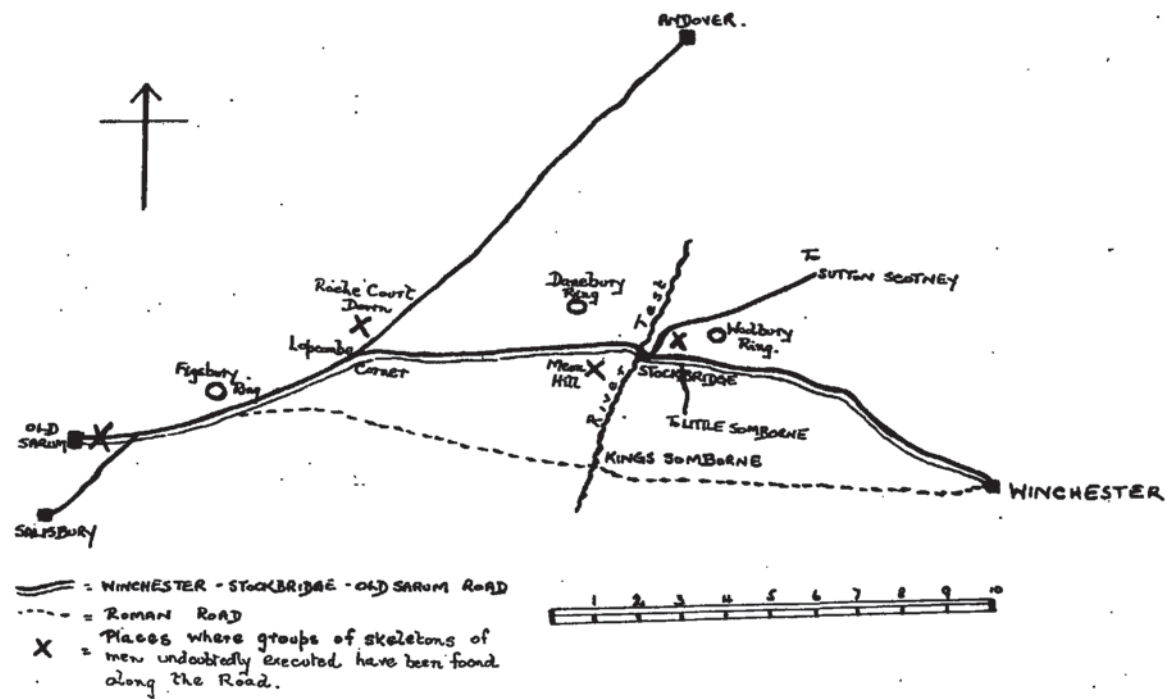




SKETCH MAP of the WINCHESTER - OLD SARUM ROAD

EXCAVATIONS ON STOCKBRIDGE DOWN, 1935-36.

By N. GRAY HILL, M.C., M.B., ETC.

ON the occasion of the Jubilee of His Majesty King George V, the people of Stockbridge decided to make a bonfire on Stockbridge Down. As a site for this, they selected the hill that lies nearest the road junction between the Winchester—Stockbridge road and the road leading to Little Somborne; or, in other words, close to the great road joining Winchester to Old Sarum. It is probable that Stockbridge is one of the ancient crossings of the Test Valley, and it seems reasonable to believe that the modern road follows closely a track that has been in use since before the Roman occupation, and one that was as important in Saxon and mediaeval times as it is to-day.

It is a prominent hill on which the bonfire was set, but, so far as I know, it has no special name and there are no local traditions of its being used as a place of execution, or for any other purpose. On the north-east end of the hill there is a mound of earth that has been regarded as a small barrow, but the ground generally appears to be unbroken downland covered with grass and a few juniper bushes.

From the area selected for the bonfire the turf was removed and a shallow hole hollowed out to embed the stump of a fir tree. When digging this hole, part of a human skull and other bones were found—and it was this chance find that encouraged me to carry out these excavations.

The work was done during the summer months of 1935 and 1936, and an area of rather over 1,000 square feet was dug out until the solid unbroken chalk was reached. In this relatively small space it was found that between forty-five and fifty persons had been buried. Forty-one skeletons could be identified, but in addition to these there were many bones found scattered over the area, suggesting that a certain number of bodies had been dug up in a rather careless manner to make room for the interment of others.

All the bodies were buried in shallow graves. Nos. 1, 25, 37 and 40 (Plate V) were in certain parts less than six inches below the turf, and the deepest graves were only thirty-six inches deep. In most cases the floor of the grave lay between fifteen and thirty inches below the surface of the ground. Most of the graves were narrow, only just wide enough for one body, and they were frequently so short that the head was pillowed up or flexed on the trunk, or the knees semi-flexed, to make the body fit into the small

space allowed. In the case of No. 35, the body appears to have been squeezed into a very small pit, and in the cases of Nos. 5 and 6 and Nos. 11 and 12 (Plate VII) two bodies seem to have been buried in a grave really only large enough for one.

