel-land.

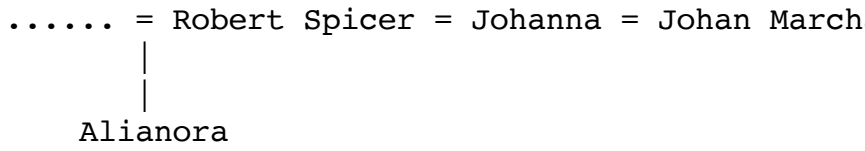
* *Juratores dicunt super sacramentum suum, quod Consuetudo Civitatis Cantuar. talis est, quod quilibet de Civitate predicta potest legare Messuagia sua, quae habet in eadem Civitate, adeo bene sicut & alia bona & catalla sua* (Robinson 1741:236). "The jurors say on their oath that the custom of the city of Canterbury is such that anyone of the said city can bequeath his messuages which he has in the said city, as well as his other goods and chattels." Instead of saying that a haw is book-land, they are saying that it ought to be treated in the same way as goods and chattels -- which comes to the same thing.

To pursue this question further, one would need to look for records of litigation relating to haws in Rochester. The only case cited by Robinson (1741:207--10) dates from the 1370s. It concerned two messuages in the city,* to which, as everyone agreed, the customs of gavelkind applied.

* The messuages in question were called the "Swan at the Hoop" and the "Chequer at the Hoop". (We are told who occupied the messuages on either side of them; but we would need to know much more than that before we could hope to determine their location.) The names mean, I suppose, that they were pubs -- like the "Hart at the Hoop" (or "on" or "upon" the Hoop) first heard of in 1401 (Aveling 1895). (According to Aveling, this inn was "founded in 1396"; but I do not know what evidence he had for saying that. 1401 is the date of the earliest conveyance.)

Some time before, these messuages had belonged to a man named Robert Spicer. When he died, the inheritance passed to his only daughter, whose name was Alianora; but possession passed to his

widow, Johanna, Alianora's step-mother -- who would have been entitled to half of her late husband's estate by way of dower, but only for so long as she remained unmarried (Lambard 1576:422). After reaching the age of fifteen, Alianora conveyed the property to her step-mother, by a deed in which she "remitted, released, and quit-claimed altogether for herself and her heirs forever" her right to these two messuages. Some time later, she changed her mind. Johanna by now was married again, to a man named Johan Marchall. Alianora sued them both. It seems harsh that a child of fifteen should have been allowed to give away part of her inheritance, but gavelkind said that she could (Lambard 1576:421--2), and no one felt any sympathy for her on that score. The only question put to the jury was whether she had been coerced. Alianora said that she had; the defendants said that she had not. The jurors sided with the defendants; the case was dismissed; and Alianora was fined for wasting the court's time with her false claim.



There is, in the end, little to be learned from this case except that the rules which applied to a haw in the city were the same that applied to any piece of gavelkind land. But even that is something worth knowing.

