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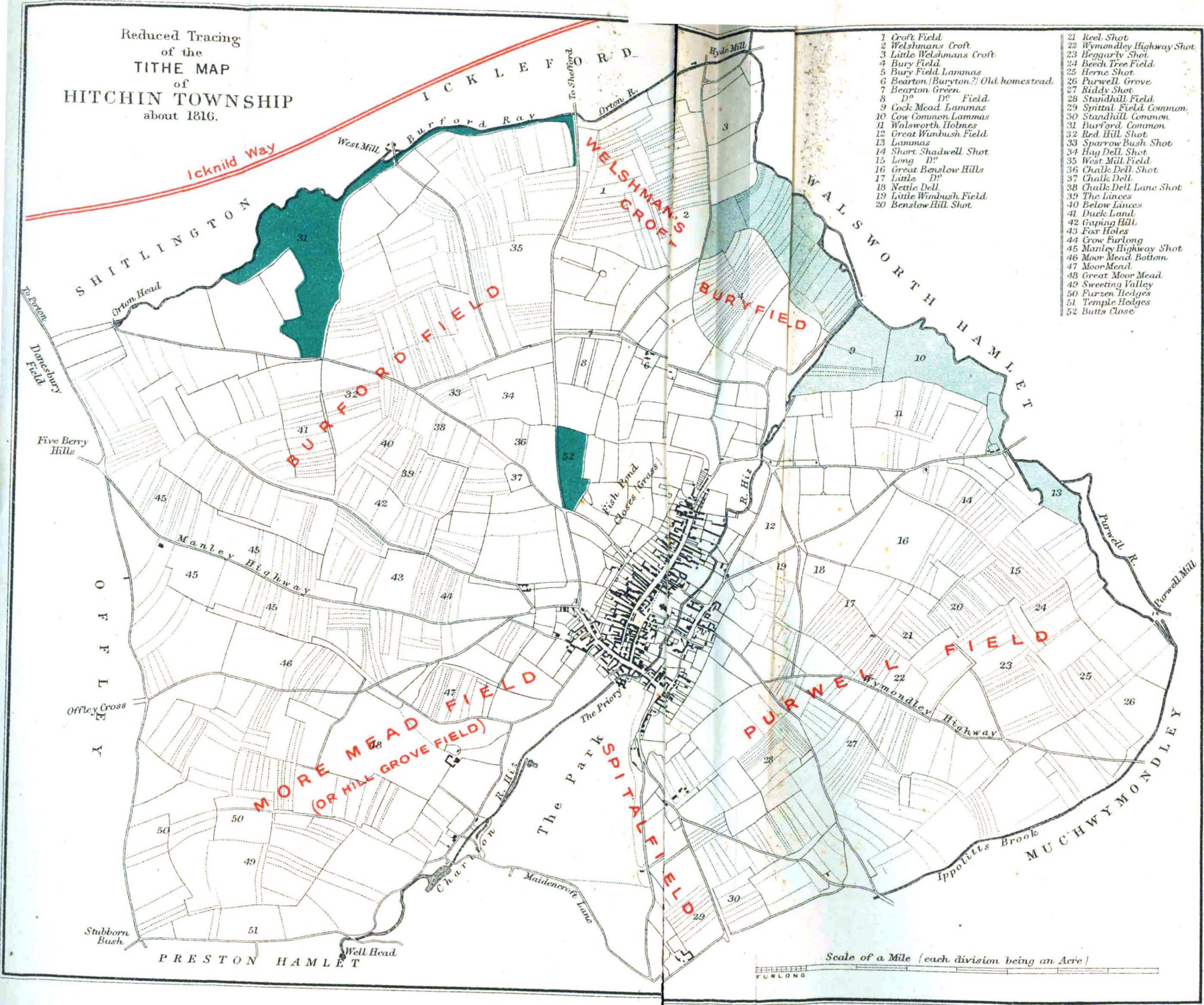
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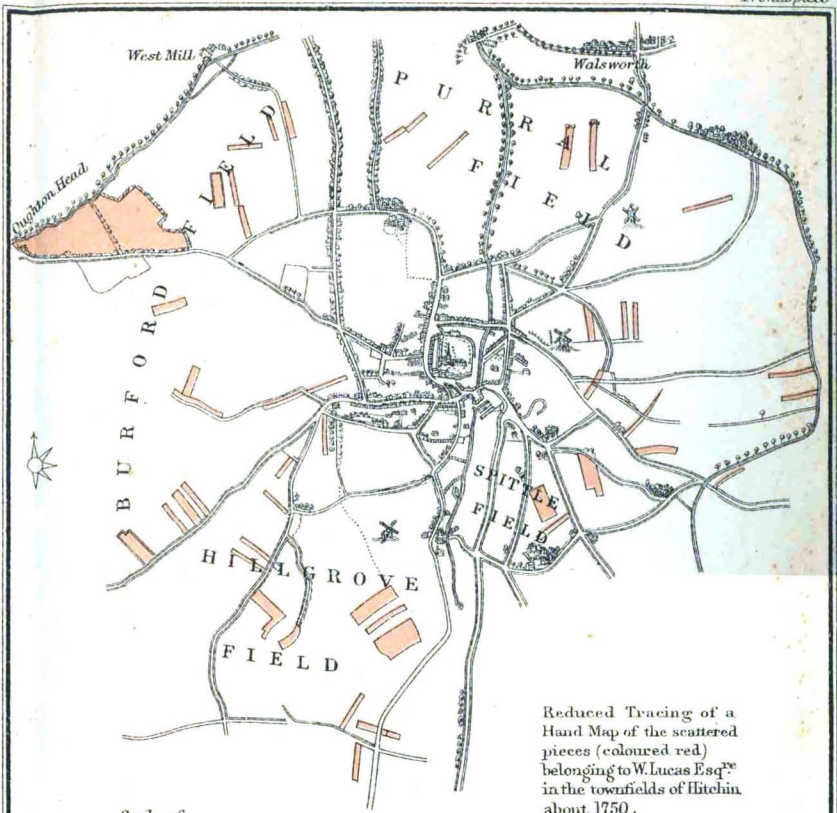
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Reduced Tracing  
of the  
TITHE MAP  
of  
HITCHIN TOWNSHIP  
about 1816.



