Scandinavian 'Solskifte' and the Sunwise Division of Land in Eastern Scotland

R. A. DODGSHON

Solskifte, or 'sun-division', was a method of sharing land within a subdivided or strip-field system found in parts of mediæval Scandinavia. The practice acquired the description of *solskifte* (literally 'sun-shift') from the fact that the division always began with those strips which lay to the east and south of each furlong, and with those furlongs which lay to the east and south of the village. It then worked westwards and northwards across each furlong, and across the 'open' fields of the village as a whole, in a direction which broadly followed the movement of the sun across the sky. At the same time, the allocation of strips, or 'selions', to the various landholders always took place in a strict order. If a person had his selions fixed in the east or south of each sequence of allocation then he was said to have his land 'towards the sun'. If they were fixed in the west or north, then he was said to have his land 'towards the shade'. Although recent work has tended to qualify the relationship (Göransson 1971), the sequence in which selions were allocated reflected the order in which the steadings of the village were arranged. Indeed, the steadings and their associated tofts (enclosures) were often re-organised on a more systematic plan as part of the division process. Where this occurred, not only did the order in which the steadings and tofts were occupied determine the order in which the selions were doled out, but the size of toft held by each person bore some relationship to the size of his holding in the village as a whole, whilst the width of his toft bore a relationship to the width of his selions. Thus the entire village, its steadings, tofts and arable fields took on a precise, regular appearance—with the toft being, in every sense, 'the mother of the acre'. Such villages are, in fact, sometimes called 'regular' villages.

Since *solskifte* was widely practised in central Sweden from the end of the thirteenth to the eighteenth century (Hannerberg 1959 : 245–59), much of our detailed understanding of its nature is based on Swedish examples. However, it was not confined to Sweden. Examples of its use have been found in Finland (where it was introduced from Sweden in the fourteenth century), and also in Denmark where its use was somewhat earlier. Moreover, following on the pioneer work of the American sociologist G. C. Homans (1941 : 83–106), the Swedish geographer Sölve Göransson has argued for the widespread use of a form of sun-division in central and eastern England during the twelfth and thirteenth centuries (Göransson 1961 : 80–104). While earlier opinion

favoured a Scandinavian origin for English sun-division, and saw it as a by-product of the Danish settlements, Göransson has gone so far as to suggest that the practice may have originated in pre-Conquest England, and is in any case not confined to Danish areas.

As yet, no one has commented on the possible existence of 'sun-division' of lands in Scotland. To some extent, this is surprising for, during a survey of published sixteenth- and seventeenth-century land charters, the writer came across numerous references which suggest that something akin to it may have existed in parts of eastern Scotland. Typical of those found is the reference, in a charter of 1595, to '*solarem dimediatatem suarum terrarum et ville Ardowny, vic. Forfar*' (Thomson 1890 : 81); and another, in an Aberdeenshire charter of 1616, to '*totam et integram dimidietatem umbralis dimidietatis dictarum terrarum de Auchterarne*' (Huntly 1894 : 241). In case there were any doubt as to the literal meaning of the terms *solarem* and *umbralem* in such contexts, other charters are more explicit. One of 1598 relating to lands in Angus, for instance, referred to the '*dimidietatem solarem* lie sonnie halff *de Mylntoun de Couen*' (Thomson 1888 : 496), whilst another dated 1534 referred to the '*binas partes umbrales* (the schaddow tua-part) . . . *ville de Jakkistoun* . . . *Aberdene*' (Paul and Thomson 1883 : 306). Of particular interest is a charter of 1631 conveying the 'shadow half of the east third part of the toun and lands of Lytill Bammf [in eastern Perthshire], with the shadow half of the houses and pertinents there to belonging' (Ramsay 1915 : 226).

If one relies solely on the restricted evidence provided by land charters, then the meaning of *solarem* and *umbralem* in terms of farm layout would appear to pose a problem. Two interpretations are possible. The obvious interpretation is that the terms refer to a division of land into north- and south-facing sides, as the *Scottish National Dictionary* in fact suggests (*SND*: VIII. 176; IX. 128–9). Strictly this would still be a kind of sun-division, but not in the same sense as a *solskifte* or its English equivalent. Alternatively, as in a *solskifte*, they might refer to a division of land on the basis of the sun's movement across the sky. The evidence compiled so far gives some support to the latter interpretation for the following reasons. First, although no attempt has been made to visit and inspect all sites systematically, it is clear that the situation of a number of farms for which references are available make it unlikely that one is dealing with a straightforward division into north- and south-facing sides. Two farms near Brechin, for instance, Balrowny (Anderson 1899 : 206) and Petforkie (Thomson 1888 : 695), are both recorded as divided into sunny and shadow halves during the sixteenth century. Yet the contoured Ordnance survey shows that both farms occupy gentle, south-facing slopes with no discernible topographic variation (Balrowny, national grid NO 570643; Petforkie, NO 607611). Secondly, the phrasing of some charters by itself implies something more complex. For example, a charter of 1598 conveyed the '*tertiam partem* (*viz. umbralem binam partem solaris dimedietatis*) *ville et terrarum de Tulligrig* . . . *Abirdene*' (Thomson 1890 : 235); and a reference, dated 1619, to 'One oxgait of the sunny plough [*i.e.* ploughland] of the shadow half' of Pencoak, occurs in the diet books of the

Aberdeenshire sheriff court (Littlejohn 1906 : 77). Even more suggestive of complexity are those charters which link sunny and shadow shares to a runrig layout. Thus, a charter of 1586 referring to land in Kethik Barony, Angus, concluded with the words '*dictarum terrarum &c. dimedietatem per sortem et divisionem, incipiendo ad solem, per lie rinrig*' (Thomson 1888 : 349). A charter of 1595, moreover confirmed one Patrick Langland's possession of

> '*quarteriam suam terrarum de Collace cum loco manerie* (*per quondam Davidem L. patrem dicti. Jo. et ejus tenentes occupat.*), *quarteriam de Lytil Buttergask* (*per dictum Joannem occupat.*), *vic. Perth; quarteriam terrarum de Brydingstoun* (*per Alex. Clark et Jo. Nicol occupat.*), *vic. Forfar; omnes dict. quarterias existentes notificatas ac per se jacentes tanquam secundam* (*aut umbralem*) *quarteriam a solis quarteria per lie rinrig*' (Thomson 1890: 68–9).

