THE TITHING FRAMEWORK OF WEST CORNWALL: A PROPOSED PATTERN AND AN INTERPRETATION OF TERRITORIAL ORIGINS

David Harvey

INTRODUCTION
The judicial tithing system constituted the backbone of Norman law-giving and can be seen as the mechanism through which central government held dominion over the population. In many ways it was a system of compulsory collective responsibility, through which a sort of joint bail was fixed for individuals, not after their arrest for a crime, but rather as a safeguard in anticipation of it.¹ Importantly, however, the tithing in Cornwall not only represented an income generating mechanism and form of judicial control, but became territorialized. The Cornish tithing framework, therefore, appears to be a uniquely systematic and universal territorial device which formed the most basic administrative unit in the medieval period, and was the primary subdivision of the Cornish hundred until the sixteenth century.²

In 1284 there were 308 tithings in Cornwall, as opposed to about 200 parishes, and Pool argues that no link between the two forms of territory existed.³ Tithings often appear to have a strong relationship with manorial patterns but Pool points out that tithings and manors were not necessarily coterminous and prefers to relate the form of the territorial tithing to that of the vill rather than to any land holding association.⁴ It is important to note, therefore, that although the civil administrative and judicial system of the tithing may have been closely related to the system of early land holding, just as with the vill and manor, the two institutions should not be confused.

Pool’s exhaustive and informative paper outlined the function of
this system in the later medieval period and charted its decline through to the early modern period. This paper included a survey of many sources relating to the tithing system and an extensive appendix of the basic tithing assessments from a wide range of material. The paper was built upon the foundations laid by an earlier paper which concentrated on the transcript and interpretation of a sixteenth-century manuscript relating to the operation of the tithing system in Penwith. These works constitute the only serious attempt to investigate the territorial tithing system and have drawn some important conclusions as to the later operation, context and demise of this system. His cautious map of Penwith tithings constitutes an important and unique aid to our understanding of the territorial aspects of later medieval administrative and judicial control in Cornwall and suggests the value of further interpretative work. Pool, however, does not really attempt to examine the origins of this territorial system nor explore some of the implications of the relationships and assessments to which he refers.

Although not concentrating his analysis upon the origins of the tithing, Pool does state that ‘how and when these groups became, in Cornwall at any rate, territorial sub-divisions of the hundreds, is a matter of some mystery, though it is not hard to suggest the probable sequence of events’. However, Pool does not actually give us much help in the ‘sequence of events’. His perception of the tithings as subdivisions of the hundreds assumes that the tithings were territorially later and completely dependent on the hundreds. Pool for instance focuses on police duties and noted that for ‘practical reasons’ people had to live close to each other. He concludes by arguing that it was this that eventually led to territorial tithings. However, he provides no explanation as to why such a tithing system that existed right across England only became territorialized in the South West, and why it only became systematically so in Cornwall. The simple conception of people living close to one another does not provide adequate explanation for the fragmented forms, variable sizes or basic pattern of the territorial tithing. The evolution and development of boundaries and land units cannot be understood in such simple terms.

This article, then, aims to extend the analysis of the actual territorial pattern of tithings in West Cornwall. Working from Pool’s initial Penwith map, and using additional information, the tithing patterns of both Penwith and Kirrier can be uncovered to some extent. The map of tithing units produced from this exercise forms the basis for further explorations into the meaning of the tithing assessments and the origins of the framework. The notion of the tithing as a semi-independent expression of ‘community’ is elaborated and the problematical ‘Cornish acre’ unit of assessment is analysed with a view
to achieving a more meaningful interpretation. The origins of both the assessments and the territorial framework are investigated with the view that the tithing framework may have represented the vestiges of an earlier system of landscape organization. This proposed earlier scheme provides a context within which to perceive later territorial developments as well as providing a useful framework within which to place the early sites, settlements and practices that are of interest to archaeologists, historians and geographers.

TITHING PATTERNS: SOURCES AND INTERPRETATION
In 1699, Joel Gascoyne produced a map of Cornwall that was the first county map in Britain to include parish boundaries. By this time the parochial framework had become the basic unit of civil administration. The tithings, on the other hand, had fallen out of public use and were unrecognized in such cartographic surveys. The reconstruction of the tithing pattern, therefore, is a very difficult task. A fairly accurate representation of the framework is, however, made possible by using a multitude of various sources, many of which offer information that is indirectly related to tithing delineation. Though a clearly recognized territorial framework is implicit, very accurate boundaries are obviously difficult to ascertain. The possibility must be noted that the territorial tithings may have been assessed and recognized in more complex ways than the simple area of land within accurately surveyed boundaries. Therefore the ‘territorial reconstruction’ of tithings is necessarily vague. This recognizes the interpretational problems inherent in using such multiple sources, and the potential problems surrounding the comprehension of how these territorial units were perceived. The basic map of proposed tithings is displayed in Figure 1, followed by some comment on the processes of how this map was produced and the nature of the source material that was used.