- 1 Croft Field
- 2 Welshmans Croft
- 3 Little Welshmans Croft
- 4 Bury Field
- 5 Bury Field, Lammas
- 6 Bearton (Buryton?) Old homestead
- 7 Bearton Green
- 8 D<sup>o</sup> Field
- 9 Cock Mead, Lammas
- 10 Cow Common, Lammas
- 11 Walsworth, Holmes
- 12 Great Winbush Field
- 13 Lammas
- 14 Short Shadwell Shot
- 15 Long D<sup>o</sup>
- 16 Great Benlow Hills
- 17 Little D<sup>o</sup>
- 18 Nettle Dell
- 19 Little Winbush Field
- 20 Benstow Hill Shot
- 21 Reel Shot
- 22 Wymondley Highway Shot
- 23 Beggarly Shot
- 24 Beech Tree Field
- 25 Herne Shot
- 26 Purwell Grove
- 27 Riddy Shot
- 28 Standhill Field
- 29 Spital Field Common
- 30 Standhill Common
- 31 Burford Common
- 32 Red Hill Shot
- 33 Sparrow Bush Shot
- 34 Hay Dell Shot
- 35 West Mill Field
- 36 Chalk Dell Shot
- 37 Chalk Dell
- 38 Chalk Dell Lane Shot
- 39 The Linces
- 40 Below Linces
- 41 Duck Land
- 42 Gaping Hill
- 43 Fox Holes
- 44 Crow Furlong
- 45 Manley Highway Shot
- 46 Moor Head Bottom
- 47 Moor Mead
- 48 Great Moor Mead
- 49 Sweeting Valley
- 50 Furzen Hedges
- 51 Temple Hedges
- 52 Butts Close

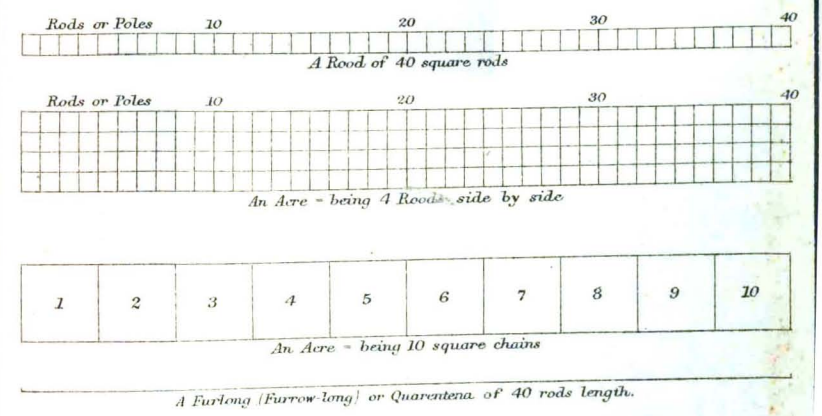
Frontispiece



Scale of an Acre

Reduced Tracing of a Hand Map of the scattered pieces (coloured red) belonging to W. Lucas Esq. in the townfields of Hitchin about 1750.

Enlarged Plan of the normal acre strips in the open fields afterwards adopted as the statute acre.  
[ Scale 4 inches to a Furlong ]



Scale of a Mile (each division being an Acre)

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52 FEB 1929

THE  
ENGLISH VILLAGE COMMUNITY

EXAMINED IN ITS RELATIONS TO THE MANORIAL & TRIBAL SYSTEMS  
AND TO THE COMMON OR OPEN FIELD SYSTEM OF HUSBANDRY

*AN ESSAY IN ECONOMIC HISTORY*

BY

FREDERIC SEEBOHM

HON. LL.D. (EDIN.), LITT.D. (CAMB.)  
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DEDICATED BY PERMISSION  
TO THE  
SOCIETY OF ANTIQUARIES  
OF  
LONDON

## P R E F A C E.

---

WHEN I had the honour to lay the two papers which have expanded into this volume before the Society of Antiquaries, it was with a confession and an apology which, in publishing and dedicating to them this Essay, I now repeat.

I confessed to having approached the subject not as an antiquary but as a student of Economic History, and even with a directly political interest. To learn the meaning of the old order of things, with its 'community' and 'equality' as a key to a right understanding of the new order of things, with its contrasting individual independence and inequality, this was the object which in the first instance tempted me to poach upon antiquarian manors, and it must be my apology for treating from an economic point of view a subject which has also an antiquarian interest.