Thirdly, the phrasing of most other charter references is little different from that of Swedish and English examples which have been accepted as denoting a sun-division. English charters, for instance, refer to land as being *versus solem, ad solem, ex parte solis, proximus soli, propinquius soli, propinquior soli, versus umbram, ad umbram, ex parte umbrali* and *propinquior umbre* (Göransson 1961 : 83). To the writer's knowledge, no English charter has yet been found which refers unambiguously to the 'sunny' or 'shadow' parts of the *village*. In this sense, the evidence for eastern Scotland seems more explicit than that for England. Certainly, one does not have to go to the lengths to which Homans and Göransson went in order to establish that such phrases as those quoted here meant the sunny and shadow portions of a village field-system. Fourthly, in the few Scottish cases where *solarem* and *umbralem* shares are linked to a point of the compass, the former is associated with the east and the latter with the west. Examples found include 'the lands and barony of Balbedie comprehending the sunny or eastern side of the said toun and lands' (Stevenson 1914 : 154): '*solarem sive orientalem dimidiatem occidentales quarte partis terrarum et ville de Kinclune*' (Thomson 1890 : 286); and 'the west third part of the west or shadow half of the lands and manor-place of Crottie . . . in the regality of Dunfermling' (Ramsay 1915 : 138). Needless to say, this is the sort of relationship which would exist after a sun-division has been made, but is less likely to occur when dealing with a division of farms into north- and south-facing sides.

Any remaining doubt over the meaning of the terms *solarem* and *umbralem* could of course be dispelled if early estate-plans were available showing that shares described as such were intermixed by way of runrig. Unfortunately, although the terms 'sunny' and 'shadow' can be found describing faulds or shots (see, for instance, RHP 2256. 5199/7 and 11) none of the plans so far inspected show them being used to describe a land-holder's runrig share. However, given the scarcity of plans depicting a runrig layout, and given that there is really no reason why a sub-divided field system laid out by means of a sun-division should necessarily preserve this as an on-going fact in its terminology of particular shares, this deficiency cannot be regarded as being in any way significant.

Lastly, what might be regarded as conclusive support for the practice of sun-division

in Scotland is provided by two instances which take us behind the bald allusions to sunny and shadow portions, and enable us to glimpse the actual methods of land division in action. The first relates to a dispute between Melrose Abbey and the Lord of Haliburton over land in Hassington (Berwickshire), which was thus resolved in 1428:

> the said Abbote & the said lorde of Haliburton tuke twa kavallis* & brocht me thaim & I [the Sheriff] kest thaim, to the tane to the sonne [sun], the tothir the schadow & thus it was departit [divided]. (Lib. Melros 1837 : 2.521).

The record expressly states that the disputed ground—the 'two-ploughland' of the West Mains of Hassington—was divided 'ryndale', turn about in four-rig lots, between the parties concerned.

A fuller description of the method appears in Sir Thomas Craig's *Jus Feudale*, completed in 1603, though not printed until 1655. This passage, here translated from the original Latin, refers to the procedure followed during the 'kenning' of a widow's terce'. The terce was simply her right to the life-rent of a third of her deceased husband's estate, the 'kenning' being the process by which it was divided out, or converted to known property:

> And so, having received the verdict of the inquest, the Sheriff casts the lots together into an urn, or used some other method of drawing lots, whether the sunny third or the shadowed third shall be made the wife's portion: because there is no other purpose in the recognition [*cognitione* = 'kenning'] of this third than whether they should begin from the east, which is called the sun side, or from the west, in thus designating this third or terce; and as the lot turns out, they will begin from the sunny part, that is with the rising sun, or from the shady part and the setting sun, and will number off the rigs [*iugera*], the first and second to the owner and the third to the widow, in such a way that out of the whole extent of the land [*agrorum*], every third rig of land [*agri jugerum*] (two having been set aside for the owner) may be left for the widow. And this is the meaning of terce (as it is usually called), or the kenning [*cognitio*] of the widow and the entry to her third share (Craig 1732 : 425).

This passage surely removes any remaining doubt over the practice of a form of sun-division in Scotland. As a piece of evidence though, its importance goes beyond the immediate bounds of Scotland. As far as I am aware, it is the most explicit description yet available for the enactment of a sun-division in Britain, and compares favourably in its detail even with Scandinavian descriptions of *solskifte*.

By its nature, a sun-division had the effect of creating a just and orderly layout of landholding. Indeed, most writers seem agreed that this was the main reason for its use. Where they tend to disagree is over the question why a division was necessary in the first place. In Sweden, a number of possible explanations have been put forward: these range from a reorganisation of landholding designed to facilitate the imposition and collection of a land-tax, to a re-organisation brought about by the Church to enable

**Kavel*: a piece of wood used in casting lots.

it to maintain closer control over its property. Considered in the context of Scotland, the question is a fairly easy one to answer since a widespread and recurrent need to divide land can be found in the nature of early Scottish landholding. As the charter evidence shows, many farms or townships in mediæval and early modern Scotland were held by more than one person, each of whom held a share rather than a specifically defined part of the farm. All the references to *solarem* (sunny) or *umbralem* (shadow) found by the writer involved the holding of farms on a fractional basis. This meant that before a person could begin farming, the various shares of the farm had to be divided out into actual holdings on the ground (Dodgshon 1975 : 27–8; Habbakuk Bisset 1920 : 297–8). Ample opportunity, therefore, existed for the development of a formal procedure, such as sun-division, for dividing land.

To some extent, though, this conflicts with existing opinion on early Scottish landholding, for the holding of farms by more than one person is traditionally associated with a so-called runrig layout or division. Two points need to be borne in mind. No matter how one chooses to define runrig, one has to acknowledge that the manner or procedure by which it was laid out has always been a blind spot in our understanding. Moreover, the layout produced by a sun-division was in many respects similar to that produced by a so-called 'runrig division', each involving the systematic scattering and intermixture of property throughout the farm or township. This is not to imply that all examples of runrig were laid out using a form of sun-division, but merely to suggest that the two were sufficiently compatible for a sun-division to have been one of the ways by which runrig was laid out. Those references to *solarem* and *umbralem* which are linked directly to a runrig layout would appear to endorse this proposed relationship.