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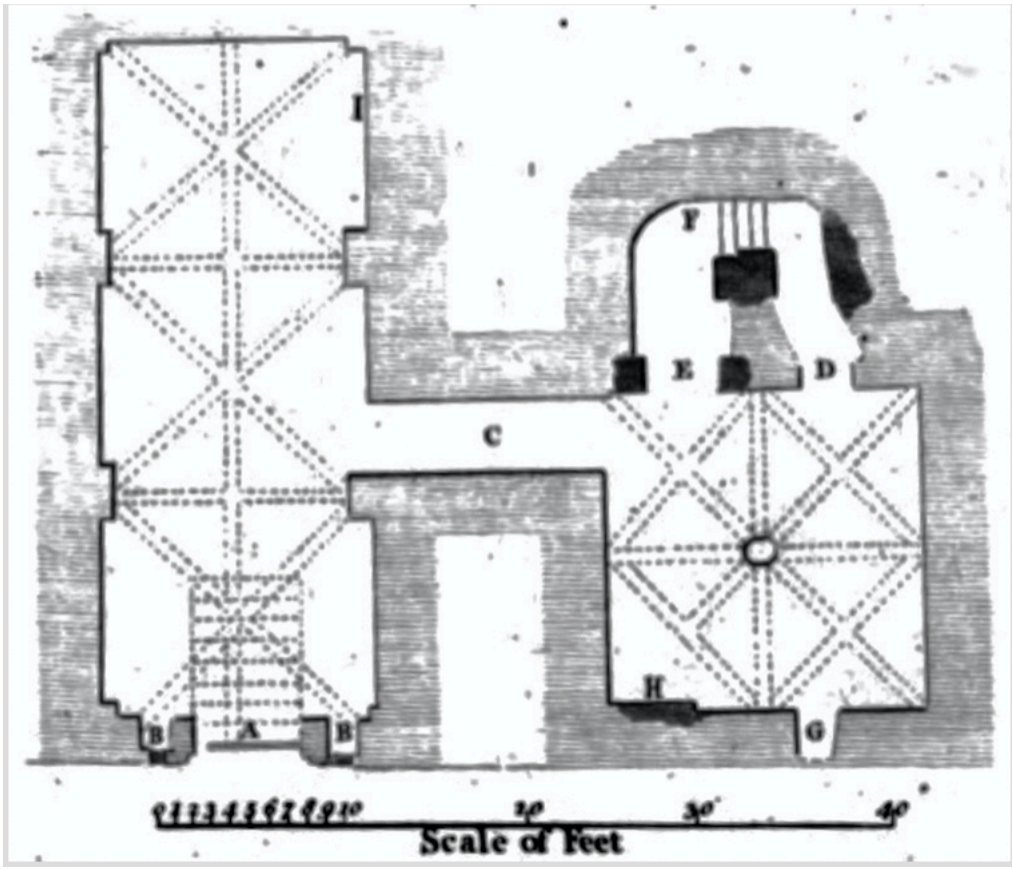
Inside the walls or in the eastern suburb, a typical haw would seem to have consisted of a narrow strip of land, perhaps 15--20 feet wide, abutting on the High Street. The owner would build his house up against this frontage, with one of its gables facing towards the street; behind the house he would have his own backyard, with space for any outbuildings that he thought of putting up.

By and large, it was taken for granted that each haw had a different owner. If you asked your way to Robert Brewer's haw, people would know what you meant: the name was as good as an address. But there was nothing to prevent someone from buying the haw next to his, if it came up for sale, and one man might end up owning a block of two or three adjoining houses. Even so, for constructional reasons, the houses tended to keep their separate shape. The Crown Inn, for example, which until the 1860s stood roughly where 4--8 High Street stand now, extended over three

haws. Whenever it was last rebuilt or remodelled, it was given a continuous frontage; but it retained the shape of three separate houses, with three slightly unequal gables.



The vaulted cellars under the Crown Inn, measured and drawn by Thomas Fisher in 1789. (The High Street frontage is at the bottom.)

Two of these houses -- the first and third -- had carved their outlines into the ground. Each of them had been provided with a vaulted cellar -- separate at first, but connected, at some later date, by a tunnel underneath the house in the middle. There are, to my knowledge, only two other medieval cellars of this kind on record: a ruined example under 36 High Street (Bacchus 1990), and a very fine one on the other side of the road, at 35 High Street, under the pub called the George (Payne 1900).* These are the only instances of which we can speak with any certainty; but I think it would be safe to generalize from them -- that is, to assume that the property lines existing in the 1860s, when the Ordnance Survey made its ten-foot map, were, very nearly, the same property lines that had existed in the fourteenth century. Whether one can extrapolate backwards as far as the eleventh century, let alone the eighth, is more than I would dare to decide.

* "This house was burnt down by the fire in 1768; but fortunately the cellar escaped being pulled down when the house was re-built" (Fisher 1789). (The extent of the damage caused by this fire is shown on Baker's (1772) map.)

In twelfth-century and later documents, "half-haws" are occasionally mentioned. For example, in 1222--3, in an exchange of property negotiated between bishop Benedict and the monks of Rochester, we find a list of haws which till now have been paying gavel to the bishop, at the rate of 10 pence per haw, but in future are to pay it to the monks; and thus we learn that Roger Weaver is paying 5 pence for half a haw and that Adam Poteman is paying 15 pence for one haw and a half.* (Apparently this is a case where someone had purchased half of the house next door.) We are not told explicitly how it could happen that a haw got split in half. I doubt whether gavelkind has anything much to with it. From time to time, two brothers or two sisters would inherit a single haw, but they could not divide it between them unless it was practicable to do so. And if it was practicable, it could happen for some other reason. The owner of a haw, at any time, was free to sell off half of it, if he or she chose to do so. Some haws, it seems, were large enough that half would be enough to live on.