To statesmen, whether of England or of the new Englands across the oceans, the importance can hardly be over-estimated of a sound appreciation of

the nature of that remarkable economic evolution in the course of which the great English speaking nations have, so to speak, become charged in our time with the trial of the experiment—let us hope also with the solution of the problem—of *freedom* and *democracy*, using the words in the highest political sense as the antipodes of *Paternal Government* and *Communism*.

Perhaps, without presumption, it may be said that the future happiness of the human race—the success or failure of the planet—is in no small degree dependent upon the ultimate course of what seems, to us at least, to be the main stream of human progress, upon whether it shall be guided by the foresight of statesmen into safe channels or misguided, diverted, or obstructed, till some great social or political convulsion proves that its force and its direction have been misunderstood.

It may indeed be but too true that, in spite of the economic lessons of the past—

The weary Titan! with deaf  
Ears, and labour dimmed eyes,  
Regarding neither to right  
Nor left, goes passively by,  
Staggering on to her goal;  
Bearing on shoulders immense,  
Atlantëan, the load,  
Wellnigh not to be borne,  
Of the too vast orb of her fate.

And she may continue to do so, however clearly and truthfully the economic lessons of the past may be dinned into her ear. But still the deep sense I

have endeavoured to describe in these few sentences of the importance of a sound understanding of English Economic History as the true basis of much of the practical politics of the future will be accepted, I trust, as a sufficient reason why, ill-furnished as I have constantly found myself for the task, I should have ventured to devote some years of scant leisure to the production of this imperfect Essay.

It is simply an attempt to set English Economic History upon right lines at its historical commencement by trying to solve the still open question whether it began with the *freedom* or with the *serfdom* of the masses of the people—whether the village communities living in the ‘hams’ and ‘tons’ of England were, at the outset of English history, *free* village communities or communities in *serfdom* under a manorial lordship; and further, what were their relations to the tribal communities of the Western and less easily conquered portions of the island.

On the answer to this question depends fundamentally the view to be taken by historians (let us say by politicians also) of the nature of the economic evolution which has taken place in England since the English Conquest. If answered in one way, English Economic History begins with free village communities which gradually degenerated into the serfdom of the Middle Ages. If answered in the other way, it begins with the serfdom of the masses of the rural population under Saxon rule—a serfdom from which it has taken 1,000 years of English economic evolution to set them free.

Much learning and labour have already been expended upon this question, and fresh light has been recently streaming in upon it from many sides.

A real flash of light was struck when German students perceived the connexion between the widely prevalent common or open field system of husbandry, and the village community which for centuries had used it as a shell. Whatever may be the ultimate verdict upon G. L. von Maurer's theory of the German 'mark,' there can be no doubt of its service as a working hypothesis by means of which the study of the economic problem has been materially advanced.

A great step was taken as regards the English problem when Mr. Kemble, followed by Mr. Freeman and others, attempted to trace in English constitutional history the development of ancient German free institutions, and to solve the English problem upon the lines of the German 'mark.' The merit of this attempt will not be destroyed even though doubt should be thrown upon the correctness of this suggested solution of the problem, and though other and non-German elements should prove to have been larger factors in English economic history. The caution observed by Professor Stubbs in the early chapters of his great work on English Constitutional History may be said to have at least reopened the question whether the German 'mark system' ever really took root in England.

Another step was gained on somewhat new lines when Professor Nasse, of Bonn, pointed out to English

students (who hitherto had not realised the fact) that the English and German land systems were the same, and that in England also the open-field system of husbandry was the shell of the mediæval village community. The importance of this view is obvious, and it is to be regretted that no English student has as yet followed it up by an adequate examination of the remarkably rich materials which lie at the disposal of English Economic History.

A new flash of light at once lit up the subject and greatly widened its interest when Sir Henry S. Maine, carrying with him to India his profound insight into 'Ancient Law,' recognised the fundamental analogies between the 'village communities' of the East and the West, and sought to use actually surviving Indian institutions as typical representatives of ancient stages of similar Western institutions. Undoubtedly much more light may be looked for from the same direction.

Further, Sir Henry S. Maine has opened fresh ground, and perhaps (if he will permit me to say so) even to some extent narrowed the area within which the theory of archaic free village communities can be applied, by widening the range of investigation in yet another direction. In his lectures on the 'Early History of Institutions' he has turned his telescope upon the *tribal* communities, and especially the 'tribal system' of the Brehon laws, and tried to dissolve parts of its mysterious nebulæ into stars—a work in which he has been followed by Mr. W. F. Skene with results which give a peculiar interest to the third

volume of that learned writer's valuable work on 'Celtic Scotland.'

Lastly, under the close examination of Dr. Landau and Professors Hanssen and Meitzen, the open-field system itself has been found in Germany to take several distinct forms, corresponding, in part at least, with differences in economic conditions, if not directly with various stages in economic development, from the early tribal to the later manorial system.

It is very much to be desired that the open-field system of the various districts of France should be carefully studied in the same way. An examination of its widely extended modern remains could hardly fail to throw important light upon the contents of the cartularies which have been published in the 'Collection de Documents Inédits sur l'histoire de France,' amongst which the '*Polyptique d'Irminon*,' with M. Guérard's invaluable preface, is pre-eminently useful.