Altogether, the writer has located 139 references to *solarem* (sunny) or *umbralem* (shadow) farm shares, most of which relate to land in the eastern counties of Perthshire, Angus, Fife, Kincardineshire, Aberdeenshire and Banffshire (Table 1 and Fig. 1).

TABLE 1

Distribution of references to 'solarem' (sunny) and 'umbralem' (shadow) farm shares[1]

Aberdeenshire	50	Stirlingshire	2
Angus	39	Inverness-shire	1
Perthshire	22	Caithness	1
Fife	13	Renfrewshire	1
Kincardineshire	5	Kirkudbrightshire	1
Banffshire	3	Berwickshire	1

Although this concentration in certain eastern counties must have some meaning, the assumption that the type of sun-division which these references betray was only practised in this area may be misleading. Alongside *solarem* and *umbralem* shares, one finds numerous and much more widespread references to farms which have been arranged or divided into 'east 'and 'west' parts. On the one hand, the terms 'east' and

'west' (like *solarem* and *umbralem*) are used to qualify the shares of a particular farm, *i.e.* 'eister half . . . of Westir Foulis' (Robertson 1862: IV. 360); '*tercias partes orientales terrarum nostrarum Balchery*' (*op cit.*: 462); 'easter half of roume and lands called

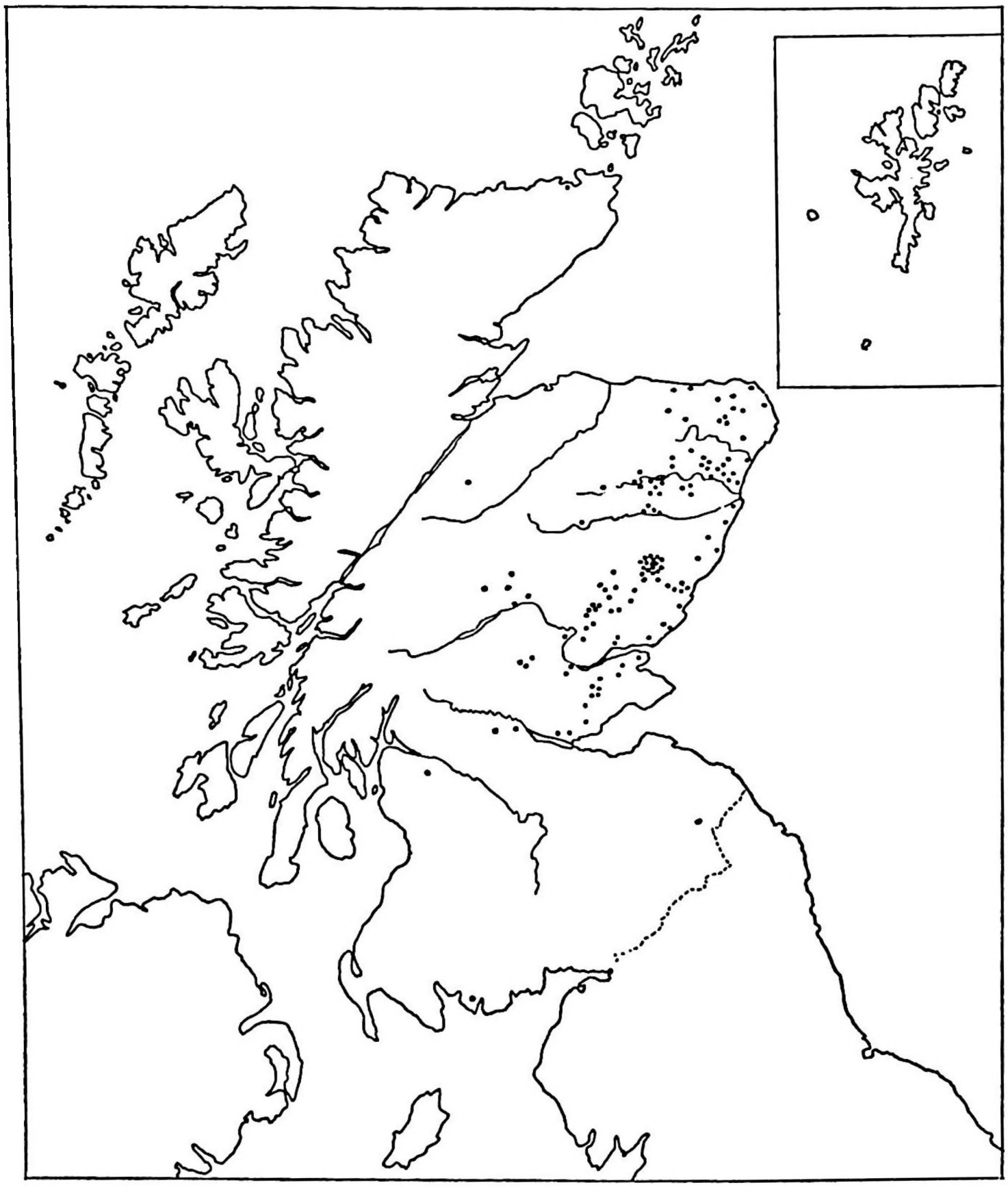

FIG. 1 Distribution in Scotland of references to *solarem* (sunny) and *umbralem* (shadow) farm shares.[1]

Pitconmark' (S.R.O. GD 26 Section 5 No. 58); and the 'wester davach lands of Lothbeg' (S.R.O. Catalogue of Dunrobin Muniments : 174). On the other hand, they are used to qualify the names of the farms themselves, *i.e.* Eister Allancoch and Westir Allancoch, Eister Mecraw and Westir Mecraw. In this latter form, their use as a prefix to farm names makes it possible to arrive at an estimate of their numerical importance by using the indexes compiled for early charter collections. A simple count, using the location index of the *Register of the Great Seal*, 1620–1633 (Thomson 1884), shows that 287 farm- or place-names incorporated the element 'East' ('Eist,' 'Eister', 'Eistir', 'Easter', '*Orientales*'), whilst 316 incorporated 'West' ('Wast', 'Wester', 'Westir', 'Wast', 'Wastir', 'Vestir', '*Occidentalis*'). For comparison only 38 incorporated 'South' ('Sowth', 'Souther', 'Southen', 'Suther', '*Australi*'), and only 35 'North' ('Norther', 'Northen', '*Boreales*'). Clearly, not only are farm or place-names prefixed by 'East' and 'West' fairly common but, at the same time, there appears to be a curious imbalance when the frequency of their use is compared with that of their natural counterparts, 'North' and 'South'.