There is ample evidence that the bodies had been buried at different times—probably over a period of years. Loose bones and skulls without the lower jaw were found lying over and around most of the undisturbed skeletons. In some instances it would seem that bodies were disturbed by grave-diggers before decomposition was complete. On several occasions portions of the spine with ribs attached, or the foot and ankle with the bones in anatomical position were found at some distance from a skeleton. It would seem impossible—considering the loose friable nature of the soil and the absence of roots of plants—that such bones could have been disturbed without the parts falling to pieces, unless the peri-articular structures were still present. Skeletons Nos. 7, 13, 15, 18, 23, 24, 35, 36 and 40 (Plate V) show clear signs of having been cut through when other graves were dug.

There had been no very definite attempt to orientate the bodies. The majority of the bodies had the head to the west or south-west, but No. 30 was buried with the head to the north, and No. 8 and No. 20 lay east and west, one above the other, with the head of No. 8 to the west and that of No. 20 to the east. A general view of the plan of the graves (Plate III) suggests haphazard burials rather than any attempt at orientation or arrangement.

Of the skeletons that had been undisturbed, it was found that two had the skull placed between the legs (Plate VI) and showed clear evidence of decapitation, and marks on some of the bones from the disturbed skeletons indicated that other decapitations had taken place. At least sixteen of the remaining skeletons had the wrists crossed (Plate IX), or very close together, either behind or in front of the body in such a way as to suggest very strongly that the wrists were bound. In fact, everything that has been found points to the skeletons being those of people who were executed and carelessly buried.

All the bones are believed to be those of men, chiefly men in the prime of life. Skeleton No. 18 was that of a youth of about seventeen, and several of the victims were probably about twenty years of age. Skeletons No. 32 and No. 33 seem to be those of men of middle age, but in the main the bones are those of young adult males. It is rather remarkable how very little evidence of injury during life is shown in these skeletons. No. 12 (Plate VII) had a well united fracture of the right radius, one of the bones of the forearm, and a clavicle or collar bone from one of the disturbed skeletons showed signs of an old fracture, but beyond these no other fractures were detected.



To face p. 248]

THE HILL ON STOCKBRIDGE DOWN.

Seen from the junction between the Winchester to Old Sarum road and the road leading to Little Somborne.



To face p. 249]

PLATE I.

The skeletons seem to be those of small but generally healthy men. Judging by the length of the graves and the size of the bones, I doubt if many of these men were over 5ft. 6ins. in height, and several of them were undoubtedly much below this standard. Skeleton No. 9 may have been that of a six-foot man. As to race, they seem to be the bones of almost as mixed a people as inhabit England at the present day. A full investigation of the skeletons has not yet been carried out and it is hoped that additional information may be forthcoming, but a cursory glance at the skulls is enough to dispel any idea that they conform closely to any one recognised type.

The teeth generally were in good condition, but both the molars and incisors were ground down to an extent never seen at the present day. This was doubtless due to the mastication of bread made from very coarsely ground flour. In a certain number of cases there was evidence of dental caries, the first molar in the upper or lower jaw being the tooth most frequently affected. A certain number of teeth, chiefly first or second molars, had been removed during life—apparently by some crude form of dentistry.

Although several thousand bones were examined, there were few signs of bone disease found. No. 27 (Plate IX) must have suffered from acute periostitis of the fibula when young but seems to have made a very satisfactory recovery, and No. 36 must have had pseudo-coxalgia when a boy that doubtless left him with a limp to the day of his death. Very little if any evidence of chronic rheumatism could be found in the joints of the limbs, but in some cases the bones of the vertebra showed changes indicating spondylitis.

Finds.

Six silver coins wrapped in a piece of linen were found tucked away in the armpit of Skeleton No. 19. Mr. Derek Allen, of the Department of Coins and Medals of the British Museum, regards them as belonging to the last two or three years of the reign of Edward the Confessor. They are all in good condition and had been minted in Winchester—Anderbode being the monier who struck four of the coins, and Leofwine or Lifine being responsible for the other two. The cloth in which the coins had been wrapped had been preserved, doubtless by silver salts derived from the coins, and appeared to be a strong well-woven linen.

Lying on the skull of skeleton No. 28 there was found a strong well-made **bronze buckle** about two inches long (Plate Ia). It seemed to have been attached to leather, but it is difficult to suggest to what type of garment it belonged.

Close to Skeleton No. 20 (Plate Ib) a small **annular bronze buckle** was found. It was strong and well made in spite of its small

size. As the wrists of this skeleton were crossed in front of the body, it is difficult to say if the buckle was from the clothing of the trunk or at one of the wrists.

A small **bronze hook** or "**wrist fastener**" (Plate Ic) was found close to the right wrist of Skeleton No. 24. This fastener seems to be identical with that found in a similar position with a skeleton on Meon Hill (*Proceedings*, Hampshire Field Club and Archaeological Society, Vol. XII, Part 2, Fig. XV, p. 153, M. 5).

There was evidence of the remains of a **leather belt** buried with body No. 14. No buckle was found, but there were traces of leather and a few bronze pins about $\frac{1}{4}$ -inch long.