Although systematic survey-style extents survive for only three tithings, other lines of evidence can indirectly provide some useful information as to the position, size and pattern of the tithings. The hundred court proceedings of 1333, for instance, note the location of the crime in five cases which place five tenements within their respective territorial tithing units. The Eyre Court proceedings of 1201 for instance, suggest that Kerthen Wood in St. Erth parish should be placed within Roseworthy tithing. Similar pieces of evidence can be found in the Assize Rolls of 1284 and 1302. Many of the cases describe crimes and other occurrences being committed within certain tithings and such pieces of information help to form a picture of the pattern of tithings. In all the material covered, there appears to be only one
Figure 1: Basic tithe pattern
(Penwith based largely on Pool 1959)
instance where a portion of land was specifically designated as being in two entirely different tithings at different times.\textsuperscript{16} The rarity of this phenomenon and apparent uniqueness of Rosemorder tend to support the notion of antiquity and persistence in territorial form.

As Thomas points out, the evidence certainly points toward a close and fundamental link between the manor and the tithing in Cornwall.\textsuperscript{17} However, when Pool related the tithing names with manorial names that were entered into Domesday Book, no satisfactory relationship could be found other than within the example of Penwith hundred.\textsuperscript{18} He goes on to suggest that the many minor differences that seem to occur between the two territorial frameworks are due to the conservative nature of public law and the judiciary to which tithing bounds were subject. As a community institution, defined within the realms of public law, tithings, as with \textit{vills}, are 'not to be disturbed' by later private actions, and so their boundaries became fixed and relatively inflexible at an early date, and (like parishes) were not usually affected by later manorial changes. This raises the possibility that the tithing structures may represent a pattern of archaic land holding or communal territory, fossilized by public law, and also necessitates some further analysis of the relationship between the manor and the tithing.

\begin{table}
\centering
\caption{A summary table of the tithing/manor associations in Penwith and Kirrier}
\begin{tabular}{lll}
\hline
Tithing name & Associated manor/ sub-manor & Location of tithing centre \\
\hline
\textit{In Penwith}\nAlverton & Alverton & Madron \nBinnerton & Binnerton & Crowan \nBrea & Brea & St Just \nCollorian & Collorian? & Ludgvan \nConnerton & Connerton & Gwithian \nDrannack & Drannack (Connerton?) & Gwinear \nFee-Marshall & Fee-Marshall? (Alverton) & Paul \nGurlyn & Gurlyn? & St Erth \nHornwell & Hornwell (Corva) & Morvah? \nKelynack & Kelynack & St Just \nKemyal & Kemyal (Alverton) & Paul \nLanisley & Lanisley & Gulval \nLoggans & Trevethoe and Lelant? & Phillack \nLudgvan & Ludgvan-Lease & Ludgvan \\
\hline
\end{tabular}
\end{table}
Mayon
Mount
Penberthy
Perranuthnoe
Rosemorran
Roseworthy
Tehidy
Tredinney
Treen
Treeve
Tregony
Treereife
Trevedran
Trevethoe
Trewinnard
Truthwall

Mayon?
St Michael's Mount
Penberthy?
Uthnoe
Rosemorran (Lanisley)
Roseworthy (Tregony)
Tehidy
Tredinney (Alverton?)
?? (Hornwell?)
?? (Connerton)
Tregony (Roseworthy)
Trereife? (Alverton)
St Buryan
Trevethoe and Lelant
Trewinnard?
Truthwall (ex Mount?)
Sennen
St Hilary (Marazion)
St Hilary
Perranuthnoe
Gulval
Gwinear
Illogan
St Buryan
Zennor
Phillack
Madron?
Madron
St Buryan
Lelant
St Erth
)Ludgvan

In Kirrier
Arworthal
Carminoë
Claher
Godolphin
Gweneda
Helston
Kennall
Lizard
Lucies
Mawgan
Merthen
Methleigh
Minster
Pengersick
Penryn
Pensignance
Predannack
Prospidnick
Rejarden
Restronguet
Rosenithon
Rusuic
Tolgollow
Traboe
Trehembres

Arworthal
Carminoë (Winnianton?)
Claher (Winnianton?)
Godolphin
Pengwedna?
Helston in Kirrier
Kennall?
Trethevas (Rusuic)
=Rusuic
Mawgan (Winnianton?)
Merthen (Winnianton)
Methleigh
Minster (Penryn)
Pengersick?
Penryn
Pensignance
Predannack (Rusuic)
Prospidnick?
Binnerton?
Restronguet (Cosawes)
St Keverne/Achevran?
Rusuic
Tolgollow
Traboe
Carnsew (Penryn)
Perranarworthal
Mawgan
Mullion
Breage
Breage
Wendron
Stithians
Landewednack