This imbalance may be explained by linking the more frequent use of the terms 'East' and 'West' to the practice of sun-division. Where 'East' and 'West' were used to qualify the shares of a single farm, it is probable that they represent *solarem* and *umbralem* shares in a different terminological guise. After all, Craig's *Jus Feudale* and several of the charter references make it clear that the terms *solarem/umbralem* and 'east'/'west' were, in effect, synonymous. In the case of farm groups or pairs which used 'East' and 'West' as prefixes to their names, the relationship is probably more indirect because, unlike *solarem* and *umbralem* shares, such farms were not apparently sub-divided and intermixed with each other. Internally, they may each have been held by their tenants in runrig but, relative to each other, they were separate or discrete. It follows that, if such farms were in any way connected with the practice of sun-division, one must assume that a division had taken place converting them from what had previously been intermixed shares into separate, consolidated holdings. A range of evidence, both circumstantial and direct, can be used to strengthen this assumption.

First, it cannot be without some significance for the problem that some farms known to comprise *solarem* and *umbralem* shares in the sixteenth or seventeenth centuries, later appear divided out into East and West or East, Mid and West holdings. Thus, the farm of Dowald in Perthshire was held in the form of *solarem* and *umbralem* shares during the early seventeenth century (Thomson 1884 : 150). By the mid-eighteenth century, it was organised into three separate holdings called East, Mid and West Dowald. A similar fate befell the farms of Kinclune and Ballintor in Angus. Both provide sixteenth- or seventeenth-century references to *solarem* and *umbralem* shares (Thomson 1890 : 286; Thomson 1886 : 249). Today, the former is divided into Kinclune and East Kinclune, the latter into Ballintor and Westerton.

A second line of approach to the problem can be made by looking at the physical layout of these farms as shown by early estate-plans. In many cases, they have all the

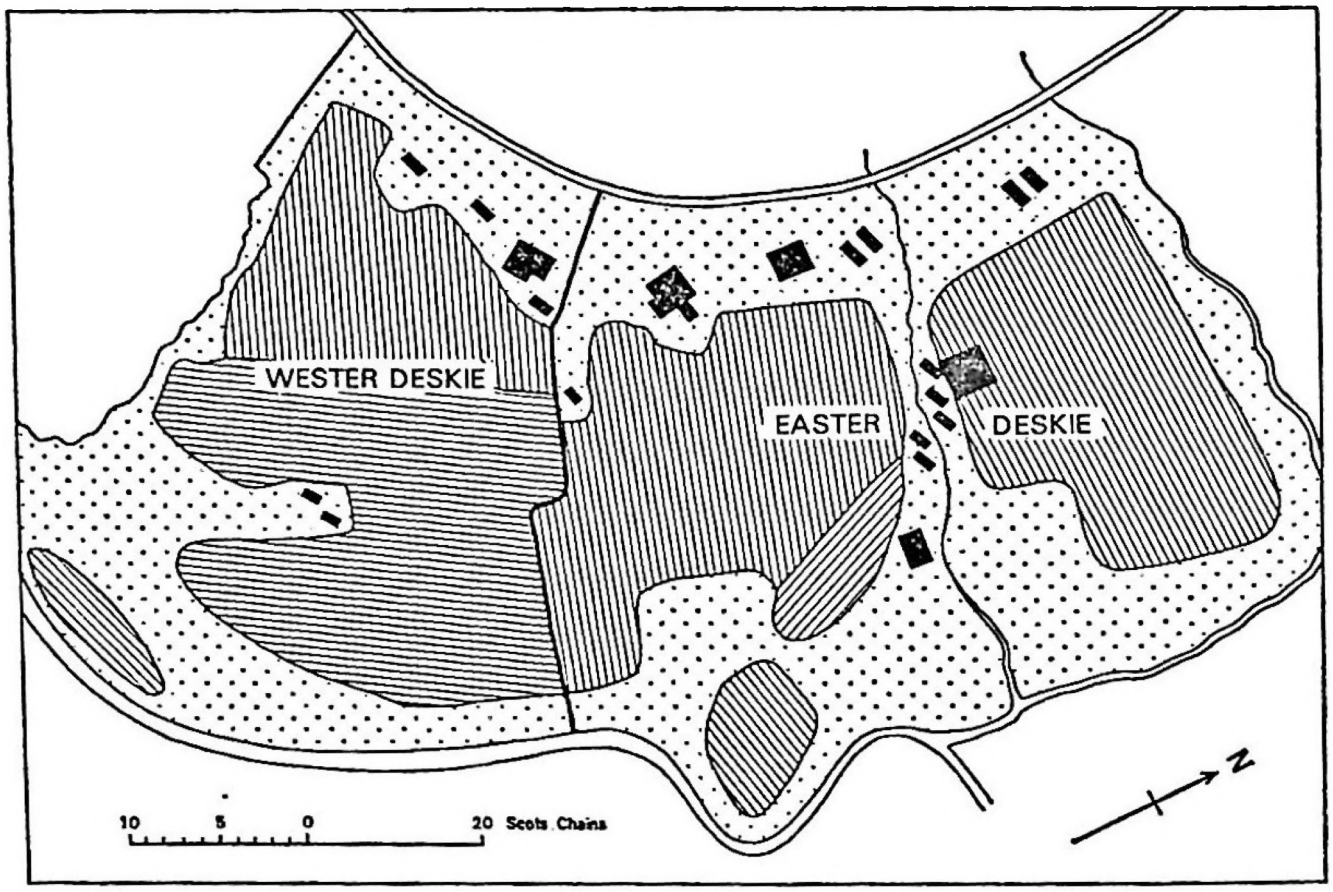

FIG. 2 Wester Deskie and Easter Deskie 1774 (Banffshire), based on RHP 1801. Both Wester and Easter Deskie were reported as held by their respective tenants in runrig.
(Striped area = arable rigs; dotted area = common grazings.)

