# Changing Tenurial Forms and Service Renders in the North East of Scotland between the Fifteenth and the Eighteenth Centuries: Evidence of Social Development, Capitalised Agrarianism and Ideological Change

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**Abstract:** Documentary evidence relating to tenurial agreements and service obligations survive for a number of estates in north-east Scotland, spanning the fifteenth to late eighteenth centuries. Close inspection demonstrates the development of terminological usage as semantics alter with reference to changing socioeconomic mechanisms underpinning the structure of society. This article also explores the possibility that these changes may be linked to a developing philosophical view within which the growth of capitalism was rationalised.

## Introduction

The processes by which the socioeconomic environment altered from a pre-modern, largely pre-capitalised to a modern, capitalised system are diverse and occurred piecemeal across the British landscape. Shaw-Taylor has noted the differential development of agrarian capitalism across England (2012) and Carter has demonstrated the survival of a 'peasant' class in north-east Scotland until the First World War (1979). Such economic developments fit within a wider picture of ideological change from a medieval mindset towards a modern acceptance of a particular socio-political trajectory. Understanding how these changes have occurred requires consideration of a broad narrative comprising the close analysis of lesser elements. This paper seeks to comprehend such changes in the social development of north-east Scotland by concentrating on how they are reflected in changing land management and tenurial agreements between the late fifteenth and late eighteenth centuries.

These agreements can illustrate a changing ideological approach underlying the increasingly capitalised economy of Britain and other parts of Western Europe at this time. The tenurial and service agreements indicate that this economic trend may be connected to a socio-ideological one. Aquinas's view of trade in the thirteenth century was based upon the notion of the 'just price' and he had severe difficulties in trying to constrict commerce within the bounds of contemporary Christian ideology (Kaye, 1998:
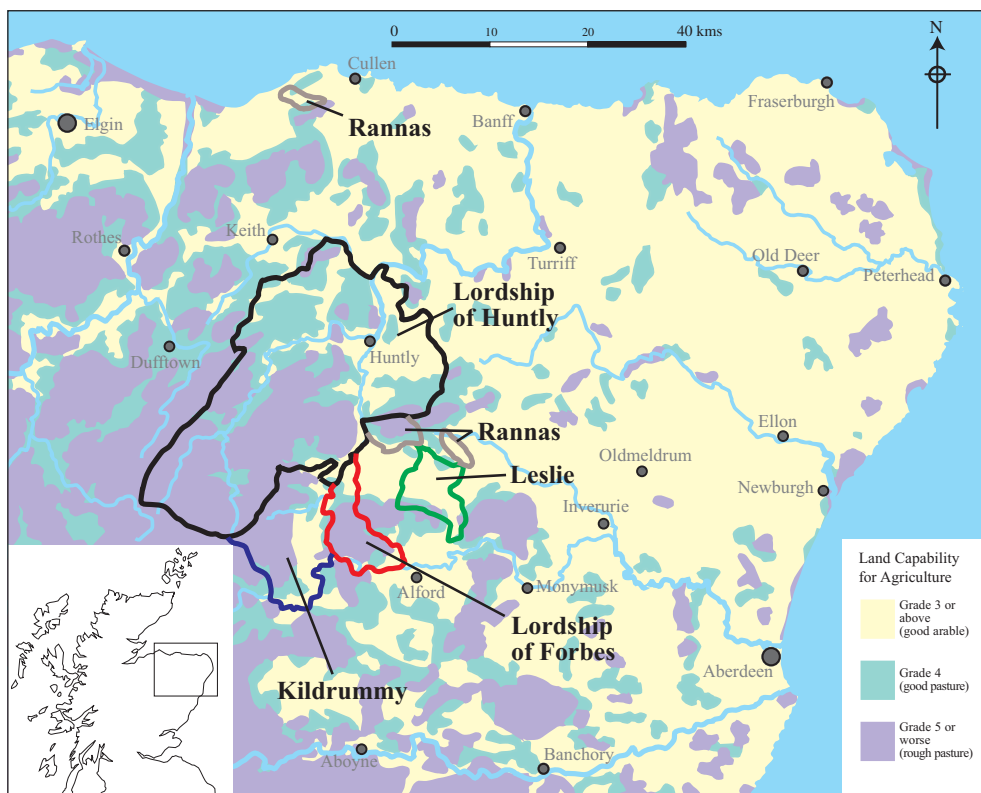
Figure 1. (Colour online) Study areas showing land capability for agriculture (Macaulay Institute, 1982).

70–1). The York Corpus Christi plays show that this approach extended beyond the cloister, providing an idealised view of how communities should function as mutually-supporting structures (Crassons, 2010). Even jurisprudence was required to attend to the sufferings of the poor. In cases of hunger attended by the lack of money to buy food, theft was not considered by the church to be a crime since 'nede ne hath no lawe' (Firth Green, 2007: 11). The language used by Adam Smith shows how drastically this mindset had altered by the second half of the eighteenth century. Consideration of the agreements that form the basis for this paper may indicate connections between these socioeconomic and ideological changes and an ideological and philosophical journey from a social system rooted in 'community' to one in which the individual is prefigured.

The first section will consider the evidence for such arrangements in the area from the earliest available local sources, to provide a baseline from which later developments can be charted. Reference will be made to other relevant areas to set the argument in a wider context. Clearly, this needs to be done with caution especially as the evidence suggests very localised reactions to a wide range of dynamic processes. The argument will then be presented with reference to a limited range of sources in the north east and consideration of the tenurial terms employed. The third section will consider what can

be gleaned concerning service obligations from these sources and how these may reflect the application of the tenurial terms previously discussed, to illuminate the development of land management regimes and social change in the area.

Whilst the data relating to tenurial holdings from some estates is fairly rich, its survival across the area is spasmodic. That relating to service renders is fairly tenuous where it survives at all and bringing the surviving evidence together and making sense of it is fraught with difficulties. The unexpected chance recognition in the National Records of Scotland of a single sheet of late eighteenth-century script (GD225/1029) outlining the service dues owed from one small estate does, however, appear to extend the prospects of salvaging something. It does, at least, satisfy Neville's suggestion (2005: 183) that such things were relatively commonplace and cast suspicion on Stringer's and Brown's notions (1985: 63–4; 2000: 41) that services were relatively light and inconsequential.

The evidence presented below has been gleaned from a number of estates and chosen for elements which, if not directly comparable, do to some extent overlap. The data cover a fairly large chronological span so it should be possible to track subtle changes in terminology and usage. And although some records, such as the diocesan papers and the Strathbogie rentals, miss one another by about fifty years, others, such as the Forbes papers, offer links across that divide. The data are not of a single type, such as rentals or court books, which broadens the picture. Evidence for non-tenurial relationships will clearly be absent from rentals preoccupied with the gathering of rents whilst the services and small-doings of daily estate management are similarly absent.

The resulting hodge-potch of rentals, court papers, estate plans and diocesan bureaucracy presents a broad view of tenurial and social obligations from the late Medieval to the early modern period. It appears to demonstrate that the trajectory of these arrangements was not linear and that it is probably unrealistic to speak of one limited period of 'capitalised improvement' with respect to agricultural and tenurial development. A form of 'capitalisation' and 'engrossment' of holdings can be seen on the Forbes estate in the 1550s just as other examples of demesne management are in full swing. Within fifty years across the Bogie in Strathbogie formerly large units were being divided to create smaller rentier farms. This was occurring at the same time as the engrossment of other smallholdings. However, the dating of the earliest leasehold units is unknown and may have an ancestry related to the Gordons' first appearance in the area in the fourteenth century.

The terms used for and by the protagonists, such as tenants, crofters, cottars and grassmen, were undergoing changes which can be related to the surrounding activities. Usage by the various protagonists may well have been contentious at the time and was certainly so as the modern world impinged on the north east during the nineteenth century (see Carter, 1979). That complicated narrative is, however, outside the remit of this work. The study area is shown in Figure 1 and comprises rich agricultural lowlands extending up the lower slopes of the Grampians. A range of geological formations underlie a wide spectrum of soil types. Agriculturally, however, the farming practices fall into the mixed arable and livestock category, but with different emphases depending on local topography. The location map shows a simplified picture of the land capability for agriculture survey carried out by the Macaulay Institute (1982).

### Background

Stringer's detailed analysis of the late twelfth- and early thirteenth-century lands of Earl David in the Garioch (1985: 63–4) suggests that service dues were light and seasonal and not the heavy burdens geared to demesne exploitation. For the seventeenth century, Brown also suggests that services were light: 'Scottish lords made light demands on their tenants in terms of labour service, or ariage, preferring to lease lands and reserving only a few days' service a year on the home farm' (2000: 41). Neville notes, however, the exchange of nativii and their families as a notable feature of the 'human economy throughout rural Scotland in Mar, Garioch and elsewhere' (2005: 183). She clearly considers that there was a significant unfree labouring class and draws attention to their surprising invisibility: 'Although references to unfree persons are intriguingly absent from the early thirteenth-century records of Lennox, it is hardly to be expected that the lords exploited their landed resources as vigorously as they did without a servile labour force of considerable size' (2005: 225). Thus 'absence of evidence' does not necessarily equate with 'evidence of absence'. The surviving data clearly demonstrate at least the language of servile tenure in this period, with many examples in the *Registrum Episcopatus Aberdonensis*. A charter of 1259 contains the place name 'Bondyngton', which survives today as Bonnyton (Spalding Club, 1845: 26). As will be seen below, the element 'bond' became a significant contributor to the language of service in the area. In the same area of Rayne in the 1170s is recognition of customs and service 'omni exactione et consuetudine et servitio seculari' (10). In the late fourteenth century the charter for 'Murthyl' relates, 'cum bondys, bodagijs, natiuis ' (183) while as late as 1545 a charter for feudifarmaria contains a similar formula (429). These dues occur throughout the 1511 rental for the area. In other words, the notion of customary service can be evidenced from the records of the Bishops of Aberdeen from the late twelfth century till the Reformation and the pattern can be followed forward from this time by means of estate rentals.

Similar terminology can be found in the *Registrum Episcopatus Moraviensis*. Within the 1565 rental there is a general recurrent formula for each farm: 'cum serviciis' (Bannatyne Club, 1837: 433–51). Other individual entries contain such phrases as 'usual services' (435) or stipulate commutations, such as, 'sex bollis aride multure, et vii s. pro cariagijs', introducing the payment of 'areidge and carriage' which will be returned to below. Such references, as in the case of the diocese of Aberdeen, can be followed back to the late twelfth and thirteenth centuries. A late twelfth-century charter notes, 'omnio servicio et exactione seculari' (454) whilst one for lands at Kintessack dated to the first half of the thirteenth century includes the less common formula 'omnibus frithelagiis et hostiariis' (464). Neville (2005: 103), following Barrow (1973: 47), relates this to the more common terms 'conveth' and 'wayting'. Barrow also notes the connection between the sixteenth-century usage of 'areage and carriage' with the eleventh- and twelfth-century 'averagium' (46). If correct, this would open up a further avenue of enquiry as 'averagium' seems to have also applied to services of ploughing and harrowing in the north of England (Roberts, 2008: 189). Comparisons between the two areas in the twelfth and thirteenth centuries are hardly anachronistic, as Stringer's work on the cross-border management of the estates of David of Huntingdon makes clear (1985).

Barrow's consideration of the tenurial and service structure underlying Scottish and English 'small scirs' is worth restating. He makes a case for a feu-ferme basis of the supply structure comprising four major aspects: money rents; seasonal ploughing and reaping; wood-cutting and carrying; tribute paid in stock as 'hospitality', 'conveth' or 'waiting' (1973: 35). The suppliers of these aspects he sees as forming a tripartite group, exemplified in the shire of Stirling as 'hiredmen' (hurdmanni - translated as 'honourable servants or retainers' and paralleled by 'sokemen' or 'drengs'), 'borders' (bondi) and 'gresmen' (gressmanni) (38). This raises the question of whether these tenurial and service structures survived in some form to the end of the post-medieval period and fashioned perceptions during the final phases of the 'pre-modern' period. Carter identifies an ethos of 'burdensome labour requirements' three hundred years later in an anonymous mid nineteenth-century source: 'the crofters could seldom afford to say them nay, being under heavy bondages of labour and perquisites' (1979: 16). This may be merely a reference to attempts to squeeze every last morsel of labour from the masses (Sevilla-Buitrago, 2012: 216) but the reference to 'heavy bondages' may be instructive. This term was frequently used across a range of estates in the north east when considering customary labour dues. The choice of words might not, therefore, be coincidental.