Mawgan
Constantine
Breage
Manaccan
Breage
Gluvias
Gwennap
Mullion
Sithney
Germoe
Mylor
St Keverne
St Keverne
Gwennap
St Keverne
Mabe
<table>
<thead>
<tr>
<th>Treclan</th>
<th>Trelan?</th>
<th>St Keverne</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treleaver</td>
<td>Reskymer Meneage</td>
<td>St Keverne</td>
</tr>
<tr>
<td>Trelowarren</td>
<td>Trelowarren (Winnianton?)</td>
<td>Mawgan</td>
</tr>
<tr>
<td>Trenoweth</td>
<td>Trenoweth?</td>
<td>St Keverne</td>
</tr>
<tr>
<td>Trerose</td>
<td>Trerose (Penryn)</td>
<td>Mawnan</td>
</tr>
<tr>
<td>Trewothack</td>
<td>Trewothack? (Winnianton?)</td>
<td>St Anthony</td>
</tr>
<tr>
<td>Truthall</td>
<td>Truthall?</td>
<td>Sithney</td>
</tr>
<tr>
<td>Tucoyse</td>
<td>Tucoyse</td>
<td>Constantine</td>
</tr>
<tr>
<td>Winnianton</td>
<td>Winnianton</td>
<td>Gunwalloe</td>
</tr>
</tbody>
</table>

Table 1 displays the territorial links between the tithings and the land holding record. Almost every tenement which we can place within a certain tithing seems to have independent evidence placing it within a certain manor or sub-manor that is associated with that tithing. Private manorial power sometimes seems to have compromised the judicial independence of the tithing institution in the later medieval period, as in the case noted in the Cartulary of Launceston Priory where the Prior won a decision in 1357 that meant that his tenants did not have to supply a tithingman nor contributions for tithingmen. The existence of a formal application and judicial decision being made about this case does, however, illustrate the important differences between a private landed estate and a public, hundredal and communal institution.

The strong territorial relationship with land holding, together with the specific reference to tithing locations, tithingman's tenements and the few tithing extents have formed a picture of the territorial framework of the tithing institution in West Cornwall. Small inaccuracies are certain, but the degree of error has been recognised, and so the basic maps should only be seen as approximate. With the use of the Penheleg manuscript, Pool managed to produce a map of tithings in Penwith. With some corrections noted in the following year, this map appears to be the only previous attempt to cartographically portray these important territories. My investigations have highlighted some limitations and problems in Pool's analysis and have led to an improved map of the Penwith tithings as shown on Figure 1. This work paved the way for a similar project on the previously untouched hundred of Kirrier (also illustrated on Figure 1). It is important to note that possibly not all of the tithings portrayed in the maps would have been recognized at the same time. For instance, a fair number of tithings do not seem to be consistently portrayed throughout the records. Kemyal, for example, is described in the Penheleg manuscript as a separate territorial entity, yet does not appear in the Exenta Acrarum documents of the thirteenth and fourteenth centuries. Pool, however, notes that it does appear in the Assize Rolls of 1284 and 1302, suggesting its
recognition in some form, though not in a form that warranted an assessment in Cornish acres, and thereby inclusion in the *Extenta Acrarum*.\(^{22}\) The land holding unit associated with the Kemyal area was a sub-manor of the large Alverton estate and so possibly the tithing of Kemyal would have been included under the large assessment for Alverton tithing in the *Extenta Acrarum*.

The lines on the tithing maps therefore should not be seen as exact, fixed and detailed boundaries but simply as representations of territorial limits. Some degree of intra-tithing flexibility seems to be implied by the court proceedings of all dates, with tithing subgroups apparently recognized in some cases. Subgroups seem to be implied relatively often in connection with some of the larger tithings such as Binnerton, Alverton or Tehidy. In 1302 for instance, the borough of Helston (within the tithing of Helston, associated with the manor of Helston-in-Kirrier) claimed view of frankpledge within the borough at the session of Eyre.\(^{23}\) This implies some sort of sub-recognition within the basic tithing framework.

**EXPLOITATION AND THE INSTITUTIONAL FUNCTION OF THE TITHING SYSTEM**

The framework of tithings illustrated in the map on Figure 1 represent the basic network of units that held general recognition by public authority. These tithing units represent expressions of public administration and are territorially closely associated with the land-holding pattern. The tithings, however, expressed more aspects of societal organization than mere civil administration. The Cornish territorial tithings were vehicles of communal identity and, in a similar way to the functions of the English *vill*, comprised aspects of economic organisation.\(^{24}\) Tithings of such a diverse nature as Tehidy and Treen, for instance, cannot have been seen in the same way in terms of communal identity and economic exploitation, even though they may well have held the same status and function in terms of hundredal and judicial organisation. This map therefore should simply be seen as a basic guide to the general pattern of tithings and their location with respect to each other in the context of local civil administration. The tithing framework may be perceived both as a system through which people were exploited through various taxes and dues by people at a higher level in the hierarchy, and as a framework, akin to the system of English *vills*, through which the landscape was economically exploited. The tithing system can also be seen as a territorial mechanism through which aspects of community and society were expressed.