Three strong **iron buckles** (Plate I d, e, f) were found. They were very simple in design but resembled each other closely. One was found lying close to the right hip joint of No. 31, another within the pelvis of No. 32 and the third in close proximity to a lot of disturbed bones between Skeletons No. 3 and No. 5.

Three **iron rings**, each about one inch in diameter, were found near Skeleton No. 28, in such a position as to suggest that they were attached one in front and one on either side of a belt.

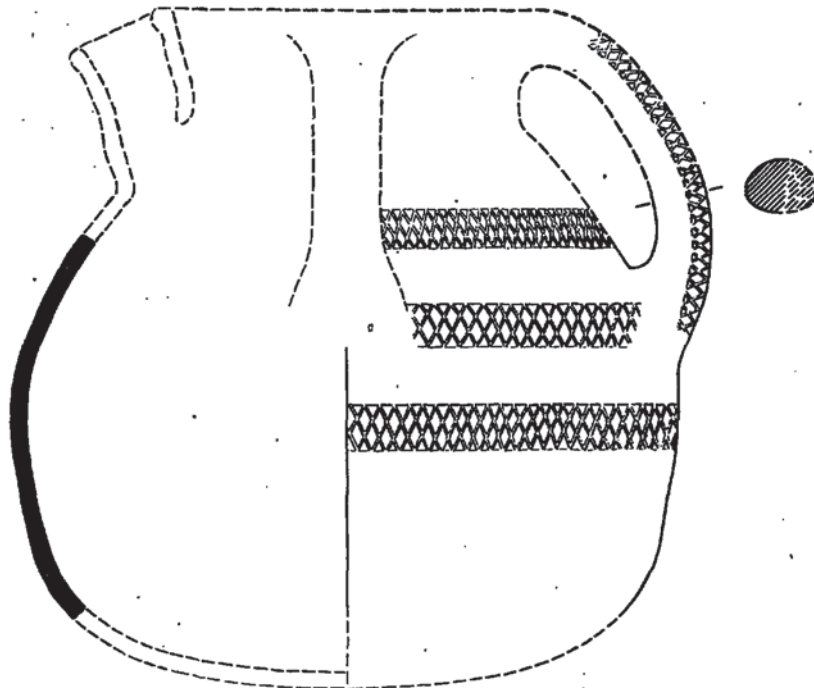


PLATE II.

Pottery. Part of a broken pitcher was found close to but not actually in post hole B. Mr. Dunning has examined the fragments and I am indebted to him for the reconstruction of the vessel, shown in Plate II, and the following notes on pottery of this class :

The fragments form part of the side and half a handle of a pitcher, there being sufficient to determine the shape and affinities of the vessel with some confidence. The pot is made of coarse grey ware containing sand and grit, and although the surface is uneven and finished by smoothing with the fingers, the pot was roughly turned on the wheel. The surface is mainly dark reddish brown in colour with grey patches. Here and there are traces of a thin light yellowish-green glaze splashed over the body of the pot and on the handle.

The decoration consists of three bands of trellis-pattern, impressed by a roller-stamp being revolved along the surface. There is also a narrow band down the side of the handle.

Comparison with similar pottery elsewhere suggests that originally the vessel was 9 inches in diameter and about the same in height. It probably had a tubular spout close to the rim and three handles, one opposite the spout and the others laterally, and a rounded sagging-base.

Both in ware, form, and decoration the pitcher clearly belongs to a well-defined group of pottery common in the Hampshire-Wiltshire region on sites of the early Norman period. The type series was found in pits at Old Sarum (1) in association with a coin of William I, and this and other evidence suggests a date of *c.* 1100 for the group.

The closest analogy for this pitcher is a vessel found on the site of the Carfax Hotel, Winchester, which is in the Winchester Museum. This is a slightly larger pitcher with a tubular spout close to the rim and strap handles, originally three in number. It has bands of rouletted pattern on the body and down the handles, and is covered with a green glaze. Another and still larger pitcher of this class was found at Marlborough (2) and is in the Devizes Museum. This has three small feet to steady the pot on its rounded base, and is elaborately decorated with applied finger-printed bands.

Pitchers of this class appear in England in the late Saxon period, and are derived from types widely diffused in W. Europe in the Frankish and Carolingian periods. The earliest in this country, of 8th century date, was found at Richborough (3) but the majority of late Saxon jugs and pitchers have been found in East Anglia. These are usually decorated with roller-stamped pattern (4) and both this technique and the form of the vessel persist almost unchanged into the Norman period. The form is not met with, however, after the 12th century. The Norman series of pitchers is distinguished from the earlier vessels by the use of glaze, which was introduced into this country in the Norman period. It is the green glaze on the Stockbridge pitcher which marks it as Norman pottery.

Bones of Animals. The bones of an animal that appeared to be a large dog lay between the skull and the left thigh of Skeleton No. 19 (Plate VI). The head of this animal had been removed and no trace of the skull or teeth could be found.

The skull of a hornless sheep was found tucked in on the left side of the face and neck of Skeleton No. 37 (Plate V). No other sheep's bones were found.