* *... de dimidio mesagio Rogeri textoris quinque denarios, de uno mesuagio et dimidio Ade Poteman ... quindecim denarios* (Thorpe 1769:55--6, from *Reg temp*, fo 48v, from the bishop's portion of the cyrograph). A new edition of this document is much to be desired. (In the printed text, the spelling of "messuage" oscillates between *mesagium* and *mesuagium*. In another copy (Domitian, fos 199v--200v), taken from the monks' portion of the cyrograph, the spelling starts out as *masagium* but then shifts to *mesagium*.)

Remarkably, there is proof of the existence of half-haws much earlier than this, both at Rochester and at Canterbury. From Rochester we have a charter of Æthelberht, king of the West Saxons and Cantware (Campbell 1973, no 24),* dated 860, which grants to someone (it is not clear who) a portion of book-land described in the following terms: "eighty (or possibly sixty or twenty) acres, and one half-haw of Hrob's city, and one marsh which belongs to that".† From Canterbury we have a charter of Coenwulf, king of the Mercians (Sawyer 1968, no 168), dated 811, granting to archbishop Wulfred, among other things, some land in the city which is thus described: "And also in the city of Dorovernia, on the south side of the church of the Saviour, two estatelets and half of a third one -- that is, in our language, 'third half haw' -- and two meadows previously and presently belonging to them situated on the east side of the river Stour".‡ (The idiom "third

half" means the half between two and three.) In the ninth century, evidently, people saw nothing problematic in the concept of a half-haw. I cannot say the same about myself.

* Until somebody tampered with it -- the date was changed from 860 to 790 -- no 24 is thought to have been a genuine charter, written (Brooks 1984:361) by the same scribe as another charter of the same king (no 25) which also, but only later, passed into the Rochester archive. (It should not be forgotten, however, that both charters have sometimes been regarded as imitative copies, nor that no 24 was believed by Richard Widmore to be palimpsest (Hooper 1777 sig d3r).)

† *... id est lx. xx. æcra et unum uiculum dimidium ciuitatis Hrobi et unum mariscum que* [r *qui*] *ad illum pertinet*. The numeral is oddly formed, with "lx" at the end of one line, "xx" at the beginning of the next. Did this scribe think of eighty as "sixty twenty"? I doubt it.

‡ *... Atque iterum in ciuitate Dorouernia in australe* [r *-i*] *parte ecclesiae saluatoris duas possessiunculas et tertiam dimediam* [r *-mid-*] *id est in nostra loquella* [r *-ela*] *ðridda half haga Et prata duo ad eas prius et modo pertinentia in orientale* [r *-i*] *parte Sture fluminis sita*. (The diminutive *possessiuncula* is a joke-word used once by Cicero.)

What was the total number of haws in the city? From the evidence known to me, I can find no objective basis for answering that question. The best starting-point, I think, is the fact reported in DB-Ke -- that there were eighty haws which paid gavel to the bishop of Rochester. (That includes the number which paid gavel to the monks, who owned the manor of Frindsbury. In the DB scribe's view of things, the Rochester monks had the rank of sub-sub-tenants, and therefore they were not to be mentioned.) That number represents some fraction of the total number. So the question becomes: are we willing to guess -- do we feel any obligation to guess -- what fraction that might have been? Any reader who thinks that the answer is no should stop reading now, or else risk exasperation.

At a guess, then, I will suggest that these eighty haws represented a fifth or a quarter of the total number. In other words, I am suggesting that there were around 320--400 haws in all -- perhaps 200--250 inside the walls, 80--100 in the eastern suburb, 40--50 in the southern suburb. It goes without saying that these estimates are crude in the extreme, but are they so wide of the mark that they create an altogether false impression? I see no reason to think so.