Barrow suggests that certain aspects of scir management common to English and Scottish systems derive from a time when not only the terminology but the philosophical content was appropriate to both areas (1973: 54) and the P-Celtic elements pertaining to thanages suggest this period may have pre-dated the ninth century (58). Another possibility, however, is that an additional development of ideas subsequently drifted across the semipermeable border between Scotland and England. Stringer has demonstrated that such exchanges were features of the late twelfth and early thirteenth centuries (1985) and, in the case of Strathbogie, the fourteenth. Faith's (1997) discussion of English tenurial terminology may, therefore, be worth considering, especially where it can suggest subtle nuances of meaning attached to the choice of language.

### Of crofters, cottars and grassmen

#### *Registrum Episcopatus Aberdonensis*

Two sets of sixteenth-century rentals survive for the lands of the Bishops of Aberdeen. One is for 1511 and the other relates to the decade after 1540. The diocese held extensive tracts of lands across Aberdeenshire: south of the Dee around the Forest of Birse; at either end of the Garioch around Clatt in the west and Old Rayne in the east; and with other pockets being held between there and Aberdeen and between the Don and Correen Hills. 'Bondage and service' payments are present for all these lands but for negligible amounts which show no sign of inflation between the two sets of rentals. For example, the 1511 entry for Clova runs as, 'iij s iiij d pro bondagio cum seruicijs' for 1511 and in 1549, 'anseres tres solidos quatuor denarios pro bondagijs cum seruitijs debitis' (Spalding Club, 1845: 363, 433). The complete monetary rent for the scir of Clatt in 1511 was £91.10s.4d. The total bondage payments for the scir amounted to £2.4s.4d (364). With reference to these figures alone, 'bondage and service' was a negligible part of tenurial income. The level of payment also suggests that the commutation of whatever was being commuted occurred considerably earlier.

One lease agreement goes into rather more detail. After following the usual style in enumeration of the bondage and service agreement for four oxgangs (approximately fifty-two acres) of land at Kynmonde in 1549, the tract continues:

ten pennies for bundage arrage or carrage and vther dew seruice vsit and wont / That is to say leidyng zeirly the biscopis teynd cornis of new Abirdeine to his place lyme sklait and salt as happynnis thain to be requirit be him or his successouris togydder with seruice in oftijing and uther generall raidis furneist thairto efter the forme and styill of the schyir and that happin to be maid and taxit of samekill mailyng within the barrony as vse euer hes beyne in tyme bygane and in sic raidis sall nocht pas with ony vthiris bot with the bischop and his baillzeis allanerly without speciall licence and charge (434).

The bondage appears to have been previously commuted to a payment of tenpence. But, in describing the 'arrage and carrage' aspect, the text suggests that in all other cases the cum servicijs had not been paid in a monetary commutation. As the Kynmonde rental was for only half a ploughland whilst Clova was for two full ploughlands, pro rata this would make the tenpence of Kynmonde the same rate as the 40d of Clova. The phrases, 'as vse euer hes beyne in tyme bygane' and 'efter the forme and styill of the schyir' indicate that many customary services did not need to form part of a legal agreement to be socially binding. The same situation pertains to a late eighteenth-century tack agreement which clearly states: 'No stipulations for these services are in the tack but were they converted' (GD225/1029). Such customary renders seem to have seldom found their way into lease or rental agreements so the dataset is clearly incomplete.

This terminology was not exclusive to the Aberdonian bishops in the north east at this time. A copy charter (RH1/2/32) appearing to belong to the early thirteenth century deals with the exchange of land in Dunbennan (Dunbyrnan), possibly in Strathbogie (Young, 1993: 193), or in Dunbarney in Perthshire (PoMS H3/12/12). (I am grateful to Dr. Jackson Armstrong for bringing this latter possibility to my attention). The land there is described as, 'dimidia carrucata terre et pro uno crofto et tofto (?quo) habuit in villa de Dunbernyn' and obligations noted in the charter include, 'servicio et exactione ad me et heredos meos pertinent et faciendo inde forinsecum servicium (?Dmi) Regis quie nunc pertinent ad dimidiam carrucatum terre'. The property formula includes the commonplace toft and croft with the latinised version of the half-ploughland. Services include the servicio et exactione noted earlier although with the interesting additional 'forensic' service for the half carrucate of land. This may imply that the toft and croft do not carry such obligations.

Dunbennan is one of the few fermtouns around Huntly that paid 'own personal service' in the 1600 rental. Similar service for land can be noted in the *Registrum Episcopatus Moraviensis* for the lands of Conniecleuch (Culnacloych) and Ruthen (Ruthtrelen) in Strathbogie: 'faciendo forinsecum servicium Scoticanum domini Regis quantum pertinet ad dictas terras' (Bannatyne Club, 1837: 462). Roberts notes how this ambiguous term equates with a move from drengage to a different and more personal term of service. At Whitworth, this seemed to signal a change from drengage to knight service, in this instance to become a quarter of a knight's service (2008: 212).

A consideration of other aspects of *Registrum Episcopatus Aberdonensis* might also help with tenurial terminology. The early thirteenth-century 'toft and croft' can be paralleled

in 1338 with a grant of a toft with croft and an acre of land at Drumdurno (Spalding Club, 1845: 66), in 1427 for tofts and crofts at Rayne (226) and in 1491 for a croft just south of Aberdeen at Banchory Ternan (327). The last case is worth noting because of the reference to 'liferent': 'And the said Schyr Alexander sal mak the croft callit the deray croft of Banquhiterne quhilk the said Jhone has nou fre to be till hyme for al the dais of his lyff' and furthermore, 'sal mak the said Jhone and his ayris to haf infeftment of the croft forsaid'. Fetternear provides an interesting example in which cottars and crofts both make an appearance along with roods, joint tenure and grazing considerations. Cottars are granted roods in the (open?) field and the crofts noted are related to the status of tenancy (364). By the time of the 1696 Poll Tax, the 'Cottown' appears devoid of any cottars, being held by a sub-tenant, a cordiner and a family looking after the malt house (Lesley and McKay, 1990: 295).

A case can be made, therefore, that the term croft was in continual usage from the twelfth to the end of the fifteenth century as evidenced by *Registrum Episcopatus Moraviensis*. The toft part, however, seems to disappear during the fifteenth century, or at least, is not recorded after that time.

### *The Barony Court Book and the Rental of the Lordship of Forbes*

A reading of the Forbes Barony Court Book shows how the terminology of 'social differentiation' subtly changed over twenty years in the mid seventeenth century, even in a restricted geographical area. In 1659 (225) croftmen, cottars and grassmen are mentioned together and each presumably was a distinct social grouping within the community. By 1678 the distinctions appear to have become blurred and a new grouping was mentioned, the domestic (farm) servant. It is unclear how long farm servants had been viewed as a distinctive social 'group' in the area, but this is the first reference in this particular record. Tenants had the benefit of their 'subtenants, cottars and grassmen, and domestics'. Cottars were becoming grouped with grassmen and tax payments were ten shillings for the croft, half a mark for the grassmen and forty pennies for the domestic. Presumably the croft pertains to the subtenant (320). The term crofter is superseded by cottar around about 1670 in the *Barony Book* and this was also how the estate (parishes of Kearn and Forbes) was itemised in the 1696 poll tax returns, namely with tenants along with their servants and cottars. It is not clear whether this change in terminology involved changed tenancy arrangements. An entry for 1678 notes that where tenants had no domestic (farm) servants of their own, their cottars and grassmen could fill their places (321). Thus it was assumed that every tenant would have cottars and grassmen to hand.

This may have implications for security of tenure. Leases were made for a prescribed number of years and, if not renewed, required a new incumbent. It is not clear whether cottars and grassmen would have more or less protection if they held their land and dwelling in return for service. Whytes' view is that cottars had no security of occupation (1997: 42) but this may not have been invariably the case. There may have been a subtle distinction between cottars and grassmen on the one hand and crofters on the other. With insufficient evidence from individual sources, it is necessary to cross-reference different estates to gather data from a limited geographical area.
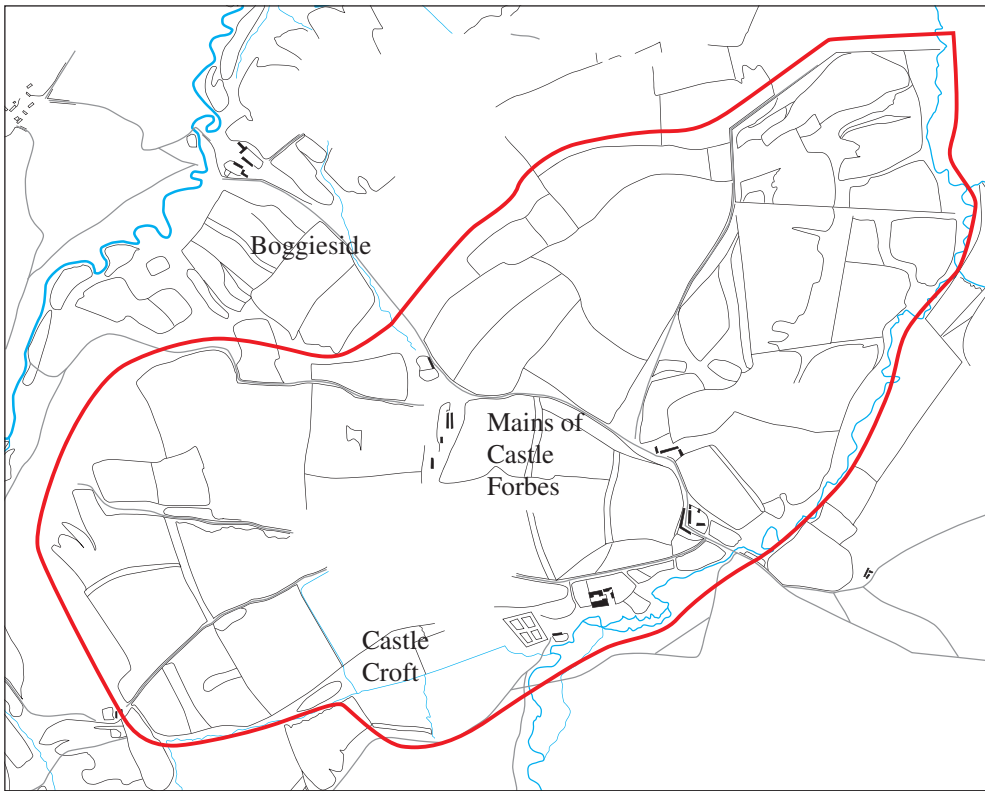
Figure 2.  (Colour online) Area of the Mains of Druminnor c.1770 (RHP 260/1).

The Forbes' 1550s rental refers to 'croftis maid furth of the Mains'. These are crofts for which very small rentals were generally paid, most commonly six poultry. Thirteen are named, although another copy mentions that seventeen existed. These were clearly within the Mains of Druminnor, from which they had been 'made furth', which was 'in my lords hand' at that time. Clearly the implication is that this was demesne land being managed from the estate centre. The crofters, presumably, were the labour force. This situation may test Brown's suggestion (2000, 54) that there was no change to a regressive demesne farming structure in Scotland in the inflationary period of the late sixteenth and early seventeenth centuries.