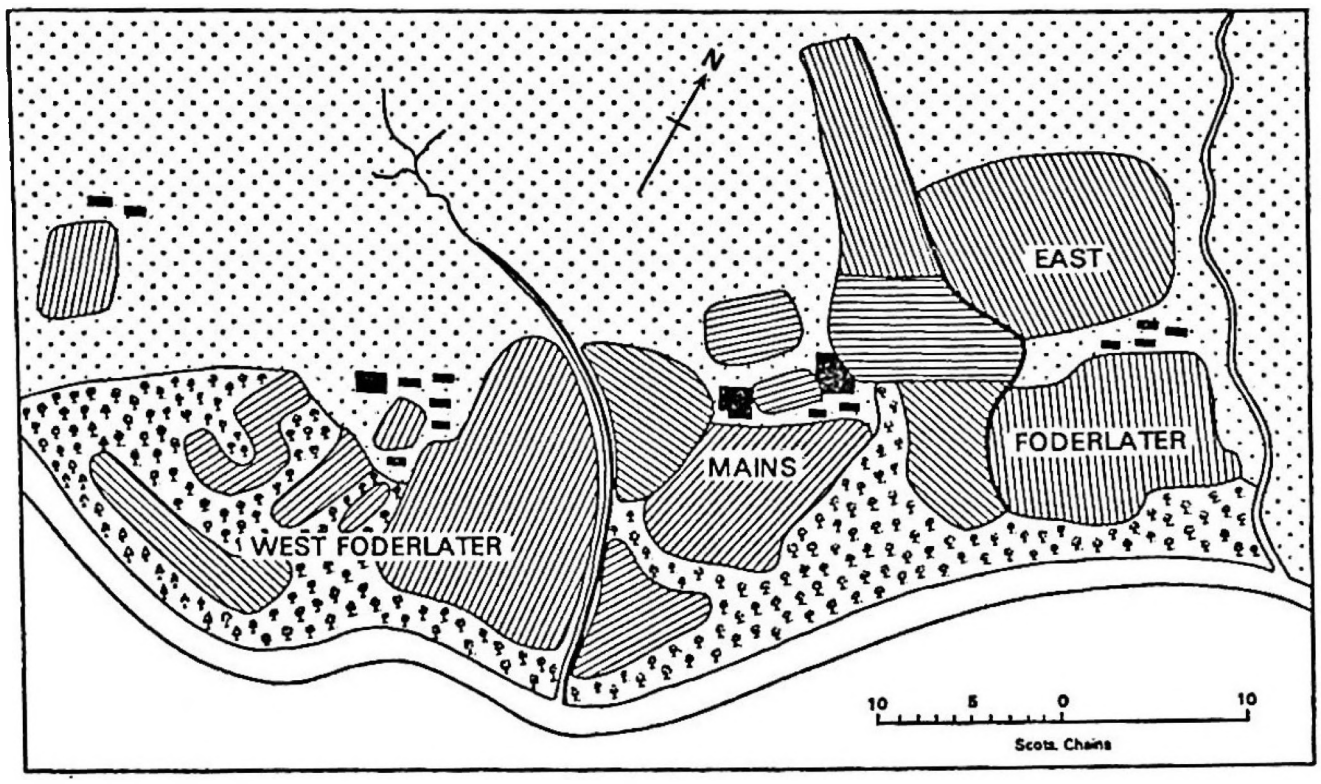

FIG. 3 West Foderlater, Mains and East Foderlater 1762 (Banffshire), based on RHP 2488/3. All three farms, West, Mains and East, were reported as held by their respective tenants in runrig.

appearances of once-whole units which have been split into smaller units (Figs. 2, 3, 4). In some cases, closer inspection of their layout reveals other points of interest. It is not uncommon, for instance, to find so-called 'East' and 'West' farms that are actually

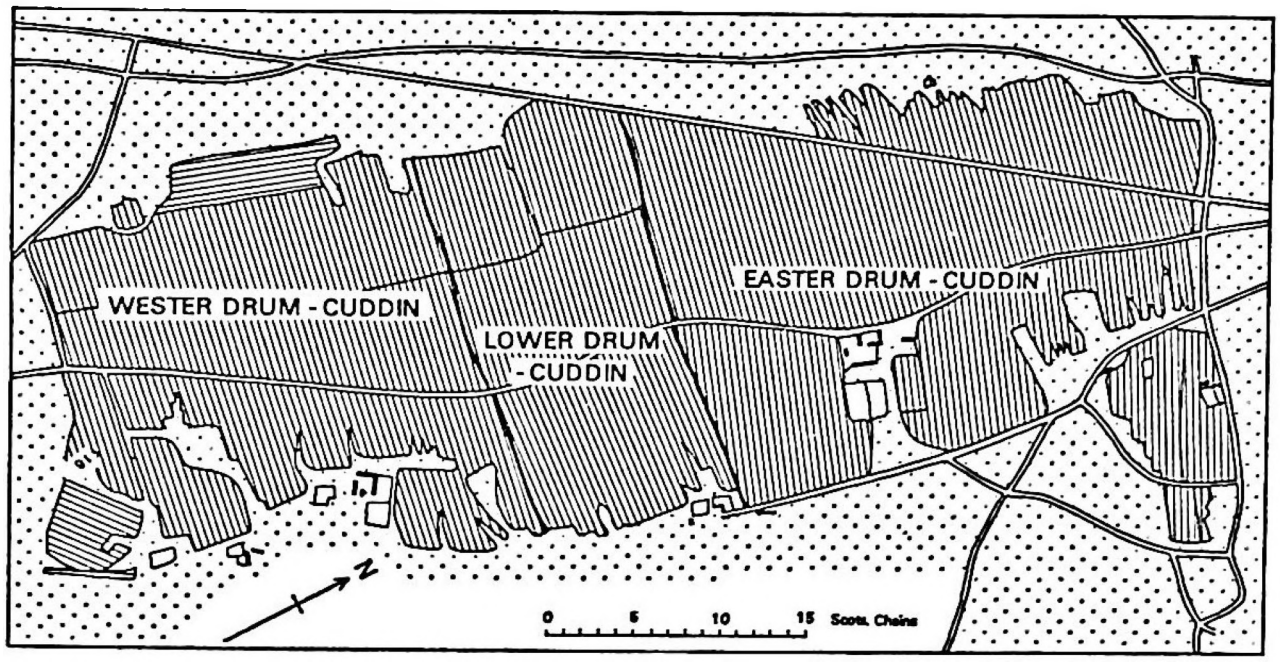

FIG. 4 Wester Drum-Cuddin, Lower Drum-Cuddin and Easter Drum-Cuddin 1796 (Ross and Cromarty), based on RHP 1469.