A few animal bones that may have been those of another large dog were found among the loose bones that lay above Skeletons No. 13, 14, 15 and 16.

Oyster Shells. More than thirty-five oyster shells in a fairly good state of preservation were found scattered over a somewhat wide area, just below the turf. They were most plentiful in the neighbourhood of Skeletons No. 19 and No. 13. None of these shells were found close to undisturbed skeletons, and although it is difficult to ascribe any date to them, I am inclined to the belief that they are not ancient.

Post holes. Near the feet of Skeleton No. 14 there was a round hole about 2ft. in diameter and 3ft. deep, with sharply cut sides and filled with very loosely packed chalk free from flints. About 8ft. away from it, near the feet of Skeleton No. 19, there was a second hole (Plate V) almost identical with the first. No bones were found in either hole and no signs of a wooden post could be found, but from their size and general appearance they were regarded as being post holes. They may have been the sites of a gibbet, but there is nothing to prove this.

The Barrow (Plate III). Close to the area in which the skeletons were found there was a low mound that had been regarded as a tumulus. It was a circular mound about 17½ft. in diameter measuring from the middle of its shallow ditch, and rather under three feet in height at the centre. A trench four feet wide was dug from the area in which the skeletons lay through this mound. After leaving the broken chalk in the neighbourhood of Skeletons Nos. 11, 12 and 13, undisturbed chalk was found under six or eight inches of soil until the ditch of the mound was passed. The mound itself consisted of a first layer of soil about six inches thick at the deepest part, covering a second layer of broken chalk with earth in it, about twelve inches thick at the deepest part. In both this first and second layer quite a large number of broken pipe-stems and broken glass were found. Very few such objects were found in the earth covering the area in which the skeletons lay. Below the second layer there was a layer of very hard black earth about six inches thick. This layer contained a very few small unbroken flints but no broken glass or pottery. This hard layer may have been the old surface of the down, the layer above it being formed by chalk dug out from the shallow ditch. Below the third layer there was a rather indefinite fourth layer about six inches thick, composed of sand and earth; it contained no broken flints or pottery and it is doubtful if it had ever been disturbed. Below the fourth layer undisturbed sandy clay was found. In the upper part, clay was predominant, but lower there was much sand. No stones were found in this sandy clay. To the north-east and south-west there were well-defined chalk walls; the extent to which the sandy clay stretched in a north-west, south-east direction was not ascertained. This pipe of sandy clay was followed down for over six feet, and it appeared to extend to a much greater depth.