In the 1696 Poll Tax record the Mains is noted as possessing no tenants other than Lord Forbes and fourteen servants with no cottars nor crofters. However, two extra tenancies appear to have been carved out of the Mains resulting in the creation of Boggieside and Kirkstyle. A further 'Cottowne' is listed containing five indwellers. This might suggest that the crofts had been engrossed and that the former crofters had become cottars and servants on the Mains, although shares in the open fields may still have been allocated to these cottars. Further evidence of the Mains being run as demesne, perhaps even into the later seventeenth century, is the entry in the *Barony Book* requesting they 'sall send in thair servantes with hors and handis conform as they are warned to com in to the

Table 1

*Land assessments of the Mains of Druminnor, the notional seat of the Lords of Forbes, as derived from a late 18th century estate plan (See Figure 1; RHP 260/1)*

|                        | Infield | Outfield | Pasture | Meadow | Total |
|------------------------|---------|----------|---------|--------|-------|
| Mains                  | 67      | 123      | 45      | 0      | 235   |
| Bogieside              | 14      | 46       | 29      | 2      | 91    |
| Croft of Castle Forbes | 19      | 2        | 27      | 17     | 65    |
| Total                  | 100     | 171      | 101     | 19     | 391   |

Maines of Castell Forbes to the bonnag tymmouslie'. The extent of this harvest work is seen in another entry (266): 'ewry hundreth merkes peying or a chalder of meilles peying sall giv four horss with handes ane day in hervest a day to Drumminor to sheir cornes'. At a conservative estimate, assuming each ploughland would be rented for at least the sums noted and with a minimum of thirty ploughlands on the estate, the contribution would be 120 horses with, presumably, 120 pairs of hands to accompany them. The Mains of Druminnor was noted as four ploughlands in extent, a nominal 400 acres. Reference to the eighteenth-century estate plan (RHP260) shows the breakdown of the lands pertaining to the Mains, including Bogieside which had not existed as a separate unit in the 1550 rental and which might well have been the croftlands 'maid furth of the Mains'. This suggests that these lands formerly belonged to the infield of the demesne and their areal extent is consistent with this. However, the 'infield' may also have seen periods of aggrandisement. The position of Bogieside implies that these lands may not have been part of the original 'core' lands annotated on Figure 2. The Croft of Castle Forbes appears to be a later subdivision carved out of the Mains but not necessarily related to the 'croftlands'. The results, shown in table 1, are intriguingly close to the nominal sixteenth-century assessment.

Shiel has noted that traditional agricultural systems cannot support more than fifteen to twenty per cent of the total land being given over to crop growing in any one year and maintain a sustainable level of nitrogen in the ground (Shiel, 1991: 71–2). If a middling level is allowed, this would amount to approximately seventy acres requiring harvesting. A useful comparison might be Newton in Cheshire where, in the first decade of the sixteenth century, seventy-five work days from between sixteen and twenty-two people were required to reap the harvest of around fifty acres (Young, 1999: 157). If the equation is one and a half work days per acre, the numbers involved at Druminnor would have been reasonable if not slightly excessive. On the other hand, if the crofters and their families at Druminnor are taken into account, the harvest might have been significantly over-manned. This introduces the possibility that other demesne land existed apart from the Mains.

In the 1550s rental, Midhill is noted as 'ane pleuch in my lords hand', implying that its management was centralised. Further evidence for parcels of demesne land comes from the terms of the tacks for Logy, Stralovnak and Easter Forbes in the southern half of the estate. Each owed three days ploughing and due service per tenant, amounting to

thirty-six days for the twelve tenants. At an acre per day this would add a further thirty-six acres to the demesne infield. It is hard to imagine these tenants dragging their ploughs all the way up to Druminnor and somewhere closer to hand would have been more practicable. A couple of suggestions present themselves. One might be Edinbanchory, next to Logie, which was quantified in the 1740 rental as a four ploughland unit. Rent of approximately eight pounds was paid in the 1550s, although no tenants are noted, compared to the forty-two pounds and thirty-nine pounds for the one ploughland units of Buthney and Kirktowne in the same area. The second possibility is Easter Forbes which presumably changed its name to Balfour through time. This was a two plough unit valued at sixteen pounds with five tenants in the 1550s. Again, the value seems low, perhaps because greater service renders were enforced here. This conversion of a 'demesne-held' unit into a tenancy may have occurred in the case of Cuschny. In the 1550s rental it is noted as being a one plough unit held by one tenant for £7.18s. 8d. until taken over by Will Mill who is then assessed at fifty-three pounds. This is an extraordinary increase which demands explanation. Will Mill is also noted as having:

of my lord 4 oxen prisit to £10.15.4d be Androw Rob, John Gardnars and James Wilson. Item the said Will Mill has of my lord 3 bolls 3 firlotts bere and 27 bolls 2 firlotts aittis of the quhilt aittis he prisit 5 bolls furth of the Mains of Druminnor and 22 bolls 2 firlotts furth of the Glentoun.

This reads a bit like a 'start-up' package: four oxen for ploughing and thirty-one bolls which, at a boll per acre, would sow thirty-one acres of infield. This would not be an unreasonable amount to start with on a one plough unit. The record might, therefore, show the creation of a new 'farm' from a former demesne-managed unit. This may explain the disparity of rents observed. Two distinct groupings appear in the 1550 rental. The first are between seven pounds and eleven pounds per plough, whilst the second group fall between thirty-two pounds and fifty-three pounds per plough with no examples in between. Interestingly, this is paralleled by agricultural units belonging to the Bishops of Aberdeen and recorded for the first half of the sixteenth century in the *Registrum Episcopatus Aberdonensis*. This does, however, beg a further question of how these former 'pre-lease' units were managed. As at Forbes, two 'classes' of holding seem to have been formed with two discrete rates of payment.

One hypothesis is that the only real difference between a crofter and a cottar in the seventeenth century was based upon terms of tenure. Crofters appear frequently to have held land directly from the lordship and for the payment of a rent, albeit sometimes minimal, directly to the lord. Cottars probably held land but not necessarily directly from the lord and never appear as named tenants in the rentals. Grassmen presumably also fell into that latter category. The Forbes rental concerning the lands of Druminnor shows the small rents, sometimes as little as six poultry, for which crofters held their land. Clearly, service renders played a significant part in this transaction. Other crofts could be more substantial: Willie Mechellis' was valued at 26s. 8d. above the six poultry and Shepherd's Croft, at the south end of the estate, contained enough land to sow four bolls of oats. This is an interesting comparative piece of information.

The estate plan of Botarie and Claymyres in the Lordship of Huntly in Figure 3, although dated to the 1770s, records a number of holdings in detail. Elspeth MacPherson,
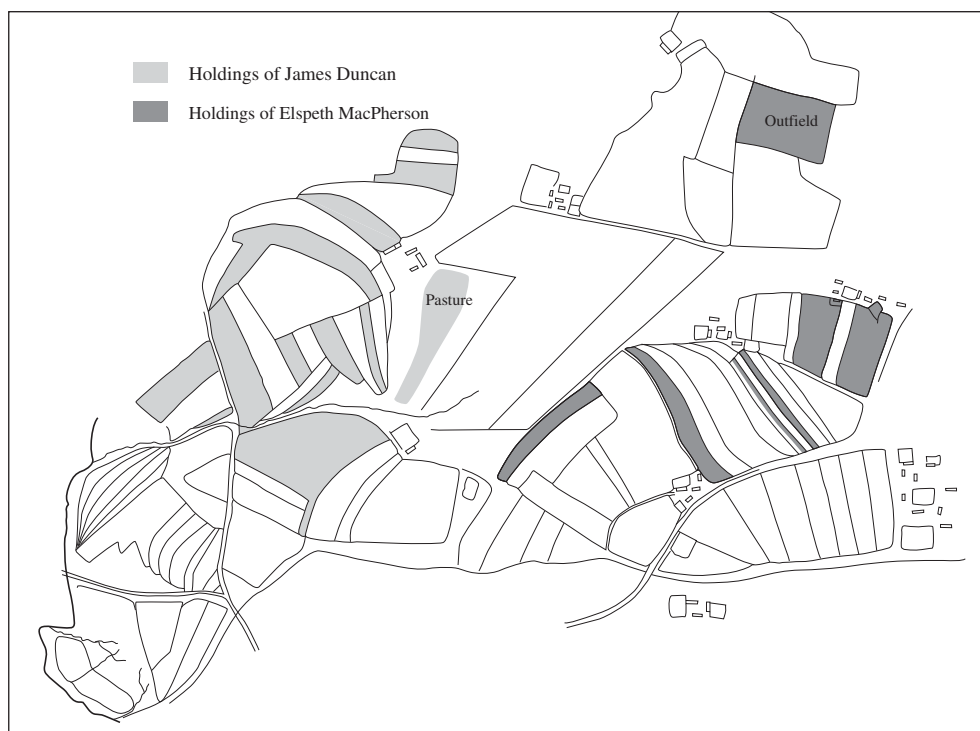
Figure 3.  Holdings at Botarie, c.1770 (RHP 31700).

amongst eighteen others named, held a number of small parcels of land totalling four acres of infield and about two acres of outfield. It may be significant that Claymires and Botarie returned figures of two tenants and nineteen servants and cottars in the 1696 Poll Tax Returns. It is almost inconceivable that the fragmented holdings of the later eighteenth century were more consolidated seventy years earlier. It seems likely, therefore, that Elspeth's holdings were those of a cottar rather than a crofter. This may parallel the situation at the Mains of Druminnor where between thirteen and seventeen crofters held small pieces of land on the four ploughland unit. In the eighteenth-century estate plan, part of this unit had become a 'cottown' and the former 'crofts and tofts' had been engrossed to form the new unit of Bogieside.

Thus two names, cottar and crofter, seem to be used for very similar types of holding. One obvious difference is that cottars in the area never find their way into the rental records whilst crofters do. For instance, the agricultural unit of Craigwillie on the outskirts of Huntly (Figure 4) was recorded as a one plough unit in the 1600 rental in the hands of a single tenant. This unit appears to have been unique in the immediate vicinity in not owing any kind of service at all. By 1610 it was still a one plough unit but 'the Mains' of Craigwillie was then held by four tenants each holding two oxgates plus six crofts, each owing a small money rent and six poultry. I have suggested elsewhere (Shepherd, 2011: 21) that these may have been new lands taken in, since the rental amount also increased dramatically at that time relative to the other units around. I am now starting to doubt
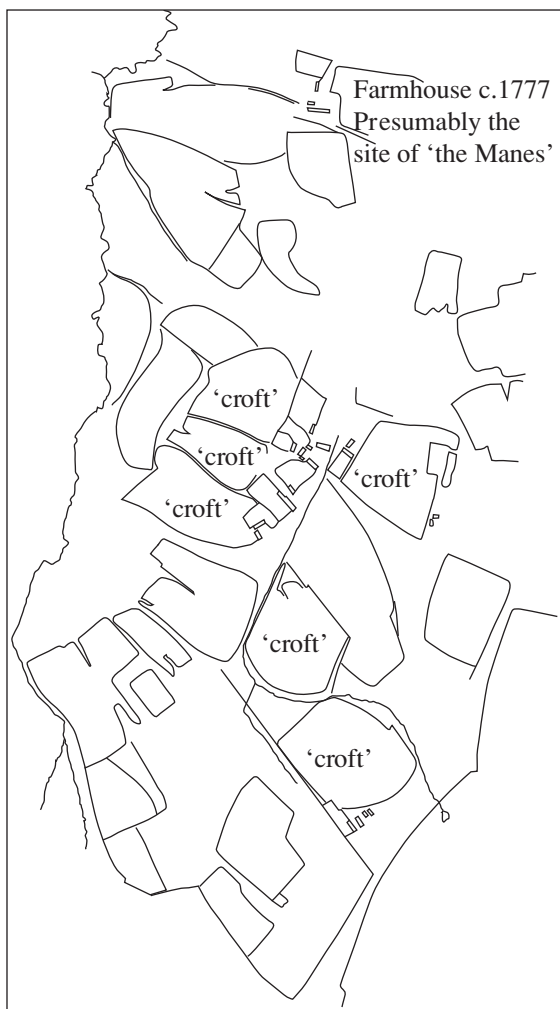
Figure 4.   Craigwillie, c.1777 (RHP 2283).

those words! It is possible these holdings were in existence all along but not entered in the rentals as they were held on a 'service-only' cottar basis. By 1610 the 'Mains' had been leased to a 'consortium' of four farmers and six other crofts were also paying rent. This strategy was employed more widely during the eighteenth century to raise revenue. The land survey carried out for reorganisation of the lands of Leslie frequently suggests carving out small subdivisions to be let as crofts (RHP5199). Usually, the land suggested was not that requiring 'reevin' in' but the better quality infield land. This is an important distinction between pre-nineteenth-century and nineteenth-century crofts: the latter were frequently used to bring poor land into profit on 'improving leases'.