In the meantime, whilst students had perhaps been too exclusively absorbed in working in the rich mine of early German institutions, Mr. Coote has done service in recalling attention in his 'Neglected Fact in English History' and his 'Romans of Britain' to the evidences which remain of the survival of Roman influences in English institutions, even though it may be true that some of his conclusions may require re-consideration. The details of the later Roman provincial government, and of the economic conditions of the German and British provinces, remain so obscure even after the labours of Mommsen, Mar-

quardt, and Madvig, that he who attempts to build a bridge across the gulf of the Teutonic conquests between Roman and English institutions still builds it somewhat at a venture.

It is interesting to find that problems connected with early English and German Economic History are engaging the careful and independent research also of American students. The contributions of Mr. Denman Ross, of Cambridge, Massachusetts, and Professor Allen, of the University of Wisconsin, will be welcomed by fellow-students of these questions in the old country.

It has seemed to me that the time may have come when an inquiry directed strictly upon economic lines, and carefully following the English evidence, might strike a light of its own, in the strength of which the various side lights might perhaps be gathered together and some clear result obtained, at least as regards the main course of economic evolution in England.

The English, like the Continental village community, as we have said, inhabited a shell—an open-field system—into the nooks and corners of which it was curiously bound and fitted, and from which it was apparently inseparable.

The remains of this cast-off shell still survive in parishes where no Enclosure Act happens to have swept them away. The common or open field system can even now be studied on the ground within the township in which I am writing as well as in many others.



Men are still living who have held and worked farms under its inconvenient rules, and who know the meaning of its terms and eccentric details. Making use of this circumstance the method pursued in this Essay will be, first, to become familiar with the little distinctive marks and traits of the English open-field system, so that they may be readily recognised wherever they present themselves; and then, proceeding from the known to the unknown, carefully to trace back the shell by searching and watching for its marks and traits as far into the past as evidence can be found. Using the knowledge so acquired about the shell as the key, the inquiry will turn upon its *occupant*. Examining how the mediæval English village community in serfdom fitted itself into the shell, and then again working back from the known to the unknown, it may be perhaps possible to discern whether, within historical times, it once had been free, or whether its serfdom was as old as the shell.

The relation of the 'tribal system' in Wales, in Ireland, and in Germany to the open-field system, and so also to the village community, will be a necessary branch of the inquiry. It will embrace also both the German and the Roman sources of serfdom and of the manorial system of land management.

It may at least be possible that Economic History may sometimes find secure stepping stones over what may be impassable gulfs in constitutional history;

and it obviously does not follow that a continuity lost, perhaps, to the one may not have been preserved by the other. The result of a strictly economic inquiry may, as already suggested, prove that more things went to the 'making of England' than were imported in the keels of the English invaders of Britain. But whatever the result—whatever modifications of former theories the facts here brought into view, after full consideration by others, may suggest—I trust that this Essay will not be regarded as controversial in its aim or its spirit. I had rather that it were accepted simply as fellow-work, as a stone added at the eleventh hour to a structure in the building of which others, some of whose names I have mentioned, have laboured during the length and heat of the day.

In conclusion, I have to tender my best thanks to Sir Henry S. Maine for the kind interest he has taken, and the sound advice he has given, during the preparation of this Essay for the press; also to Mr. Elton, for similar unsolicited help generously given. To my friend George von Bunsen, and to Professor Meitzen, of Berlin, I am deeply indebted as regards the German branches of my subject, and to Mr. T. Hodgkin and Mr. H. Pelham as regards the Roman side of it. For the ever ready assistance of my friend Mr. H. Bradshaw, of Cambridge, Mr. Selby, of the Record Office, and Mr. Thompson, of the British Museum, in reference to the manuscripts under their charge, I cannot be too grateful. Nor must I omit

to acknowledge the care with which Messrs. Stuart Moore and Kirk have undertaken for me the task of revising the text and translations of the many extracts from mediæval documents contained in this volume

F. SEEBOHM.

THE HERMITAGE, HITCHIN :

*May, 1883*

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## APPENDIX.

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### THE MANOR OF HITCHIN (PORTMAN AND FOREIGN) IN THE COUNTY OF HERTFORD.

‘ AT the Court [Leet and] of the View of Frank pledge  
‘ of our Sovereign Lord the King with the General Court 1819.  
‘ Baron of William Wilshere, Esquire, Lord Firmar of the Oct. 21.  
‘ said manor of his Majesty, holden in and for the manor  
‘ aforesaid, on Thursday, the twenty-first day of October,  
‘ One thousand eight hundred and nineteen, Before Joseph  
‘ Eade, Gentleman, Steward of the said manor, and by ad-  
‘ journment on Monday, the first day of November next  
‘ following, before the said Joseph Eade, the Steward afore-  
‘ said.