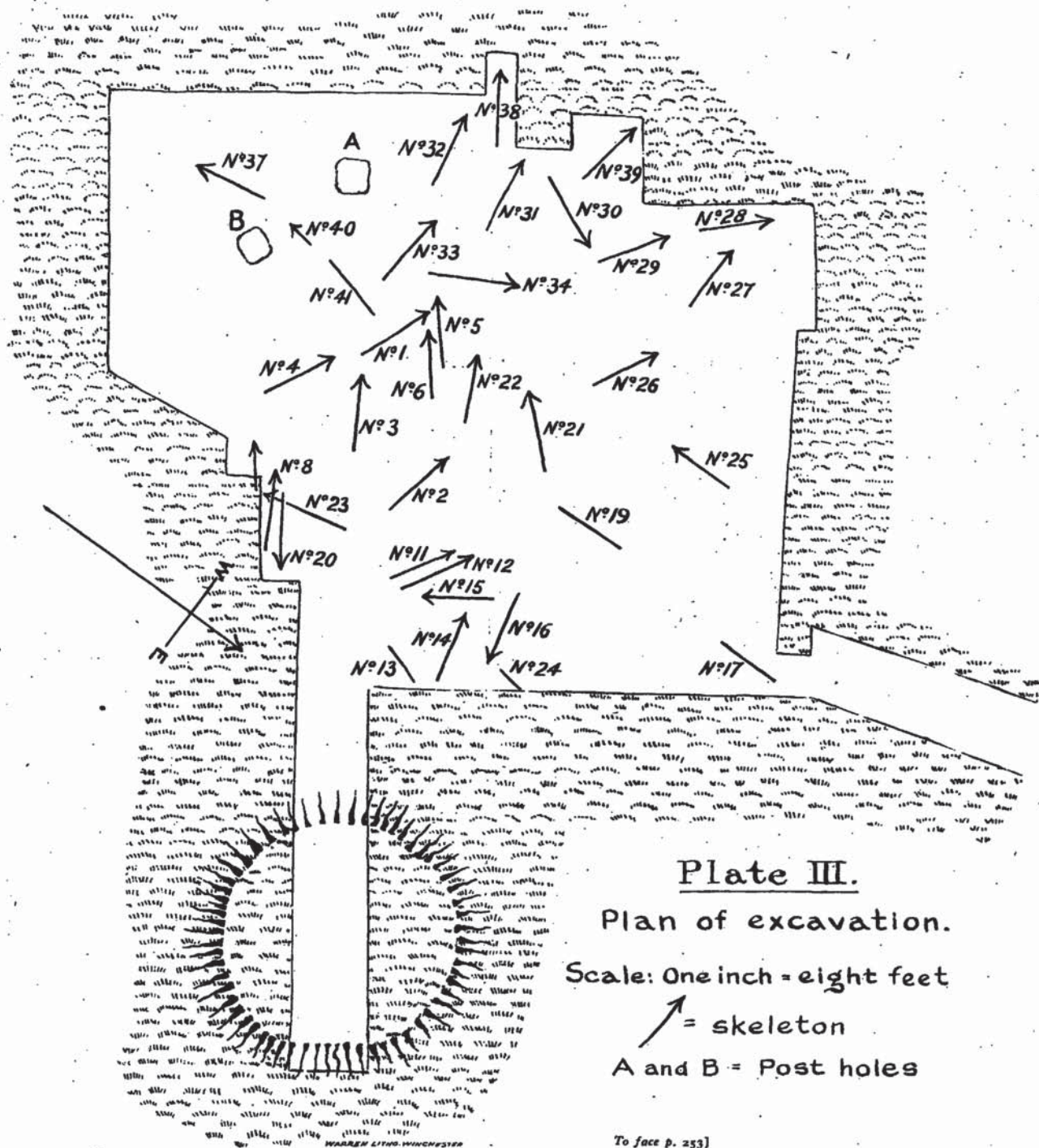


Plate III.

Plan of excavation.

Scale: One inch = eight feet

↗ = skeleton

A and B = Post holes

This excavation did not disclose the age or purpose of this mound. It resembled a small round barrow, but nothing that was found suggested that it had ever been used as a burial mound. It may have been a place of execution, but nothing but its position in relation to the skeletons would suggest this. It may have been of fairly recent origin, simply used for a flag-staff or some such purpose. The fact that glass and pipe stems were found in the two upper layers—which accounted for eighteen inches of the mound's height—rather points to the mound being of no greater date than the 17th century. If the upper eighteen inches of the mound are recent, the rest of it could easily be accounted for by the natural configuration of the ground. As to the sandy clay below the mound, this would seem to be one of those natural pipes of sand not uncommonly met with on the chalk downs.

The Skeletons.

- No. 1. This body lay in the supine position without the wrists being crossed; it was buried only about eight inches below the surface of the ground.
- No. 2. This body was buried in the supine position with the wrists close together behind the back.
- No. 3. This body was buried in the supine position and the wrists were not crossed.
- No. 4. This body lay on the right side with the knees semi-flexed. The wrists were not crossed.
- No. 5, and No. 6. These two bodies were buried in a single grave. No. 5 lay in the supine position with No. 6 lying in the right lateral position to the left of No. 5.
- No. 7. This body had been buried in the supine position but only the lower part of the lower limbs had been left undisturbed. The rest of the skeleton had been dug up when No. 2 was buried.
- No. 8. This body was buried in the supine position with the hands crossed behind the sacrum, presumably tied. The skull and cervical vertebra of this skeleton could not be found; it lay very close to the edge of the first trench dug and these bones may have been removed in mistake for loose bones, or the body may have been decapitated before it was buried.
- No. 9. This body was buried in the supine position, but only the lower limbs and pelvis were found. The rest of the bones of this skeleton were doubtless scattered when No. 4 was buried. The bones were those of a young but fully-grown man, probably about six feet in height.
- No. 10. Only the legs and part of the bones of the thigh were found. The rest of the skeleton had been broken up when No. 3 had been buried. The body was buried in the supine position.
- No. 11 and No. 12. (Plate VII.) These bodies had been buried at the same time and in the same grave, and in this way resembled Nos. 5 and 6. Skeleton No. 12 was the deeper and had been buried in a narrow grave in the supine position, with the head very slightly raised, pillowed up on the end of the grave. The arms were crossed on the chest and the lower limbs straight. The body No. 11 had been crushed into the side of the grave and lay to the right of No. 12. It lay on its left side with the upper limbs partly extended over the body of No. 12. There was a healed fracture through the middle third of the right radius, but no evidence of injury to the ulna. The fracture appeared to have occurred many years before death.