Presumably the service owed to the 'Mains' of Craigwillie permitted the tenant to profit from that labour. By sharing the farm amongst a greater number, each small tenant could make a small surplus and the overall rental rose as the middleman was eased out. This
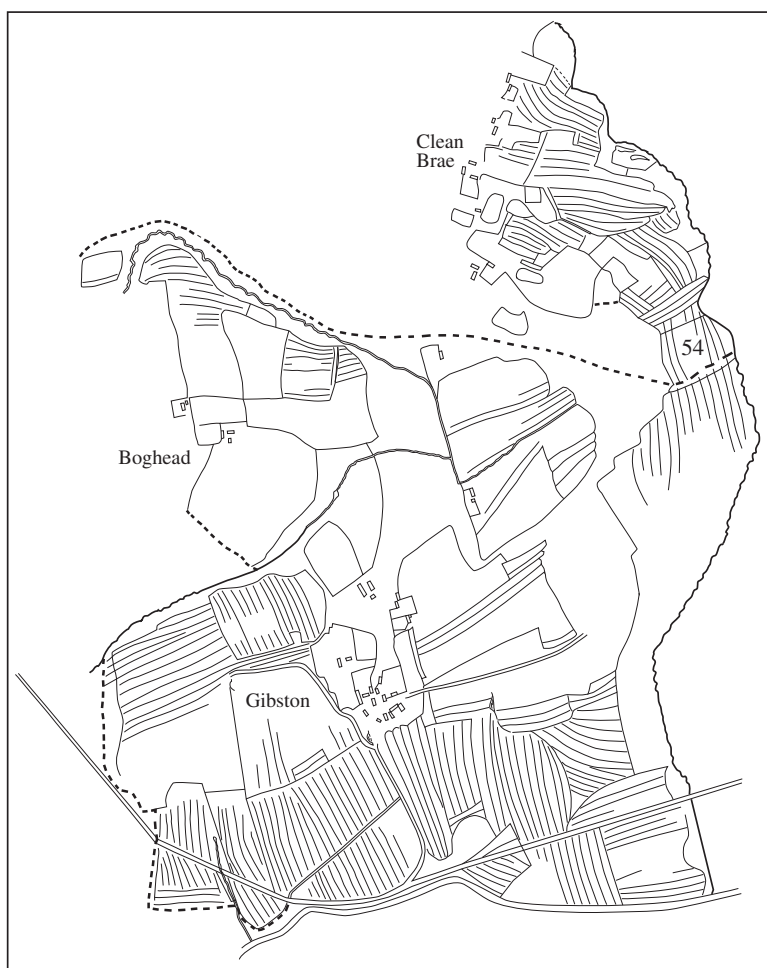
Figure 5.  Gibston farm c.1767 showing separate unit of Clean Brae (RHP 2286).

offers an interesting counter to later capitalist ventures which saw labour harnessed to the benefit of the few at the expense of the many. At Craigwillie the profit of the middleman was spread between a larger number of small farmers and the heritor, increasing the rental from approximately fifty pounds in 1600 to over £200 in 1610. At Botarie, the tenancy was held by a major tenant who benefitted from the labour of the cottars. Yet after their brief appearance in 1610, the crofters of Craigwillie fail to appear in subsequent rentals and in 1696 there was a single tenant, five cottars, two servants and a herd. Thus five cottars appear to have replaced the six crofters with the addition of one male and one female servant. As at Botarie and Druminnor, the earlier and later population figures are similar. A comparable situation is evident at Fetternear where the crofter holdings appear to have disappeared by the time of the 1696 Poll Tax with the 'Cottown' being held by a single tenant with only two artisan families for company. As at Druminnor, the name 'Cottown' does not seem to have been noted before the seventeenth century although

absence from such limited data is no definite proof of non-existence. It does, however, raise the possibility that 'cot-touns' were not necessarily vestigial late medieval survivals but might reflect short term developmental processes.

That the 'crofts' at Craigwillie were formed from the infield land rather than new intakes is suggested by the comparability of assessments of ploughlands in 1600 and 1760, although the 1760 rental (GD44/51/740/4) appears to attempt greater precision of measurement by abandoning the term 'ploughland'. Oxgates and fractions thereof are used, enabling measurements to between three and four acres. Craigwillie land is rented as six oxgates, comparable to the single ploughland noted in 1600. Most assessments in 1760 contain more conservative estimates than the earlier rentals.

Gibston may represent another example of an area of fermtoun set aside for the use of a demesne workforce. An estate plan dated 1767 (Figure 5) shows the fermtoun with the additional unit of Clean Brae. The lands of this unit are shown separated from the main unit and the secondary unit of Boghead by a dotted line. The fields in the main unit are individually assessed and numbered with acreages, sometimes down to the level of the individual strips. The fields of Clean Brae, on the other hand, are lumped together under one field number (53) except for one small 2.2 acre area at the southern end (54). The fields grouped as 'fifty-three' account for twenty-six acres between what appears to be four smallholdings. Each dwelling would presumably have held approximately six and a half acres. This small unit is not noted anywhere in the rentals of 1600 to 1760 and must have been assessed within the larger unit of Gibston. Although the fields have now been lost within the replanned nineteenth-century landscape, some of the building platforms survive above the line of later fields. Pottery finds suggest occupation from the thirteenth/fourteenth century with a significant amount of reduced greyware (Shepherd, 2012: 20). This, therefore, does not appear to be an eighteenth-century intake as is also obvious by the nature of the field system and the single reference to it, as Clune, in a charter of 1535 (Paul, 1984). Rather, it might represent another small farming unit held in return for labour duties at Gibston.

Seventeenth-century rentals show Gibston was the highest valued farm in the whole of Strathbogie and was held by John Hamilton between 1724 and 1754. He was Chamberlain of Huntly from 1724 to 1744 and also Chamberlain of Badenoch and Lochaber from 1749 to 1754. In the early seventeenth century, Gibston was held by seven tenants but by the 1696 Poll Tax was held by a single tenant who was, however, noted as 'tacksman'. Sub-tenancies must, therefore be assumed, although the system of joint tenures had clearly been capitalised. Whilst it is impossible to know whether the fields of Clean Brae formed part of the infield land of Gibston, its separate identity makes this seem unlikely. However, it should also be noted that, in contrast to Craigwillie and Bogtoun, the lands of Clean Brae are clearly inferior for arable farming.

Clean Brae may have been a cottar settlement but with lots separate from the infield land of the parent fermtoun. This arrangement appears unique in the area but could have an historic explanation. The four major fermtouns adjoining Huntly/Strathbogie to the west comprise most of the best arable land in the parish of Dunbennan: Sandistoun (no longer extant), Robieston, Gibston and Westerton. Each was assessed at two ploughlands and contains a '-ton' suffix. Whilst not unique in the area, their concentration is notable. They
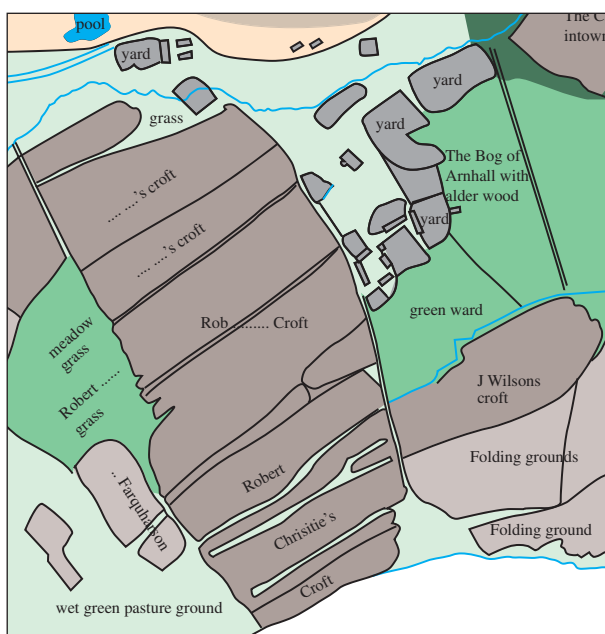
Figure 6. (Colour online) Holdings at Bogtoun, c.1778 (RHP 2282).

may reflect the demesne land associated with 'the Peel' of Strathbogie, later Huntly Castle. Castletoun sat under what became the burgh of Huntly. The English suffix associated with the disintegration of the demesne land might suggest origins in the fourteenth century when the Gordons received the lands and became absentee landlords before eventually taking up residence. It is not inconceivable that land managers from the borderlands were then given leased units. As this was a period of demesne disintegration further south, this management regime could have been imposed across the lordship of Strathbogie. Although certain fermtouns may have functioned as small demesnes with attendant *cottar* settlement, there is no evidence in the surviving documents that Strathbogie itself was run along those lines. The large 'Mains' management centres at Kildrummy and suggested for Druminnor are not apparent at Huntly. Throughout Strathbogie rents were gathered in kind until at least 1760. Most had gradually been commuted to monetary equivalents since the 1600 rental. Elsewhere I have discussed how that document can be 'read' to understand the ecologically-targeted nature of food production (Shepherd, 2011) and as an alternative strategy to demesne farming.

The split township of Bogtoun, seemingly carved from the Dunbennan unit, usefully demonstrates a surviving pattern of crofts. Figure 6 shows the layout of crofts depicted on an estate plan of c.1778. In 1610 Bogtoun was held by five tenants owing service 'as the fermorers pay', one holding three oxgangs and the other four varying smaller amounts. In the plan the croft land accounts for the majority of the infield land of the toun, with one large croft and four smaller ones. In the 1760 rental, the farm, amounting to seven oxgates, was held by Marjory Clark of Buchairn, a large farm on the other side of the hill from Bogtoun. The divisions on the estate plan of the 1770s therefore seem to reflect

the situation around 1600. The portions of land in the late eighteenth century were still designated as crofts, although the term was not used in the Poll Tax returns from the parish, and the simplified tenancy revealed by the 1760 rental was more complicated in the field.

Another possible difference between crofter and cottar relates to the disposition of the land. The cottars at Botarie held divided parcels of land throughout the open fields. The term 'croft' usually occurs with 'toft' in medieval usage, describing the area of the house and outbuildings. Roberts states that 'croft' normally refers to an enclosed plot but also notes that in early seventeenth-century Northumberland it was 'specifically applied to the bundle of open field strips set in a block behind the tofts' (2008: 58). Some evidence that this was the case at Druminnor may come from the disposition of the lands around Bogieside on the eighteenth-century estate plan, some of Elspeth's plots at Botarie (Figure 3) and the situation at Bogtoun noted above. A further distinction between crofter and cottar might, therefore, lie in the state of their holdings: unified for crofters and dispersed for cottars. Whether dispersed or not, the crofter probably held at least one piece of enclosed land reserved for personal use, while the cottar might have been constrained by the collective decisions of others holding strips in the open field. An interesting paragraph from November 1674 depicts just this sort of restriction:

All tenants to bigging of keill yard dykes where they are in mein dykis and fold dyk and in speciall they doe not raiff thair ky in outfeidle, and that they sall hav no beniffiet of any rig that sall not be reidit conform to thair nighbour, and that no gras man or thair vyffis or bairnes sall sheir or cutt gras or cornes vnder the failzie of £3, and peying the skaith that they sall sustein in defalt of sufficient dykis. (Scottish History Society, 1919: 297)

This highlights the need to 'conform to thair nighbour' in the use of open fields. It also gives a glimpse of that other class of indweller, the grassman, suggesting neither he nor his family had rights to cut or shear grass or corn, presumably implying that their beasts could only graze the land. That this stricture is rehearsed in November indicates this was a winter prohibition and shearing may have been permitted at other times of the year although the *Barony Book* does not clarify this point.