‘ The jurors for our Lord the King and the Homage of  
‘ this Court having diligently enquired into the boundaries,  
‘ extent, rights, jurisdictions, and customs of the said manor,  
‘ and the rights, powers, and duties of the lord and tenants  
‘ thereof, and having also enquired what lands in the town-  
‘ ship of Hitchin and in the hamlet of Walsworth respectively  
‘ within this manor are subject to common of pasture for the  
‘ commonable cattle of the occupiers of messuages, cottages,  
‘ and land within the said township and hamlet respectively,  
‘ and for what descriptions and number of cattle, and at what  
‘ times of the year and in what manner such rights of com-  
‘ mon are by the custom of this manor to be exercised, and  
‘ what payments are by such custom due in respect thereof,  
‘ they do upon their oaths find and present as follows:—

‘ That the manor comprises the township of Hitchin and  
‘ the hamlet of Walsworth, in the parish of Hitchin, the

‘ lesser manors of the Rectory of Hitchin, of Moremead,  
 ‘ otherwise Charlton, and of the Priory of the Biggin, being  
 ‘ comprehended within the boundaries of the said manor of  
 ‘ Hitchin, which also extends into the hamlets of Langley  
 ‘ and Preston in the said parish of Hitchin, and into the  
 ‘ parishes of Ickleford, Ippollitts, Kimpton, Kingswalden,  
 ‘ and Offley.

Bounda-  
 ries.

‘ That the following are the boundaries of the township  
 ‘ of Hitchin with the hamlet of Walsworth (that is to say),  
 ‘ beginning at Orton Head, proceeding from thence to Bur-  
 ‘ ford Ray, and from thence to a water mill called Hide Mill,  
 ‘ and from thence to Wilberry Hills; from thence to a place  
 ‘ called Bossendell, from thence to a water mill called Pur-  
 ‘ well Mill, and from thence to a brook or river called Ippol-  
 ‘ litts’ Brook, and from thence to Maydencroft Lane, and  
 ‘ from thence to a place called Wellhead, and from thence to  
 ‘ a place called Stubborn Bush, and from thence to a place  
 ‘ called Offley Cross, and from thence to Five Borough  
 ‘ Hills, and from thence back to Orton Head, where the  
 ‘ boundaries commenced. And that all the land in the  
 ‘ parish of Hitchin lying on the north side of the river which  
 ‘ runneth from Purwell Mill to Hide Mill is within the ham-  
 ‘ let of Walsworth, and that the following lands on the south  
 ‘ side of the same river are also within the same hamlet of  
 ‘ Walsworth (vizt.), Walsworth Common, containing about  
 ‘ fourteen acres; the land of Sir Francis Sykes called the  
 ‘ Leys, on the south side of Walsworth Common, containing  
 ‘ about four acres; the land of William Lucas and Joseph  
 ‘ Lucas, called the Hills, containing about two acres; and  
 ‘ nine acres or thereabouts, part of the land of Sir Francis  
 ‘ Sykes, called the Shadwells, the residue of the land called  
 ‘ the Shadwells on the north side of the river.

Jurisdic-  
 tion.

‘ That the lord of the manor of Hitchin hath Court Leet  
 ‘ View of Frank pledge and Court Baron, and that the juris-  
 ‘ diction of the Court Leet and View of Frank pledge ex-  
 ‘ tendeth over the whole of the township of Hitchin and the  
 ‘ hamlet of Walsworth. That a Court Leet and Court of the  
 ‘ View of Frank pledge and Great Court Baron are accus-  
 ‘ tomed to be holden for the said manor within one month

‘ after the Feast of Saint Michael the Archangel in every  
 ‘ year, and may also be holden within one month after the  
 ‘ Feast of Easter. And that general or special Courts Baron  
 ‘ and customary Courts are holden at the pleasure of the lord  
 ‘ or of his steward.

‘ That in the Court Leet yearly holden after the Feast of  
 ‘ St. Michael the Archangel the jurors for our Lord the King  
 ‘ are accustomed to elect and present to the lord two con-  
 ‘ stables and six headboroughs (vizt.), two headboroughs for  
 ‘ Bancroft Ward, two for Bridge Ward, and two for Tilehouse  
 ‘ Street Ward (each such constable and headborough having  
 ‘ right and being bound to execute the office through the  
 ‘ whole leet), and likewise two ale conners, two leather  
 ‘ searchers and sealers, and a bellman who is also the watch-  
 ‘ man and cryer of the town. And they present that Ban-  
 ‘ croft Ward contains Bancroft Street, including the Swan  
 ‘ Inn, Silver Street, Portmill Lane, and the churchyard,  
 ‘ church and vicarage house, and the alley leading out of  
 ‘ Bancroft now called Quaker’s Alley. That Bridge Ward  
 ‘ contains the east and north sides of the market place, and  
 ‘ part of the south side thereof to the house of John Whitney,  
 ‘ formerly called the Maidenhead Inn, Mary’s Street, other-  
 ‘ wise Angel Street, now called Sun Street, Bull Street, now  
 ‘ called Bridge Street, to the river; Bull Corner, Back  
 ‘ Street, otherwise Dead Street, from the south to the north  
 ‘ extremities thereof; Biggin Lane with the Biggin and  
 ‘ Hollow Lane. And that Tilehouse Street Ward contains  
 ‘ Tilehouse Street, Bucklersbury to the Swan Inn, and the  
 ‘ west side and the remainder of the south side of the market  
 ‘ place.

## PRESENTMENTS OF THE HOMAGE.

‘ And the Homage of this Court do also further present  
 ‘ that freeholders holding of the said manor do pay to the  
 ‘ lord by way of relief upon the death of the preceding tenant Reliefs,  
 ‘ one year’s quitrent, but that nothing is due to the lord  
 ‘ upon the alienation of freehold.