- No. 13.** This body had been buried in the prone position. The legs had been cut through at the junction of the upper and middle third of the tibia by the grave-diggers making a grave for No. 14, and the skull and bones of the upper part of the body had been removed when the grave of Nos. 11 and 12 were dug.
- No. 14.** (Plate VIII.) This body was buried in the supine position, the grave being too short; the head and shoulders were raised and propped up on the thigh of No. 15 and the feet were so raised as to bring them just under the turf. The hands lay in front of the pelvis and very near together; the wrists may have been tied. When the pelvic bones were removed there was evidence of the presence of a leather belt, but no buckle was found, only a few small bronze rivets from the back of the belt.
- No. 15.** (Plate VIII.) This body lay in the prone position, with the arms to the side. The left femur had been cut through when the grave for No. 14 was dug and the body of No. 14 had been propped up against the right thigh.
- No. 16.** (Plate IV.) This body was in the supine position, with wrists crossed behind the lower three lumbar vertebrae. The legs were straight, the head very slightly raised.
- No. 17.** This was the body of a young man who had been decapitated. The body was buried in the supine position with the left knee partly flexed and the head placed between the legs, just below the level of the knees. The neck had been cut through between the 2nd and 3rd cervical vertebrae. The 1st and 2nd cervical vertebrae were with the skull. At the angle of the jaw on the left side a small piece of the jaw had been cut away by the blow that severed the neck. On the right side near the angle of the jaw there was also the mark of a more shallow cut. The arms lay at the side with the hands in front of the pelvis; the wrists were not crossed.
- No. 18.** Only the lower part of this body was found; the upper part may have been removed when the grave was dug for No. 21. In this case the body was buried in the supine position, with the lower limbs flexed at the knees and hips. The body was that of a youth about seventeen years of age.
- No. 19.** (Plate VI.) This was the body of a man who had been decapitated. The body was buried in the supine position with the left thigh rotated outwards and the left knee semi-flexed. The head had been placed between the legs just below the knees. The neck had been cut through at the level of the second cervical vertebra. The body of a decapitated animal, probably a large dog, had been placed between the decapitated head and the left thigh when No. 19 was buried.
- Six silver coins, wrapped in a piece of linen, were found in the region of the left axilla—there being a metal stain on the axillary border of the scapula just below the glenoid fossa.
- No. 20.** When No. 8 was removed, another skeleton—No. 20—was found beneath it, in the supine position with the skull below the feet of No. 8 and the feet below No. 8's shoulders. The wrists of No. 20 were crossed in front and rather to the right side of the pelvis.
- No. 21.** This body was buried in the supine position, with the arms to the side.
- No. 22.** This body was buried in a short grave in the supine position, the head pillowed up at the end of the grave. The legs were straight with the arms in front of the body but without the wrists being crossed.
- No. 23.** When the skeletons No. 8 and No. 20 were removed, a third body—No. 23—was found below them, lying supine and almost at right angles to them. Part of the lower thoracic and lumbar spine of No. 23 had been cut through when No. 20 was buried, but most of the skeleton was in good condition. The hands were in front of the pelvis with the wrists crossed.



To face p. 254]

PLATE IV.

Skeleton No. 16 is shown in the foreground.



To face p. 255]

PLATE V.

Skeletons No. 41, No. 40, No. 37, and Post Hole "B."
Note the ground level shown at the top of the plate.

No. 24. This body had been cut through when No. 16 was buried and the skull and upper part of the skeleton could not be found. The body was buried in the supine position with the upper limbs to the side and the lower straight.

A small bronze "wrist-fastener" (Plate I) was found near the right wrist—there was a well-marked copper stain on the right radius, just above the styloid process.

No. 25. This body had been laid in the supine position in a very shallow grave. The knees were semi-flexed and the wrists crossed behind the back.

No. 26. This was the body of a young adult buried in the supine position; the wrists were not crossed.

No. 27. (Plate IX.) This body was buried in quite a well-made grave just over two feet deep. Body No. 36, that had been buried at an earlier date, had been broken up when No. 27 was buried, and the femur of No. 36 lay parallel to the leg bones of No. 27 and many of the other bones were packed in on the left side of the head and neck. Body No. 27 was buried in the supine position with the wrists crossed behind the pelvis. There was evidence that acute periostitis of the fibula had occurred in this case but recovery had been satisfactory.

No. 28. This body was buried in the supine position with the knees semi-flexed and the wrists behind the back. On the forehead there was a long bronze buckle (Plate I) that had made a deep green stain on the frontal bone; and near the pelvis there were three iron rings (Plate I) about an inch in diameter that might have been attached to the front and sides of a belt.

No. 29. This body was buried in the supine position with the wrists crossed behind the back. The grave was well made about five feet six inches long, two feet wide and two feet eight inches deep.

No. 30. This body was also buried in the supine position with the wrists crossed behind the back. The body was buried partly in chalk and partly in clay and the bones were not in such good condition as those that had lain in the pure chalk.

No. 31. This body was buried in the supine position with the left forearm lying over the trunk and the right straight down by the side. The skeleton seemed to be that of a middle-aged man, but the skull and upper part of the trunk lay in the clay and this part of it was much decayed.

An iron buckle (Plate I) was found close to the neck of the right femur.

No. 32. This body was buried in the supine position, with the wrists crossed behind the back. As in the case of No. 31, the skull and neck were buried in the clay, the rest of the body in chalk.

An iron buckle (Plate I) was found in the pelvis.

No. 33. This body was also in the supine position but without the wrists being crossed. The grave was very shallow and the skull was only eight inches below the level of the ground. The body was probably that of a middle-aged man.

No. 34. This body was buried in the prone position with the legs semi-flexed and the head twisted over to the right side. The wrists were crossed behind the back. This body was buried in one of the deepest graves found, being just over three feet six inches deep at the deepest part.

No. 35. The upper part of this body was disturbed when body No. 31 was buried and the skull and part of the trunk could not be found. The body seems to have been buried in the supine position with the lower limbs so fully flexed that the feet were drawn up to the buttocks.