At a local level, the tithing appears to hold some degree of
independence. The allocation of its taxation requirements do not seem to be stipulated from above, and its selection of officers such as that of tithingman, though observing certain customs and traditions, does not appear to be dictated by another authority. In addition, the early court proceedings show evidence that tithings held certain investigative powers in the sense that the decision to raise a hue was initially taken at this level. All this suggests a certain level of community self-organization and freedom of movement for the officers. This is especially illustrated in the numerous cases where a hue would be raised, a suspect chased, captured and held; all done within the authority of local tithing operation.

Extending from this argument is the notion that such semi-independent communal units held certain privileges in fund raising and maintained often unusual quasi-judicial rights. Pool noted the apparently common practice of generating a surplus smoke silver for the tithingman. The number of disputes that arise from the attempts by various tenements to get out of supplying a tithingman suggests that the office was not popular, indicating that the surplus smoke silver actually offset 'expenses' incurred by the individual tithing 'authorities'. Many other dues, payments and rights appear in the records, many of which were probably either forgotten or were subsumed within tenant's rents as the archaic forms of public tribute and personal connection gave way to notions of property and rental value in a capitalist society. The payment of berbagium, for instance, which in Cornwall is associated with a manorial due on Duchy tenants, has been related to a common theme of early services within an administrative district akin to that of the hundred. Pool recognized the tithing system as the framework in which such rights and dues as those connected with wrecks, porpoises and sharks, and 'straying beasts' were organized. Perhaps more importantly it also provided the framework in which the collection of tin fines were undertaken. Such hundredal rights, which seem even to have extended to the payments of marrowbones and loaves of bread for hunting hounds, appear almost as a relic of archaic tribute practices.

The expressions of exploitation embodied within the tithing system have been recognized but their meaning in terms of the origin and form of the territorial framework of organization needs to be considered further by investigating the systematic assessments that were made of the tithing system. The Extenta Acrarum documents for instance provide us with a complete set of assessments in 'Cornish acres'. The term 'Cornish acre' has not been satisfactorily interpreted. A short discussion by Hull reviews the problem, simply suggesting that a Cornish acre represented somewhere between 40 and 200 English
statute acres, and most probably either 64 or 120. This, however, is unsatisfactory in that it appears to assume a simple unidimensional and linear relationship relative to statute English acres which may not actually exist in reality. The two versions of the *Extenta Acrarum* provide slightly differing assessment figures. Table 2 clearly displays the apparent discrepancy in the simple association between Cornish acres and area, suggesting a much more complex relationship than is normally recognized.

**TABLE 2**
The theoretical size of Cornish acres in West Cornwall

<table>
<thead>
<tr>
<th>Hundred</th>
<th>Statute Acres (1911 census)</th>
<th><em>Extenta Acracum</em> versions</th>
<th>‘Acres per Cornish acre’ (1345)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Penwith</td>
<td>99,293</td>
<td>535.5</td>
<td>184.7</td>
</tr>
<tr>
<td>Kirrier</td>
<td>104,629</td>
<td>372.5</td>
<td>287.8</td>
</tr>
</tbody>
</table>

(From a comparison of the *Extenta Acrarum* and actual statute acreage).

One possibility is that Cornish acres only measured a certain portion of the total land area, though the similar soil, climate and proportion of moorland in each hundred suggests that such a form of measurement would not provide such a large difference in the two sets of figures as seems to be displayed. There is the possibility that Cornish acres took into account aspects of each hundred that were not related to areas of land, such as fishing or tin production for instance. It certainly appears however that the Cornish acreage figures represent some form of estimation that was based upon more than mere land area, though this does seem to have been an important component. In order to uncover the basis of such a difference between the two sets of assessments we should investigate the marked differences between the two hundreds. A very realistic explanation therefore may be seen in the private nature of the Penwith hundred. This was the only hundred in Cornwall that became detached from royal or Duchy interests. The private hundredal jurisdiction was granted by William II outside of royal authority in about 1090 and was comprehensively confirmed by a charter to the Arundell family of 1227. Therefore, it seems realistic to assume that the Penwith assessments were artificially changed under this private
jurisdiction. An analysis of the other seven hundreds of Cornwall reveals a Cornish acreage relationship very much in line with that of Kirrier, leaving Penwith as the anomaly.37

The production of a detailed record of the hundredal rights and jurisdictions of Penwith in the form of the Penheleg Manuscript (1580) reveals the specific nature of the private interests of this hundred, with traditional dues and rights appearing to survive the longest and be recorded latest in Penwith, as the hundredal lords struggled to maintain and make the most of their privileges.38 The apparent difference in the Cornish acreage assessments may therefore be related to this practice. The actual purpose of the Extenta Acrarum lists of 1284 and 1345 is not known but the basis for inclusion seems to be somehow linked to status that reveals the operation of some sort of hierarchy within the tithing system.39

INTERPRETING THE ASSESSMENT MATERIAL
Both the smoke silver and the Cornish acreage figures allude to an expression of exploitation, and suggest a large degree of artificiality. The smoke silver assessments represent the exploitation of the population via a household or tenement tax and in Kirrier display an almost complete repetition in certain figures.40 The Cornish acreage figures suggest some sort of assessment of economic status that is at least partly a function of land area. Interestingly however, the more dependable figures for Kirrier reveal a repetition of 3-, 6-, 9- and 12-acre tithings. This repetition is consistently mirrored in the seven more eastern hundreds (as illustrated in Figure 3 on page 44), but not in Penwith and requires further investigation.