‘ That the fines upon admissions of copyholders, whether Fines on  
 ‘ by descent or purchase, are, and beyond the memory of admis-  
sions.

‘ man have been, certain (to wit), half a year’s quitrent ; and  
 ‘ that where any number of tenants are admitted jointly in  
 ‘ one copy, no greater fine than one half year’s quitrent is  
 ‘ due for the admission of all the joint tenants.

Power of  
leasing.

‘ The Homage also present that by the custom of the  
 ‘ manor the customary tenants may without licence let their  
 ‘ copyholds for three years and no longer, but that they may  
 ‘ by licence of the lord let the same for any term not ex-  
 ‘ ceeding twenty-one years ; and that the lord is upon every  
 ‘ such licence entitled to a fine of one year’s quitrent of the  
 ‘ premises to be demised.

Forfeiture.

‘ The Homage present that the freehold tenants of the  
 ‘ said manor forfeit their estates to the lord thereof for  
 ‘ treason and for murders and other felonies ; and that the  
 ‘ copyholders forfeit their estates for the like crimes, and for  
 ‘ committing or suffering their copyholds to be wasted, for  
 ‘ wilfully refusing to perform their services, and for leasing  
 ‘ their copyholds for more than three years without licence.

‘ The Homage also present that by the custom of this  
 ‘ manor copyholds are granted by copy or court roll for the  
 ‘ term of forty years, and that a tenant outliving the  
 ‘ said term is entitled to be re-admitted for the like term  
 ‘ upon payment of the customary fine of half a year’s quit-  
 ‘ rent.

Heriots.

‘ The Homage present that there are no heriots due or  
 ‘ payable to the lord of this manor for any of the tenements  
 ‘ holden thereof.

Woods and  
trees.

‘ The Homage also present that all woods, underwoods,  
 ‘ and trees growing upon the copyhold lands holden of the  
 ‘ said manor were by King James the First, by his Letters  
 ‘ Patent, under the Great Seal of England, bearing date the  
 ‘ fourteenth day of March, in the 6th year of his reign (in  
 ‘ consideration of two hundred and sixty-six pounds sixteen  
 ‘ shillings paid to his Majesty’s use), granted to Thomas  
 ‘ Goddesden and Thomas Chapman, two copyholders of the  
 ‘ said manor, and their heirs and assigns, in trust to the use  
 ‘ of themselves and the rest of the copyholders of the said  
 ‘ manor ; and that the copyhold tenants of the said manor  
 ‘ are by virtue of such grant entitled to cut all timber and

‘ other trees growing on their copyholds, and to dispose thereof at their will.

‘ The Homage also present that no toll has ever been paid or ought to be paid for any kind of corn or grain sold in the market of Hitchin.

Grain sold in the market toll free.

‘ They also present that from the time whereof the memory of man is not to the contrary, the lord of this manor has been used to find and provide a common pound and stocks for the use of the tenants of this manor.

Common pound and stocks.

‘ And the Homage do further present that by the custom of this manor the lord may, with the consent of the Homage, grant by copy of court roll any part of the waste thereof, to be holden in fee according to the custom of the manor, at a reasonable rent and by the customary services, or may with such consent grant or demise the same for any lesser estate or interest.

#### COMMONS WITHIN THE TOWNSHIP OF HITCHIN.

‘ And the Homage of this Court do further present that the commonable land within the manor and township of Hitchin consists of—

‘ Divers parcels of ground called the Green Commons, the soil whereof remains in the lord of the said manor (that is to say):

1st. Green Commons in the township of Hitchin.

‘ Butts Close, containing eight acres or thereabouts; Orton Mead, containing forty acres or thereabouts, exclusively of the Haydons, and extending from the Old Road from Hitchin to Pirton by Orton Head Spring west unto the way which passes through Orton Mill Yard east; and that the Haydons on the east of the last mentioned way, containing four acres or thereabouts, are parts of the same common, and include a parcel of ground containing one rood and thirteen perches or thereabouts adjoining the river, which have been fenced from the rest of the common by Samuel Allen; and the ground called the Plats lying between Bury Mead and Cock Mead, containing two acres or thereabouts, including the slip of ground between the river and the way leading to the mill of the said John