The passage highlights other features of the contemporary farming landscape, particularly the dykes and kail yards. Throughout the book only 'tenants' are described as having 'yards' and this supports the suggestion that crofters and tenant farmers might hold such enclosures, yards or crofts whilst cottars and grassmen might not. It was clearly an obligation on the community that holders of 'yards' had to maintain them in good order where they formed part of the 'main' dyke, presumably the dyke protecting the infield. The other obligation was where yards formed part of 'fold' dykes, which were probably enclosures used for folding stock rather than 'fauldland' or outfield. Such insights tend to undermine observations by the 'improving' gentry on the anarchic nature of stock control in the pre-modern era. A stipulation of March 1660 (226) notes that 'All cotteris and girsmen within ye grund keip fouldis with such gudis and scheip as they haue vnbrokin ordour till ye ending of ye harvest', implying that cottars as well as grassmen had goats and sheep. The obligation of 'good neighbourliness' can be seen in
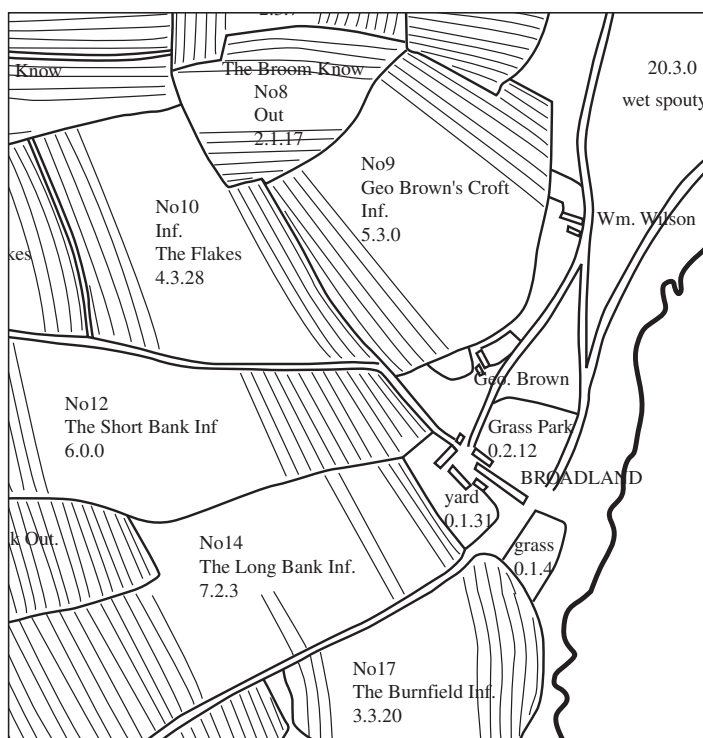
Figure 7.  George Brown's croft at Broadland c.1775 (RHP 2300).

the case of George Burnett who was fined for refusing to pay his part towards the hire of a community herdsman (267).

The *Barony Book* stipulates that tenants should plant their yards with trees (232, 243, 266), presumably around the edges, and for October 1678 (321) all tenants were to plant their kail yards before 1st March with plantings to be supplied. James Smith in Logie was reported to Lord Forbes for cutting a tree in his own yard. The importance of woodland health is emphasised by the order that 'all grasmen and cotteris and tennentis sall vpon adwertisment sall com in to the wood of Bithny to dight and clens the vood,' (288; see also 265).

This estate seems to have been run meticulously and with regard to precepts of 'good neighbourliness' and mutual obligation. Two conflicting tenurial strategies are discernible in the Forbes Estate in the 1550s. At the Mains of Druminnor, a number of 'crofts' were 'maid furth of the Mains'. This fits the strategy at Craigwillie, except that at Druminnor there seems to have been no middle man. Meanwhile at Cuschny, a new agreement with Will Mill may have signalled a move from demesne management to a new 'farm' complete with 'start-up' package. In the case of Druminnor, 'maid furth of the Mains' might not relate to a recent event. Those crofts may have been customary holdings since time immemorial as suggested by the very low values. They stand in distinction to the rents at Craigwillie which, as well as the six poultry, included monetary payments ranging from

thirteen to twenty-five marks or approximately eight to sixteen pounds. Cuschny might then have been a simple move from direct management to management through lease.

There seems to be a tenurial distinction between crofters and cottars, in that the former appear to have had individualised tenurial links between themselves and their lord up to the 1670s. Yet their holdings could be as small as those of cottars, although some may have been much larger. This raises the question of why anyone would be a crofter and pay a rent when they could have just the same allotment as a cotter without the burden of the rent. The answer may lie in the labour dues required or access to resources on the commonty, such as grazing stints. In the evidence from a court case concerning rights on the commonty of Bennachie 1738–1740 (GD 33/16), Helen Gordon of Braco deponed that:

> her father's cattle and those of his subtennants as also the cattle of ?Whitewall pastured upon the south side of the Burn of the Clochiy till they came above a Craig called the Watchman towards the Birks upon the Laws of Tilliefour and then over the Burn of Clochy to the hill of Bennachie up the stripes of ?Sliad Boddach and as far above that as they liked.

The subtenants here may have been crofters. While 'tenants' (or 'subtenants') implied a payment of rent, cottars and grassmen did not pay rent. Crofters may have held customary rights to common grazing stints which were not necessarily enjoyed by cottars and grassmen. Oosthuizen has highlighted how numerous recently assigned small holdings at Mercheforde (East Anglia) were defined as 'messuages' rather than 'cottages' to afford them the appropriate status to bring with them rights of common grazing as if they were conventional customary holdings (2013: 68). Her work supports the idea that terminology played an important role in perceptions of legality and its importance should not be underestimated.

Labour dues also merit further consideration. As late as the eighteenth century, heritors commented upon their importance to the running of estates, but as 'customary' renders known to all they are seldom documented in rentals and even less well quantified. The value assessment of the Rannas estate (GD225/1029) notes that, 'No stipulations for these services are in the tack but were they converted one will work at a moderate computation to the proprietor £20 sterling'. The 1678 Barony Court Book records that crofters had a higher rate of tax than grassmen and presumably cottars, who seem to be lumped with the grassmen:

> That the said tennants sall haue pour to haue ye benefit off thair subtennants, cotters and grassmen, domesticks and all and sindrj quhatsomever; that is to say, tenn shiling for the croft, halff ane mark for the grasmen, and fortie pennies for his domestick servant for this terms suplie.' Presumably, crofters here fulfilled the category of 'subtennants'. And, in the same year (321) and regarding carriage services: 'and quhair the tennents sall haue no domestick servants off thair awin, that yair cotters and grassmen sall obey yair maister for yat effect. (Scottish History Society, 1919: 320)

It might be tentatively proposed that the crofters should fall into the 'tenant' category as they are not mentioned alongside the cottars and grassmen.

This entry adds the further category of 'servant' and it is interesting that their 'tax' was even lower than the grassman. By the 1696 Poll Tax Returns, the farm servant seems to be the person 'fee'd' at the 'feeing fair' for the duration of a year, or part thereof, and

this position altered little until the twentieth century. The poll tax returns for Kearn note the fees awarded, from Mr William Black's fee of forty pounds per annum to James Mitchell's fee of five marks per annum. Clearly, different expertise was being employed. Elizabeth Chein was noted as the spouse of a 'servant', John Gilchrist, listed at the Mains and Elizabeth, in her turn, employed the only 'servant' noted at Cottowne, Janet Young. John Gilchrist earned forty marks per annum and Janet Young ten marks. Elizabeth was given no title and is unlikely to have been a tenant. She does, however, draw attention to the historically evasive importance of wives in the farming economy (Verdon, 2003: 23–39). She is not referred to as a cottar, although this title occurred only twice for the parish of Kearn. The title crofter was seemingly not part of the general vocabulary of the Poll Tax returns official there. Perhaps the name 'Cottowne' indicated the status of all the inhabitants, who, apart from the servant and a weaver, paid the flat rate of six shillings personal poll as did the other two named cottars in Kearn.

The tenants were liable for this rate and a further portion to be gathered by the heritor based upon the valuation of their lease. In Botarie the cottars appear to have been in possession of more than just their dwellings having use of plots of land of varying amounts. Furthermore, the case of John Gilchrist and his wife, Elizabeth Chein, suggests that being cottars did not necessarily preclude further employment as paid servants. They appear to have been able to employ somebody themselves to help on their plot of land or with livestock. Whyte also notes that some cottars amassed sizeable sums of money and acted as lenders to tenants (1997: 44).

Changes in tenurial niceties are shown in two leases in the now defunct parish of Drumdelgie. Bogmoyne appears in the 1600 rental as let to two families and the service they owed was 'as the crofters pay'. The farm was probably not ancient as it was not allocated a ploughland assessment. Inchestomack, on the other hand, was a split tenancy of one plough let to two families, one owing 'areadge, carieadge and service', the other 'service, waitt and wountt'. By the 1696 Poll Tax, Bogmoyne was held by a single tenant and Inchestomack by a subtenant and a cottar. The former is understandable as an engrossment of one tenancy to include the second, but the second case is less explicable. One possibility is that Inchestomack was declining in size as a result of the expansion of its immediate neighbour, Drumdelgie, which was the largest farm in Strathbogie by the mid nineteenth century.

The evidence suggests that, prior to c.1650, crofters and tenants frequently held their lands directly of the lord. Cottars and grassmen held their lands of those other two classes. By the very end of the seventeenth century this distinction became blurred on some estates with subtenancy becoming common, although the evidence cited above could indicate that this was a new phenomenon. The rentals suggest that tenants and 'lesser tenants' (crofters) frequently held their land directly of the lord. The rare use of the word 'subtenant' (e.g. Scottish History Society, 1919: 320) might have been in the sense of 'lesser' tenant rather than a tenant 'subletting' to another. The term seems to be coined only from the 1670s on the Forbes estate.

Perhaps crofters were distinguished by holding discrete parcels of land of different sizes. The 1771 assessment of land on the Pittodrie estate (MS2392) shows holdings of infield and outfield ranging from five acres on the Braes of Bennachie to twenty-nine

acres within the lands of the Chapel of Garioch. This is perhaps unsurprising considering how 'farm' tenancies could range from one oxgang to two or more ploughlands. Croft holdings could be described as discrete, enclosed entities indicating the survival of the original medieval meaning. George Brown's croft at Broadland, a name which is itself pregnant with meaning, consisted of five acres of enclosed infield hived off from the former open fields (see Figure 7). In the majority of instances the croft carried the personal name of a crofter, whether the contemporary incumbent or the original one. Examples from Craigwillie include James Gib in Gibiscroft and Thome Davie in Thome Daviescroft (GD44/51/747/2). That some crofts could be subtenanted is, however, borne out by a group of four crofts, some with personal names, held by Alexander Duf on the edge of Huntly (GD44/51/747/1). This confusion of names is evident at Fetternear where incumbents held crofts with the name of an earlier crofter: Crofta Adam was held by John Stevin and Crofta Gilcrist was held by William Cowbane.

The term cottar does not necessarily carry the implication of a unified holding. At Botarie cottars could demonstrate a fairly broad range of areal entitlement but with elements scattered throughout the wider agricultural unit. We might assume the grassman's grazing entitlement would be similar. The rents paid by the crofters at Druminnor, Fetternear and Craigwillie may have been for their 'enclosed' portions which they could utilise as they wished. There might also have been an allotment of open field land that was worked jointly like the cottar's lands.

Yet this neat and tidy format was not immutable. These distinctions can be drawn by studying sixteenth- and seventeenth-century rentals and some eighteenth-century estate plans. The definitions within the Poll Tax Returns for 1696 reveal, however, that even by then, things had changed. The patterns in some of the estate plans record how things had been and not necessarily how they were at the time of the survey. This is especially the case with the crofters' holdings. At Craigwillie (RHP 2283) the discrete croft holdings may be discernible even where they have been subsequently intermixed prior to the drawing of the plan and the tenanted unit of Bogieside by Druminnor probably retained the outlines of many of the small crofts recorded in the mid sixteenth-century rental until the estate plan was drawn some two hundred years later. The case of Fetternear may be even more extreme with the grouping of 'crofts' noted in 1511 apparently giving way to a 'cottown' which, by 1696, had in turn become a single sub-tenancy.

Such glimpses suggest that some cottowns were relatively late and short lived entities. It might not be a coincidence that these three examples were fermtouns with the name 'Mains' attached to them. Each developed a collection of 'crofts': Fetternear by 1511, Druminnor by 1550 and Craigwillie by 1610. Fetternear was already associated with cottars by that time, though the name 'Cottown' did not appear in the rental. By 1696 all cottars and crofters had disappeared. At Druminnor, the lands of the crofters seem to have been converted into a tenancy by 1696 and a new 'cottown' superimposed upon the open fields of the Mains. By 1696 there were as many cottars and servants at Druminnor as there had been crofters before, but the crofters were no more. At Craigwillie the crofters appear in 1610 with no recognition of their existence in the 1600 rental. By 1696, however, they have been replaced by a single tenant with five cottars and three servants.

This suggests a pattern of continuity or development of croft holding in the sixteenth and early seventeenth centuries followed by the reduction of these small tenancies to cottar status during the later seventeenth century. This is almost an inversion of Gray's argument for a later period that 'in a sense crofters replaced the cottars of earlier times; indeed many crofters may have been resettled cottars and their way of life continued to be much the same' (1988: 61). It highlights the almost continual redefinition of terminology appropriate to developing land management dynamics. This rehearses Devine's suggestion that the difference between 'landless' servant and 'landed' cottar might be less than often assumed (1984: 5). However, it is within the subtle nuances of these altering definitions that the distinctiveness of social agreements is discernible. From a social perspective, crofters became reduced to cottars or servants during the pre-modern period under discussion. Devine notes that agriculture was not static prior to the 1750s (2005: 74–75) and Whyte identifies a 'silent revolution' in Scottish agriculture in the seventeenth century (1997: 31). Perhaps the origins of the capitalisation of labour in the north east should be located during, or even prior to, the seventeenth century and the single tenancy of a number of crofts noted for Alexander Duf at Huntly in 1610 simply represents an early example of this trend.