disposed north and south of each other (see Figs. 3 and 4). At first sight, such a simple discrepancy appears puzzling. It can easily be rationalised, however, if the terms 'East' and 'West' are seen as referring not to the absolute position of farms after their division but to their relative position within an earlier, intermixed layout.

The figures quoted for farm- and place-names prefixed by the terms 'East' and 'West' suggest that such farms were already widespread before the eighteenth century. To some extent, this early appearance of 'split' farms conflicts with the widely-held view that few radical changes occurred in the layout of Scottish farms prior to the improver's movement of the mid-eighteenth century. There can be little doubt that the splitting of farms was in progress long before 1700, and in a small number of cases it can be evidenced directly. For instance, Dr I. F. Grant has shown that a number of changes were taking place in the estate organisation of Coupar Abbey as early as the fifteenth century. The farm of Tullyfergus, some 6-7 miles north of the Abbey itself, after being held in a variety of quarter- and eighth-part shares, was divided in 1474 into two separate parts: the 'east half was apportioned into thirds, the west half into quarters' (Grant 1930 : 260). Similarly, the Grange of Kethyk, a farm lying a few miles south of the Abbey, was required by a lease of 1473 to be 'divided into three or four towns'. Accordingly, 'by 1474, three new holdings appear: Kemphill (the east quarter of the old Kethyk) with seven tenants; Cothill, with four old tenants; and Chapeltown of Kethyk, with six tenants—all old ones. The west town of Kethyk continued to be known under the old name' (Grant 1930 : 261). Elsewhere, a very detailed example of

an early division into East and West farms is provided by evidence for the farm of Easter Moniack in Inverness-shire. Prior to the early seventeenth century, Easter Moniack was held in two 'equall halfs' by two proprietors. To prevent disputes, the two proprietors agreed to have their respective halves disentangled and the farm 'divided into Two separate halfs, by a proper march'. A contract was duly drawn up in 1608 and early in 1609 there followed an *Instrument of Division* whereby one of the portioners, 'John Fraser, in virtue of the Powers given him, Divides in the personal presence of Alexander Fraser the other portioner, the whole Barony, in two equal Halfs, and fixes the Line of March between these distinct Halfs, which are thereby called the *Easter* and *Wester* half, of the Town & Land of Easter Moniack, dated 13th and 14th January 1609' (Mackenzie 1796).

None of these farms—Tullyfergus, Grange of Kethyk or Easter Moniack—yields conclusive proof of its constituent shares having been laid out by means of sun-division prior to its division into separate holdings. All one can say is that adjacent farms to the north of Tullyfergus were at least held in the form of *solarem* and *umbralem* shares during the sixteenth and seventeenth centuries (Ramsay 1915 : 147, 226 and 238); that other farms within the barony of Kethyk are documented as using sun-division during the seventeenth century (Thomson 1888 : 286 and 349); and that, as regards Easter Moniack, there is evidence to show that when, in 1613, one of the portioners gave his son a third of his newly divided holding, he did so by granting to him 'the third part, being the Wester third rigg, of the Easter Half, Town and Lands of Easter Moniack, with the third part of all and sundry the pertinents thereof'—and one can only assume that the son was to have the rig that lay to the west in any one sequence of three rigs. Lack of explicit mention of *solarem* or *umbralem*, when shares were being conveyed, does not exclude the possibility that a sun-division was employed to divide out such shares into known property. Sun-division was only a method of division, and would not need to be specified in a person's land-title. Only in the designation of a widow's terce can one expect terms like *solarem* or *umbralem* to be inserted into the description of shares as a matter of course. In most other instances where land was held in the form of shares, the question of who held the sunny, shadow or mid portions was probably a matter decided between shareholders, not between the shareholder and the grantee.

If farms bearing the terms 'East' and 'West' are connected, albeit indirectly, with the practice of sun-division, then the latter must have been much more widespread than references to *solarem* and *umbralem* would suggest. Although this would extend the scope of the problem considerably, it may still understate its full extent, because—in addition to *solarem*/*umbralem* and east/west farm shares—one also finds the elements 'nether'/'over' and 'fore/'back' being used, 'nether' and 'over' being especially common. They can be found qualifying the shares of a single farm (Robertson 1862 : 2.238; Thomson 1888 : 602 and 610), or the names of the farms themselves (*e.g.* Fig. 5). An indication of how important they were in this latter form can be deduced from the

location index of the *Register of the Great Seal*, 1620–1633. Altogether, 235 farm place-names were prefixed by 'Nether' ('Nethir', 'Nethur', 'Neither', 'Neather', 'Nedder', 'Neddir', 'Nather', 'Nathir', 'Nader' or '*Inferior*'), and 234 by 'Over' ('Ovir', 'Ower' or '*Superior*').