The tithings with the largest Cornish acreage also tend to cover the largest areas and those paying the most smoke silver appear to contain relatively larger numbers of tenements. Inconsistencies do appear however. In Kirrier, some tithings seem to have a very large smoke silver assessment for the number of Cornish acres that they were assessed for, while others seem to pay much smaller smoke silver contributions than would be expected from their Cornish acreage. In the St Keverne area, for instance, there appears a complex pattern of tithing units.41 Figure 2 seems to show a complex relationship between Cornish acreage and smoke silver with Traboe and Rosuic appearing to be anomalous. It appears that the actual area of Rosuic was mostly outside the parish, and largely composed of moorland, which may well have had few smoke silver paying-tenements. Traboe appears to occupy similar land of a similar size to Treleaver, while Rosenithon, Trenoweth and Trelan all seem to occupy relatively smaller pieces of land. The
<table>
<thead>
<tr>
<th>Tithing</th>
<th>Cornish Acre Assessments</th>
<th>Smoke Silver Assessments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treleaver</td>
<td>9 Cornish acres</td>
<td>9 shillings 1d.</td>
</tr>
<tr>
<td>Rosenithon</td>
<td>9 Cornish acres</td>
<td>9 shillings 1d.</td>
</tr>
<tr>
<td>Trelan</td>
<td>9 Cornish acres</td>
<td>9 shillings 1d.</td>
</tr>
<tr>
<td>Trenoweth</td>
<td>9 Cornish acres</td>
<td>7 shillings 1d.</td>
</tr>
<tr>
<td>Traboe</td>
<td>24 Cornish acres</td>
<td>7 shillings 1d.</td>
</tr>
<tr>
<td>Rosuic</td>
<td>30 Cornish acres</td>
<td>7 shillings 1d.</td>
</tr>
</tbody>
</table>

Figure 2: The Tithing framework in the St Keverne area
(Penwith based largely on Pool 1959)
assessments certainly appear to be dependent upon some status or function beyond that of simple land area and number of tenements. The fact that these tithings, which are positioned so close to each other, are all assessed in the same way seems to indicate that they are related in some way, perhaps as component parts of a larger entity.

In attempting to account for the apparent ‘excessively’ large Cornish acreage assessments for certain tithings, the tithings of Minster in Kirrier and Fee-Marshall in Penwith serve as useful examples. From the reconstruction it appears that the tithing of Minster (12 Cornish acres, 5s. 1d. smoke silver) was territorially located mostly in the small parish of Manaccan. The manor of Minster held rights over the Helford river from Calmanasack to the sea with the ferry at the Passage. It seems likely, therefore that the acreage assessment took this valuable right into account. The Penwith tithing of Fee-Marshall was assessed at 23 Cornish acres in 1284, and 25 Cornish acres in 1345. Although this tithing is relatively small, it does seem to contain Newlyn and Gwavas, and so perhaps held some rights to fishing. In 1276, it was called ‘Marescalli de Alverton’, suggesting a close relationship with the tithing of Alverton. The large Cornish acreage assessment for Alverton of 64 acres, may reflect its high status, and/or its valuable fishing fleet based at Mousehole. The rights to porpoises and to wrecks show a long lasting maritime interest by the hundredal authorities, which is perhaps reflected in the Cornish acreage assessments of the late thirteenth and early fourteenth centuries. The imposition of elevated acreage assessment that appears to have occurred in the private hundred of Penwith may also account for the change in the Cornish acreage assessment for the tithing of Fee-Marshall between 1284 and 1345. It is suggested that the increase from 23 to 25 assessed Cornish acres may reflect an increase in the value of the fishing industry over this period.

The assessment figures tend to emphasize the complex nature of the territorial tithing system rather than painting it as a unidimensional framework simply used for the management of later medieval justice. The potential cash-raising abilities of the tithing are recognized together with its use as a mechanism for the exercise of certain rights and practices that are outside the manorial or land holding system.

**INTERPRETING THE PATTERNS**

Though the tithing units as recognized in the *Extenta Acrarum* documents undoubtedly expressed a real territorial framework, there is also a recognition that this framework should not be viewed simply. The actual function of the Cornish acre is not known, but an examination
of the Cornish acre assessments reveals certain regularized lesser units manifested within the figures. The Cornish acre as an assessment appears to have been in use from at least Domesday, though the academic discussion of its origins and detailed nature has been inconclusive. Examination of the assessments as portrayed throughout Cornwall in the *Extenta Acrarum* documents, however, tend to display a remarkable repetition of figures that are a function of three.