### Service obligations

In the 1511 rentals of the Bishops of Aberdeen, the term crofter was only used in the case of Fetternear, although 'croft', like 'bondage' and 'nativii', goes back to at least the fourteenth century in the north east (Spalding Club, 1845: 183). References to 'bondage' are rife in the rentals and Forbes' Barony Court Book. Roberts' work in Durham (2008) exemplifies a record of exaction dating to 1183 from the township of Heighington. The holding of bondsmen there appears to have been six bovates or oxgangs (190) and the complete list of renders and services owed by those sixteen bondsmen is:

Ten scatchalders of each: malt, meal and oats;
Sixty-four scatchalders of oat meal;
Thirty-two hens and no eggs;
Eight cartloads of fuelwood;
Thirty-six shillings of cornage and one milch cow and one castleman;
Weed all the Bishop's corn;
Every week in Autumn one man every day from each oxgang to mow; [presumably reaping as it is Autumn]
Bondsmen and cottars render four boon works with all the house except the housewife, for which they have subsistence;
Each bondsman ploughs and harrows half acre of oat stubble (averere) and for each plough of the town they plough and harrow one acre, and they have subsistence;
They make one boon work one day with all the harrows of the town;
Sixteen bondsmen render sixteen shillings for michelmet (perhaps a former food render) and twenty-six shillings for yolwaiting (perhaps related to the Scots 'waiting' or 'hospitality');
The bondsmen also with the cotmen mow the Bishop's meadow, lead the hay, enclose the court of Heighington and the copse and lead the corn of the demesne wherever the Bishop pleases between the Tees and Wear and find one rope for the great chase.

If the six bovates (approximately eighty acres of infield) was held by the sixteen bondsmen, each would have five acres. Some elements have no obvious connection to the records being considered for the north east, but others do. The food render measured in 'scatchalders' may suggest vague cultural links and both sets of customs show the payment of sheaves for official duties (Scottish History Society, 1919: 280). This may also be glimpsed in the appropriation of a sheaf from the corn owed to the estate officers at Rannas. Further similarities can be seen by comparing the Durham renders with those from the Forbes and Rannas estates. Further details of the 1550s rental and the Barony Book can be found in the online supplementary material for this paper.

*Rannas abstract* (GD225/1029 - undated):

| | |
|---|---|
| 97 spades and barrows in the moss and turf hill @ 8d ea | 197 days |
| 197 reapers in harvest @ 8d ea | 197 days |
| 62 servants in hay time @ 8d ea | 62 days |
| 400 yokings of one horse with servants to work them for drawing out dung 2/ 6d ea | 400 days |
| 100 horses one day with servants to work them for leading corn or straw or hay @ 1/- ea | 100 days |
| 60 long carriages of one horse with servants @ 3/4d ea carriage | 60 days |
| Besides the above services the tenants are obliged to spread sett winn and lead the peats and turf to the green of Rannes being at a medium about twenty leats. Also to plough and harrow a considerable part of the Mains of Rannes, bring home what lime is wanted either for the heritors building or farm. Likewise what wood is necessary for the use of the heritor. No stipulations for these services are in the tack but were they converted one will work at a moderate computation to the proprietor twenty pounds sterling | 600 days |
| Total | 1616 days |

The similarities might be tabulated thus (Table 2):

Table 2
*Services duties from four separate sources compared*

| | Co. Durham | Forbes Estate | Rannas Estate | Kildrummy (from Auchendoir) |
|---|---|---|---|---|
| Collecting Fuel | X | X | X | X |
| Ploughing and harrowing | X | X | X | X |
| Harvesting | X | X | X | X |
| Leading corn | X | X | X | ? |
| Other carriage duties | ? | X | X | X |
| Enclosure duties | X | X | | |
| Weeding | X | | | |
| Dunging | | | X | X |
| Mowing | X | | X | |
| Cleaning woodland | | X | | |
| Collecting lime | | X | X | |

Considering the 1616 days of service required on the Rannas estate, the idea of light service renders (Stringer, 1985: 63–4; Brown, 2000: 41) begins to look questionable. Other twelfth-century renders from Redworth in Durham include three cotmen who held twelve acres for the labour of one day per week from 1st August to 11th November and sixteen firmarii with similarly light burdens. Each leaseholder held one oxgate and paid for it by 2s. 6d. and one hen, three boon works in autumn with one man, one day's ploughing and the carrying of eight cartloads (Roberts, 2008: 194). The formula of three boon works is comparable to the three days ploughing expected of the tenants of three of the Forbes farming units.

The 1552 rental (MS 588) notes that appearance at the Baronial court was obligatory. John Couper from Westhills was ordered to pay forty shillings for his absence in 1662 (233). Three other miscreants were subsequently noted: James Parker from Culfork, John Touch from Stonedyke and George Duncan from Castle Hill in 1677 (315). The representatives required were presumably the major tenants; John Touch may well be the John Tough recorded as tenant of Stonedyke in the 1696 Poll Tax Returns. This fact is of interest when considering the issuing of decrees involving the service of those not attending the courts: ' . . . that all tennentis . . . sall send in thair servantes with hors and handis conform as they are warned to com in to the Maines of Castell Forbes to the bonnag tymmouslie' (292). In other words, service was mutable: what was owed in agreement by one individual was in turn owed by another to that middleman. At Kildrummy the service dues were all payable to the tenants of the Mains of Kildrummy. By 1714 the remaining dues amounted to thirty-four days reaping at harvest from a range of farms, eight days harrowing, eight days mucking and eight days ploughing required from Auchindore and six long carriages (GD124/17/175).

The question of what was of greatest value to the landholder was still discussed in the early eighteenth century. In his 'Memorial of several things relating to Patrick Duffs lands within the Parish of Premnay, 1742' (MS 3175/2395) Duff notes his opposition to commuting services to rents as the value to him of the services far outweighed the little extra rent which he might expect. Similarly, on the Monymusk estate, Grant's agricultural adviser makes a long list of management issues requiring consideration but in Grant's hand at the end of the list a recommendation to quantify service require-ments is written. Clearly, the importance of service dues was not lost on Archibald Grant.

The Forbes rental has implications for the rental of the Bishops of Aberdeen for the 'scir' of Clatt in 1511. If certain rents on the Forbes estate were lower because of the survival of heavy labour services on the lord's demesne lands, the same may be true of similarly low rents on the neighbouring Clatt lands. There may have been other pockets of land within the scir of Clatt that were still directly managed in 1511 but are unrecorded because they were not rented. One example might be the tounship of Tayloch, listed as a one plough unit. It is unlikely that this area, on a readily worked ridge, was still awaiting the intaking of another 100 acres. The 1511 rental shows that some intaking was still occurring within the Haugh of Bolgie, but that was low lying land, presumably requiring draining for arable use. The other, unmentioned, plough of Tayloch could have been demesne and worked utilising labour services of the surrounding tenancies. This might also address other imbalances within the Bishops' lands: Daviot was valued at around

forty-eight pounds per plough in 1550 whilst, at the same time, Gowlis and Lochehills, next to the Bishop's Palace and only a few miles north of Aberdeen, was valued at around twelve pounds per plough (REA, I, 450). The former might reflect the conversion of the labour dues to a monetary equivalent, whilst the latter might not have been so reorganised. In 1577 John Leslie of Balquhain was being paid a salary for being:

Principal constable of the the place and messuage of the bishopric of Aberdeen, with yards, orchards, houses, biggings, meadows and pastures thereof, with the sum of £126.0s.10d Scots furth of the lands of Auchlyne, Tailzeauch, Blairdynne, Bonetoun, Custestoun and Lowesk, in the parishes of Claitt and Rayne and sheriffdom of Aberdeen' (RH6/2444). ('Tailzeauch' being 'Tayloch').

This might mean that parts of these lands were still being directly managed by the Bishopric.

The seventeenth-century rentals of the Lordship of Strathbogie provide useful insights into the geographical disposition of some of the types of service across the area of a single large estate.

### *The Rentals of the Lordship of Huntly or Strathbogie*

The powerful Earls of Huntly and later Dukes of Gordon have bequeathed a wide-ranging set of rentals covering their vast northern territories. Strathbogie, their centre of power, adjoined almost every area covered by the documentary records utilised in this discussion and the rentals span the late sixteenth to late eighteenth century. Consequently, they form a useful set of data for comparative purposes. The 1600 rental (GD44/51/747/1) suggests the value of the service aspect of farm rentals. That for the second ploughland of Robiestoun notes, 'thar is aucht bollis aittis allocatt in his ordinar boll for his service'. The entire rent consisted of twenty-four bolls, two wethers, half a load of peats and the statutory hen from each dwelling house in the fermtoun. This was one of the poorer farms in the parish, but its service render was approaching a third of the value of its rent. Similarly, at Drumquhaill the service dues seem to have been commuted for the payment of thirty chalders of lime. At what seems to have been the local exchange of sixteen bolls per chalder, this amounts to a considerable quantity.

The 1728 rental (GD44/51/748/7) shows no service dues at all but the 1760 rental (GD44/51/740/4) suggests non-appearances can be deceptive. Kinnoir parish notes no service dues but the Barony of Gartly, whilst generally silent on the subject, includes a couple of examples which cause this silence to be questioned: 'Alexander Gordon in Jimpstown . . . .possesses the towns of Jimpstown and Birkenhill and pays £368–17–0d with 24 bolls meall and public burdens and service and his rent includes £149 additional rent.' Whilst:

Robert Barclay merchant in Huntly produced a Tack for 19 years . . . for Margaret Gordon relict of the deceased Charles Gordon of Terpercy upon the Miln and Miln Lands of Gartly with the multures and sequels thereof for which she was to pay at Martinmas after the separation of the crop £379–11–4d with 27 bolls meall . . . after she is obliged to free her Grace of public burdens but pays no service except the carriage of meall.

Again, under the parish of Dunbennan, no services are noted except that, for the Meadows, a 'nota' indicates: 'Nota. They are to pay forty horse carriages twelve miles

distant from Huntly yearly and failing the performance of which when they are requested to pay £1–10–0d scots for each man and horse.' Very commonly under the Braes of Gartly is listed the formula: 'besides services and public burdens'. For example: 'William Forbes in Edindiach . . . possesses 2 ploughs of land in Edindiach and pays £292–10–8d with 24 bolls of meall . . . besides services and public burdens'. 'William Scot in Codrain . . . possesses 4 oxgates there and pays £71–13–4d with 8 bolls of meall . . . . besides services and public burdens.'

If, however, the rentals from the late sixteenth and early seventeenth centuries are considered, references to services abound, though with little stipulation concerning what they entailed. For example, the 1600 rental (GD44/51/747/1) contains frequent formulae such as: 'withe daylie service areaige & careaige; withe his awne personall service; service as the fermorers payis; or: service areaige and careaige as the fermorers payes'. It appears that service remained of considerable interest within Strathbogie, although its full extent is largely hidden. Its worth was clearly well understood and Patrick Duff of Premnay noted sternly in the 1740s that, 'Services will not be commuted'. These included such renders as sixty long carriages to Aberdeen, sowing, harrowing, dunging, shearing and leading (MS 3175/2395).

The way different forms of service were distributed around Strathbogie indicates how the Lordship may have been previously organised. Figure 8 shows the type of service listed in the 1600 and 1610 rentals geographically located. The fermtouns depicted are those in the 1600 and 1610 rentals for which an estate plan survives. Service renders 'as the fermorers payes' are darker for ease of visibility, making it obvious that they are clustered around the burghal centre, up the strath of the Deveron and along the low land east of the Deveron beyond the ridge of the Mungo. Beyond this inner zone is a periphery within which the common renders are those related to carriage duties and personal services. This supports the suggestion that the fermorers renders might be related to agricultural duties on the demesne land. The lands lying immediately east and south east of the burgh became annexed to the Lordship after the creation of the Earldom of Strathbogie and do not figure in the rentals in the same detail as the core holdings. Whether any service dues were paid to the centre from the fermtouns in this area is, therefore, unknown, although the examples noted above from the Barony of Gartly suggest that they were.