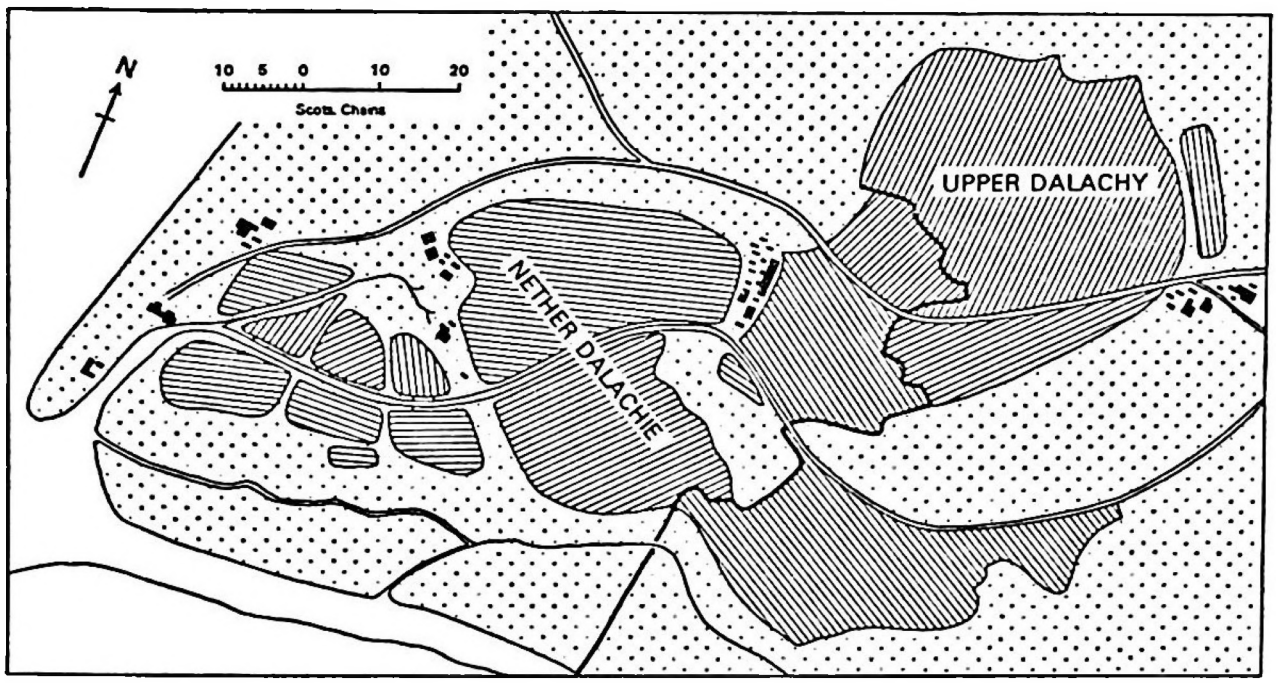

FIG. 5 Nether Dalachie and Upper Dalachy 1763 (Morayshire), based on RHP 2313/1. Both Nether and Upper Dalachy were reported as held by their respective tenants in runrig.

It is here tentatively suggested that, like the prefixes 'East' and 'West', the sheer frequency with which 'Nether' and 'Over' were used, together with the more limited use of 'Fore' and 'Back', may best be explained by linking them to the practice of sun-division as a regular means of dividing land. Although *solarem* and *umbralem* had the meaning of 'east' and 'west', this was not because they were part of a system based on the four cardinal points of the compass. A sun-division fixed the relative position of each landholder's strips by a system based on the cardinal positions occupied by the sun during its movement across the sky. The complement to *solarem* and *umbralem*, therefore, was not north and south, but the situations arising when the sun was *over*head and when it was, presumably, in the *nether* regions: though 'nether' may have been used simply as the natural opposite to 'over'. For comparison, in Celtic mythology the mid position in any scheme of arrangement or division was often divided into two parts, or an upper and lower part (Rees 1961 : 202). Nothing links these various sets of terms closer to a sun-division of land than the fact that not only were they sometimes used in combination with each other to achieve more complex divisions (see Fig. 4) but, in certain situations, they appear to have an equivalence of meaning. This can be illustrated by the passage in Craig's *Jus Feudale* in the alternative translation by J. A. Clyde:

> the sheriff decides by lot drawn from an urn, or in some similar manner, whether the widow shall have her terce from the fore-lying or from the back-lying parts of the estate—which means no more than this that, in the one case, the appropriation of the particular lands will begin from the east end of the estate, while in the other case, it will begin from the west end thereof' (Craig 1934 : 876).

What was translated previously and in other texts (Erskine 1757) as 'sunny'/'east' and 'shadow'/'west' is here translated as 'fore'/'east' and 'back'/'west' (*cf.* Rees 1961 : 381–2). At the same time, *fore*land can also have the meaning of *upper* or *over* land (Barrow 1973 : 269–70), whilst *back*side can also mean *nether*side. However, it is possible that the order in which 'over' and 'nether' shares were allocated, and therefore their precise relationship with the terms 'fore'/'east' and 'back'/'west', was open to interpretation. In the only two references found which qualify 'over' and 'nether' shares, 'over' is linked to the west and 'nether' to the east. Thus, a Berwickshire charter of 1614 mentions the 'half lands of Stenhoup, called the over or wester half of the same' (HMC 1909 : 36); and eighteenth- and nineteenth-century manuscripts in the Roxburgh estate collection can be found referring to 'easter or Nether Hyndhope' (see, for instance, Roxburgh MSS, Computation of the Rent of Easter Hyndhope Feb 1772; Minute and Conditions of Lease of Easter or Nether Hyndhope and Wester Kelsocleugh to Thomas Elliot 1855).

No matter how one defines sun-division, whether one restricts it to *solarem* and *umbralem* references, or whether one extends it to include references to 'east'/'west', 'over'/'nether' and 'fore'/'back', there can be no doubting the broader significance of this Scottish evidence. If the restricted view is taken, one is still left with a remarkably interesting pattern since the sunny and shadow shares of eastern Scotland define the first area unaffected by Scandinavian settlement for which such evidence has been forthcoming. Ostensibly this would seem to support Göransson's thesis of a non-Scandinavian origin for the practice of sun-division. If the practice in eastern Scotland were part of the pre-Norman, Anglican cultural bequest to the area, however, the lack of *solarem* and *umbralem* references in south-east Scotland would pose something of a problem. In fact their distribution might seem to have something of a Pictish bias. The whole matter requires more investigation than is possible here, and the problem would look different if 'East'/'West', 'Over'/'Nether', 'Fore'/'Back' proved to be part of it—for these prefixes are fairly common in western as well as eastern Scotland. Certainly, the Gaelic tradition of going *deiseal*, *i.e.* with the sun, is consistent with the basic principle of a sun-division and its emphasis on a 'sun-wise' approach. Sun-division may well have been one of several methods of dividing land amongst early Scottish cultures. Perhaps what we should be trying to explain is not the existence or non-existence of the practice in certain areas, but why some areas expressed the practice in terms of 'sunny' and 'shadow' shares whilst other areas chose less evocative terms.