No. 36. This body was disturbed when the body of No. 27 was buried, and only the legs below the knee were left undisturbed. Most of the bones were found packed in at the sides of No. 27. The right femur had a short neck with very pronounced flattening of the head.

- No. 37. (Plate V.) This body was buried in the supine position with the wrists crossed behind the pelvis. The skull was only four inches below the level of the ground and the grave at its deepest point was less than a foot. The skull of a small hornless sheep lay touching the skeleton on the right side of the neck. No other animal bones could be found anywhere near this skeleton.
- No. 38. This body was buried in the prone position with the wrists crossed in front of the trunk. The body seemed to be that of a small man about five feet in height. The grave was shallow and dug in the clay and the bones were not in good condition.
A small, but very well made, bronze buckle (Plate I) lay near the wrists of this skeleton.
- No. 39. This body was buried in a grave about three feet deep dug in the clay—it lay in the prone position with the wrists crossed behind the back. The bones were very soft and much decayed.
- No. 40. (Plate V.) Only the skull, thorax and bones of the upper limbs of this skeleton were found, the rest was destroyed when No. 41 was buried. The body seems to have been buried in the supine position without the wrists being bound.
- No. 41. (Plate C.) The skull and first four cervical vertebrae of this skeleton could not be found and the body may have been decapitated. The body was buried in the prone position, with the right forearm fully flexed at the elbow and the left straight down by the side.

Groups of skeletons have from time to time been found on the chalk downs of Hampshire, Wiltshire and Surrey that resemble each other in certain ways. The bodies are buried in shallow graves with little or no attempt at orientation; in many instances the wrists are crossed behind the back and very few objects, such as coins, buckles, ornaments, knives, etc., have been found with the skeletons. Until all these groups of burials have been recorded and mapped out it is impossible to grasp their full significance or exact date. The present report can only be looked upon as a record that may prove of value in later investigations.

Four groups of skeletons of men undoubtedly executed have now been found at no great distance from the Winchester—Old Sarum road. Dr. Blackmore describes a group of fourteen found six hundred yards south of Old Sarum (5). Dr. Stone describes another group that he discovered on Roche Court Down at Lopcombe Corner (6) and Miss Liddell unearthed a number of skeletons on Meon Hill (7) less than two miles from Stockbridge Down. It is not easy to fix a date for the bones discovered by Dr. Blackmore and Dr. Stone; it would seem that the victims were stripped of all they possessed before they were buried. A comparison of the objects found at Meon Hill with those from Stockbridge Down leaves no doubt but that these two groups are of the same date, and it would seem very probable that all four burial grounds belong to about the same period.

As to the date of the burials, the presence of coins struck during the later years of Edward the Confessor suggests that the executions took place later than the middle of the 11th century. The pottery



To face p. 256]

PLATE VI.

Skeleton of Man and Dog, both decapitated.



To face p. 257]

PLATE VII.
Skeletons No. 11 and No. 12.

found on Stockbridge Down is regarded by Mr. Dunning as belonging to the Norman rather than the Saxon period, and Mr. Kendrick is of opinion that the buckles belong to the period following the Conquest, though they are of such a simple nature and few in number that they could not with certainty be dated.

The skeletons themselves give little indication as to their date, but the place where they were found, presumably the place of execution, is, however, of importance. Large numbers of men could not have been put to death on prominent hills close to the Borough of Stockbridge except by an established authority, acting in the name of the King. This brings us to the question of capital punishment in England shortly before and after the Norman Conquest. I am indebted to Sir Norman Hill for the following résumé of the Forest Laws and Criminal Codes of the period :—

As to Forest Laws :

Definite laws relating to hunting and woodland were in force during both the Saxon and the Danish periods, but in those times only the King's own lands and untenanted tracts appear to have been placed under ban as royal hunting grounds. Under that system, the laws were in the nature of Game Laws; and it was only in the Royal Hunting Grounds that such Laws were enforced by the King's specially appointed officers.

William the Conqueror introduced an entirely new system. He worked on the theory that all game animals were ownerless and therefore the property of the King, and that consequently, by royal prerogative, he had the right of pursuit and capture anywhere and by whomsoever the land was owned, and that he alone could grant privileges relating to the chase. By the exercise of the royal prerogative he declared any area he pleased to be a Royal Forest for the purposes of the protection, pursuit and capture of game, and he prescribed the manner in which such right was to be maintained against all, including the owners of all land within the prescribed area.

It was only within such prescribed areas that the Game Laws became Forest Laws.

Under the Norman Kings, the Forest Laws and their administration attained a specially well-defined position side by side with the Common Law, and special justices were appointed by the King to administer the Forest Laws. And an area did not become a forest, and therefore under Forest Law, until such justices were appointed. No subject could appoint such justices and therefore, although the King may have granted to others the privileges of chase over their own land or over the land of others, only the King could possess a forest for his own use and recreation.

The manner in which the Kings exercised this royal prerogative both as regards the areas prescribed, and the manner in which the game within such area was to be protected, was again and again challenged by the people—and from time to time the prerogative was limited and controlled by Charters extorted from particular Kings.