South and south west of the burgh are the fermtouns which owed service as paid by crofters. How this manifested itself is unknown but appears to have been double what the fermorers paid. It presumably involved a more onerous set of agricultural duties. The term bondage is not used in the Huntly rentals, despite being frequently found elsewhere in the area in the Forbes and Diocesan texts. One explanation might be that the Forbeses formerly acted as agents for the Bishops and adopted their terminology. A bizarre agreement between Lord Forbes and the Bishop of Aberdeen concerning disputed land on the Correen Hills in which both continued to hold land in common supports such a suggestion. Each became liable to punish their own tenants for transgressions (Spalding Club, 1845: 176–7) and an entry in the Barony Books may be related to ensuring the customary rights to pasture there: 'ordanit that the wholl tennents within the parochens of Kearne, Clett, Forbes and Achendor shall putt ther goods to the hill of Curreyne for pastureing' (Scottish History Society, 1919: 318).
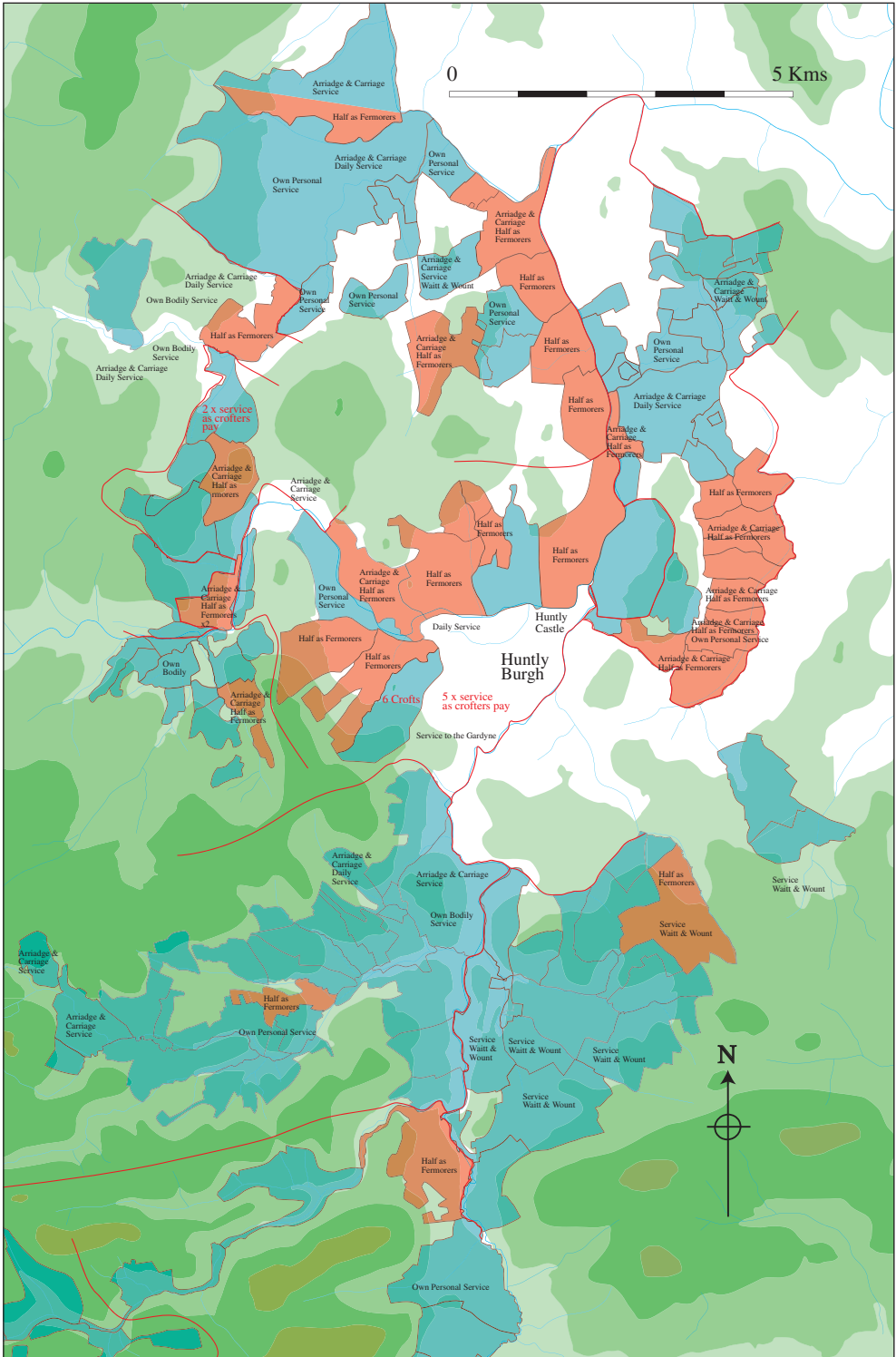
Figure 8.   (Colour online) Service dues from Strathbogie, c.1600 (GD44/51/747/1and GD44/51/747/2).

The Strathbogie rentals indicate that service dues were an important aspect of demesne farming until well into the post-medieval period and an abstract of services drawn up as part of an assessment of values pertaining to the estate of Rannas suggests that this continued into the eighteenth century. This rental contains an extensive array of service requirements associated with the rental value of the estate, revealing the service requirements of individuals in the late eighteenth century and illuminating the mechanisms whereby tenurial arrangements based upon mutual obligations were transformed into ones based solely upon waged labour.

### The Rannas Abstract Rental

The Rannas Rental included in the GD225/1029 bundle for the Leith Hall lands might be dated to c.1790 based upon the values therein and the inclusion of Clatt, which does not appear as part of the estate in the 1787 rental (GD225/1029) although it occurs included under Towie in the 1797 estate plan book (Leith Hall Archives). The rental and service renders quoted above appear to belong to a similar period, although they may be earlier. In order to tease out how the services relate to acreages on the ground a comparative set of details are required. As the Rannas and Leith Hall (Leslie) estates were amalgamated at this time and as the latter estate contains good documentary detail, it seems reasonable to use that as the basis for the necessary comparative evidence. According to a book of plans dated c.1797, Kennethmont accounted for an unreasonably high apportionment of infield at the Mains of Leith Hall (322 acres). This can only have arisen through the assimilation of the Rannas lands at this time as the Mains of Leith Hall simply does not contain that many acres. This reinforces the suitability of comparison between the lands of Leslie/Keig and Rannas with both complete units appearing to have had around 300 acres of infield and the former a combined value of £545 in 1787 (GD225/1029) to compare with the £653 for Rannas. The breakdown of these lands in the 1797 book of plans is shown in Table S1 in the online supplementary material for this paper.

The lands of Leslie and that part of Keig pertaining to the Leslie lands comprise a number of fermtouns and pendicles. A record of their populations can be gleaned from the 1696 Poll Tax record and the number of indwellers has been estimated from consideration of the lands as drawn on estate plans c.1758 (RHP 5199). Further details can be found in Table S2 in the online supplementary material for this paper.

If the figure for households as deduced is taken as approximately sixty, this figure may be correlated with the fifty-eight 'reek hens' owed at Rannas, a 'reek hen' being the usual customary payment from every 'fire house' or dwelling. As the service renders are, presumably, archaic survivals, it makes sense to relate them to the population figures in the 1696 Poll Tax returns. If, therefore, the approximate number of households present on the Rannas estate is sixty, the division of this into the number of days service owed (1016) gives a figure of twenty-seven days owed per household per year. This suggests that service dues being rendered on at least one estate in the north east at the end of the eighteenth century made some medieval bondsmen's dues look positively benign.

If the population of Leslie, on the Leith Hall estate, owed the same number of service days as the equivalently valued lands of Rannas estate, it would approximate to two days per month. The compiler of the abstract considered the twenty pounds commutation to

be a minimum equivalent so these 600 days might have amounted to considerably more, with a minimum labour of half a day per week but possibly more than a day per week. If only tenants owed service, this would be approximately sixty-seven days per tenant. This may have meant one day per week plus a few extra at harvest time etc. Such a situation can be compared to examples from the northern isles in Orkney where a 1795 factor's account for Graemeshall lists James Hettie owing one day's service per week for three quarters of the year for his cott house and the cott house called Quoybelag owed one day's service every week and 2s. 6d. rental money (SC11/ 74/1, p. 16).

Just as service commitments may have formed a substantial part of a farm's rental at Robieston and Drumquhaill, the same may be true of some of the farms on the mid sixteenth-century Forbes estate. The Strathbogie rentals clearly note that the services owed by the crofters were more than those owed by the 'farmers': 'Half service as the fermorers pay' (Haddoch, 1600). If the 'farmers' are to be likened to a class of leaseholders deriving from former demesne-working 'crofters', such a comparative situation might become understandable. No mention is made of the cottars or grassmen who probably paid no rent and thus do not appear in the rentals and no distinction is made between tenants and sub-tenants.

Faith notes that the term bondagium may be derived from old Norse buendr, farmer (1997: 147) and carried with it the sense of sharing within a set of rights and obligations rather than being based upon land tenure. Drawing upon Roberts' work in Durham, she notes that bondland and cottar holdings provided labour and money rents whereas husbandland provided cash payments alone. The third aspect of such landscapes are the 'ancient freeholds' pertaining to drengs (228–9). Barrow notes the three classes of 'hired-men' (hurdmanni), 'bonders' (bondi) and 'gresman' (gressmanni) in the shire of Stirling. Given the non-freehold nature of the estates in question, this may be more appropriate, although the two systems may have shared a common ancestry (1973: 38). Within the rentals of Strathbogie there are, superficially, two 'classes' of tenant: fermorer and crofter with, presumably, the unstated dual grouping of grassman and cottar as noted in the Forbes records. Yet a third 'class' might be identified in those who owed 'personal service', 'own personal service' or 'own bodily service'. In Strathbogie this type of service occurs only on single-tenancy farms and suggests a further aspect of 'elitism' associated with the tenancy. On the Forbes estate it represents those owing suit at the Baronial court. Such suit of court may also have applied in Strathbogie, although there are no records to confirm this. This arrangement, with tenure shared by members of different groups, may have produced the confused picture identified in Table S3 in the online supplementary material.

This suggests there is little difference, in terms of service obligation, between a 'fermorer' group and crofters. Both fall into Barrow's second group, the bondi. They were distinguished by the type of service owed and whilst, in the Huntly rental, the fermorers only owed half the service due from the crofters, there was no distinction in type of service. The Huntly rentals, therefore, appear to show the dwindling remains of a social system with roots earlier in the medieval period. The *Barony Book* of Forbes likewise implies, given the fines imposed for non-appearance, that the tenants were under an obligation to attend the baronial court. This served to underline the social obligation between man and lord. In earlier medieval usage it was the sokeman's right and obligation

to attend court that underlined his freedom (Faith, 1997:118–19). It was the abandonment of the Baronial courts which, perhaps incongruously, did much to undermine the 'working relationship' enshrined within the mutual obligations acted out within those courts for all the community to see. Removed from that set-piece institution, the 'tenants at court' on the Forbes estate and the fermorers of Strathbogie became mere rent payers and thus subservient players in a business transaction devoid of communal responsibility.

This working hypothesis may indicate changes in social perceptions of status or class and in the groupings revealed by the Poll Tax records at the end of the seventeenth century. In these records the formal groups itemised are: gentlemen, tenants, sub-tenants, crofters, artisans, cottars (and grassmen) and servants. 'Gentlemen' were simply those tenants wishing to be called thus and willing to pay the required higher tax of £3.6s.0d. They can be grouped along with the other tenants although this action might represent a 'capitalised' version of the former bond obligation between lord and 'higher class' retainer (Carter, 1979: 7).

Artisans were frequently listed amongst sub-tenants but in some parishes references to 'cottar, no trade' alongside artisans not noted as sub-tenants suggests that, in those parishes, they were seen as cottars with a trade. Yet this may indicate that in those parishes cottars were paying rent as well as, or instead of, providing service dues, although the evidence below suggests otherwise. The terms used in the 1696 Poll Tax Record for the estates of Forbes and Strathbogie are as shown in Table 3:

Table 3
*Terms used in the Poll Tax register of 1696 for three parishes*

| Kearn: | Forbes (parish): | Dunbennan: |
| --- | --- | --- |
| tenant | tenant | tenant |
| servant | servant | servant |
| cottar and 'artisan' (various) | cottar and 'artisan' (various) | cottar and 'artisan' (various) |
| cottar | cottar | cottar |
| 'artisan' (various) | 'artisan' (various) | 'artisan' (various) |
| | croftsman | subtenant |

For the tax assessment, servants were assessed over and above their personal six shillings on their rate of pay. Tenants owed a separate sum based on the value of their farm and artisans paid a further six shillings. Cottars paid only their personal rate of six shillings although the crofter at Forbes, noted as having no trade, was assessed as per the cottars. As the tenants' extra portions are frequently not listed separately but gathered by the laird, it is difficult to determine how sub-tenants were assessed. Marjory Mitchell in Lethenty in Logiedurno parish was listed as a subtenant but was not assessed for the extra tenants' portion. If this was the normal pattern, it appears that subtenants were treated the same as cottars, grassmen and the occasional crofter.