The 1345 *Extenta* records that thirty-one of the thirty-two tithings of the hundred of Kirrier are assessed at a figure that is divisible by 3. An extension of this investigation is displayed in Figure 3, which shows the almost ubiquitous nature of the significance of the ‘3 Cornish acre’ unit. Even in the private hundred of Penwith, almost half of the tithings are assessed at figures divisible by 3, and its exception is in line with its anomalous position in other respects. This hundred moved out of Crown control in the late eleventh century, which suggests that the root of the discrepancies in the Cornish acre assessments occurred following this ‘privatisation’. The only other hundreds which demonstrate an assessment scheme that is at all out of line with the ‘3 Cornish acre phenomenon’ are the two most eastern hundreds of Cornwall: East (Wivelshire) and Stratton, which are located along the border with Devonshire. When investigating the origins of the anomalous position of these hundreds, place name and other early evidence may provide the key. Preston-Jones and Rose note the ‘conspicuous absence’ of Cornish place names between the Tamar and Lynher rivers. They further note that in Stratton hundred over 90 per cent of the place names are of English origin, with particular concentration of *tun*, which they suggest may represent renamed Cornish settlements. Wakelin also sees the Lynher river as an important ethnic, cultural and language frontier with the land to the east and in Stratton colonized by Saxons. Although there is no evidence of the wide scale colonization and ethnic boundaries that Wakelin tends to allude to, the particular nature of the pre-Norman organization of this eastern strip should be recognized.

The six earliest charters that refer to land in Cornwall, including all the pre-tenth-century examples, are associated with land either in Stratton or the far south east, indicating a very early English interest in this area. Although large scale population displacement and complete landscape reorganization seem very improbable, the very early English interest and involvement in this part of Cornwall provides an explanation for the apparent exceptionality of this most eastern zone. This is certainly so in terms of place-name distribution in the area, and may provide a context within which to view the apparently anomalous assessments of later years.

The existence of some significance surrounding the ‘3 Cornish acre’
Figure 3: Three acres units in Cornwall hundreds
(From Extenta Acrarum (1345) which assesses tithings in Cornish Acres)
assessmment strategy in the *Extenta Acrarum* documents is obvious, as
is the peculiar and partially anomalous position of the hundreds of
Penwith, Stratton and East. The nature of the Cornish acre, as implied
in the *Extenta Acrarum* documents, certainly appears to be an artificial
assessment, though bearing some relation to land area. By implication,
therefore, the proposed ‘3 Cornish acre unit’ appears to represent a
certain level of status that was recognized in the assessment of the
landscape administrative units. The tithings themselves, as displayed
in the *Extenta Acrarum*, are territorial in nature and apparently made
up of ‘3 Cornish acre units’. Some tithings are assessed at 3 Cornish
acres, alluding to some reality in an actual ‘3 acre territory’ though this
may simply be a nominal assessment not related to a specific unit of
actual land. It does seem, however, that the 3 Cornish acre unit is a
building block of which the tithings are made up. In this respect, the
emerging landscape organizational system of the tithings is represented
by a developing territorial framework that is made up of ‘building
blocks’ which, in the language of assessment at least, are reflected in
the ‘3 Cornish acre unit’.

The territorial tithings as illustrated in later medieval records
represent much more than mere units for judicial convenience. Their
assessment in Cornish acres is systematic and consistent, and seemingly
independent of judicial consideration. The assessments themselves
appear to reflect groups of lesser units in two ways. Firstly, and most
obviously, the tithings are expressed as a group of Cornish acres; a
term which is not sufficiently understood. Secondly, the records tend
to imply the existence of a 3 Cornish acre unit, and tithings of 6, 9 or
12 Cornish acres seem especially common. The Cornish acre unit
appears as some sort of building block: by nature, of economic
association and by assessment, of exploitative consideration. The 3-acre
label, therefore, appears to be a more nominal assessment related to
status.

Although the later medieval tithings, as portrayed in judicial
records, are assessed in Cornish acres, it is clear that in Penwith at
least, the significance of the 3 Cornish acre unit was no longer
recognized. The assessments of the *Extenta Acrarum* documents reflect
a system of exploitation and administration, therefore, that did not give
regard to such 3 acre significance. The question of what such supposed
units actually meant in the landscape arises. They were building blocks
of a system of landscape organization that appears to be related to the
territorial framework that emerged in the form of later medieval
tithings. This basic suggestion seems to be apparent throughout Corn-
wall and should perhaps be seen within the context of relatively
early notions of landscape organization and exploitation. As with the
place-name evidence, the apparent ubiquity of this regular assessment scheme breaks down slightly in far eastern areas of Cornwall. However, just as the relative lack of Cornish place names does not imply a complete overhaul of the settlement system, so the less regular Cornish acre assessments need not imply a total change in land organization.