- ‘ Ransom, lately called Burnt Mill, and now called Grove  
 ‘ Mill, which hath been fenced off and planted by John  
 ‘ Ransom.
- 2nd. ‘ And of the lands of divers persons called the Lammas  
 Lammas ‘ Meadows in Cock Mead, which contain eighteen acres or  
 Meadows. ‘ thereabouts, and in Bury Mead, which contains forty-five  
 ‘ acres or thereabouts, including a parcel of land of the Rev.  
 ‘ Woollaston Pym, clerk, called Old Hale.
- 3rd. Com- ‘ And of the open and unenclosed land within the several  
 mon ‘ common fields, called Purwell Field, Welshman’s Croft, Bur-  
 fields. ‘ ford Field, Spital Field, Moremead Field, and Bury Field.
- Right of ‘ That the occupier of every ancient messuage or cottage  
 common. ‘ within the township of Hitchin hath a right of common for  
 ‘ such cattle and at such times as are hereinafter specified  
 ‘ upon the Green Commons and the Lammas Meadows, but  
 ‘ no person hath any right of common within this township  
 ‘ as appurtenant to or in respect of any messuage or cottage  
 ‘ built since the expiration of the 13th year of the reign of  
 ‘ Queen Elizabeth, unless the same shall have been erected  
 ‘ on the site of an ancient messuage then standing.
- ‘ That any person having right of common in respect of  
 ‘ the messuage or cottage in his actual occupation may turn  
 ‘ on the Green Commons and the Lammas Meadows two  
 ‘ cows and one bullock, or cow calf under the age of two  
 ‘ years.
- Common ‘ That the rectors impropriate of the rectory of the parish  
 bull. ‘ of Hitchin or their lessees of the said rectory are bound to  
 ‘ find a bull for the cows of the said township, and to go with  
 ‘ the herd thereof, and that no other bull or bull calf may be  
 ‘ turned on the commons.
- ‘ That Butts Close is the sole cow common from the 6th  
 ‘ day of April, being Old Lady-day inclusive, to the 12th day  
 ‘ of May also inclusive, and after that time is used for col-  
 ‘ lecting in the morning the herd going out to the other  
 ‘ commons.
- ‘ That Orton Mead, including the Haydons, is an open  
 ‘ common upon and from the thirteenth day of May, called  
 ‘ Old May-day, till the fourteenth day of February, called  
 ‘ Old Candlemas Day.

‘ That the Plats are an open common upon and from  
‘ Whitsunday till the 6th day of April.

‘ That Cock Mead and Bury Mead became commonable  
‘ on the thirteenth day of August, called Old Lammas Day,  
‘ and continue open till the 6th day of April.

‘ That the common fields called Bury Field and Welsh-  
‘ man’s Croft are commonable for cows only from the time  
‘ when the corn is cut and carried therefrom until the twelfth  
‘ day of November, called All Saints’, and that the close of  
‘ Thomas Wilshire, gentleman, called Bury Field Close, is part  
‘ of the common field called Bury Field, and the closes of  
‘ John Crouch Priest, called Ickleford Closes, are part of  
‘ Welshman’s Croft, and are respectively commonable at the  
‘ same times with the other parts of such respective common  
‘ fields.

‘ That every occupier of an ancient messuage or cottage  
‘ hath right of common upon the Green Commons, except  
‘ Butts Close, for one gelding from and after the thirteenth  
‘ day of August until the fourteenth day of February.

‘ That no person entitled to common for his cattle may  
‘ turn or suffer the same to remain on any of the commons  
‘ between the hours of six in the evening and six in the  
‘ morning.

‘ That it is the duty of the Homage at every Great Court  
‘ Baron holden next after the Feast of St. Michael to appoint  
‘ a herdsman for this township, and that every commoner  
‘ turning his cows upon the commons is bound to pay a  
‘ reasonable sum, to be from time to time assessed by the  
‘ Homage, for the expenses of scouring the ditches, repairing  
‘ the fences and hedges, and doing other necessary works for  
‘ the preservation of the commons and for the wages of the  
‘ herdsman. And the Homage of this Court assess and present  
‘ such payments at one shilling for every head of cattle  
‘ turned on the commons, payable by each commoner on the  
‘ first day in every year on which he shall turn his cattle  
‘ upon the commons, to be paid to the foreman of the Homage  
‘ of the preceding Court Baron, and applied in and towards  
‘ such expenses. And that the further sum of threepence be  
‘ paid on Monday weekly for every head of cattle which any



‘ commoner shall turn or keep on the commons for the wages  
‘ of the herdsman.

‘ That the cattle to be depastured on the commons ought  
‘ to be delivered or sent by the owners to Butts Close between  
‘ the hours of six and eight of the morning from the sixth  
‘ day of April to the eleventh day of October, both inclusive ;  
‘ and after the eleventh of October between the hours of  
‘ seven and nine of the morning. And that it is the duty of  
‘ the herdsman to attend there during such hours, and to  
‘ receive into his care the cattle brought to him, and to  
‘ conduct them to the proper commons, and to attend and  
‘ watch them there during the day, and to return them to  
‘ the respective owners at six o’clock in the evening or as  
‘ near thereto as may be; but no cow which is not brought  
‘ to the herdsman within the hours before appointed for  
‘ collecting the herd is considered as part of the herd or to  
‘ be under the herdsman’s care ; and that no horned cattle  
‘ ought to be received into the herd without sufficient knobs  
‘ on their horns.

#### SHEEP COMMONS.

The com-  
mon fields

‘ That every occupier of unenclosed land in any of the  
‘ common fields of the said township hath common of pasture  
‘ for his sheep levant and couchant thereon over the residue  
‘ of the unenclosed land in the same common field, in every  
‘ year from the time when the corn is cut and carried until  
‘ the same be again sown with corn, and during the whole of  
‘ the fallow season, save that no sheep may be depastured on  
‘ the land in Bury Field and Welshman’s Croft between the  
‘ harvest and the twelfth day of November, the herbage  
‘ thereof from the harvest to the twelfth day of November  
‘ being reserved for the cows.

The three  
seasons.

‘ That the common fields within the township of Hitchin  
‘ have immemorially been and ought to be kept and culti-  
‘ vated in three successive seasons of tilthgrain, etchgrain,  
‘ and fallow.