Of course, the Poll Tax was a national tax and the tax-paying groupings were imposed from central government. But the terminology employed within the individual parishes of the north east suggests an element of confusion resulting in a lack of uniformity in labelling. For example, those returns containing numerous references to cottars have few

references to subtenants whilst the converse is also true. However, as the two classes are not entirely independent it was, presumably, not usually a simple 'either/or' decision, although there were distinctions in the recorders' perceptions of an individual's social situation. Leslie parish returned figures for thirty-seven subtenants and no cottars, the adjoining parish of Premnay returned figures for no subtenants but seventeen cottars, while Logiedurno returned six subtenants and two cottars. The groupings from the 1696 record can be seen in Table S4 in the online supplementary material for this paper.

The situation in which social groupings were emphasised by social relationships may have been under threat by 1696. Service dues were clearly important into the eighteenth century but an earlier social meaning underlying those relationships articulated by kinds of service appears to have been changing. The distinction noted in the Huntly rentals between those tenants owing personal service and those owing service paid by the farmer was probably losing its social implications and this may also have been the situation regarding the service at court required of the Forbes tenants. What started as a set of mutually reciprocal obligations was becoming a monetarily quantifiable revenue in kind. The only questionable point for the heritors was whether such renders were more valuable in kind or as a monetary equivalent. The two parties may not have viewed these changes from the same perspective. Carter notes, from a much later period, the increasing tendency for the 'muckle' (capitalist) farmer and his family to eat away from his workers and the widening social gulf. For the workers, themselves often sons of smaller tenant farmers, this new social gulf was inexplicable (Carter, 1979: 162–3). It is possible that this type of social gulf was occurring at an earlier period between heritors and their retainers. Even during the second half of the seventeenth century local rules enacted in the Baronial Court of Forbes paid lip service to the requirement for agreement between the tenants owing suit of court and Lord Forbes or his agents. By the mid eighteenth century, however, Sir Archibald Grant in his 1756 New Year's message could speak to his tenants in the following terms:

I know you will say that few or any labour or slave more than you do or live more frugally. Such of you as are diligent misapply it, and won't take advice from those who know better, nor will you follow good example when you see it have good effects; but will keep strictly to the old way; but also a great many of you are idle, and trifle away a great deal of your time; many hours of it are often spent in idleness, or Sauntering about or upon trifles, and when you are at work you don't work with life and spirit, but as if half dead, or asleep, and many hours which you don't value might do much good. As to your poor living I am sorry for it, but it is your own fault, for by industry and advice you might live and be clothed much better, and have all the comforts and credits of life. (Smith, 1962).

By mid century the Duke of Gordon removed the village of Fochabers from its position by the castle to a more hidden and distant location presumably so as not to offend his eyes or those of his guests. The auditors were finally called in to the Forbes estate at the beginning of the eighteenth century and a reduced centre of operations was established in a new Castle Forbes in Keig. Years of internecine struggles with the Gordons had taken a toll on financial resources.

By 1696 the world of the north east was already being realigned into three new basic social groupings below the heritors: tenants, artisans and servants. Perhaps it is not too

much of an over-simplification to define them as those 'with capital' and those 'without capital', or 'stock' as the Poll Tax record defines it. Stobart has highlighted the importance of the rural craftsman in market developments in Cheshire during the eighteenth century (2004: 141–160). A popular concept of 'consumerism' was required for the capitalisation process to proceed. The days of the cottars, grassmen, crofters and subtenants noted in the sixteenth- and seventeenth-century records were numbered, although the terms lingered in a debased and confused format in the 1696 Poll Tax record. This has important implications for understanding the period of 'improvement' from a social perspective, in that it cannot be divorced from a capitalist ideology. At the same time, the persistence of social delineations which appear to reflect medieval usage into the seventeenth century require reconsideration of the pre-'improvement' social system. The 'improvements' in the north east cannot simply be viewed as a set of philosophical, economic and social mores wrapped into an ideological package to be unwrapped and expounded at the turn of the eighteenth and nineteenth centuries. Instead, it needs to be seen in terms of a range of dialectics negotiated across the sixteenth to at least the nineteenth centuries and involving a broad range of antagonists from a variety of backgrounds. Carter (1979) would even see this dialectic continuing into the First World War and such a view has a lot to commend it.

### Discussion

I have suggested elsewhere that the whole notion of 'agricultural improvement' in the north east may be a fallacy with an ongoing process of local agricultural development demonstrable from at least the seventeenth century (Shepherd, 2011). A consideration of the social dimension of tenurial arrangements indicates a process of 'capitalisation' and that perceptions of social identity were undergoing change. Caunce (1997: 49–60) has shown how farm service accompanied the spread of capitalised farming in English agriculture and there should be no surprise that Scottish agriculture followed a similar trajectory and developed early. Perhaps more surprising is the large number of farming units that could be viewed as 'capitalist' in the seventeenth century by Shaw-Taylor's definition of a farm that employed two or more men on a daily basis (2012: 35). The differential development of service duties and tenurial agreements indicates that these changes did not occur consistently across the lands of the various heritors and institutions from the late medieval period. Demesne farming on parts of some estates contrasts with feu-ferme and leasehold arrangements on others, such as the feuing of former church lands in Strathisla (Sanderson, 1982: 1–12).

What the documentary records make abundantly clear is that concepts of social differentiation and interdependence functioned according to a broad range of necessities. To the compilers of the Poll Tax in 1696, the population could be split into three broad groups and taxed accordingly: tenants, servants and the rest. This division may perhaps have resulted in increased worth being afforded to the 'servant' class. At the start of the seventeenth century, the Huntly rentals indicate another concept of social groupings, at least amongst the tenant class in which personal and service obligations ('personal service', 'service as the fermorers' and 'service as the crofters') underpinned the links between heritor and three groups of retainers. Rents were exchanged for land but it was the type of service owed which occasioned a person's social 'rank' within the community.

The *Barony Book of Forbes* shows how this was displayed in the mixture of mutual obligations resulting in enhanced social standing gained by being a participant in the local 'law-making', at least in a superficial sense, at the Baronial court. By the first half of the nineteenth century the tenurial system was still composed of heritors, tenants and crofters but the social landscape had changed. Obligation for land held was categorised by a simple monetary exaction, although the Rannas abstract reveals that service renders could still be a valuable commodity which heritors could negotiate away at any opportune moment. The words of Duff of Premnay in 1742 (MS3175/2395), indicate that this had been the case since the early eighteenth century although he argued strongly for the continuing value of service renders to the estate.

The pattern of large unified estates in the area facilitated wholesale episodes of replanning. In Scotland, as in few other parts of mainland Britain, the industrialisation of the landscape and the realignment of tenurial arrangements reducing a customary cottar class to waged servitude could occur almost at the sweep of a pen. The first such experiments were at the estate cores and may date to as early as the second half of the seventeenth century. The only two examples of a significant number of crofters associated with a lordly centre, Druminnor and Fetternear, were the only two places within the estates considered which, by 1696, possessed 'cottowns', neither of which are named as such in the sixteenth-century rentals. Yet there is evidence for settlements pertaining to demesne workers, such as Clean Brae and Craigwillie, which also evaded the rentals, presumably because no rent was being levied for those lands. The similarity in numbers of subsequent cottars at Druminnor compared with the number of mid sixteenth century crofters does, however, suggest that the original croftland had become engrossed as a new holding of Bogieside and the crofter community had been removed to a purpose-built 'cottown'. At Fetternear even the cottown had been engrossed by 1696. That Cottown on Druminnor does not appear in the list of agricultural units owing rent in 1723 (GD 52/643) suggests that the properties there were still held on simple labour terms such as has been suggested for Botarie and Clean Brae in the same century. That one of the cottars appears to have employed a servant in 1696 further underlines the complexity of labour relations during this period.

Terms such as farmer, crofter, cottar, grassman, servant, tenant and subtenant therefore need to be handled sensitively and with consideration for the social, economic or tenurial environment. All were around in the mid fifteenth century and can be found as the physical landscape underwent monumental change at the end of the eighteenth century. Most survived these changes and persisted into the nineteenth century. But, none remained entirely unaltered and most underwent some alteration independent of the other terms at different points during this period. These subtleties of terminology need to be explored in more detail, but this paper has demonstrated the necessity for such close attention to detail and the impropriety of using the terms without indicating their frames of reference.

Indeed, the whole notion of an 'improvement period' may be slightly anachronistic given a time frame lasting three hundred years or more. On the other hand, if 'improvement' is philosophically bound to the notion of capitalism as ultimately codified by Adam Smith, such a time-frame becomes more explicable. Smith claims a connection between wealth and moral superiority: 'wealth and greatness, when considered in this complex

view, strike the imagination as something grand and beautiful and noble, of which the attainment is well worth all the toil and anxiety which we are so apt to bestow upon it'. Furthermore, wealth and power, according to Smith, are 'the natural consequences of prudence, industry, and application; qualities with which [magnanimity and generosity] are not inseparably connected' (Smith quoted in Witztum and Young, 2013: 590–1). The breakdown of demesne farming, although hastened by external forces such as plague, might be connected to the rise of 'entrepreneurs' utilising a 'capitalist' approach in the broad sense noted by Dyer (2000: 307–9). This process began in the south of Britain in the fifteenth century, if not earlier (Nightingale, 2010: 1101–2). Contemporary commerce from the port of Aberdeen suggests the north east was not being left out and the documents considered here make it clear that it was well on the way by the mid sixteenth century at the latest.

Demesne farming may be seen as a pre-capitalist approach to trade that fitted the idea of 'the just price' outlined by Aquinas (Kaye, 1998: 70). As this gave way to the philosophy of Calvin and his Catholic contemporaries in which the moral obligation to reach such a balance could be more selectively applied (Noell, 2001: 481), the potential for increasing profit margins, with no risk to the soul, may have accelerated the demise of the demesne, although this does not necessarily imply an acceptance of Weber's correlation between capitalism and Protestantism. In other words, a communal approach to life slowly gave way to a more individualised interpretation of which the abandonment of demesne farming was only one aspect. The 'tacksman', exemplified within the Huntly rental of 1600, and, during the eighteenth and nineteenth centuries the capitalist farmer, were manifestations of a changing ideological and socioeconomic order.

### Supplementary material

The supplementary material referred to in this paper can be found online at journals.cambridge.org/RUH/.

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MS 2392          Survey and Rental of Pittodrie, 1771
MS 3175/2395    Rentals of Licklyhead and Auchlevin, 1723, 1742 and Rental of Premnay, 1742
MS 3043/70       Rental of lands in parish of Logiedurno, 1636

Orkney Library Archives:
SC11/74/1          Factor's accounts for the Estate of Graemeshall, 1795
National Records of Scotland:
GD 33/16          Witness statements regarding Rights of Commonty on Bennachie,
                        1738–1740
GD52/285          Forbes Rental, 1740
GD 52/643         Instrument of sasine in favour of Mary Forbes, 1723
GD225/1029       Leith Hall Estate Rentals, 1767 and 1787
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GD44/51/747/1   Rental of the lordship of Huntly, 1600
GD44/51/747/2   Rental of the lordship of Huntly, 1610
GD44/51/740/4   Rental for the Lordship of Huntly, 1760
RH1/2/32          Copy of charter of early 13th c. exchanging land
RHP 5199          Book of 13 plans of the estate of Leslie, 1758
RHP 260/1         Plan of that part of the lands of Forbes comprehending the parish of Kearn,
                        c1771
RHP31700          Plan of Botarie and Claymyres, c.1770
RHP 2283          Plan of Craigwillie including Ittingston and Milntown, 1777
RHP 2282          Plan of Arn Hall and Dunbennan, 1778
RHP 2286          Plan of Gibston, Bogghead and Cleanbrae, 1767
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