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Ownership of a haw meant ownership of the ground (whether or not it paid gavel) and of any buildings which stood upon it. But it might include other assets too. In a fourteenth-century conveyance the expression one expects to find is "a messuage with appurtenances", *messuagium cum pertinenciis*. Much of the time, no doubt, these words are just a matter of form: it is not being said that any appurtenances exist, only that if they do they are included in the transaction. Even so, the expression implies an awareness on people's part that there might be more to a messuage than met they eye. And phrases with a similar significance occur in some of the Anglo-Saxon charters too: "with all things belonging to it", *cum omnibus scilicet ad eam pertinentibus rebus* (nos 5, 13), "with all the things that belong to it", *cum omnibus rebus que ad illam pertinent* (no 22).

If we want to know what "appurtenances" might have belonged to a "messuage" in the ninth century, one charter in particular will give us an interesting answer. This is a charter of king Æthelwulf for a thegn by the name of Dunn (Campbell 1973, no 23) granting him one haw in the city.* It is dated 855; as far as one can judge from a copy, it seems to be perfectly authentic.† At some later date, when the time came for Dunn to make his will, he bequeathed this piece of land to his wife "for her days" and afterwards to the community of Saint Andrew's church. That is how the charter survives.

* Without wishing to seem captious, I have to say that the language used in Campbell's heading -- "ten yokes of land and a village" -- could hardly be more unhelpful.

† Campbell's (1973:xxiv) query seems needless. Addressing himself to posterity, the king might say that this was the year in which he travelled to Rome even if he had not quite got round to getting started just yet.

We have no idea who Dunn was, or what he had done to deserve a reward from the king, or whether he had any prior connection with Rochester. It is not clear whether he was planning to live on this haw himself or give or sell it to someone else. Without any knowledge of the circumstances, it is not an exaggeration to say that the charter is incomprehensible. All one can do is pick out the bits which seem to make sense by themselves.

The king says that he is giving Dunn one haw (*unam uillam, quam nos Saxonice an haga dicimus*) "to the south of Hrob's castle" (*in meridiae* [r *meridie*] *castelli Hrobi*);* and then he enumerates the assets which go with this haw:

> ten acres adjacent in a southerly direction to this haw (*et decem iugera a meridiano* [r *-a*] *plaga uilluli illius* [r

uillulo illi] *adiacentia*) -- that is, ten acres of arable land;†

two acres of meadow (*necnon et duo iugera prati*);

ten cartloads of wood on the king's hill (*et x. carros cum siluo* [r *-a*] *honestos* [r *honustos*] *in monte regis*) -- that is, though *silua* is not the right word for it, a regular supply of firewood;

the right of access to the marsh which anciently and rightly belonged to this haw (*et communionem marisci quae ad illam uillam antiquitus cum recto pertinebat*).

From the last item, we learn that this haw has existed for some considerable time. Somehow or other, it has come back into the king's hands; and now he grants it to Dunn.

* Like Brooks (2006:12), I take this to mean that the haw is in the southern suburb. (If the king had meant that the haw was in the city, between the high street and the south wall, he would have had to say something more than *in meridie*. Besides, if the haw was in the city, the ten acres of arable land could not be "adjacent" to it.) ("Hrob's castle" is just a latinized name for Rochester. It is, I hope, no longer necessary to say that the word *castellum* did not carry the same meaning in ninth-century England that it came to carry in eleventh-century Normandy.)

† For some ninth-century scribes the word *plaga* meant a compass bearing. I am guessing that they got the idea from Saint Jerome, who used the word frequently as a geographical term, always associating it with one of the four cardinal points -- or with all four at once, as in *quatuor plagae mundi*, "the four quarters of the world". (My acquaintance with the works of Saint Jerome consists of a quick look at volume 25 of *Patrologia Latina*.)

Yet it seems, to judge from this charter, that the king did not expect a haw in Rochester to be an acceptable gift unless the new owner had some guarantee that he could be self-sufficient. Before he would be willing to move into the city, he would want to be sure of being able to provide for his own subsistence -- grow crops and keep some livestock for himself. This haw might almost be a small country estate. The only hint that the new owner will be joining a collectivity comes in the mention of the marshland being held in common. The only hint that he will not be living in the countryside comes with the recognition that firewood will need to be imported -- from the "king's hill", presumably the rising ground to the south of the city, which, where the chalk retains its capping of clay, was still quite heavily wooded in the nineteenth century, and in patches is still so today.*

* In Canterbury, similarly, firewood had to be imported, and people valued the right of taking it from the Blean (Somner 1640:69--70).