Pool very strongly argues that the tithing system was ‘based upon the earlier manorial system’.\textsuperscript{57} Although there do appear to be very close and valid associations between the territories of the tithings and units of land holding, it may be more useful to suggest that the tithing framework was simply based upon an earlier scheme of land organization, and was institutionally unrelated to the medieval manor. The landscape was assessed in Cornish acres, groups of which were associated with a certain level of status. Later medieval material appears to suggest some significance of a unit of land, regularly assessed at 3 Cornish acres. This 3 acre unit acted as a building block for larger land units, some of which can be territorially associated with certain tithings and with aspects of land holding. The presence of such schemes of assessment reveals an expression of direct exploitation, and alludes to some earlier mechanism of landscape organization. The framework appears to be closely associated with the emerging pattern of land holding and hints at an earlier relationship with strategies of economic exploitation and political influence in the landscape.

**CONCLUSION**

This paper has extended Pool’s earlier work in terms of its interpretation of meaning, origin and institutional relationships. This study has progressed from being a detailed description of the workings of the later medieval tithing system to examine the implications and significance of the territorial forms, assessments and relationships. This has allowed some useful conclusions to be made about the interpretation of such devices as the Cornish acre and has led to some meaningful impressions as to the origin of the Cornish tithing framework. The investigation of the origins and evolution of this framework has considered the territorial form with a view to understanding the social function and institutional construction of early mechanisms of landscape organization. In many respects, therefore, this study should be seen as a preliminary exploration into such territorial and social devices which may possibly have implications for a wide range of further research.

The suggestion of a complex and socially related assessment mechanism extends our understanding of the Cornish acre term and alludes to meaning or function connected with earlier landscape
organisation. It appears, therefore, that the evolution of the Cornish acre assessment mechanism should be sought within a much earlier and longer temporal framework. The contemporary interpretation of this assessment seems to have itself transformed, and the identification of a supposed ‘3 Cornish acre’ unit appears to be related to pre-Norman and even pre-Anglo-Saxon notions of landscape organization. A detailed description and intimate understanding of this system is not possible, but the interpretation of available records suggests that the assessments reflected aspects of social hierarchy and economic utility.

Further detailed work is required in order to explore possible connections with agricultural organization; for instance, with the implication of a large scale system of transhumance operating through the agency of Cornish acreage assessment. This work can act as a basis for further explorations by archaeologists, geographers, historians and the like, by providing a meaningful territorial context for their investigations. The association of institutional function to territorial form is crucial in an investigation of the relationship between society and landscape, with the understanding of early social hierarchy, status and the tribute taking place through the examination of their articulation in the landscape. In terms of landscape investigation and the analysis of later medieval institutions and practices, the crucial implication of this work is that later arrangements are dependent upon the reuse and reinterpretation of earlier arrangements. This continuity can be seen, not just in terms of territorial form and pattern but also in the persistence of traditions of assessment and function which are re-evaluated and interpreted according to newer principles of territorial order and exploitation that reflected the contemporary organization of society.

NOTES AND REFERENCES
2. C. Thomas, ‘Settlement History in Early Cornwall; I, the Hundreds’, Cornish Archaeology, no. 3, 1964, pp. 70–79 (p. 71) and W.A. Morris, The Frankpledge System, London, 1910, p. 38, among others, notes the existence of territorial tithings that elsewhere ‘were called townships’ right across Cornwall and the south western shires. Although territorial tithings appeared throughout the South West, it was Cornwall that contained the most systematic, developed and persistent of such territorial phenomena.
9. Indeed, Cornwall does not at all seem to be an area that can be described as typically representing a region of nucleated settlements, so the label of ‘people living close to each other’ simply does not fit.
11. A basic ‘checklist’ of publicly recognized tithings can be gained from the two versions of the *Extenta Acrarum* (1284 and 1345). Further ‘lists’ of tithings are found in the Parliamentary Survey of the Duchy of Cornwall (1650), and, for Penwith, in the Penheleg manuscript of 1580 which formed the basis of Pool’s reconstruction of Penwith tithings. A summary of these records is found in Pool, 1981, pp. 303-335.
12. These relate to the tithings of Tehidy in Penwith and those of Winnianton and Treleaver in Kirrier. These were abstracted by Pool, 1981, pp. 336–7 from Charles Henderson’s manuscripts (MSS, HB/5/112 and MSS, HB/8/76) and the Penrose Estate manuscripts.
13. Roscroggan in Illogan parish is associated with Tehidy tithing in this document, thereby supporting the tithing extent of 1603. Trevaskis in Gwinear is placed within Connerton tithing, Mouschole is placed within the tithing of Alverton in two cases and Boswarva in Madron is placed within Binnerton tithing from this information. See G.D.G. Hall, (ed.), *Three Courts of the hundred of Penwith*, 1333, London, 1978.
15. In 1302 for instance, Gregory of Penzance was described as being in the tithing of Alverton, suggesting that Penzance was in Alverton. See case 19, in Pool’s transcript of the Assize Rolls 1981, p. 282.
16. This was in St. Martins parish, where Rosemorder is mentioned as being both within the tithing of Treleaver and that of Trelowarren (Pool, 1981).
20. This is especially so on the occasions that the reconstruction of the tithing framework is very dependent upon manorial records.
23. A transcript of the session of Eyre is found in H.S. Toy, *The History of
Helston, Oxford, 1936, p. 471. The borough was also exempt from toll, pontage, passage, stallage, lastage, soilage, pickage and quayage.