‘ That the last fallow season of Purwell Field and Welsh-  
‘ man’s Croft was from the harvest of 1816 until the wheat  
‘ sowing in the autumn of 1817 ; and that the fallow season

‘ of those fields commenced again at the close of the last  
 ‘ harvest. That the last fallow season of Burford Field and  
 ‘ Spital Field was from the harvest of the year 1817 until the  
 ‘ wheat sowing in the autumn of the year 1818. And the  
 ‘ last fallow season of Moremead Field and Bury Field was  
 ‘ from the harvest of 1818 until the wheat sowing of 1819.

‘ That no person hath any right of common for sheep on  
 ‘ any of the Green Commons or Lammas ground within this  
 ‘ township except on Old Hale and on the closes of John  
 ‘ Crouch Priest, called Ickleford Closes, which are common-  
 ‘ able for sheep at the same time with the field called Welsh-  
 ‘ man’s Croft.

‘ The Homage find and present that every owner and  
 ‘ every occupier of land in any of the common fields of this  
 ‘ township may at his will and pleasure enclose and fence  
 ‘ any of his land lying in the common fields of this township  
 ‘ (other than and except land in Bury Field and Welshman’s  
 ‘ Croft), and may, so long as the same shall remain so enclosed  
 ‘ and fenced, hold such land, whether the same belong to one  
 ‘ or to more than one proprietor, exempt from any right or  
 ‘ power of any other owner or occupier of land in the said  
 ‘ township to common or depasture his sheep on the land so  
 ‘ enclosed and fenced (no right of common on other land  
 ‘ being claimed in respect of the land so enclosed and fenced).

Right of  
 enclosure  
 giving up  
 right of  
 common.

‘ The Homage also find and present that the commonable  
 ‘ lands in the hamlet of Walsworth within this manor con-  
 ‘ sist of—

‘ A parcel of meadow ground called Walsworth Common,  
 ‘ containing fourteen acres or thereabouts, the soil whereof  
 ‘ remains in the lord of the manor.

Walsworth  
 Common

‘ And of certain parcels of meadow called Lammas  
 ‘ Meadow (that is to say), the Leys, part of the estate of Sir  
 ‘ Francis Sykes adjoining to Walsworth Common, and con-  
 ‘ taining four acres or thereabouts; Ickleford Mead, contain-  
 ‘ ing two acres or thereabouts; Ralph’s Pightle, adjoining  
 ‘ to Highover Moor, containing one acre or thereabouts,  
 ‘ Woolgroves, containing three acres or thereabouts, lying  
 ‘ near to the mill of John Ransom, heretofore called Burnt  
 ‘ Mill, and now called Grove Mill.

‘ A close called the Hills, containing two acres or thereabouts, on the west side of the road from Hitchin to Baldock, and a parcel of land called the Shadwells on the east side of the same road, and divided by the river, containing twelve acres or thereabouts.

‘ And they find and present that four several parcels of land hereinafter described have been by John Ransom enclosed and fenced out from the said Lammas ground called Woolgroves, and are now by him held in severalty.

‘ And that the same are and always have been parts of the commonable land of the said hamlet (to wit): A piece of land containing twenty-one perches or thereabouts on the south-west side of the present course of the river, and between the same and the old course; a piece of land containing twelve perches or thereabouts, now by the alteration of the course of the river surrounded by water; a piece of land on the north-east side of Woolgroves, containing one rood and twenty-two perches or thereabouts; and a piece of land at the south-east corner of Woolgroves, containing one rood or thereabouts.

‘ And the Homage find and present that the occupier of every ancient messuage or cottage within the hamlet of Walsworth hath a right to turn and depasture on the commonable land thereof, in respect of and as appurtenant to his messuage or cottage, two cows and a bullock or yearling cow calf upon and from the thirteenth day of May, called Old May-day, until the sixth day of April, called Old Lady-day, and one horse upon and from the said thirteenth day of May until the thirteenth day of August, called Old Lammas-day, and hath a right to turn the like number of cattle upon the Lammas ground in Walsworth upon and from Old Lammas-day until Old Lady-day. That no person hath a right to common or turn any sheep upon the said common called Walsworth Commons, and that no sheep may be turned on the Lammas ground of Walsworth between Old Lammas-day and the last day of November.

‘ The Homage also present that it is the duty of the Homage of this Court at every Great Court Baron yearly holden next after the Feast of St. Michael, upon the appli-

‘ cation and request of any of the persons entitled to common  
‘ the cattle upon the commons within the hamlet of Wals-  
‘ worth, to appoint a herdsman for the said hamlet, and to  
‘ fix and assess a reasonable sum to be paid to him for his  
‘ wages, and also a reasonable sum to be paid by the com-  
‘ moners for draining and fencing the commons.

‘ This Court was then adjourned to Monday, the first day  
‘ of November next.

‘ Signed

THOS. JEEVES (Foreman).

SAMUEL SMITH.

JOHN MARSHALL.

WILLM. DUNNAGE.

WM. BLOOM.

ROBT. NEWTON.

WILLM. HALL.

WM. MARTIN.

THOS. WALLER.

GEO. BEAVER.

W. SWORDER.

JOHN MOORE.

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