There are degrees of urbanization, and it does not sound as if ninth-century Rochester was very far up the scale. As the city hoisted itself further up (but no doubt there were downs as well as ups), as commerce and industry became more important, as people got used to shopping for necessities, rather than providing their own, "appurtenances" of this kind began to seem less indispensable than before. If the owner had no use for them, he might lease them to somebody who did. If he needed money, he might sell them. By the twelfth century, when Rochester was a reasonably prosperous place, a trade had developed in detached pieces of land -- arable land, meadow, marsh. By and large, the only transactions which we know about are those which involved the monks of the cathedral priory. The monks could afford to participate in the market, because, whenever they needed money, they could find it. (Even if they did not have cash in hand, they could raise loans by using their treasures or their future income as security.) But even without the monks the market would have existed. Some charters surviving accidentally relate to transactions, between one citizen and another, with which the monks had nothing at all to do. Whole "messuages" were being bought and sold as well. To cite just one example: Henric de Cobeham, by 1208, had acquired the freehold of eleven "messuages" in the city -- three from Robert Cok, eight from Radulf son of Viveth -- and some other land besides.*

* Hardy 1837:178--9, from charter roll 10 John, C 53/9, m 5. (The spelling used in this charter is *mesagium*.) I have collected all the charters that I can find relating to property in the city, circ 1120--1230, into a separate file.

*

Land within the built-up area was measured in (linear) feet -- so many feet in this direction, so many feet in that. Land on the outskirts of the city was measured in acres -- not just the arable land but marsh and meadow as well. Given the measurements of a haw, it would theoretically be possible to calculate the number of square feet, and to express the result as some fraction of an acre, provided only that it was agreed how many feet made one perch. But why would anyone think of doing that? Medieval arithmetic was especially clumsy when it came to dealing with fractions. In measuring things, and in weighing things too, it was important to choose the right unit for the job. For all practical purposes, land inside the city was not commensurable with land outside the city; but it did not need to be.

There is a ninth-century charter which illustrates this dichotomy

to perfection (Sawyer 1968, no 187, dated 823). It relates to land in Canterbury, not in Rochester, but I assume that it is equally applicable here. Ceolwulf king of the Mercians grants some of his land to archbishop Wulfred. The land is "in two places". One part is "within the walls of the city" (*intra moenia urbis*), the other part "to the north of the city" (*ab aquilone ciuitatis*). The first part is measured, this way and that, in feet: "sixty feet in length and thirty in breadth" (*lx. pedum in longitudine et xxx. in latitudine*). The other part is measured in acres: "thirty acres" (*xxx. iugera*) in the Latin text, "thirty acres to the north of the town" (*londboc ... ðritiges æcra be norðan byrg*) in an English memorandum written on the back.

The Rochester charters say nothing as explicit as that. Only much later, towards the end of the twelfth century, did it begin to be thought advisable for the dimensions of the land in question to be specified in the conveyance. From then onwards, measurements are given frequently, and they are, invariably, expressed in linear feet -- so many feet in length, so many feet in breadth. (Whichever measurement was greater was called the length, whichever less, the breadth.)

There is one Anglo-Saxon charter from Rochester which, at first sight, seems to imply that land inside the city could be measured in acres. This is a charter of king Sigered for bishop Eardwulf, dated 762 (Campbell 1973, no 5). At the bishop's request, the king says, he is granting him a small piece of land in the city of Rochester, "for the augmenting of your church" (*ad augmentum monasterii tui*).* The land consists of "about one acre and a half" (*quasi unius et semis iugeri*);† and (though the syntax is defective) it seems to be said to "lie to the north of the gate of your church" (*ab aquilonali* [? r *aquilone*] *portae monasterii tui iacet*),‡ and to "reach as far as the north wall of the city" (*et pertingit usque ad septentrionalem murum prefatae ciuitatis*).