I know of no complete records showing what areas have been Royal Forests under each of the Kings since the Conquest, but there is a map prepared to show their extent in the 13th century. According to that map the Winchester—Old Sarum road passed through the northern portion (if it did not form the northern boundary) of the Royal Forests of Bere Ashley and Buckholt. Immediately to the north of both those forests was the Royal Forest of Chute, and to the south the New Forest. The probability is therefore that Stockbridge Down, Meon Hill, Roche Court Down, and the approach to Old Sarum from

the east and south had since the Conquest all been within a Royal Forest and under Forest Law.

As to the penalties enforced :

Previous to the Norman Conquest, offences against the Game Laws were punishable by fine. Under William I, offences under the Forest Laws were punished by mutilation.

Under William Rufus, offences were punished with death.

Both Henry I and Stephen relaxed the Forest Laws on coming to the throne, but both failed to keep their promises.

Henry II issued a Code of Forest Laws in 1184, and substituted fines for penalties of mutilation by loss of eyes, cutting off hands and feet ; but the penalty for killing a stag "cost a bondman his life, an unfree man his liberty, and a freeman his freedom."

Henry III issued a new Code of Forest Laws in 1217, which provided that "henceforth neither life nor limb should be destroyed for killing the royal deer, but that only a fine should be exacted, with imprisonment for a year and a day in default."

Looking at the position as a whole, it would appear improbable that the men were executed under Forest Laws in either Saxon times or during the reign of William I (1066—1087). They might have been so executed in the times of William Rufus (1087—1100) or Henry I (1100—1135).

As to the Criminal Law :

Under the Saxon Kings, very drastic penalties were imposed on thieves and robbers, and such penalties were enforced with peculiar severity against men who were not freemen or were strangers to the place in which the crime was committed—or if the crime was committed on a highway. But in the 11th century the punishment of death appears to have fallen largely into disuse.

The road from Winchester to Old Sarum was an important one, and having regard to the wide extent of the forest areas through which it ran, it must have been a happy hunting-ground for robbers. The comers and goers at the big annual Fair at Winchester must have needed special protection.

Godwine, as the Earl of the West Saxons under Edward the Confessor, "is specially praised for what in those days was looked on as the first virtue of a ruler, merciless severity towards all disturbers of the public peace. In our settled times we hardly understand how rigour, often barbarous rigour, against thieves and murderers should have been looked on as first merit of a governor, one which was always enough to cover a multitude of sins. . . . To have discharged this great duty stands foremost in the panegyrics of Godwine and of Harold."

Under the Norman Kings :

William I "altogether forbade the punishment of death. No man was to be hanged or otherwise put to death for any crime whatever." But instead of death, William ordained mutilation.

The beheading of Earl Waltheof at Winchester in 1076 on a charge of treason was without precedent for years past either in England or in Normandy.

Henry I revoked William I's law against capital punishment and "secured the peace of the land by denouncing death by hanging against thieves and robbers of every class."

The group of burials found near Old Sarum, Lopcombe Corner and to the east and west of Stockbridge are not only strung out along the great road, but they are in the vicinity of the ancient Royal Forests, and it is impossible to say if they belonged to men executed as poachers of the royal game, or robbers from the highway.



To face p. 258]

PLATE VIII.

Skeletons No. 14 and No. 15 with part of No. 13.

Note how the leg bones of No. 13 were cut when the grave for No. 14 was dug.



To face p. 259]

PLATE IX.

Skeleton No. 27.

Note the position of the arms; many of the skeletons lay in this position. Note also the loose bones reburied in the grave.

The burials near Stockbridge certainly took place over a period of many years and it is not impossible that executions were carried out on two prominent hills on either side of the River Test, both before and after the Conquest ; but from the evidence before us it would seem most probable that we have unearthed the bones of men executed in the name of William Rufus or of his successor, Henry I.

I wish to acknowledge my indebtedness to my father, Sir Norman Hill, who financed the excavation and with his skill and cunning not only advised and encouraged the excavation, but has also expounded the laws of kings long dead. I have to thank Mr. Kendrick and Mr. Derek Allen of the British Museum for their great kindness and their help in identifying, cleaning and recording the finds, and Mr. Dunning for his advice and excellent drawing of the pottery. Lastly, I must thank Mr. Morse and Mr. Parfit, who undertook the real spade-work and proved themselves keen observers and good colleagues.

REFERENCES.

1. *Antiquaries Journal*, XV, p. 174.
2. *Devizes Museum Catalogue*, 1931, II, p. 266, Fig. 46.
3. *Richborough Report*, III, p. 186, pl. XLII.
4. *Antiquaries Journal*, IV, p. 371.
5. *Salisbury Field Club Transactions*, Vol. I, p. 49.
6. *Wilts Archaeological Magazine*, Vol. XLV, p. 568.
7. *Proceedings*, Hampshire Archaeological Society, Vol. XII, Part 2, p. 127.
8. *Royal History Society Transactions*, Fourth Series, Vol. IV, p. 140.