ACKNOWLEDGMENTS

The first draft of this paper used Erskine's description (1757) of the 'kenning' of a widow's 'terce' to illustrate the detailed mechanics of a sun-wise division. Subsequently, Mr Basil Megaw pointed out that this was a shortened version of the much fuller Latin description by Craig (*c.* 1603) of which Mr David Murison most kindly provided the translation. Mr Megaw also drew my attention to the Hassington reference of 1428 in *Liber Melros*.

NOTES

1 Sources for Table 1 and Fig. 1: Anderson 1899: 206, 222; S.N.D. 1971: VIII. 152, 176; 1972: IX. 128–9; HMC 1909: 199; Huntly 1894: 121, 171, 185, 241, 245; Littlejohn 1906: 76–7, 79; Paul and Thomson 1883: 7, 306; Ramsay 1915: 114, 136, 138–9, 149, 226, 238, 366; Robertson 1862: III. 33, 387, 419; IV. 37, 55, 141, 143, 308–9, 329, 443, 650, 782; S.R.O. GD 44/10, GD 1/398/34, GD 1/398/44, GD 446/35, GD 446/42; Stevenson 1914: 25, 98, 152–4, 213; Thomson 1884: 41; Thomson 1886: 4, 18, 45, 52, 54, 71, 80, 111, 124, 203, 216, 238, 249, 252, 258, 283, 333, 367, 381, 408; Thomson 1888: 237, 262–3, 286, 291, 349, 402, 429, 496, 503, 549–50, 695; Thomson 1890; 68, 81, 198, 235, 238, 276, 286, 288, 305, 307, 337, 341, 355, 384, 394, 404, 409, 412, 433, 440, 521.

REFERENCES

Manuscripts

S.R.O.

GD 26 Scottish Record Office. Leven and Melville Papers.

ROXBURGH MSS Roxburgh Estate Papers, Floors Castle, Kelso, Roxburghshire.

Printed Sources

ANDERSON, J. (ed.)

1899 *Calendar of the Laing Charters A.D. 854–1837*. Edinburgh.

BARROW, G. W. S.

1973 *The Kingdom of the Scots*. London.

CRAIG, SIR THOMAS

1732 *Jus Feudale*. (Completed 1603; first printed 1655). Edited by James Baillie. Edinburgh.

1934 *Jus Feudale*. Translated by J. A. Clyde. 2 vols. Edinburgh.

DODGSHON, R. A.

1973 'The Nature and Development of Infield-Outfield in Scotland.' *Transactions of the Institute of British Geographers* 59: 1–23. London.

1975 'Towards an Understanding and Definition of Runrig: the Evidence for Roxburghshire and Berwickshire.' *Transactions of the Institute of British Geographers* 64: 15–33. London.

ERSKINE, J.

1757 *The Principles of the Law of Scotland*. 2nd edn. Edinburgh.

GÖRANSSON, S.

1961 'Regular Open-Field Pattern in England and Scandinavian Solskifte.' *Geografiska Annaler* XLIII: 80–104. Stockholm.

1971 'Solskifte: A Misinterpreted Concept.' (Mimeographed abstract of lecture given at Queen's University, Belfast, July 1971).

GRANT, I. F.
1930 *The Social and Economic Development of Scotland Before 1603*. Edinburgh.

HABAKKUK BISSET
1920 *Rolment of Courtis*. Edited by Sir Philip J. Hamilton-Grierson for the Scottish Text Society. 3 vols. Edinburgh.

HMC
1909 Historical Manuscripts Commission. *Report on Manuscripts in Various Collections* (vol. v). London.

HANNERBERG, D.
1959 'Solskifte and Older Methods of Partitioning Arable Land in Central Sweden during the Middle Ages.' *Annales de L'Est* XXI: 245–59. Nancy.

HOMANS, G. C.
1941 *English Villagers in the Thirteenth Century*. Cambridge, Mass.

HUNTLY, CHARLES, XI MARQUIS OF (ed.)
1894 *The Records of Aboyne*. Aberdeen.

LIB. MELROS
1637 *Liber Sancte Marie de Melros*. 2 vols. Bannatyne Club, Edinburgh.

LITTLEJOHN, D.
1906 *Records of the Sheriff Court of Aberdeenshire* (vol. II 1598–1649). Aberdeen.

MACKENZIE, A.
1796 *Inventory of the Title Deeds of the Estate of Easter Moniack Belonging to Edward Satchwell Fraser Esq of Realick*. Bound xeroxed copy in Scottish Record Office (printed books department).

PAUL, J. B. and THOMSON, J. M. (edd.)
1883 *The Register of the Great Seal of Scotland 1513–1546*. Edinburgh.

RAMSAY, J. H. (ed.)
1915 *Banmf Charters A.D. 1232–1703*. Oxford.

REES, A. and B.
1961 *Celtic Heritage*. London.

ROBERTS, B. K.
1973 'Village Plans in Country Durham: a Preliminary Statement.' *Medieval Archaeology* 16: 33–56. London.

ROBERTSON, J.
1862 *Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff*. 4 vols. Aberdeen.

SND
1931–75 *The Scottish National Dictionary*, edd.W. Grant and D. Murison. 12 vols. Edinburgh.

STEVENSON, J. H. (ed.)
1914 *The Register of the Great Seal of Scotland 1660–1668*. Edinburgh.

THOMSON, J. M. (ed.)
1884 *The Register of the Great Seal of Scotland 1620–1633*. Edinburgh.
1886 *The Register of the Great Seal of Scotland 1546–1580*. Edinburgh.
1888 *The Register of the Great Seal of Scotland 1580–1593*. Edinburgh.
1890 *The Register of the Great Seal of Scotland 1593–1608*. Edinburgh.