* Campbell's translation, "for enlarging the monastery", gives entirely the wrong idea. There was no "monastery" in the sense which that word conveys to a modern reader, because there were no monks; *monasterium* just means "church" (or "minster", if that word is preferred). And the king did not mean that he expected the bishop to build a bigger church: he just meant that he was adding to the church's endowment. (Another charter grants three ploughlands at Malling to bishop Burhric *ad augmentum monasterii eius*, "for the augmenting of his church" (no 28).)

† The word *iugerum* is classical Latin (second declension in the singular, third declension in the plural). Campbell translates it as "yoke", but that is not apt. In Kent, when people spoke of a yoke -- *geoc* in English, *iugum* in Latin -- they meant an area of 50 acres, one quarter of a sulung. A *iugerum* is something else,

and "acre" is the closest English word for it -- *æcer* in Old English spelling. (Post-conquest scribes turned it into quasi-Latin *acra*.) The Canterbury charter cited above treats *iugerum* and *æcer* as synonyms; there is a quantity of other evidence to the same effect.

‡ Brooks (tacitly emending *portae* to *porta*) proposes to translate this as "lies by the north gate of your minster" (2006:19n22). That is not acceptable by any stretch. (His reasoning seems to be that since English "by" can mean "beside", Latin *ab* can mean *iuxta*. Not so.)

On the face of it, then, this charter speaks of a piece of land inside the city, between the church and the north wall, and measures the extent of it in acres. Presumably the same would be true for the pieces of land on either side of this one, which, as the charter informs us, are already in the bishop's possession. And if that much is true, is it not fair to assume that the same was true for the whole city? Do we not suppose that the city was divided up into blocks of land of the same sort of size as this one (fifteen of them, say, if 1.5 acres was close to the average size)?

No, we do not suppose that -- not if we have the sense to stop and think.* Though it seems to be perfectly genuine, this charter cannot be taken literally. For a start, the word *portae* does not sound right: I assume that it ought to be *parte*.† *Ab aquilonali parte* is a normal expression, meaning "on the north side"; it is also perfectly grammatical. *Ab aquilonali portae* is neither -- not normal, and not grammatical. Then again, the topographical relations do not make sense. The land, we are (I think) being told, "lies on the north side of your church and reaches as far as the north wall of the city". In the absence of any mention of the high street, we are going to take this to mean that the church is in the northern half of the city, on the same side of the street as this piece of land. Since that cannot be right, we have a problem.

* There is nothing to be learned from the other charter cited by Brooks -- the grant of a haw with two acres (no 7). It is the haw which is stated to be "adjacent to the high street", *unum uiculum ... adiacentem plateae*. The two acres are mentioned parenthetically, "together with two acres", *cum duobus iugeribus*. It is not to be inferred that they were inside the city.

† As was taken for granted by the fourteenth-century scribe who interpolated a note of this charter into the copy of *Flores historiarum* that he was making for Rochester. King Sigered, he says, donated an acre and a half of land *iacentem ab aquilonali parte monasterii et pertingentem usque ad septentrionalem murum prefate ciuitatis,* "lying on the north side of the church and

reaching as far as the north wall of the city" (Luard 1890 1:384).

We are allowed to feel puzzled, I think, because it appears that bishop Wærmund felt the same way. In 789 he asked king Offa to issue a new book for the same piece of land (Campbell 1973, no 13). Apart from the proper names, this new charter is identical with the old one -- except in the passage describing the location of the piece of land in question. There is no longer any mention of the church. Now we are told that the land lies "to the north and to the east of the city" (*ab aquilonali* [r *aquilone*]* *et ab oriente ciuitatis*).† In other words, it was not inside the city: it was outside the city, beyond the wall, somewhere in the direction of Blue Boar Creek. It remains a question how king Sigered's scribe could have misunderstood the facts of the case so thoroughly. But the second charter only exists because he did, and that is the point to hold on to. Despite what the first charter says, this land was outside, not inside, the city wall.

* The adjective *aquilonali* survives from the earlier charter: it ought to have been changed to *aquilone*. Here again, Brooks misconstrues the Latin. This charter, he says, "makes it clearer ... that the property lay in the north-east quarter of the town" (2006:11). On the contrary, this charter makes it clear that the land was outside the town.