24. Tehidy covered much of eastern Penwith and is associated with the powerful manor of the same name. Treen seems to have comprised just a small part of the parish of Zennor and was manorially related to Hornwell. This tithing seems to disappear later in the record and Pool (1981) supposes that it was absorbed into the tithing of Hornwell.

25. The tithing extent of Winnianton for instance (Penrose Estate MSS. transcribed by Pool, 1981, p. 337) allocated varying amounts of smoke silver tax amongst its tenements. As the decayed, some powerful land holding bodies were able to affect the tithing form, though only after considerable effort. In a case already mentioned for instance, the Prior of Launceston went through a lengthy court challenge in 1357 so that his tenants did not have to serve as tithingmen (M.S. Cartulary, f.175r–f.175v, case 445 in Hull’s edited transcript, 1987).

26. See for instance the detail of many cases mentioned in the 1333 hundredredal court that has been transcribed by Hall (ed.), 1978.


30. Tin fines were noted by Pool (1981) as being organised around the tithing, and were also mentioned in the Caption of Seisin (1337). The Earldom Accounts of the Duchy of Cornwall (1296–1297) refer to this hundredred due as the doublet de Kerrier (Membrane 23, p. 248 in L.M. Midgley, (ed.) Minister’s Accounts of the Earldom of Cornwall, 1296/7 (2 volumes), London, 1945.


33. Pool, 1981, p. 288 for instance simply notes that the Cornish acre was ‘a multiple’ of the English acre.

34. Some of the small discrepancies will be discussed further, though many may simply reflect mistakes in the calculation, copying or interpretation.

35. Large tithings in terms of area do seem to have larger Cornish acreage than small tithings. The relationship will be discussed further however.


37. The nature of this ‘common’ relationship will be discussed in greater depth in the investigation into the origins of the tithing units and their Cornish acreage.


39. The judicial and police function of the tithing of Kemyal for instance was
recognised in the Assize records of 1302 (Pool, 1981) and in the Penheleg Manuscript of 1580 (Pool 1959). However, it was not included in either version of the *Extenta Acrarum* suggesting that this document recognized a slightly different inclusion mechanism.

40. Almost every assessment is listed as a certain number of shillings and 1d. In Powder hundred almost every assessment lists a certain number of shillings and 8d. The other hundreds display a regularity in whole shillings. See the Parliamentary Survey summary in the appendix of Pool, 1981.

41. The parish of St Keverne appears to include the tithing centres of Treleaver, Traboe, Trenoweth, Trelan, Rosenithon and Rosuc tithings. See Figure 4.

42. This tithing is associated with the manor of Minster which itself was held by the powerful Episcopal manor of Penryn. See C. Henderson, ‘The 109 ancient parishes of the four western hundreds of Cornwall, (Penwith, Kirrier, Powder and Pydar)’ 1924, reprinted in the *Journal of the Royal Institution of Cornwall*, (in four parts), Vols. 2.3–3.3, 1955–1960, pp. 1–497.


44. Because these extra rights did not mean extra households or tenements, the smoke silver liability for the tithing of Minster was not especially increased thus.


46. The Penheleg reference to the hundredal lord having certain rights to porpoises and the like may indicate a vestige of such rights.

47. Hundred Rolls I, 56 noted in the appendix of Pool (1981). The ‘mare’ part of this name is also suggestive of a strong relationship with the sea or to fishing.

48. The Penwith court records of 1333, transcribed by Hall 1978, show that Mousehole was within the bounds of Alverton tithing.


50. This includes that of Kennall, whose assessment of one and a half Cornish acres is obviously half of 3.


52. These rivers are illustrated on figure 5. Preston-Jones and Rose do, however, rather overstate their case—placenames such as Trevollard, Trehan, Landulph, Tremoan, Polborder, Trewashford, Trefinnick, Tremollet, Halwinnick, Pengelly and Landreyne all lie between the Lynher and Tamar rivers and all exhibit obvious Cornish-language elements.


55. For a list of charters, see H.P.R. Finberg, *The Early Charters of Devon and Cornwall*, Leicester 1953, items 16 and 72–77 inclusive. Item 73 of this list relates to a charter of King Ine (AD 705x712), that records the granting of 20 hides at Linig, which has been interpreted as the land between the Lynher and Tamar rivers.
56. The general theme of such land units representing a certain level of status seems closely related to the idea of the *terrae unius familias* that is investigated in T.M. Charles-Edwards ‘Kinship, Status and the Origins of the Hide’, *Past and Present*, 1972, Vol. 56, pp. 3–33.