† As in the Canterbury charter cited above, where land "within the walls" is contrasted with land "to the north of the city". In much the same way, a Rochester charter grants two pieces of land, "one in the city and the other to the north of the city", *alia in ciuitate ... alia in aquilone ciuitate* [r *ciuitatis*] (Campbell 1973, no 26).

*

To the south and east of the city, there was a tract of arable land which carried the cost of any taxation demanded collectively from the citizens of Rochester. Every component piece of land was assessed at some number of acres, the numbers being so contrived that the total came to precisely 400 acres -- that is, precisely two sulungs.* When the king demanded money from them, as kings were in the habit of doing, the citizens raised the sum required by levying a rate of so many pence per acre on this tract of land. This was how things worked in the twelfth century; they had worked like this, I think we may assume, from time immemorial.

* It is clear from DB-Ke that this was the accepted equivalence in the 1080s: fifty acres make one yoke, four yokes make one sulung. There is one passage which appears to be saying something different. As I read it (Flight 2010:200), it was meant to say exactly what it ought to say but got garbled in transmission.

We only know about this arrangement because one of the component pieces of land was given to (or bought by) the monks. It came to form the easternmost part of their vineyard, fronting on Crow Lane. (I have discussed this piece of land elsewhere, in relation to the topography of the monastic precinct; here I discuss it again, from a different angle.) Despite being acquired by the monks, despite being enclosed within their precinct wall, this piece of land remained liable for its share of any land-tax being levied by the citizens. One of the monks, making a note of this donation, tells us explicitly what this was going to mean in practice: if the city has to raise a "scot" of ten pounds (2400 pence), we, the monks, will have to pay three pence for this land.* In light of some later evidence, to be discussed below, I think we can be sure that the piece of land in question was counted as half an acre; and that is how I deduce that the cost was being distributed over a tract of 400 acres.

* *... excepto quod quando ciuitas scotabit decem libras, tunc et nos scotabimus pro ipsa terra ad idem scotum tres denarios* (*Privilegia*, fo 202r).

(It seems to be assumed here that ten pounds is the normal sum. But the king was not bound by any rule: he could demand whatever sum he chose. If he decided that ten marks would be enough, the monks would only have to pay two pence. If he demanded twenty pounds, the monks would have to pay six pence. But everybody knew that this was how things worked; people might grumble (and no doubt they did), but there was not going to be any disagreement about it.)

Because this small piece of land was given to the monks, but not given in free alms, we hear about it again much later on. In 1304, the citizens of Rochester -- whose resentment of the monks was beginning to surface at around this time -- came up with a cunning plan. The king was demanding money from them,* and the citizens decided that they would try to coerce the monks into making some contribution, both for their precinct and for the tract of land to the south of it called Priestfields. The monks protested. Litigation ensued.† A jury was convened, made up of four knights and eight other respectable men from the neighbourhood of Rochester, and the question was put to them: did the monks have to pay or not? By and large, the jurors sided with the monks. The precinct and Priestfields were certainly tax-exempt. They had never paid or been expected to pay. But there was one small exception -- this piece of land in the monks' vineyards, amounting to one rood and eight dayworks.‡ As far as we know, that was the end of the matter. The monks paid their small share (which, it may be, they had never refused to do), and the citizens had to be satisfied with that. Their cunning plan had failed.

* The tax on cities and towns was initiated by letters sent out on 6 Feb 1304 (*Calendar of Patent Rolls, 1301--7*, 201--2). I do not know what sum was demanded from Rochester on this occasion.

† A report of the case was printed by Thorpe (1769:581--3), from the exchequer records; it ends with a writ dated 2 Jul 1305 ordering the bailiff and citizens to abide by the verdict. (One version of this report can be found at E 13/27 m 41, http://aalt.law.uh.edu/AALT4/E1/E13no27/IMG_0085.htm, but I have not pursued the search any further than that.) There is also a short report in Rochester's copy of *Flores historiarum* (Luard 1890 3:121).

‡ *... exceptis una roda et octo daywerkes terre, que sunt in vineis ipsorum prioris et conventus in Prestefeild* (Thorpe 1769:582). A daywork is a strip of land four perches long by one perch wide. Ten dayworks end to end make one rood. Four roods side by side make one acre. (So a daywork is 4 square perches, a rood is 40 square perches, and an acre is 160 square perches.) The vineyard, by the way, was not "in Priestfields": the citizens had tried to make out that it was, but they were bluffing.

To appreciate the significance of this episode, we need to digress and travel back in time. At some uncertain date, not later than the mid thirteenth century, the sulung was redefined. It was decided, or it came to be agreed, that a sulung should be supposed to consist, not of 200, but rather of 180 acres. By the 1260s, at least in the western half of Kent, that was the accepted equivalence. We have an explicit statement to this effect from a Rochester monk, sacrist Thomas de Mepeham,* who was one of the expert witnesses called to give evidence at an inquiry into the value of the bishop's manors.† According to Thomas, it was the "custom of the region" for a ploughsworth of land to be counted as 180 acres.‡ He makes this statement in speaking of the manor of Halling; it is equally true, by implication, for all the other manors. Thomas was being interrogated in 1267; but his knowledge of these matters was gained, he says, during the time that he was employed as bishop Richard's steward, i.e. within the interval 1238--50. So the sulung, it seems, had been redefined by then.

* Thomas is the monk who "almost completed" the north transept of the cathedral (Thorpe 1769:125).

† The inquiry was instigated by the papal legate Ottobuono, whose mandate is dated 15 Mar 1267 (*idus Marcii, pontificatus domini Clementis pape quarti anno tercio*). As it was printed by Thorpe (1769:64--6), this document has no heading. On a careless reading, therefore, it appears to be a continuation of the previous document (Thorpe 1769:62--4), which is dated 1255. Hope (1898:259) fell into this trap: his discussion of the dating of the north transept needs to be corrected accordingly. I note, by

the way, that the biographical details supplied by this document, for the subprior, Adam de Essexia, as well as for Thomas de Mepeham, were overlooked by Greatrex (1997).

‡ *... dicit quod quelibet carucata terre de consuetudine regionis continet c.iiii/xx. acras terre arabilis* (Thorpe 1769:64).

Whenever exactly it happened, it caused some perplexity for the citizens of Rochester. Their assessments had been artificially contrived to add up to 400 acres: now they would have to be artificially contrived to add up to 360 acres. That was the citizens' problem; their solution was to make a ten per cent reduction across the board. Any piece of land which had previously been counted as one acre was now to be counted as 0.9 acres (three roods and six dayworks). And this piece of land belonging to the monks, previously counted as half an acre, was now to be counted as 0.45 acres (one rood and eight dayworks). The assessments, then, were all reduced -- but the payments all stayed the same. (Of course they did. The citizens wanted to lose forty theoretical acres; they did not want to lose money.) In the past they had levied a rate of so many pence for every acre; in the future they would levy the same rate for every nine-tenths of an acre. From one angle everything had changed; from another angle nothing had changed. Just the sort of compromise which appealed to the medieval mindset.

Thus it is that we catch a glimpse of an aspect of the city's history of which (I think it is true to say) we would otherwise know nothing whatever. From an honest monk's memorandum, from the citizens' dishonest attempt to exploit this small anomaly, we learn just enough to piece the story together.*

* It seems worth asking, by the way, whether there is any discoverable trace of a similar arrangement at Canterbury. As far as I know, there is not; but perhaps somebody may think it worthwhile to look at the evidence again, with this question in mind.

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The Crown Inn in 1855, with the new bridge under construction in the distance (detail from a photograph in the Couchman collection, DE402/4/1, taken from a watercolour by John Wykeham Archer (1806-1864) belonging to the Bridge Wardens).* The barber's shop on the left is still there (10 High Street), but not a barber's any more.

* My thanks to Dr James M. Gibson for information about this watercolour. He points out to me that there is an almost identical drawing in the British Museum (1874,0314.470) -- one of a large number of watercolours commissioned from Archer by William Twopeny (1797-1873) and bought by the museum from Twopeny's executor, his elder brother Edward Twopeny (1794/5-1892), in 1874 (Binyon 1898:32).